



new york state **RIGHT TO LIFE COMMITTEE, INC.**

COMMITTEE

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Memo Opposing Legislation to Empower the NY State Government to Forcibly Detain, Require Vaccination for, and/or Require Treatment for Those Deemed “Potentially Dangerous to the Public Health” (A416 Perry)

New York State Right to Life strongly opposes A416. This bill would give the Governor, working together with the Commissioner of Health, wide power to forcibly detain and/or require vaccination or specific treatment for individuals who are deemed “potentially dangerous to the public health” during a declared “state of health emergency.” This bill profoundly curbs civil liberties and could be used to require a New Yorker to take a vaccine and/or medication against his/her conscience or against his/her best health interest. Therefore, New York State Right to Life urges all State Assembly members to vote against this legislation.

- This bill empowers the Governor during a declared “state of health emergency” “to require an individual who has been exposed to or infected by a contagious disease to complete an appropriate, prescribed course or treatment, preventative medication or vaccination.” Recently, pro-lifers have been concerned about certain COVID vaccine candidates using fetal cells in their vaccine production. Some pro-lifers have resolved that they cannot in good conscience take the COVID vaccine produced by certain companies because of the extent to which fetal cells were used in the vaccine production. However, this bill could empower the Governor to require them to take the vaccine anyway. This flouts the principles that this nation was founded upon.
- Additionally, the COVID vaccine hasn’t been tested on pregnant women. For this reason, a pregnant woman may have reasonable cause for fear that taking the COVID vaccine during her pregnancy could harm her unborn child. However, according to this bill, if the Governor or a delegee of his determines that it is necessary for the public health for a pregnant woman to take the COVID vaccine, she could be required to take the vaccine anyway. When a pregnant woman wishes to end the life of her unborn child, NY lawmakers scream that it is “her body, her choice.” Yet, in this case, where a pregnant woman may wish to protect her unborn child from a potentially dangerous influence, the NY State Assembly is considering legislation that would enable the Governor to override her decision.
- Finally, the notion of the government forcibly detaining individuals without going through the normal legal process is profoundly disturbing. This bill does provide for some civil liberties protections, including, but not limited to, the right of a person being detained to appeal and to not be detained for more than five business days if they do appeal in the absence of an additional court order. However, the civil liberties protections present in the bill are not nearly sufficient. The burden of appealing remains on those being detained after they have already been detained, and even if they do appeal, they can be detained for up to five business days. If they don’t appeal, they can be detained for up to 60 days. Such measures could unjustly intimidate pro-lifers to take a vaccine they don’t approve of or intimidate a pregnant woman to take a vaccine she considers potentially harmful to her unborn child. Such governmental intimidation is unfit for a free people.

Whenever a political debate regarding abortion arises, NY lawmakers wax eloquent about the right of bodily autonomy. Yet now, the NY Assembly is considering a bill that the Governor could use to require individuals to take a specific vaccine or medical treatment against their wishes. If this bill passes, that will prove that NY lawmakers were never concerned with bodily autonomy, and that such talk was an excuse for pushing their political priorities.