

ASSEMBLY FLOOR ALERT, TUESDAY, MAY 24 AB 1797 (Weber) -- OPPOSE

Don't segregate Californians by vaccine status, race and ethnicity, violate their privacy rights, or eliminate local decision-making of schools and counties

Violating Californians' privacy rights by eliminating confidentiality

By requiring, as the Legislative Counsel's Digest of AB 1797 describes, "health care providers and other agencies, including schools, childcare facilities, family childcare homes, and county human services agencies to disclose the specified immunization information," this bill violates the constitutional privacy rights of many Californians. In 1972, California voters overwhelmingly added "privacy" to the list of "inalienable rights" guaranteed by Article 1, Section 1 of the California Constitution. In 1975, the California Supreme Court, in *White v. Davis*, relied on California's newly-affirmed constitutional right of privacy to prevent police officers from posing as college students and gathering intelligence on what is said in the classroom when the intelligence gathered bore no relation to any suspected illegal activity. As the court wrote:

Moreover, the surveillance alleged in the complaint also constitutes a prima facie violation of the explicit "right of privacy" recently added to our state Constitution. As we point out, a principal aim of the constitutional provision is to limit the infringement upon personal privacy arising from the government's increasing collection and retention of data relating to all facets of an individual's life.

By violating Californians' medical privacy – in the classroom and otherwise – AB 1797 is in direct conflict with the California Constitution.

Segregating Californians by vaccine status, race and ethnicity

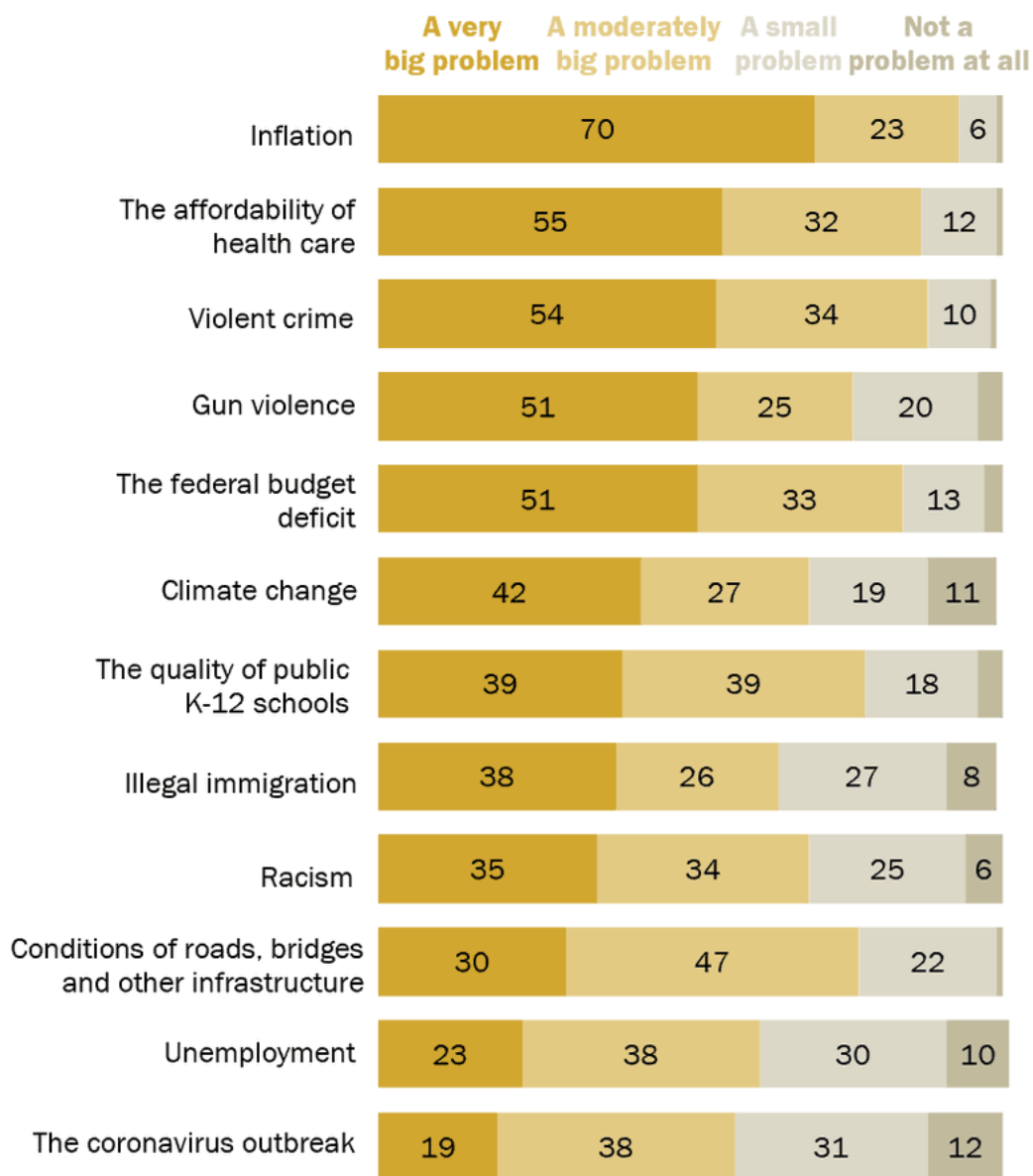
Not only does AB 1797 infringe upon constitutional privacy rights, it greatly errs by dividing and segregating Californians by race and ethnicity. According to the Legislative Counsel's Digest of AB 1797, this bill "would add the patient's or client's race or ethnicity to the list of information that shall or may be disclosed ... the bill would impose a state-mandated local program." Every California state legislator against discrimination and segregation based on race and ethnicity should oppose AB 1797 for this reason alone.

Many no longer view Covid as "a very big problem"

AB 1797's privacy violations, racial agenda, and outdated Covid vaccination agenda are out step with the public. Pew Research, in a nationwide survey conducted April 25 to May 1, found only 19% of Americans viewed Covid as "a very big problem." In contrast, the three top issues respondents identified as "a very big problem" were inflation (70%), the affordability of health care (55%), and violent crime (54%).

Inflation tops Americans' list of biggest problems facing the country

% who say each of the following is _____ in the country today



Note: No answer responses not shown.

Source: Survey of U.S. adults conducted April 25-May 1, 2022.

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