

I, Robert Joondeph, declare as follows:

1. My name is Robert Joondeph and I make this declaration based on personal knowledge.

2. I am the Executive Director of the Oregon Advocacy Center (OAC). I have held this position since 1991. OAC is the *Protection and Advocacy* program for Oregon, providing legal based advocacy for individuals with mental and physical disabilities throughout the state. I have been a licensed attorney in Oregon since 1976. Our staff includes ten other attorneys, paralegal/investigators, intake specialists, benefits planners and support staff. OAC is mandated under federal law to investigate complaints of abuse or neglect of individuals with disabilities including inappropriate actions taken to hasten the death of an individual.

3. In the decade since passage of the Oregon Death with Dignity Act (the Dignity Act), OAC has received very few complaints from disabled Oregonians about the Dignity Act. All of the complaints that have been received have focused on the concern that the Dignity Act might discriminate against persons with disabilities who would seek to make use of the Act but have disabilities which would prevent self administration, thereby denying these persons the ability to use the Dignity Act. OAC has never received a complaint that a person with disabilities was coerced to make use of the Dignity Act. I am not aware of any data that suggests that Oregonians with disabilities that are not related to a terminal illness have made use of the Dignity Act.

4. I have reviewed the recent report on the Oregon experience, co-authored by an epidemiologist who I know and respect, Dr. Linda Ganzini. LEGAL PHYSICIAN-ASSISTED DYING IN OREGON AND THE NETHERLANDS: EVIDENCE CONCERNING THE IMPACT ON PATIENTS IN 'VULNERABLE' GROUPS, Margaret P. Battin, Ph.D., Agnes van der Heide, M.D., Ph.D, Linda Ganzini, M.D., M.P.H., Gerrit van der Wal, M.D. Ph.D., and Bregje D. Onwuteaka-Philipsen, Ph.D., J. Med. Ethics, 2007, 33:591-597 ("The Report").

5. The Report sets out to review all annual and cumulative data collected by the Oregon Department of Human Services on utilization of the Dignity Act, as well as three independent studies of the data. The Report concludes that rates of assisted dying in Oregon show no evidence of heightened risk for the physically disabled or chronically ill, the elderly, women, the uninsured, people with low educational status, the poor, minors, persons with psychiatric illnesses including depression, or racial minorities, compared to background populations.

6. The Report concludes that there is no evidence that where assisted dying is legal there is any slide down a "slippery slope", causing disproportionate impact on vulnerable groups. The Report finds that there is no evidence that people in vulnerable groups are at heightened risk for physician-assisted dying compared to others not in these groups.

7. I have no personal knowledge of cases in Oregon that contradict the findings in The Report.

I hereby declare that the above statement is true to the best of my knowledge and belief, and that I understand it is made for use as testimony before the American Public Health Association.

DATED this \_\_\_\_ day of October, 2007 at Portland, Oregon.

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Robert Joondeph