In 2014 in Oregon, prescriptions for lethal medications were written for 155 people as compared to 122 people in 2013 and 116 in 2012. There were seventy-one "assisted deaths" during 2013, nearly all of which involved individuals who were over sixty-five years of age and died at home. These people expressed concern for a loss of autonomy, for decreasing capacity to participate in activities that made life enjoyable, and for a loss of dignity.

In 2009, in *Baxter v. State*, 224 P.3d 1211 (Mont. 2009), the Montana Supreme Court held that a doctor is not criminally liable for assisting a mature, aware, and terminally ill patient to take his or her life. The court reasoned that state public policy respected the end-of-life autonomy of patients and that doctors had an ethical obligation to respect a patient's wishes. The Alaska Supreme Court earlier had held that terminally ill patients have no right to a physician's assistance in committing suicide. See *Sampson v. State,* 31 P.3d 88 (Alaska 2001). In May 2014, the Vermont legislature recognized that terminally ill patients have a right to assistance in dying.

In other states in the United States, the law continues to treat aiding and abetting a suicide as a crime. In 1999, the late Dr. Jack Kevorkian was convicted of the second-degree murder of Thomas Youk and was sentenced to serve from ten to twenty-five years in prison. Youk was in the final stages of Lou Gehrig's disease and had signed a consent form authorizing Kevorkian to take his life. See *People v. Kevorkian,* 639 N.W.2d 291 (Mich. 2001). Kevorkian had videotaped the process leading to Youk's death. The tape was played on CBS's *60 Minutes* and was used by the prosecution at trial. Kevorkian was unrepentant and claimed that he was providing a "medical service for an agonized human being."

The U.S. Supreme Court in two decisions has upheld the constitutionality of a state's criminally punishing assisted suicide. See *Vacco v. Quill,* 521 U.S 793 (1997); and *Washington v. Glucksberg,* 521 U.S. 702 (1997). The Court noted in *Washington v. Glucksberg* that an examination of "our Nation's history, legal traditions, and practice demonstrates that Anglo-American common law has punished . . . assisting suicide for over seven hundred years."

In 2014, twenty-nine-year-old Brittany Maynard, diagnosed with terminal brain cancer, moved from California to Oregon to take her life under Oregon law. She wrote, "My question is: Who has the right to tell me that I don't deserve this choice?" Brittany's death led to the California legislature's adoption in 2015 of the End of Life Option Act, which legalized physician-assisted suicide. The California law requires two doctors to certify that a patient has six months or less to live before lethal drugs may be prescribed. Patients are required to be physically able to swallow the medication themselves and must have the mental capacity to make medical decisions.