

Date of Hearing: June 23, 2026

Fiscal: Yes

ASSEMBLY COMMITTEE ON PRIVACY AND CONSUMER PROTECTION

Rebecca Bauer-Kahan, Chair

SB 1387 (Stern) – As Introduced February 20, 2026

**SENATE VOTE:** 33-0

**SUBJECT:** State agencies: collection and reporting of demographic data: Jewish identity

**SYNOPSIS**

*California state agencies regularly collect personal information – including information on race or ethnicity – from employees, students, residents, and others. Sometimes this information is necessary to provide the service or carry out the function that the agency was created to perform. Existing law requires state agencies to collect demographic data related to ancestry, race, and ethnicity to make the information publicly available in aggregate form, excluding confidential personal identifying information that could link the demographic data to a particular individual.*

*This bill adds “Jewish” to the existing ethnicities on voluntary, self-selecting demographic collection forms. Supporters of the bill note that “Jewish identity is widely understood as encompassing ancestry, history, language, culture, community, and shared values – not solely religion. These are characteristics of an ethnicity.” Opponents, on the other hand argue that state departments do not currently “collect data on religious identities, and there is no reason for the state to treat Judaism differently than other religions. To do so is unequal and potentially illegal.”*

*The larger policy questions of this bill are under the jurisdiction of the Judiciary Committee. The question before this Committee is whether adding “Jewish” to the list of ethnicities erodes Californians’ right to privacy.*

*This bill is sponsored by Jewish California and enjoys the support of a significant number of other Jewish organizations. A number of Jewish organizations have registered their opposition to the bill. Opponents include Jewish Voice for Peace – Bay Area, Orange County and Sacramento chapters, Jewish Parents for Collective Liberation, and National Campus Jewish Alliance – California chapter.*

*This bill was previously heard by the Judiciary Committee where it passed on a 12 – 0 vote.*

**EXISTING LAW:**

- 1) Requires the California Department of Corrections and Rehabilitation (CDCR) to collect voluntary self-identification information pertaining to the race or ethnic origin of people admitted, in custody, released, or paroled. Requires CDCR, based on information collected, to prepare, publish, and otherwise make information publicly available, as specified, except for personally identifying information, which is deemed confidential. (Pen. Code § 2068.)

- 2) Requires the California Employment Development Department (EDD) to collect demographic data, including race, ethnicity, sexual orientation, and gender identity data, for individuals who claim disability benefits, as specified. (Unemp. Ins. Code § 2615(a).)
- 3) Requires EDD to develop and make available online a public-facing dashboard that provides access to disaggregated demographic data, as specified. (Unemp. Ins. Code § 2615(f).)
- 4) Prohibits the inclusion of any question relative to an applicant's race, sex, marital status, or religion in any application or form required to be filled in and submitted by an applicant to any department, board, commission, officer, agent, or employee of the state. (Gov. Code § 8310)
- 5) Notwithstanding 4), subsequent to employment, gender and marital status data may be obtained and maintained for research and statistical purposes when safeguards preventing misuse of the information exist, except that in no event shall any notation, entry, or record of such data be made on papers or records relating to such employment application. (Gov. Code § 8310)
- 6) Notwithstanding any other law, prohibits a state or local agency or public employee acting under color of law from providing or disclosing to federal government authorities personal information regarding the religious beliefs, practices, or affiliation of any individual for the purpose of compiling a list, registry, or database of individuals based on religious affiliation, national origin, or ethnicity. (Gov. Code § 8310.3)
- 7) Requires a state agency, board, or commission that directly or by contract collects demographic data as to the ancestry or ethnic origin of Californians to use separate collection categories and tabulations for specified Asian groups and Pacific Islander groups. (Gov. Code § 8310.5 (a).)
- 8) Requires state and local agencies, as defined, that collect demographic data as to the ancestry or ethnic origin of Californians to use separate collection categories and tabulations for major Middle Eastern or North African groups and to include that data in every demographic report published on or after January 1, 2029, and to make the aggregated data available to the public. (Gov. Code § 8310.4.)
- 9) