



October 30, 2020

Senator Tom Umberg
Chair, Senate Elections Committee
State Capitol
Sacramento, CA 95814

Dear Senator Umberg,

Was Google trying to quietly tip the scale against Prop 24's online privacy regulations by manipulating its search results to make it appear that the Secretary of State's Official Position was opposed to the ballot measure?

California voters deserve an answer. We call upon you to hold hearings to determine if Google's opposition to online privacy protections was being reflected in biased search results against Proposition 24, the California Privacy Rights Act, on Tuesday's ballot.

Google search has increasingly become the most used source for voters and in the case of Prop 24 it appears to have cooked the result against the privacy measure it most fears.

A search for Prop 24 at Google serves up a link to the official voter guide at the Secretary of State's website. Most voters would reasonably assume this is a link to unbiased information provided by the government. Instead, the snippet of text Google includes with the link is not the title of the measure, or the nonpartisan state summary of the measure, but the "CON" or No on 24 argument:

voterguide.sos.ca.gov › [propositions](#) › [24](#) ▼

[Proposition 24 | Official Voter Information Guide | California ...](#)

CON **Proposition 24** reduces your privacy rights in California. **Proposition 24** allows "pay for privacy" schemes, makes workers wait years to learn what confidential ...

[Proposition 25](#) · [Arguments and Rebuttals](#) · [Analysis](#) · [Official Title and Summary](#)

Prop 24 is the only one of the twelve initiatives on Tuesday's ballot with a snippet that features the "No" argument from the voter guide. Every other measure either includes the nonpartisan summary of the measure, the "Yes" argument, or no snippet at all.

It would be an extraordinary coincidence that the one measure that threatens Google's business model – forcing it to disclose the logic behind its algorithm and prevent it from using

our most sensitive information – is also the only one that includes negative propaganda in the link to a nonpartisan source.

The circumstances demand an investigation.

Google has stayed out of the public conversation on Prop 24, no doubt because their opposition would make the case for it. However, the Internet Ad Association they fund has been vocal in its opposition to Prop 24.

Search engines should not be allowed to make secret decisions about the information they provide to voters. California voters deserve transparency about the election information they receive.

The public deserves a clear answer to the question of why Google's algorithm is stacked against the one ballot measure that is an existential threat to the company.

We appreciate your consideration and offer our cooperation in the investigation.

Sincerely,

A handwritten signature in black ink, appearing to read "J. Court".

Jamie Court
President

A handwritten signature in black ink, appearing to read "Carmen Balber".

Carmen Balber
Executive Director