



How Anti-Vaccine Activists Doomed a Bill in New Jersey

Last year, New York lawmakers passed a bill ending all non-medical exemptions and religious exemptions to immunization after a measles outbreak, and New Jersey was set to follow by mandating students at any public or private school receive vaccines. But after the bill passed the Assembly, an amendment was added excluding private schools, and critics argued that would have allowed only the affluent to have a choice in vaccination. The bill was torpedoed after a vigorous campaign by angry parents, an ultra-Orthodox Jewish group and anti-vaccine celebrities rallied to outmatch those pushing the bill. Social media allowed opponents to reach directly into lawmakers' private lives and some politicians' family members were even contacted by phone. Del Bigtree, producer of "Vaxxed: From Cover-Up to Catastrophe," and Robert F. Kennedy Jr. appeared at a rally in the state capital.

New York, California, Mississippi and West Virginia, have ended religious and philosophical exemptions to vaccination, and there is legislation pending to do so in Connecticut and Massachusetts. Maine lawmakers also approved ending most non-medical exemptions last year, but, under heavy pressure from groups opposed to mandatory vaccines, will ask voters to decide the fate of the policy in a March ballot referendum.

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As a measles outbreak raged last year, New York lawmakers passed a bill ending all nonmedical exemptions to immunization, handing supporters of such efforts across the nation a major victory.

Then the focus shifted to New Jersey, where an even more sweeping bill had been making its way through the State Legislature that would have barred nearly all exemptions to vaccines for students at any public or private school, including colleges, which were not covered by the New York law.

But on Monday the bill collapsed in spectacular fashion, torpedoed by angry parents and the mobilization of national anti-vaccine celebrities who were able to outmatch one of the state's most powerful elected leaders.

The story of how they succeeded involves a wide range of forces in New Jersey and beyond that coalesced to doom the bill at a time when a spate of deaths from measles has been reported in Samoa, a Pacific island nation that had a low vaccination rate, and public health officials are urging greater flu vaccination because of more severe strains this year.

An influential ultra-Orthodox Jewish organization that had remained largely silent as the New York bill was being debated deliberately pivoted, opting to vocally oppose the New Jersey legislation on grounds of religious freedom.

Grass-root parent groups successfully leveraged social media and conservative talk radio in their effort to convince most Republican leaders to line up against the bill. A Facebook page named Occupy Trenton urged parents to converge at the State House. And, in the final week of debate, appearances by a Kennedy scion and a contrarian filmmaker helped fuel a

libertarian argument that parents, not government, should control their children's health care.

The intense protest left two Democratic senators with cold feet that no degree of political cajoling – or a private question-and-answer session for lawmakers with three pediatricians from the state chapter of the American Academy of Pediatrics – could thaw.

“I have never seen an issue that brought together grass-roots people like this,” said Senator Robert Singer, a Republican who opposed the legislation.

He represents Lakewood, which includes a heavily Orthodox Jewish community that is home to one of the largest yeshivas in the world. But he said many of the thousands of calls and emails his office received over the last month were from non-Orthodox families.

“Many were not Republicans; many were independents and Democrats,” he said. Parents told him they feared their children would be harmed if they followed the mandatory vaccination schedule. “I saw people call me, scared,” Mr. Singer said.

Doctors and public health experts have said the legislation was needed to halt the uptick in the number of unvaccinated children in New Jersey, and to prevent the kind of measles outbreak that occurred in the region last year. They emphasized that there was an overwhelming scientific consensus that vaccines are safe and effective.

The bill passed last month in the Assembly. But lawmakers who supported the legislation also may have made a political miscalculation when they introduced an amendment that excluded private schools to win the vote of a Republican needed to achieve a majority in the Senate. Instead, opponents, including an African-American Democratic assemblyman, argued that this amounted to segregation that would allow only the

affluent a choice about vaccination.

Both sides have described the clash in New Jersey as a key front in a nationwide conflict, and perhaps the biggest victory for vaccine skeptics seeking to counter a growing effort to end religious exemptions to childhood vaccines.

“We’re ready to go to war on this,” the powerful Senate president, Stephen M. Sweeney, said after it was clear the bill did not have the votes it needed to pass on the final day of New Jersey’s two-year legislative session. A new bill was introduced on Tuesday, and Mr. Sweeney, a Democrat, has vowed that it will eventually pass. The state’s Democratic governor, Philip D. Murphy, had not taken a public stance on the bill, a factor that Mr. Sweeney said was not helpful during the negotiations.

On Wednesday, Daniel Bryan, a senior adviser to the governor, said Mr. Murphy had “made his position on the importance of vaccinations crystal clear.” The governor, he added, was “disappointed that legislation supporting that goal didn’t reach his desk, but he remains optimistic that it will in the future.

Beside New York, a small group of other states, including California, Mississippi and West Virginia, have ended religious and philosophical exemptions to vaccination, and there is legislation pending to do so in Connecticut and Massachusetts. Maine lawmakers also approved ending most nonmedical exemptions last year, but, under heavy pressure from groups opposed to mandatory vaccines, will ask voters to decide the fate of the policy in a March ballot referendum.

“New Jersey is the state that is arguably the home of the pharmaceutical industry, and we just won in their backyard,” said Del Bigtree, an anti-vaccine activist who lives in Texas and flew in to lead a daylong protest on Monday in Trenton.

It was the second appearance within a week by Mr. Bigtree, who produced a documentary, “Vaxxed: From Cover-Up to Catastrophe,” and hosts an online anti-vaccination show.

Robert F. Kennedy Jr., who campaigns against vaccines as a director of the Children's Health Defense network, also appeared last week at a rally in the state capital.

Their star appeal became instant fodder for Facebook groups that many protesters cited as key organizing tools.

"Technology is a huge piece of it," said Sue Collins, a founder of the New Jersey Coalition for Vaccine Choice. "Everybody has access to everybody, and they're holding it in their hands all day long."

The omnipresence of social media also gave opponents the ability to reach directly into lawmakers' private lives.

Senator Richard J. Codey, a Democrat and a former New Jersey governor, said his son got calls at home. Francine Weinberg, a daughter of one of the bill's sponsors who lives in California, said she had to adjust her Facebook page's privacy settings to end the string of attacks from commenters.

"I call it the politics of harassment," said Ms. Weinberg, whose mother, Senator Loretta Weinberg, was a primary sponsor of the legislation.

"And that's really what it felt like," Senator Weinberg added.

Among the radio personalities who opposed the bill was Bill Spadea, a Republican who supports President Trump and hosts a morning show on one of New Jersey's largest radio stations.

"That's what it looks like when New Jerseyans fight back against government intrusion into our families," he wrote on Twitter, sharing a video of protesters outside the State House on Monday.

Avi Schnall, New Jersey's director of Agudath Israel of America, a nationwide umbrella organization of ultra-Orthodox Jews, said the group had decided to publicly oppose the New Jersey legislation after regretting it had not done more to

stop the measure in New York.

“We learned from our mistake,” he said in an interview last month.

Last spring, the organization had quietly opposed the New York bill, but the context had been different: The debate was taking place during an outbreak centered in the Orthodox community.

As a group, Orthodox Jews, most of whom do vaccinate their children, did not want to appear opposed to immunization. But the underlying principle of religious accommodation, the organization finally decided, was one worth fighting for, in part because there are rare cases in which a rabbi might decide a vaccination was unwarranted.

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