

# Killing Grandma for Fun and Profit: Florida's Trojan Horse

By Holly Lisle

**So now it's legal to murder people in Florida? You betcha.**

DISCLAIMER #1:

This post is not about the Terry Schiavo case, except where the precedents established by it now affect law.

DISCLAIMER #2:

I am not a Christian. My interest in the Terry Schiavo case has nothing to do with religion, and I am appalled by the behavior of the Christian protestors who have involved themselves in this case; by completely clouding what's really at stake, they have done just as much to legalize murder in Florida as the lawyers and judges for the other side.

Law is all about precedent. Bad rulings are decided on the basis of previous bad rulings, because if you can cite enough cases where people have gotten away with what you want to get away with, the actual law doesn't really matter.

So now Florida has this new "right to murder" ruling. The Schiavo case has never been about the right to die – if you documented your wishes, you've had the right to die for years. This case is, was, has always been, about the right of a man to murder his wife legally on nothing more than his say-so, in spite of having, shall we say, questionable motives. And no documentation, anywhere, ever, that this is what Terri would have wanted. Because, you see, what Terri **wanted** was a divorce from Michael Schiavo. And then she had this mysterious lack of oxygen to her brain while she was alone with Michael, after which Schiavo won a million plus bucks for her therapy and promptly denied her any, and wouldn't even let staff brush her teeth for seven years ...

You know the Schiavo case by now, but this isn't about the Schiavo case. This is about the brand-new precedents established by that case that will now be used as citations used to try other people's cases. Judge Greer made his stand for rulings not based on law, and he won. And wow, he got very creative, and when challenged, held onto – with gritted teeth – his brand-new three-part precedent, the first part of which is that **even an essentially healthy person may be removed from life support without ever having documented a wish to not have extraordinary measures taken to preserve his life.** Your dearly beloved, closest living relative or the person to whom you have given power of attorney can do that for you.

It doesn't seem to be all that big a deal, if you keep the water nice and muddy by shouting neat catch-phrases like "quality of life" and scarier ones like "cost of healthcare to this nation." But it is a big deal. There have been cases before where people who didn't stand to profit from the death of the individual managed to have a loved one removed from a

**ventilator** without pre-existing documentation, after demonstrating that the loved one had repeated EEGs and/or CT scans/ PET scans/ that showed no brain function.

This, however, was a case in which EEGs, PET scans, and, likely, CT scans – the gold standards in defining brain death – were not done. (One highly questionable CT has shown up. It may or may not belong to Terri, and if it does, it suggests head trauma, not anoxia.) No follow-up tests exist for any of the tests, no baseline test exist for the EEGs and PET scans. Follow-up tests are mandatory in defining “persistent” ANYTHING, incidentally. These are tests without which you cannot, by repeating them, define ‘persistent vegetative state’ (that is, that this human being has no more human function than a vegetable), and Terry Schiavo never had them. Terri Schiavo was defined as being vegetative by the keen eyes of doctors who could look at her with their amazing naked Doctor Eyes and **see** that she had no brain function. That she was a vegetable. Vegetative. She was diagnosed by Magic Medicine.

Further, she was breathing just fine on her own. Her kidneys worked – she didn’t have to have dialysis. She didn’t have a pacemaker to keep her heart firing regularly. Anything that could be defined by the existing standard of extraordinary measures, she didn’t need. She needed nothing but food and water and air to survive.

So the second part of Judge Greer’s amazing ruling is that **food and water have been defined as extraordinary measures of life support.** And, honey, no matter where you’re standing, that is a big deal. That is the 24K gold, forty-foot tall Trojan horse that has been pulled into Florida and parked with the willing help of the state judicial system, and the complaisant unwillingness to get involved of the federal system.

And, part three, as mentioned above, **the plaintiff can benefit**

**from the death of the victim without having his motives questioned, can stand to profit by her death and ONLY by her death – and everyone's okay with that?** Yes, legally everyone is.

