



NEW YORK STATE SENATOR

George M. Borrello

Statement by Senator Borrello on Coercive and Unconstitutional Public Health Measures in NYS Assembly

GEORGE M. BORRELLO January 4, 2021

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“Several concerned people have contacted me about two bills introduced in the state Assembly. One that deals with making COVID-19 vaccines mandatory ([A11179](#)) and a bill that would allow “removal and detention of cases, contacts and carriers who are or may be a danger to public health.” ([A416](#)). Both of these bills were recently reintroduced, although neither have matching legislation in the state Senate, which would be required for them to become law.

"I am opposed to these bills as both are unconstitutional. But, in my opinion, just introducing these bills creates a negative impact that ultimately harms the effort to get our state past the pandemic, safely.

"Getting us on a path to having the most people protected from COVID-19 should be done by educating the public and building confidence in the safety of the vaccine. Trying to force it by creating a law, or with the governor's emergency authority, only serves to undermine that process. Compelling the vaccine unnecessarily creates resistance and controversy. Many will choose not to have the vaccine only because they are being forced to do so. Many others may question its safety if it is required and not voluntary. It will also lead to more general resistance to the common-sense safety measures that are still important as we navigate our way out of this crisis.

"Assembly bill A416, which would allow people to be detained, without due process, is an idea that has been around since at least 2015 and has thankfully gone nowhere. It runs counter to one of the main principles that Albany Democrats championed in the recent bail 'reform' changes. Much of the premise of bail reform is that those arrested and charged with a crime should not be held simply for the reason that they pose a danger to themselves and others. Yet that is exactly the justification in A416 for holding people that have not been convicted, or even charged, with breaking any law. It's nothing but divisive politics.

"Both of these bills are more than just unconstitutional government overreach; they will also seriously damage our effort to bring this pandemic to an end. I am hopeful that these bills will not see the light of day, outside of the Assembly committees where they reside, and that there will be no companion bills in the state Senate."

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