

‘He’s gone’: Anger, grief as plug is pulled on toddler after sudden court decision

By **Michael E. Miller** August 26, 2016

It all started with an asthma attack.

Israel Stinson was an adorable toddler with a sweet smile and unruly hair. But on April 1, he began having trouble breathing. After he was taken to a northern California hospital, the unthinkable happened: Israel suffered a heart attack. After 40 minutes of CPR, doctors were able to restart his heart. But nearly an hour without oxygen had left him brain dead, they determined.

That’s when the battle began.

Stinson’s parents did not believe the doctors. Nathaniel Stinson and Jonee Fonseca went to court to demand that Israel be kept on life support in the hope that he would recover.

“Israel’s medical chart ... said he was deceased. But Israel is ALIVE!” Fonseca wrote. “God is telling me not to let go.”

When courts ruled against them, the parents flew their son to Central America in a desperate attempt to find him treatment.

The four-month saga came to an abrupt end Thursday, however, when a judge issued a surprise ruling against the parents. Israel was taken off a ventilator and quickly stopped breathing.

This time there was no disagreement.

“He’s gone,” his mother tearfully told the Sacramento Bee on Thursday afternoon.

After Israel’s parents posted emotional but controversial videos of their son’s condition online, the tragic case drew national attention and sparked debate over conflicting medical, legal and religious definitions of “death.” What doctors dismissed as Israel’s involuntary muscle twitches, the family saw as intentional responses.

The debate echoes previous cases, some of which became causes célèbres. The most famous was that of Terri Schiavo, a woman with brain damage whose parents fought for years to keep her alive until a judge ultimately granted her husband’s wish to have her feeding tube removed. In 2013, 13-year-old Jahi McMath was declared brain dead after a tonsillectomy went tragically wrong. Her family is still fighting to keep her on life support.

Thursday’s events are unlikely to dampen the decades-old national debate.

A pro-life group representing Israel and his family pro-bono told The Washington Post the outcome was “cruel” and potentially criminal.

“In no circumstances ever, ever should somebody be put to death without due process of law,” said Alexandra Snyder of the Life Legal Defense Foundation, adding that the family felt state law entitled them to consult another doctor before Israel was taken off life support.

Children’s Hospital in Los Angeles told The Post it could not comment because of “privacy regulations.” Israel had already been declared brain dead by three doctors at two hospitals, Snyder says, although she said the family questioned those diagnoses.



Jonee Fonseca
about 3 years ago

Israel's sad story began this spring.

"April 1 was the last time I was able to see my son speaking and hearing his voice," Fonseca, a pharmacy technician, said in a [YouTube video](#). That is when Israel suffered a severe asthma attack. After he was taken to UC Davis Medical Center in Sacramento, his condition deteriorated. He suffered a heart attack that left him brain dead, according to a doctor, and in need of a ventilator to breathe.

The toddler was then transferred to another hospital, Kaiser Permanente in Roseville, Calif., where two more doctors determined that he was brain dead. He could not breathe or maintain a heartbeat on his own and had no hope of recovery, they said.

Israel's parents, however, disagreed.

According to Snyder, the boy's parents "distrusted" the diagnosis at UC Davis because they felt their son's heart attack might have been prevented. "There were things that undermined their trust," Snyder said. They also rejected the opinions of the doctors at Kaiser, which the parents felt was too quick to rule Israel brain dead.

Doctors put Israel on a diet of dextrose, or sugar. But his family felt the hospital was mistreating him.

"Israel is essentially starving and Kaiser refuses to give him the necessary protein, fat and vitamins intravenously," they [wrote](#). "They simply refuse to."

Kaiser even issued a California death certificate for Israel but the parents refused to sign it, according to [the Bee](#).

Instead, his parents set up a [GoFundMe](#) page asking for money to help them find another hospital to help Israel.

"We will use your contribution to fight Kaiser Permanente Roseville Medical Center in Sacramento and to pay for an air medical transfer to another hospital, likely in another state," they wrote. "Israel means apple of God's eye and he truly is a child of God with a lot of fight in him!"

"We are a Christian family," Nathaniel Stinson said in an [April 29 video](#). "We are actually looking for any hospital right now that would actually take our son. He's currently on life support but we do believe he is still alive. He is actually moving a lot more the last couple of days. And we think our son does have a chance."

They also posted moving videos showing Israel reacting to being tickled.

"Israel baby, Mommy's here. I'm gonna tickle you one more time. Do it one more time," Fonseca can be heard saying in one video. "There you go. There you go. His blood pressure's going way up. Oh, you can hear Mommy and you can feel Mommy, huh? Israel, you gotta stop fooling everybody. How long is it going to take, huh? I know you're going to come out of this, baby."

The videos drew sympathy and donations but did not spur any hospitals to take Israel in.

So Israel’s mother filed an injunction to prevent Kaiser from taking the boy off his ventilator.

On May 13, a federal judge rejected that suit, the [Bee reported](#).

