

POLITICS

On Schiavo Case, Bush Treads Lightly

Former governor isn't trumpeting his role in the legal battle involving a brain-damaged woman



Demonstrators pray for Terri Schiavo in March 2005 outside a courthouse in Clearwater, Fla., shortly before she died.

PHOTO: ASSOCIATED PRESS

By Beth Reinhard

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Casting himself as the “most conservative governor in Florida’s history,” Jeb Bush ticks off a record in office that includes tax cuts, vetoes on spending, private-school vouchers and fewer state employees.

But the likely 2016 presidential candidate rarely, if ever, trumpets one of his most enduring conservative credentials: his yearslong effort to save Terri Schiavo, a severely brain-damaged woman whose husband wanted to remove life support despite her parents’ objections.

Mr. Bush isn’t planning to attend a charity fundraiser, hosted by her family, on Tuesday marking the 10th anniversary of Ms. Schiavo’s death. He has spoken about her when asked in recent interviews, including a question at the Conservative Political Action Conference whether he had any regrets about his handling of the case.

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“No,” Mr. Bush told Fox News host Sean Hannity at the February event. “I acted on my core belief that the most vulnerable in our society should be in the front of the line. They should receive our love and protection.”

That principle—and Ms. Schiavo’s story—resonate with religious conservatives, an influential bloc among a Republican primary electorate that views Mr. Bush warily because of some other policy positions. At the same time, most Americans disapproved of government intervention in the court battle between Ms. Schiavo’s husband and her parents, suggesting Mr. Bush’s role in the case could be a liability in a general election.



Terri Schiavo in an undated photo before she suffered catastrophic brain damage.

PHOTO: SCHINDLER FAMILY/ASSOCIATED PRESS

Ms. Schiavo was 26 years old in 1990 when a heart attack left her in what court-appointed doctors called a “persistent vegetative state.” After her husband, Michael, won the right to remove her feeding tube in 2003, Mr. Bush fast-tracked a state law overriding the court ruling. The tube was quickly reinserted.

After the Florida Supreme Court struck down “Terri’s Law” as unconstitutional in 2004, Mr. Bush reached out to his brother, President George W. Bush, who signed a law pushed by the Republican majority in Congress calling for federal intervention. Ultimately, the U.S. Supreme

Court declined the case, and Gov. Bush and her parents exhausted all other legal appeals. She died shortly after her feeding tube was removed.

After her death, Gov. Bush pressed for an investigation into allegations that her husband had delayed calling for help when she collapsed 15 years earlier. State prosecutors found no evidence to support those claims.

“That man put me through misery,” Mr. Schiavo said in an interview. “He acted on his personal feelings and religious beliefs, so how can he talk about limited government?”

In a Wall Street Journal/NBC News poll after Ms. Schiavo's death in 2005, 51% said removing her feeding tube was "the right thing to do," while 38% said it was wrong. Polls of Florida voters showed a higher percentage disapproved of the governor's role than in a national poll, although he remained popular overall in his state.



Then-Gov. Jeb Bush speaks in March 2005 about a petition filed with a Florida court seeking to take custody of Terri Schiavo.

PHOTO: TAMPA TRIBUNE/ASSOCIATED PRESS

"There's no doubt this matter will be brought to the fore by opponents and supporters, because it was a seminal event," said attorney Ken Connor, who represented Mr. Bush in the case and has offered to serve as a campaign surrogate. "I don't think he ever took more political heat on a single issue."

Kristy Campbell, a spokeswoman for Mr. Bush, said: "He believes it's appropriate to err on the side of life and promote human dignity, especially in a situation that was as complicated as the Terri Schiavo case."

Jim Towe, a close friend of Mr. Bush's who led the White House Office of Faith-Based and Community Initiatives under the former governor's brother, said he doesn't expect Jeb Bush to emphasize his work on behalf of Ms. Schiavo but may mention the case as part of a discussion about end-of-life care.

“I don’t think he wants to use the issue for political gain,” said Mr. Towey, president of Ave Maria University in Florida and the founder of Aging with Dignity, a nonprofit that advocates living wills. “This is an intensely personal debate, and he’s aware there’s a great deal of pain that surrounds these issues for family members.”

Mr. Bush isn’t wavering from positions that are unpopular with some conservatives, including his support of Common Core academic standards and legalizing undocumented workers. But he is trumpeting his antiabortion record in private meetings with social conservatives and has tapped Jordan Sekulow, an evangelical attorney, as an adviser. Mr. Towey also is doing informal outreach to the religious right on Mr. Bush’s behalf.

Some conservatives think more frequent mentions of the Schiavo case could help Mr. Bush in the primaries.

“I’ve not heard too many people talking about what Bush did for Terri Schiavo, and time has gone by, so I think it’s important that he take the opportunity eventually to tell that story to the people who don’t think he’s a conservative,” said Steve Scheffler, president of the Iowa Faith and Freedom Coalition.

Tuesday’s commemorative dinner in Philadelphia will benefit the Terri Schiavo Life and Hope Network, a family charity. “We won’t forget what the governor did,” said Ms. Schiavo’s brother, Bobby Schindler.

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