



PERK: Protection of Educational Rights of Kids
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PRESS RELEASE
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**PERK LAWSUIT HEADS TOWARDS VICTORY AGAINST THE CITY OF SAN DIEGO
ON BEHALF OF HUNDREDS OF FIREFIGHTERS, POLICE OFFICERS
AND CITY EMPLOYEES**

FOR IMMEDIATE RELEASE IN SAN DIEGO, CALIFORNIA, JANUARY 25, 2023-

Yesterday, January 24, 2023, the San Diego City Council voted unanimously to end the vaccination mandate. This mandate was forcibly imposed on all the City Employees and First Responders. The official end of the mandate is only a few weeks away. In two weeks, there will be a second reading of the vote by the San Diego City Council. PERK heads toward another victory, which is a victory for all Californians in the fight for freedom.

One year ago, on Friday, Jan. 28, 2022, the Protection of the Educational Rights of Kids (PERK), representing hundreds of Firefighters, Police Officers, City Employees and three individually named plaintiffs; Jonathan Wiese, Captain Justus Norgord, and Captain Manuel Del Torro, filed a lawsuit against the City of San Diego, in the Superior Court of the State of California, for declaratory and injunctive relief, against the unconstitutional vaccine mandate against all first responders and city employees.

Attorney John Howard declared, “The City of San Diego has taken the wise path of affirming that liberty is the greatest American value. It is what unites us as Americans. This is not a victory for any individual. It is a victory for freedom. But the greatest credit goes to our clients whose fortitude and courage has been in the greatest traditions of American integrity.”

Plaintiffs contend that their freedom to make their own decisions regarding the vaccines, the freedom to maintain their own bodily autonomy, and to protect themselves from being forced to take a medical procedure as a condition of employment, is of utmost importance and prompted them to take legal action.

PERK President Amy Bohn stated, “We knew we could win. As we head towards this victory, it’s historic and shows the resilience of the people to fight back to preserve their inalienable rights and freedoms. I am incredibly proud of the plaintiffs, who as fearless leaders in their community, were willing to put their name on the line for all. We are grateful for the S.D.P.O.A who also supported our fight on behalf of their members. Our attorneys have relentlessly battled this case for a year and will undoubtedly win in our court trial in March. The rescinding of the mandate is the city capitulating to our lawsuit, which has put enormous pressure on them.”

Bohn continued, “We knew the city’s vaccine mandate order should be declared void because the City didn’t have the power to issue it in the first place and because the mandate is arbitrary. The



mandate was always unconstitutional as it violated fundamental privacy rights under the California Constitution. The City of San Diego issued the mandate disregarding the science and violation of bodily autonomy as protected by Federal and State discrimination laws, privacy rights, and the Nuremberg code. Individuals have a right to privacy under the California Constitution, and the right to protect their bodily integrity.”

PERK’s original court trial date was set for January 2023. It was continued to March in 2023 because the judge could not hear the motions. The hearing was then rescheduled to March of 2023. PERK’s lawsuit is still proceeding at this time.

PERK has filed many lawsuits in the state and is confident that the pressure of their litigation will result in the other cities such as Los Angeles, Beverly Hills, and San Francisco to also follow suit and remove their mandates. The mandates should never have existed in the first place. The illegality of them will cause the law to prevail. PERK has been instrumental in influencing and leading historic victories in California in other lawsuits and against anti-parental rights bills like SB866 in 2022.

PERK and the PERK plaintiffs are represented by Attorney John Howard and Attorney Scott J. Street of JW Howard/ Attorneys, Ltd.

ABOUT PERK

Protection of the Educational Rights of Kids: *PERK is a California 501(c)(3) nonprofit corporation whose mission is to advocate for **medical freedom, bodily autonomy, children’s rights, parental rights, civil rights** and protect children’s right to an education. PERK has over 30,000 members throughout California, consisting of public employees, first responders, and parents of children attending school, grades K through 12, in California. PERK has filed this complaint against San Diego City, in addition to its other lawsuits against Los Angeles County, Granada Hills Charter, The City of Beverly Hills, Conejo Valley School District, and others.*

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