



A VOICE FOR CHOICE

FOR IMMEDIATE RELEASE

A Voice For Choice, Inc. Releases Statement Regarding Lawsuit Filed to Challenge California's Extensive Vaccine Mandates

Define Greater Good? Setting precedent against forced sterilization and vaccine mandates.

MOUNTAIN VIEW, CA, December 22, 2016 - A stunner came out in a lawsuit filed recently: the case law that the California legislature relied upon to pass the toughest-in-the-nation vaccine mandates in SB 277 is the same case law that legislatures relied on to require forced sterilizations of women deemed "unfit," during the 1920s and 1930s.

Whether that case, *Jacobson v. Massachusetts*, can be relied on alone, or must be read together and moderated a bit, due to decades of more liberal precedent on bodily autonomy, is the focus of a new lawsuit against California's vaccine mandates.

Much like the SB 277 proponents did, our nation's Supreme Court used to blindly rely on the *Jacobson* case. In the 1927 *Buck v. Bell* decision, the Court made the following statement, which shocks the modern conscience:

"society can prevent those who are manifestly unfit from continuing their kind. The principle that sustains compulsory vaccination is broad enough to cover cutting the Fallopian tubes. Jacobson v. Massachusetts, 197 U. S. 11. Three generations of imbeciles are enough."

The recent lawsuit, *Love v. the State of California*, asserts that in the one-hundred years since the *Jacobson* case, the Supreme Court has issued additional more relevant opinions on bodily autonomy and medical freedom. Ironically, those same opinions (for example on abortion, household privacy, etc.) are ostensibly cherished by many members in the California Legislature, who voted for SB 277.

Specifically, the lawsuit focuses on the doctrine of Unconstitutional Conditions, which means that the state can't force citizens to give up one fundamental right to exercise another. For example, (although they've tried), police can't force citizens to remove clothing and submit to metal detectors just to attend a protest. That would force citizens to give up their right to be free from unreasonable searches just to exercise their right to assemble. Similarly, ***progressives and civil libertarians have balked when alt-right legislatures try to force women to undergo invasive ultrasounds (relinquishing their***

right to medical autonomy) in exchange for exercising their right to terminate a pregnancy.

SB 277 clearly creates an unconstitutional condition because of a quirk in the California Constitution. In California, a public K-12 education is a fundamental right. To exercise that right, families must relinquish their right to refuse medical treatment or to direct the parenting of their children. The latter two are well-established federal fundamental rights.

The lawsuit also makes some fascinating points about where to draw the line in the fight against Big Pharma and the politicians whose pockets it lines. SB 277 is so ridiculously broad, that it requires kindergarteners to get vaccinated against a venereal disease, and for a disease that is not even communicable. Few would doubt that the state could suspend some rights temporarily during a serious outbreak, but if the state can mandate preventative medicine during normal times, what's next? Gramps going to jail for forgetting to take his aspirin to prevent heart disease? Drug companies rejoice!

The lawsuit can be found at

The case, *Love v. the State of California*, was filed in federal court in the Central District of California. The Memorandum of Points and Authorities in support of the Plaintiff's Motion for a Preliminary Injunction, which contains all of the information on the principles and cases discussed in this release, is here http://avoiceforchoice.org/wp-content/uploads/2016/11/2016.12.08.Preliminary-Injunction.Filed_.pdf. The main content begins on page four of the brief, page 12 of the PDF. All files pertaining to the case can be accessed here www.avoiceforchoice.org/sb277-litigation/.

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A Voice for Choice, Inc. is a non-profit 501(c)(3) organization that educates and advocates for informed choice and transparency of what goes into people's bodies, be it air, food, water, pharmaceuticals, etc.

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