



October 13th, 2022

We did it! **We defeated the District of Columbia in federal court.**

Thanks to your partnership, you and I can celebrate *the biggest court victory in the history of the Parental Rights Foundation.*

For the sake of children and parents in DC and throughout the nation, we went toe-to-toe with the DC Council and the entire bureaucracy of the DC government over their Minor Consent for Vaccinations Act Amendment of 2020—and we won!

DC's bill, passed in November of 2020, would have allowed **children as young as 11 to give legally binding consent to any FDA-approved vaccine** without the consent or even knowledge of a parent.

What's more, the law prohibited schools, doctors, and even insurance companies (through Explanation of Benefits, or EOBs) from letting parents know if such vaccines were given.

We warned DC. But they wouldn't listen.

We wrote in October of 2020 that their proposal **violates federal law and the constitutional rights of parents.** Even at that early date, before the bill was approved on its second vote by the DC Council, we declared that “there is no conceivable way [that] Bill 23-171 could survive a constitutional challenge,” and we urged supporters in DC to pass this on to their councilmembers.

But **the DC Council ignored our concerns and passed the bill anyway** (with only one exception: Councilman Robert C. White, Jr., who voted for the bill in October, but who wisely voted against it in November of 2020).

The bill survived a 10-day review period in December of 2020 when Mayor Muriel Bowser could have vetoed it and chose not to. She didn't heed our warning, either.

Then it went to Congress for a 30-day review period. And during that time, **we made our concerns known to Congress, too**—they had the power to safeguard the Constitution, federal law, and parental rights by vetoing DC’s flawed legislation.

Rep. Michael Cloud (Texas) in the House and Sen. Mike Lee (Utah) in the Senate each introduced a veto resolution to halt DC’s bill due to these constitutional concerns. Senator Lee even spoke against DC’s proposed law and called for its veto by unanimous consent on March 3, 2021, but his motion was defeated by the presence of opposition. (A unanimous consent motion only passes if there is no objection.)

But, again, members of Congress who supported DC’s bill and who stand against parental rights ignored our warnings and let the bill become law in the District of Columbia. Because of the safety of the children involved, **throwing up our hands in defeat was never an option.**

Children are simply not ready to make the kind of adult decisions that would have been thrust upon them with this legislation: **permanent health-care decisions with long-lasting effects.**

To force this kind of decision-making authority (and responsibility!) onto children who lack the maturity to carry it wisely is a huge and dangerous disservice to the very children the law purports to support.

As you well know, the US Supreme Court has recognized for decades that **children often lack the maturity to make these decisions, and that parents can and must make them instead.** For the last 100 years, the US Supreme Court has declared that parental rights are fundamental. You know that. We know that. But **the DC Council just wouldn’t listen.**

So, when we met **Victor Booth**, a father who lives in the District of Columbia and whose concerns for the health of his sons were also being ignored by the DC Council, we knew we wanted to represent him in court. We knew his rights were being violated and his sons were being put in jeopardy.

We knew his plight was just the kind of parental rights violation you have partnered with us to prevent, so that we would be able to stand beside him and fight for justice.

We also knew additional experts could strengthen the case, since the DC law violated not only the Constitution, but also federal vaccination laws. On behalf of Mr. Booth and three other parents, on July 12, 2021, we filed suit against the DC law in federal court.

We argued that the law violated the constitutional right of parents to direct the upbringing, education, and care of their children.

We also argued that **it violated federal law**—both the National Childhood Vaccine Injury Act of 1986 and the Religious Freedom Restoration Act of 1993.

We got our first day in court on September 2, 2021, but the ruling was delayed to gather more evidence. While our arguments might make sense in theory, the judge wanted to see the actual effects of the law once the school year started.

So, **it wasn't until March 18 of this year that the court finally issued a preliminary injunction halting application of the law.** That decision was a very positive sign, but it was still not conclusive.

In his ruling, Federal District Court Judge Trevor McFadden made it clear that, in his opinion, our arguments were sound and we would likely win our case. (Did I mention that we told the DC Council that back in 2020, but they wouldn't listen?) But an actual finding in the case would be months or even years in coming, once all the evidence could be seen and all the arguments heard.

During that time, the law would not be in effect (thanks to the preliminary injunction), based on the likelihood that we would win our case.

Once the preliminary injunction was issued, it fell to the DC administration and their lawyers to decide next steps. They could keep fighting, and even plan to appeal if they lost that round.

Instead, seeing the writing on the wall, **DC waved the white flag. They didn't even attempt to appeal the preliminary injunction.** While we couldn't tell you at the time, the DC government entered into settlement talks soon after Judge McFadden issued the preliminary injunction.

The settlement, which ended any enforcement of the law and covered our attorney fees (we never charged Victor Booth and his family a single cent), was agreed to by all parties and filed with the court just a few weeks ago.

Not only did Victor Booth and his family receive justice, and not only did DC have to pay out for their unlawful and unconstitutional attempt to cut parents out of decision-making for their own children, but **the DC Council also agreed to repeal their law. Victory for the God-given, fundamental rights of parents is sweet.**

We have had other wins before in cases where we supplied amicus curiae (friend of the court) briefs for other people's cases. But this is the first big win of our own, and we couldn't be more excited.

See, when the DC Council refused to listen to us and refused to recognize the constitutional right of parents to make health-care decisions for their minor children, we were able to get the courts to uphold those rights anyway. And children have been spared the consequences of having to make decisions they are not ready for.

**When the DC Council wouldn't listen, we were able to make them listen.**

And that's all because of your support.

Without your generous partnership with us in the past, we would not have been in a position to take up Victor Booth's concerns. We would not have been here to represent him in court. Now I'm asking you to continue that partnership with us today, **so that we can be ready to represent the next Victor Booth, the next concerned parent whose child is put at risk because parental rights are being ignored.**

We've already seen efforts in California to adopt a similar law. I'm pleased to tell you that the California Legislature, upon seeing our victory against DC, decided to not pass their bill, Senate Bill 866, into law. For now, parents in California have won a major victory to protect their rights to decide the medical care their minor children receive.

And with our win against DC, California—and every other state in the nation—is on notice that if they don't heed parental rights, we'll see them in court. And we will win.

Can I count on you today for your best gift to help us prepare to represent more families like Victor Booth's against overreaching bureaucrats?

With your continued support, we can make sure this victory is only **the first of many!**

Gratefully,

A handwritten signature in black ink, appearing to read "Wid", written in a cursive style.

William A. Estrada, Esq.  
President, Parental Rights Foundation

PS: I'm thrilled with our win against the District of Columbia. It's awesome to see our God-given, constitutionally guaranteed parental rights protected so definitively. But these types of cases are not cheap. In order to be ready to defend parental rights across the nation, we need your generous, tax-deductible support. I am grateful for you and your partnership with us!