

‘God is telling me not to let go’: A mother fights to keep her 2-year-old on life support

By [Lindsey Bever](#) May 6, 2016

Two-year-old Israel Stinson was being treated for an asthma attack in an emergency room in Northern California last month when he started to shiver, his lips turning purple and his eyes rolling back in his head.

Over the next day, court records claim, Israel had a hard time breathing, went into cardiac arrest and seemingly slipped into a coma.

Soon, his doctors declared him brain-dead and decided that he should be disconnected from the machine that kept his heart beating.

But his parents protested: Discontinuing medical treatment, they argued, would violate their son's right to a life — and their hope that he might eventually have one.

They have continued to fight, all the way to federal court, where they are trying to prove their boy has a shot at survival.

"Israel, baby, mommy's here. I'm going to tickle you one more time," his mother tells him in a video posted on YouTube last week by Life Legal Defense Foundation. "You can hear Mommy and you can feel Mommy, huh?"

The emotional video shows a small boy lying in a hospital bed — tubes and wires hanging from his nose and mouth.

Someone tickles him under the arm and tells him it's time to wake up. Then, seconds later, his muscles tense up.

"You make Mommy so excited," his mother says. "I know you're going to come out of this, baby, whenever you're ready — when God sees ready."

Israel's parents, Nathaniel Stinson and Jonee Fonseca, are fighting Kaiser Permanente Roseville Medical Center in court, requesting a temporary restraining order to keep doctors from discontinuing life support for their son.

Their intention is to move him to a medical facility where he can get life-sustaining care.

Over the past month, the case has trickled through the court system. It was finally heard last week in U.S. District Court in California.

This week, a federal judge granted the temporary order.

"A few more days for my son to be with us, and we know we're going to come out on top of this," Stinson told Fox affiliate KTXL after the order, adding: "Israel's doing better. We're getting some signs of life. We're hopeful that he will open his eyes and prove the doctors wrong before the hearing."

Fonseca's attorneys filed a complaint April 28 in U.S. District Court in California — highlighting California law, which, doctors say, is similar to other state laws stipulating that once a patient's circulatory and respiratory or brain functions have stopped, and it is irreversible, then the patient is dead.

But Fonseca is adamant that her son is still alive.

"For someone to say that he's dead, and then he's moving — nobody dead moves," Fonseca told KTXL. "It's very important that people see he's responding to our voice, he's responding to our touch."

"He's very much still alive," she added. "He's still with us."

On April 1, Israel had an asthma attack and was rushed to a hospital. He was quickly transferred to the University of California at Davis Children's Hospital in Sacramento, where he was treated before staff told his parents that their son might soon be able to go home, according to court records.

But after a breathing treatment, court records state, the boy began to wheeze and shiver.

"Within a few minutes the monitor started beeping," according to Fonseca's complaint. "The nurse came in and repositioned the mask on Israel, then left the room."

"Within minutes of the nurse leaving the room, Israel started to shiver and went limp in his mother's arms. She pressed the nurses' button, and screamed for help, but no one came to the room."

When a nurse finally did come, his mother claimed, she asked to see her son's doctor.

On April 11, the toddler was transferred to Kaiser Permanente Women and Children's Center in Roseville, where doctors pronounced him brain-dead and said they planned to remove him from his ventilator, according to court documents.

Doctors at Kaiser Permanente argue that they are complying with state law that stipulate shutting down the child's cardiopulmonary equipment, according to the Sacramento Bee.

"Three different physicians have administered brain death examinations and each found the results to be consistent with brain death," according to papers filed by Kaiser's attorneys.

David Magnus, director of the Stanford Center for Biomedical Ethics, who helped write Stanford Health Care's brain death protocols, told The Washington Post that a brain-death diagnosis can be difficult for families to accept.

"It's such a devastatingly hard thing to accept," he said. "All they see is their loved one attached to machines — the lungs are still going up and down, the heart is still functioning, the body is still twitching or moving.

"It's just very hard to believe someone is dead when they're still warm to the touch and their heart is still beating."

Still, Magnus said, there are strict policies and procedures in place to determine when someone is brain-dead and — when followed correctly — the diagnosis is definitive.

But Paul A. Byrne, a pediatric neonatologist who has written extensively about brain death issues, disagrees.

Byrne, a former president of the Catholic Medical Association and president of a faith-based group called Life Guardian Foundation, wrote a court declaration for Fonseca, arguing that there may be hope for her toddler.

"The brain swelling in Israel Stinson began with the cardiorespiratory arrest that occurred more than three weeks ago," he wrote, adding that the boy "may achieve even complete or nearly complete neurological recovery if he is given proper treatment soon."

"Every day that passes," he said, "Israel is deprived of adequate nutrition and thyroid hormone required for healing."

That's why, Israel's parents say, they have filed for a temporary restraining order to keep doctors from removing their son from his ventilator and gastric tube until they can find another hospital to take him.

They argue that withdrawing medical treatment violates their constitutional rights — including freedom of religion.

Attorney Alexandra Snyder, executive director of the Life Legal Defense Foundation, said removing Israel from life support goes against the family's religious beliefs.

"They believe that death does not occur until the heart stops beating," Snyder, who initially helped represent Fonseca in court, told The Post.

The boy's mother has posted a petition online to keep her son on life support and helped start a crowdfunding campaign to help them do it.

"God is telling me not to let go," Fonseca wrote on a GoFundMe page. "Israel means apple of God's eye and he truly is a child of God with a lot of fight in him!"

Byrne, the pediatric neonatologist, said the toddler suffers from hypoxia, a condition in which body tissues do not receive enough oxygen, as well as hypothyroidism, in which the body does not have sufficient thyroid hormones.

He said Israel was also being treated for diabetes insipidus, a rare disorder that, according to the Mayo Clinic, causes an imbalance of water in the body.

"With proper medical treatment as proposed by his parents, Israel is likely to continue to live, and may find limited to full recovery of brain function, and may possibly regain consciousness," Byrne wrote in court documents.

Fonseca wants doctors to provide oxygen and nutrients — hoping that her son will wake up and begin to recover.

Her complaint states that she has "repeatedly asked that her child be given nutrition, including protein and fats."

She wants to maintain her son's heart, tissues and organs, according to court documents, but doctors at Kaiser Permanente "have refused to provide such treatment stating that they do not treat or feed brain dead patients."

Chris Palkowski, chief of staff at Kaiser Permanente Roseville Medical Center, said in a statement that doctors met California's requirements for declaring someone brain-dead.

"Our hearts go out to this family as they cope with the irreversible brain death of their son, and we continue to offer our support and compassion to them," he said in the statement sent to KTXL. "We will continue to comply with orders issued by the Federal court."

The next federal court hearing is May 11. The family will be represented by the Pacific Justice Institute, a nonprofit legal organization whose motto is "defending religious freedom, parental rights, and other civil liberties without charge."


"What Baby Israel's family is seeing in his responses to them compels us to fight for his life," Matthew B. McReynolds, a senior staff attorney at the institute, wrote in an email to The Washington Post. "Deeply personal, life-and-death decisions such as whether to turn off a ventilator must not be taken lightly, and we appreciate that the courts are taking a very careful look at this case."

This story has been updated to note that Paul A. Byrne is a former president of the Catholic Medical Association and president of Life Guardian Foundation.

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