

To: **Jerry Brown, Governor of the State of California**

State Capitol, Suite 1173

Sacramento, CA 95814

Fax: (916) 558 3160

To: **Xavier Becerra, California Attorney General**

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# SB649

## Demand California Governor Veto Complaint to California Attorney General

Due to Violations of Constitutional Rights,  
Disability Rights & Criminal Assault

### Section 1: Personal Information

Dr Mr Ms Mrs	First Name	Las Name	MI									
Mailing Address		City	State	ZIP Code								
Country of Residence	Country, if not US	Day Phone Number	Cell Phone Number	E-Mail Address								
Do you have a disability? (optional)	Yes No	Age (Optional)	12 & under	13-17	18-19	20-29	30-39	40-49	50-59	60-69	70-79	80 & over
Are you a member of the U.S. Armed Forces or a dependent? (optional)	Yes No	If yes, please specify your military status		Active Duty Service Member	Dependent Spouse - Service Member	Dependent Child/Other - Service Member	DoD Civilian__ Dependent Spouse - DoD Civilian	Dependent Child/Other - DoD Civilian	Military Retiree/Veteran	Reserve Not on Active Duty/National Guard		

## **Section 2: The Nature of My Disability under ADA – Sickness from Wireless**

I have become sick with cancer from exposure to wireless technology radiation - to radio and microwave frequencies radiation used for wireless technology. I was not told that this radiation could cause harm. The US government, the FCC, and the wireless industry misled me by saying that wireless is safe.

As a result of being exposed to radiation from wireless sources such as cell phones, Wi-Fi, cell towers, wireless smart meters, and other wireless devices, I developed the following **type of cancer** and I **experience the following symptoms**:

**How Becoming Sick From Wireless Radiation Has Impacted My Life and How My Rights Have Been Violated:**

### **Section 3: Details of the Complaint**

I ask Governor Jerry Brown and Attorney General Xavier Becerra to act in accordance with their powers and responsibilities and to protect my Constitutional and disability rights and the rights of the many others - adults and children - who have already become sick from wireless technology radiation. We ask the Governor to **VETO SB649**, the Wireless Telecommunications Facilities bill, which passed the State Legislature on September 14<sup>th</sup>, 2017. **This legislation** will have devastating impacts on the health and life of myself, and many others. I ask the Attorney General to advise the Governor that SB649 is discriminatory, unconstitutional, criminal, and would violate my ADA rights. I ask the Governor and the Attorney General to take all necessary action to protect my rights from SB649.

**The Violations of the Rights of People Who Have Become Sick by Wireless Radiation** - Those of us who have already become sick from wireless radiation - and we are many - are being ignored, and our rights are being violated on a daily basis. Even in our homes, this radiation is being outrageously and unconstitutionally forced on us.

**SB649 – Wireless Telecommunications Facilities Act** – On September 14<sup>th</sup>, 2017, SB649 - the *Wireless Telecommunications Facilities Bill* - passed the California Legislature following aggressive lobbying on the part of the wireless industry. SB649 strips state and local governments of their rights and responsibility to protect the health, safety, and interests of the residents of California. It enables the wireless industry to put high frequency, high-density, cell tower microwave transmitters - large or small - in front of people's homes without their consent or the ability to object to their installation on any grounds.

**The Impact of SB649 on People Who Have Become Sick from Wireless** – SB649 would make an already dire situation, exponentially worse. If SB649 becomes law, it will enable cell tower transmitters to be placed next to our homes without our ability to object to their installation. For those of us who have already become sick, it would be impossible to continue living in our homes or just about anywhere else. How is it that our basic rights for health and safety – even in our own home – can be violated and taken away from us so easily?

**Fraud by the Wireless Industry** - The health effects of wireless technology radiation have been ignored and the wireless industry has been using its financial resources to mislead the public, our government, Federal and State elected officials, and Congress about the state of the science on radiofrequency microwave radiation, and the extent of human sickness caused by it. The wireless industry's immense financial resources are gains achieved as a result of decades of fraud on the public, who have been led to believe that wireless technology is safe. SB649 is an extension and expansion of this lie.

