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Judge Rules 11-Year-Olds Can't Get Vaccines Without Parents' Consent

The U.S. District Court for the District of Columbia on March 18 granted a preliminary injunction prohibiting the mayor of the District of Columbia, the D.C. Department of Health and D.C. public schools from enforcing a law allowing children 11 and older to be vaccinated without parental consent.

By [Children's Health Defense Team](#)

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The U.S. District Court for the District of Columbia on March 18 [issued an order](#) granting a [preliminary injunction](#) prohibiting the mayor of the District of Columbia, the D.C. Department of Health and D.C. public schools from enforcing the [D.C. Minor Consent for Vaccination Amendment Act of 2020](#) (D.C. Minor Consent Act) until further order of the court.

"This is a major legal victory for children, parental rights and informed consent," said Rolf Hazlehurst, senior staff attorney for [Children's Health Defense](#) (CHD) who argued the case.

"Government overreach such as this has dire implications for children's health and the constitutional rights of citizens," Hazlehurst said.

The D.C. Minor Consent Act allows children 11 and older to consent to vaccinations without their parents' knowledge or consent. The law specifically targets children whose parents have religious exemptions for their children.

The measure contains [several provisions](#) designed to deceive parents and hide the fact that their children have been vaccinated against their parental judgment, authority or religious convictions.

The court order stated the parents "have shown they are likely to succeed on the merits because the District's law requires providers to hide children's vaccination status from parents who invoke their religious exemption rights ..."

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The D.C. Minor Consent Act also requires healthcare providers to falsify records by leaving the child's school vaccination records "[blank](#)." The doctors may bill the parents' insurance companies for the vaccines administered to the children against the parents' written directive. However, to deceive the parents, insurance companies may not send the parents an Explanation of Benefits.

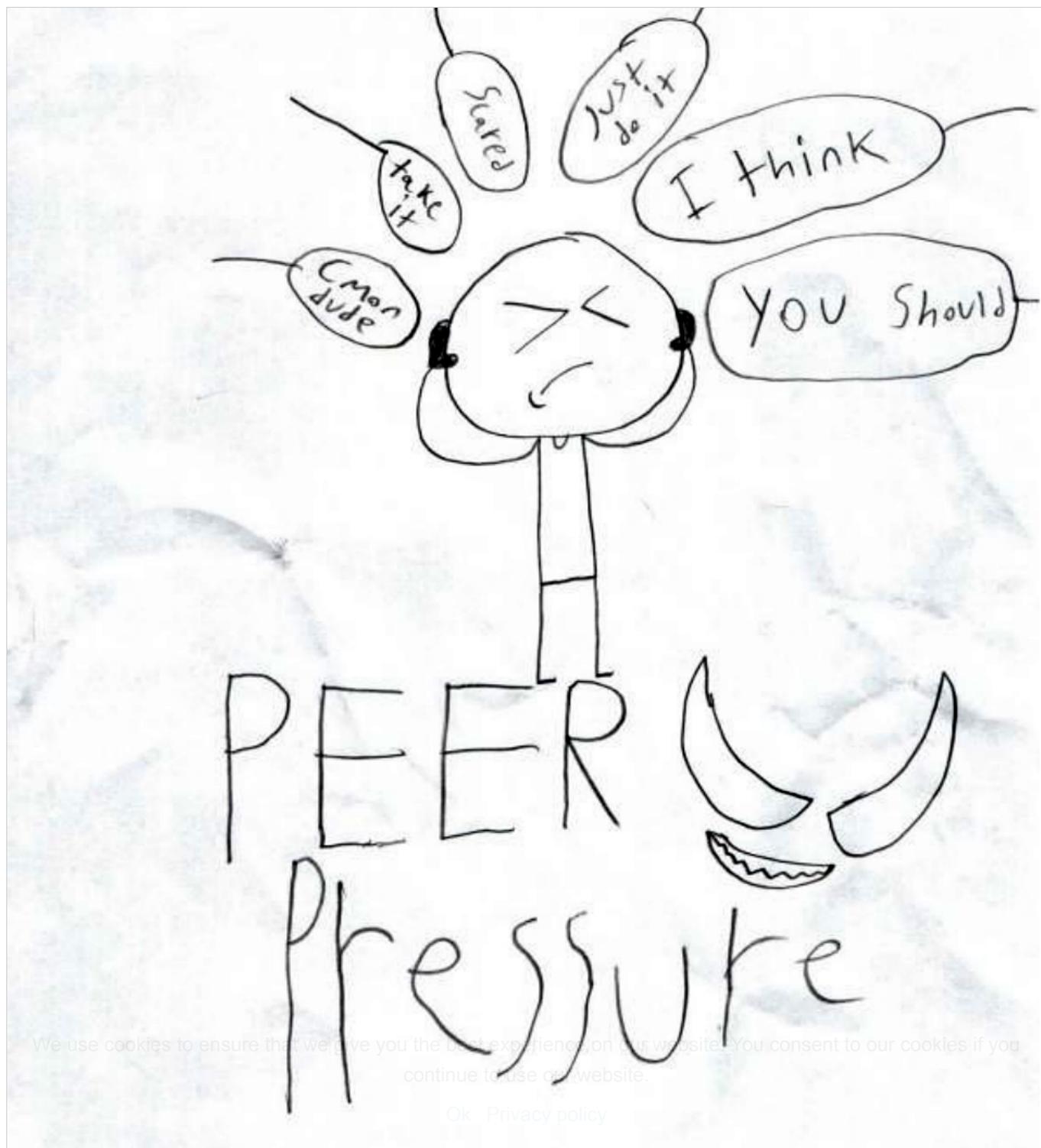
CHD and [Parental Rights Foundation](#) filed [a lawsuit](#) seeking a court order to declare the D.C. Act unconstitutional. Plaintiffs, (Booth, et al.) are four parents of minor children who attend public school in Washington, D.C. Oral arguments were heard on March 3, 2022.

