



Jack Lessenberry - News

4 years into prison term, Kevorkian all but forgotten

By: JACK LESSENBERRY , Special to The Oakland Press

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Four years ago, when he was convicted of second-degree murder, Jack Kevorkian was one of the most famous people in America, ranking just a notch behind the president in name recognition.

Today, as his nation prepares for war, he sits in a cell in Lapeer, almost totally forgotten and with seemingly little chance of ever getting out alive. He says he now only wants to work to change the law and promises never to help another patient die. But nobody seems to care.

The man who made physician-assisted suicide famous was on the cover of Time Magazine, dominated the airwaves and was the subject of intense debate everywhere from philosophy classes to bowling alleys. Was he an angel of mercy or a mass murderer? Was he the John Brown of a new civil rights movement destined to win Americans the last right - the right to legally die when one wanted to?

Virtually everyone had an opinion. But four years later, virtually everyone seems to have forgotten the strange little man who, by his own count, helped more than 130 people to assume room temperature from 1990 to 1999. For a while, he seemed, incredibly, to have defeated the system. After jury after jury refused to convict him, Detroit-area prosecutors announced they would no longer charge Kevorkian in assisted-suicide deaths.

Soon, he was operating almost an assembly line.

But that wasn't enough. He moved on to euthanasia and sent a videotape of it to "60 Minutes." When prosecutors reluctantly took him on, Kevorkian fired longtime attorney Geoffrey Fieger and attempted an incoherent defense that resulted in a murder conviction. "Good. That'll show how corrupt the system is," he said.

When Kevorkian was sentenced to 10 to 25 years in April 1999, he thought public outrage would soon force his release. Exactly the opposite happened. Then-Gov. John Engler announced prisoners could no longer be interviewed by the broadcast media. Suddenly, the man who had been a media darling for nearly a decade seemed to have used up his more-than-15 minutes of fame.

The nation moved on to other obsessions: the unbelievable 2000 presidential election, Chandra Levy, a swooning stock market. Court after court said no to his appeals. Barbara Walters sued to win the right to interview the defrocked doctor on network TV. The suit is still tied up before the Michigan Supreme Court.

But after Sept. 11, not many people wanted to hear about voluntary suicide.

"We think we still have a good chance at getting his conviction reversed," Kevorkian's lawyer, Mayer Morgenroth, said last week. Morgenroth, a well-known and respected defense attorney, took up the cause - pro bono - after Kevorkian was sentenced in 1999. He is as quiet and studious as Fieger was bombastic.

He is liked and respected by the establishment. But none of this seems to have done much good. Now, he has appealed Kevorkian's conviction to U.S. District Judge Nancy Edmonds, who has not been afraid to make controversial rulings.

Morgenroth wants her to overturn the trial because of procedural errors, which would have the effect of immediately releasing his client.

The federal judge has been looking at the case for weeks now, which, to Kevorkian's few remaining supporters, is a hopeful sign. However, the odds of her tossing the conviction seem small. The odds of Kevorkian getting back in the court of public opinion seem slightly better. New Gov. Jennifer Granholm could simply end the prohibition on interviews. But last week, Granholm spokeswoman Mary Dettloff said no decision had been made to do so - and that, as far as she knew, no one had asked.

This May, Dr. Death, aka 284797, turns 75. "Essentially, Jack is bored," Morgenroth says. He spends most of his time reading in a cell he shares with another man in the medium-security Thum Correctional Facility. His visitors include a doctor, his legal team, a wealthy woman from California who fell in love with him after he went to jail, and a medical supply salesman who used to get him, well, supplies.

Technically, he becomes eligible for parole in four more years. His friends don't believe he'll live that long. There is also no guarantee he will be granted parole then. The state could keep him in jail until he's 96.

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But his issue is no more dead than health care reform. "I won't live to see it, but this (assisted suicide) will become accepted in your lifetime," he told me during an earlier jail sojourn. "Know why? Do you think Generation X will pay to keep all you baby boomers alive in nursing homes?" he asked.

He may be, as some have always said, nuts. But I had an uneasy feeling that he may also be right.

(Jack Lessenberry is a member of the Wayne State University journalism faculty and a consultant to The Oakland Press.)

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