**The Expansion of Wireless is Based on a Lie** –The expansion of wireless technology is based on the false premise that wireless radiation, i.e., non-ionizing radiation in non-thermal levels, is not harmful. However, many thousands of studies and reports on wireless radiation by US government agencies such as NASA, the US Armed Forces, the Navy, and the Air-Force – including

reports about sick soldiers in the Navy and among government workers - have proven decades ago, and beyond a doubt, that this premise is false.

**The Scientific Evidence of Harm** - There are many thousands of studies that prove beyond a doubt that wireless technology radiation harms people – perhaps more studies than for any other environmental toxin in our environment. The harms were proven well before wireless technology was commercialized by the introduction of cell phones. Electro Sensitivity (ES) - or *Microwave Sickness*, as it was formerly referred to - was recognized by the courts decades ago (*Mtr. Yannon vs. New York Tel. 86 A.D.2d 24, 1982*). The existing and recent Federal government studies alone provide conclusive and sufficient evidence of harm, such as the \$25 million National Toxicology Program study.

**The Human Evidence of Sickness** – The human evidence of sickness is also conclusive and is occurring in epidemic proportions. ES already affects at least 10% of the population. Wireless radiation also causes infertility, immune disorders, cardiovascular problems, ADHD, and DNA damage, and has been correlated to many other diseases. There has been an increase in tumors and cancers associated with wireless radiation, including brain tumors and tumors near where cell phones are held or carried against the body like thyroid cancers, testis, and rectal cancers. Radiofrequency microwave radiation also aggravates existing cancers.

**SB649 Ignores the Evidence** - But yet all this evidence is being ignored, and SB649 would enable the wireless industry to force upon us all the greatest expansion of wireless infrastructure to date. This expansion will result in an exponential increase in exposure to forced microwave radiation in our homes, neighborhoods and communities.

**Ignorance of Legislators and Lack of Public Access** - We expect our elected officials to make informed decisions especially in actions that involve taking away our rights. But unfortunately, this is not the case with this issue. When people who advocate for our rights meet with the offices of elected officials, they have found that most are completely ignorant of the scientific and human evidence of harm from wireless radiation. Advocates cannot even get meetings directly with our elected officials, but AT&T et al, and their lobbyists, have full access on a continual basis . The wireless industry is capitalizing on the ignorance of our legislators. If our elected officials were informed, it is doubtful SB649 would have passed. SB649 passed through the legislature with little or no opposition because we do not have the millions of dollars which seem to be needed to get access to our elected officials.

**Corrupted Legislative Process** - Our legislators and the legislative process itself have been corrupted by a ruthless industry buying its way and removing our rights. Absurdly, bills concerning the expansion of wireless infrastructure are never assigned to Health and Environmental Committees.

**How AT&T et al Affect Our Legislators and Give Away Our Rights** – SB649 is able to get the support of legislators because of the wireless industry's corrupting financial power. Two sponsors of the bill, Senator Benjamin Hueso and Assembly Member, Bill Quirk, were pictured holding large

checks from AT&T intended for their districts – Hueso’s was for \$25,000 and Quirk’s for \$500,000. (*Huffington Post*, May 2017 - "California Wireless Legislation: Paid for by AT&T Et Al"). The *Los Angeles Times*’ article, *AT&T Wields Enormous Power in Sacramento*, also refers to the problem stating "**No other single corporation has spent more trying to influence legislators in recent years. It dispenses millions in political donations and has an army of lobbyists. Bills it opposes are usually defeated**" - And bills such as SB 649 continue to get passed. This year once again, AT&T paid to take legislators to Pebble Beach. This may be legal under our laws but nevertheless corrupts the legislative process and allows the wireless industry to pass legislation, which strips us of our rights.