In the opinion issued March 18, the court found the parents likely to succeed on the merits in their arguments that the D.C. Act is unconstitutional for two reasons.

First, the D.C. Act is preempted by federal law because it directly contradicts the [National Childhood Vaccine Injury Act of 1986](#). Second, the D.C. Act also violates the right to free exercise of religion guaranteed by the First Amendment to the Constitution.

Hazlehurst argued the District created a “[pressure-cooker environment](#), enticing and psychologically manipulating [minor children] to defy their parents and take vaccinations against their parents’ will.”

The plaintiffs overcame a high legal hurdle that “threatened injury must be certainly impending” as established by the U.S. Supreme Court precedent, [Clapper v. Amnesty Int’l.](#) — in part by the use of a drawing by one of the plaintiff’s children entitled “[Peer Pressure.](#)”



The drawing depicts the dilemma children face at school when they do not want to get the [COVID](#) vaccine or have been advised by their parents not to take the shot.

"This preliminary injunction is part of ongoing litigation in an extremely important national precedent-setting case," said Hazlehurst. "The rights of parents to decide what is best for their children's health is at stake. Government can't be allowed to make such decisions for minor children."

Two similar but separate lawsuits, Booth (argued by CHD/Parental Rights Foundation) and Mazer (supported by Informed Consent Action Network), were filed against the D.C. Minor Consent Act.

In both Booth and Mazer, the court ruled the plaintiffs have "standing" based on preemption because the D.C. Minor Consent Act conflicts with Congress' National Childhood Vaccine Injury Act of 1986.

In CHD's Booth case, the court made the additional finding that the plaintiffs are likely to succeed on the merits that the D.C. Act violates the free exercise of religion clause in the First Amendment of the Constitution.

In his [ruling](#), U.S. District Judge Trevor N. McFadden stated, "Removing the law would revert the District to the standard age of consent of 18."

Although the case is not yet final, the preliminary injunction reverts D.C. to the standard age of consent of 18.

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