“While Ms. Fonseca’s maternal instincts and moral position are completely understandable,” U.S. District Judge Kimberly J. Mueller wrote, “the concerns reviewed here suggest she is unlikely to obtain the relief she seeks, and weigh against a preliminary injunction based on the law this court is sworn to apply and uphold.”

“I’m a parent and I can’t imagine how this family must feel,” Wade Smith, director of the neurointensive care unit at the University of California at San Francisco told the newspaper. “But this is a situation in medicine where we have very clear absolutes. This child will never wake up. ... It is really hard for a physician to bring the news to a parent that their child has died. But that’s the reality. I’m sad for the parents and sorry for the situation. But at some point, they have to accept it and move on.”

Israel’s parents did move on, but not in the way the doctor expected.

On May 22, just days before a deadline to prove their case or pull the plug, they swept Israel out of the country.

“Victory!!! Israel Stinson was transferred out of Kaiser Permanente yesterday!!! He has been taken to another facility and is already receiving care!!!” his parents wrote [online](#). “Due to the sensitivity of Israel’s case, we are not yet ready to disclose where he is, but we can say this ... in order for Israel to receive his badly needed care, he had to be transferred out of the United States. That’s right.”

This Facebook post is no longer available. It may have been removed or the privacy settings of the post may have changed.

The sudden flight out of the country was funded by more than \$20,000 the family had received, mostly from strangers.

“Because of you all and your generous donations, Israel was able to beat the odds and is now being cared for as a live human being,” they wrote.

The mystery country, it turned out, was Guatemala, where Snyder had helped the family gain admission to a private hospital. There, doctors did what American doctors had refused, giving Israel feeding and breathing tubes.

They also gave the parents hope.

According to Snyder, three Guatemalan doctors, including a neurologist, declared that the boy was not brain dead after all.

That diagnosis was based in part on EEG, or electroencephalogram, tests, used to measure electrical activity in the brain, she said.

Snyder declined to name the Guatemalan doctors or their hospital but dismissed the idea that their opinion weighed less than that of American doctors.

“We’re not talking voodoo here,” she told The Post. “They have access to the same equipment as American doctors. Many of them probably have degrees from American medical schools.”

From Guatemala, the family posted more videos in which they said Israel was improving.

“My son Israel is doing a lot better now that he’s getting the help he needed,” Nathaniel Stinson wrote on Facebook on June 8. “Kaiser is in big trouble for not treating my son.”

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Help Center 

Then, after about three months in Central America, Israel suddenly returned to the United States.

Despite the pending death certificate, and possibly because of the EEG tests from Guatemala, he had been accepted as a patient at Children's Hospital of Los Angeles.

Again, the family was jubilant.

“In the beginning we were told Israel would not make it past a month, they told us his organs would slowly shut down, they said if we fed him it would kill him, they told us to give up and let go,” they wrote. “But God had a different plan and he has never given up on us, Israel's organs are functioning just fine and he is being well fed even gaining lots of weight and now he is stable enough to take home less than 5 months after the injury occurred. It just goes to show that Doctors are only human and God has the ultimate say.”

Within days, however, the new hospital also moved to take the boy off life support. Once again, the family sought an injunction. And on Aug. 11, they received a temporary restraining order blocking the hospital from taking Israel off his ventilator.

Then, on Thursday, came a final, sudden twist in the international medical saga.

A Los Angeles Superior Court judge removed the restraining order, saying the case had already been decided at state and federal level before the family traveled to Guatemala.

And with that, doctors turned off Israel's ventilator.

"I heard them disconnect the ventilator and then heard, of course, a very grieving mother," said Snyder, who was on the phone with Fonseca at the time.

"They're understandably devastated," she told The Post. "What happened today was just so awful. Obviously a young child lost his life, but the way it happened, the way the hospital went about removing his life support, is exactly what should never happen to any family anywhere in this country."

"They killed him," Kevin Snider told the Bee. He is chief attorney for the Pacific Justice Institute, a group that defends religious freedom and also represents Israel's family.

Alexandra Snyder, from LLDF, called the judge's decision "unexpected" and said she was in court with Fonseca just last week. She said the hospital should not have turned off Israel's ventilator until the parents got to see another, "independent" neurologist and that one had already agreed, although she refused to give his name.


She also said Israel's parents were not asking the courts to keep him in the hospital forever, but rather wanted to take him home, and that the hospital's hands were not tied by Thursday's court ruling.

"What I really don't understand is why this hospital agreed to take this little boy in the first place," she told The Post, saying the boy's parents never would have brought Israel back to the United States if they had known the hospital was going to pull the plug. "They knew exactly what his condition was, what his treatment was, and they agreed to take him. But it appears they only accepted him as a patient to put him to death. ...

"The irony is this little boy was cared for so much better in Guatemala than he was here," she added.

Snyder said Israel's parents, who also have a 1-year-old daughter, were too distraught to talk Thursday night.

"They are tremendous people," she said. "The way they fought for their son was truly heroic."

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