**SB649 Illegal and Discriminatory Protection of Firefighters** – SB649 includes an exemption to protect firefighters. SEC. 2. Section 65964.2 (a) (3) is added to the Government Code, to read: "**(a) A small cell shall be permitted... (b) if it satisfies the following requirements: (3) The small cell is not located on a fire department facility.**" We know that firefighters asked for the exemption on the grounds of adverse health effects, as some firefighters have become sick in the past from cell towers (like many residents of California) . We also know this to be the case from firefighters' resolutions, public comments on television by their union leaders, and from previous legislation that exempted them from cell towers. If our legislators are willing to exempt and protect firefighters, clearly the microwave wireless radiation emitted by the technology SB649 permits is harmful. How is it then that our legislators voted for SB649 knowing that it will adversely impact the health of every man, woman, and child residing in California? Furthermore, why is it that our legislators are willing to protect the politically powerful and well-funded firefighters and not the most vulnerable groups such as children, pregnant women, the elderly, people who have already become sickened from wireless and other with critical professions such as doctors, nurses, the clergy, parents and teachers? How is it that our legislators are protecting strong able-bodied firefighters and not our children and people like me who cannot tolerate this radiation? It is noteworthy and not accidental that the reason for the firefighter exemption is not mentioned in SB649, as if it had been, it would have conflicted with Section 704 of the Telecommunication Act of 1996 which forbids health considerations in the placement of wireless transmitters. The exemption is not only illegal because it is discriminatory; it is also illegal due to Sec. 704.

**SB649 Violates My Constitutional and Disability Rights and Legalizes Criminal Assault** - If SB649 becomes law, it will have a devastating impact on my life and **will violate my Constitutional rights and my disability rights** as well as those of many others. In addition, **the installation of such transmitters near my home or in my living environment legalizes what amounts to criminal assault**. It is criminal assault - force harmful wireless radiation on people knowing it is injurious to them.

#### **Section 4 (a): Requested Actions From Governor Brown**

1. I ask the Governor to VETO SB649.
2. I ask to schedule a meeting with the Governor himself.
3. I ask that the Governor protect my rights, which are being violated by SB649.
4. I ask that the Governor request that Attorney General Becerra challenge the Constitutionality of Section 704 of the 1996 Telecommunication Act which preempts state and local governments' rights and responsibility to consider health and environmental factors in the placement of cell towers near my home, neighborhood and in my community. Section 704 punishes speech thereby violating the First Amendment -- It prevents me from suing for the harm caused by these towers under state law and thereby violating my Due Process Rights under the Fifth Amendment.
5. I ask the Governor to initiate an investigation and take action to stop the fraud perpetrated on the public by the wireless industry and its main lobbying organization, the CTIA.

#### **Section 4 (b): Requested Actions From Attorney General Becerra**

1. I ask to schedule a meeting with Attorney General Becerra himself.
2. I ask that General Becerra will take necessary action to protect my rights, which are being violated by SB649.
3. I ask General Becerra to take any action necessary to stop SB649 including but not limited to informing the Governor of the unconstitutional nature of SB649 and ask him to VETO it.
4. I ask General Becerra to challenge the Constitutionality of Section 704 of the 1996 Telecommunication Act which preempts state and local governments' rights and responsibility to consider health and environmental factors in the placement of cell towers near my home, neighborhood and in my community. Section 704 punishes speech thereby violating the First Amendment -- It prevents me from suing for the harm caused by these towers under state law and thereby violating my Due Process Rights under the Fifth Amendment.
5. I ask General Becerra to initiate an investigation and take action to stop the fraud perpetrated on the public by the wireless industry and its main lobbying organization, the CTIA.
6. If SB649 becomes law, we ask that Attorney General Baccera take legal action to challenge its constitutionality and legality.

Sincerely,

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Signature

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Name

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Date

**If submitted in person – please request Confirmation of Receipt by the Attorney General's office**

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Name

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Title

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Date