

Libertarian Party of Colorado
2016 Ballot Issue Positions – Minority Reports

The Official Position of the Libertarian Party of Colorado is to support Proposition 106. Our position can be found here: <http://www.lpcolorado.org/ballotissues>

This minority report was authored by David Aitken. In order to fairly represent dissident views we have offered this space for expression.

If the purpose of government is to protect life, liberty, and property, this proposal fails the first test by opening the door to prematurely killing people. It is also inconsistent with the Party's position on the death penalty. See <http://www.lpcolorado.org/platform>.

Insurance companies may use this proposal to deny coverage for expensive treatments. See <http://abcnews.go.com/Health/story?id=5517492&page=1>.

Violates the Hippocratic Oath, part of which reads "I will use treatment to help the sick according to my ability and judgment, but never with a view to injury and wrongdoing. Neither will I administer a poison to anybody when asked to do so, nor will I suggest such a course." https://en.wikipedia.org/wiki/Hippocratic_Oath.

One of the witnesses in this ballot issue may be related to the patient, a beneficiary of the estate, or a representative of an insurance company or health provider and may have influence over the other witness. (2)(a)(III) There is no requirement that neither witness may have any knowledge of the other or be capable of judging that the patient is "mentally capable" of making this decision. There is also the possibility of witness shopping. Who chooses the witness?

The Supreme Court held that the Fourteenth Amendment Due Process Clause does not provide a "fundamental liberty interest" in physician-assisted suicide. (*Washington v. Glucksberg*, 521 U.S. 702 (1997)) and in *Vacco v. Quill*, 521 U.S. 793 (1997), the Supreme Court held that a New York statute criminalizing assisted suicide did not violate the Equal Protection Clause of the Fourteenth Amendment.

See also this policy brief from Colorado Christian University:

<http://www.ccu.edu/centennial/brief/suicide-by-doctor-what-colorado-would-risk-on-the-slippery-slope-of-physician-assisted-suicide/>