

April 16, 2019

The Honorable Buffy Wicks
State Capitol, Room 5160
Sacramento, CA 95814

AB 1760 (Wicks) -- Support

Dear Assemblymember Wicks:

The undersigned privacy, civil rights, economic equity, and children's advocacy organizations work every day to safeguard the rights of Californians. For that reason, we strongly support AB 1760, Privacy for All.

Californians want and deserve control over the personal information that companies collect and share about them. They want the 2018 California Consumer Privacy Act (CCPA) to be strengthened to more fully protect privacy, safety, and financial security in the digital world.

As advances in technology and drastic changes in business practices have outpaced statutory protections, California has failed to live up to its promise to protect its people in the digital age. Privacy for All is necessary to protect Californians from the rampant harvesting and sharing of personal information that is leading to very real harm. Among numerous examples that seem to grow in number each week:

- Facebook shared the private and incredibly sensitive information of 87 million people with Cambridge Analytica, with untold ramifications for the political process.
- Marriott, Equifax, Yahoo, Target and thousands of other small and large companies have had massive data breaches totaling more than 11 billion records.
- Amazon, Google and other online platforms tailor the content we see based on vast troves of data used to infer our interests, affiliations, and more.

The impact of the reckless information-sharing practices of companies on Californians young and old who are financially vulnerable, people of color, and immigrants, can be even more acute:

- Facebook has allowed advertisers on the platform to exclude users it identifies as having Black and Latino "ethnic affinity" from seeing information about housing, employment, and credit.

- Google ads for high paying jobs were shown disproportionately to men rather than women.
- Social media companies have shared information that was used to monitor and target of unions and protesters.
- Data brokers have compiled and sold lists of LGBT college applicants, rape victims and seniors with dementia, putting them at increased risk of harm.
- Facebook asked people as young as 13 to install an app to track their habits, giving the company access to everything their phone sent or received over the internet.

California has long led the nation in protecting the privacy of residents and visitors to our state. In 1972, California voters passed the Privacy Amendment to the California constitution, establishing an inalienable civil and human right to “pursue and obtain privacy.” Those constitutional rights were motivated by “a focused privacy concern” about “the encroachment on personal freedom and security caused by increased surveillance and data collection in contemporary society” and “the improper use of information—the use of it for another purpose or the disclosure of it to some third party.”

CCPA makes some progress in this regard – but it falls short of truly protecting individual rights. Privacy for All makes sure that the constitutional privacy rights guaranteed to all Californians are real by ensuring that companies get permission from Californians before they share personal information.

POWER FOR ALL—A company has to get permission to share and use personal information. Privacy for All closes CCPA loopholes that control merely “selling” personal information (Facebook claims it doesn’t “sell”), removes burdens on Californians who want to protect their personal information, and requires that personal information isn’t used in ways people don’t know or expect. Privacy for All ensures that the law covers all sharing of personal information and gives the Californians the real control they want.

KNOWLEDGE FOR ALL—A company has to tell a Californian what personal information it has collected and shared about them with other companies. Privacy for All makes sure Californians have the right to know what personal information companies have shared and who they have shared it with.

RIGHTS FOR ALL—A company can’t punish someone with higher prices or worse service for exercising their rights. Privacy for All fixes the problems in CCPA and makes sure that California constitutional privacy rights aren’t reserved for the rich.

California needs Privacy for All to make sure Californians have the power they need to control their personal information and protect our privacy, personal safety, and financial security in the digital age.

For these reasons, we strongly support AB 1760, Privacy for All.

Sincerely,