

Californians for Real Privacy

No on Proposition 24

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No on Proposition 24 Endorsers:

ACLU of California

California Alliance for Retired Americans

Color of Change

Council on American-Islamic Relations-CA

Consumer Federation of California

Dolores Huerta

Media Alliance

Oakland Privacy

Older Women's' League - Sacramento

Public Citizen

TURN (The Utility Reform Network)

(Partial list)

July 2020

Dear Fellow Democrat:

We write to urge the California Democratic Party to adopt a **NO on Proposition 24** position. The measure significantly reduces privacy rights that Californians enjoy under current law.

Since Proposition 24 qualified for the ballot at the end of June, a rapidly growing coalition of consumer, privacy and social justice advocates have officially **opposed Proposition 24**. These include: American Civil Liberties Union (ACLU) of California, Color of Change, Consumer Federation of California, California Alliance for Retired Americans, Dolores Huerta and others.

While Prop 24 makes some modest improvements to privacy protections, these are more than offset by its giveaways to Facebook and other big tech companies, and its substantial reductions in the privacy rights of average Californians. Just as no one reads the thousands of words of legal fine print that you have to accept to use an app or online service, Proposition 24's many harmful provisions are hidden in its 52 pages of fine print:

- Proposition 24 asks you to approve an Internet “pay for privacy” scheme. Those who don't pay more could get inferior service - bad connections, slower downloads and more pop up ads. It's an electronic version of freeway express lanes for the wealthy and traffic jams for everyone else.
- Beginning January 1, 2021, California workers and job applicants will gain the right to know what confidential non-job related information their employers collect. Bosses improperly collect personal information including things like a job applicant or worker's use of a pregnancy tracking app, where you go to worship, or when you attend a political protest. Proposition 24 changes the law, and allows employers to continue secretly gathering this information, with no worker right to know, for more years to come.
- Under current California law, your privacy rights follow you wherever you go. But under Proposition 24, the minute you travel out of state with a phone, wearable device, or computer, big tech companies are allowed to capture the health, financial, and other confidential information you stored on your device. Geolocation on phones and devices makes it easy for tech companies to do this.

- Under current law, a business must honor a “do not sell my information” signal that you can set on web browsers and cell phones, that instructs each website you visit and app you use to stop selling your personal data, so you don’t have to think about it each time. Proposition 24 changes this law, allows companies to disregard those instructions, and instead shifts the burden to you to notify each and every website and app individually to protect your data. “Consumers seeking to fully protect their privacy have to take on a heavy burden to opt-out.” Testimony of Maureen Mahoney, Policy Analyst, Consumer Reports, Assembly Privacy and Consumer Protection Committee Hearing on Proposition 24, June 12, 2020.
- Enforcement of California’s new privacy law began on July 1, 2020. Smaller businesses spent a lot of money to comply with the new regulations. Before we even know how well this new law is working, Proposition 24 rewrites it, forcing smaller businesses to absorb even more costs at a time that the economic slowdown has many businesses on the verge of closing their doors.
- Proposition 24 creates a new enforcement agency that sounds good, but when tech corporations get caught violating your privacy, all they have to do is cooperate with the agency and their only penalty could be a slap on the wrist.
- The measure contains language that makes it extremely difficult for the legislature to amend it. It states that any amendment must be consistent with its purposes, which include not only protecting consumer privacy, but also attending to any amendment’s impacts on “business and innovation” (in other words - corporate profits). We will likely be stuck with all of Proposition 24’s defects until another super-rich promoter comes along and spends a fortune to place another initiative on the ballot, and wins.

In 2018, Facebook, Amazon, Uber, Google and the telecom giants amassed a huge warchest to defeat a very different privacy initiative while signatures were first being collected. That measure didn’t make the ballot. This time, these big tech companies haven’t spent a penny opposing Proposition 24. Proposition 24 was written to accommodate Facebook, big social media platforms and the Internet and technology companies that spend hundreds of millions of dollars a year to lobby government at all levels to avoid laws that hurt their profits. Proposition 24 is a bonanza for them - and a big step back for consumer privacy.

Please put the California Democratic Party on the side of consumer privacy – not the side of big tech privacy abusers. Endorse a Vote No on Prop 24 position. For more information, feel free to call Richard Holober at 650-307-7033.

Sincerely,



Richard Holober, President
Consumer Federation of California



Mark Toney, Ph.D., Executive Director
TURN – The Utility Reform Network

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