Please remember these three key points, because you're going to be seeing them again:

1. The plaintiff for the 'victim' can sue for the cessation of extraordinary measures in sustaining life, whether or not the plaintiff stands to profit substantially by the death of the 'victim';
2. The 'victim' never has to have stated in any form a wish not to have extraordinary measures taken to save his or her life;
3. Food and water are defined as extraordinary measures.

Now add in one final goody, and we can have some real fun. These precedents have been established in **Florida, the Sunshine State**. Three beats. Come on. Think ugly thoughts with me here. The retirement capital of the world? Old people, including well-off old people who bought that house on Long Island for \$7000 forty or fifty years ago and sold it for \$500,000 last year?

Getting there? Florida is cheek to jowl with old people, who get confused if you take them out of their surroundings, so that all you really need to obtain a power of attorney is to be the closest living relative when Grandma goes into the hospital for an overnight stay, and starts seeing bugs on the wall.

Right. You have the picture now. Bob's Grandma slips and breaks a hip on a wet spot on the floor. Bob was with her when it happened, and he is willing to swear on a Bible that it was the wet spot – she's getting old, poor dear, and she isn't the housekeeper she used to be. Following surgery, she's confused. She gets combative and has to be restrained. Bob, as her

closest living relative, and with his nifty new power of attorney, says that she didn't want extraordinary measures taken to prolong her life – even though she never said any such thing – and she wouldn't want to be tied to a bed, screaming, swatting flies on the wall. Bob demands that she not be given food and water, because Bob wants to ease her suffering, and keep down the costs before he can get his hands on that nest egg, and her paid-for condo, and all her other goodies.

Florida has lots of husbands and wives who can't stand each other, too; but who stay together to keep their hands on the property. Well – hey, in Florida it's legal to whack a spouse now. Don't get caught depriving oxygen or giving the little push that causes the head injury or whatever, but once hubby or wifey is past the sticky bit, with a breathing but mute spouse, the courts will support that God-given right to finish killing him or her the rest of the way off.

Just imagine Florida's fine future. No more crowded nursing homes: Get ALL those people off the extraordinary life support of food and water right now – everyone knows people would rather be dead than live in a nursing home. No more crowded hospitals: Any inconvenient, unconscious person in ICU is automatically fair game. So are all the elderly and weak on Med Surg. As for ER – honey, if you can't walk in, why should anyone help you walk back out? We could use all that money we would have spent saving your sorry ass with resuscitation and therapy to build a swimming pool.

And now that we have established that your right to live can be superceded by your greedy relative's desire to see you dead, think about this last little goody.

When we're getting rid of all the inconvenient people, when does their "right to die" become their "duty to die." When do we tell them "We're spending health care dollars on you, and you're not going to get better. You're never going to live a

normal life again. You're always going to be retarded/ have AIDS/ be old and weak/ be paralyzed/ have some ugly birth defect, and we have decided that your quality of life isn't such that we think we should keep spending tremendous amounts of our nation's healthcare dollars keeping you alive. Have some hemlock, dear. It's been nice knowing you.

My suggestions? Be with the one you love (and trust). Love the one you're with. Get the hell out of Florida if you value your own skin.

And if you think **you** might ever wish to have the extraordinary measure of administering food and water taken to preserve **your** life, should you ever for a minute be unable to state this fact to a doctor or nurse or lawyer – write it down NOW. In front of a lawyer. Because your days of assuming that the law will protect your right to live (as stated not once but TWICE in the Bill of Rights) are all gone. Precedent has been established to the contrary, and your assumed right to life in the absence of your ability to claim that right is gone.

And you know what? No one even has to appoint a lawyer to represent you and your rights personally. The person acting in what he or she decides will be your best interests can have a lawyer, and that lawyer will speak for both of you. So there you go. Who could complain about the fairness of that?

The Greeks won the war, and no one even saw them coming. Pretty good horse they made, huh?

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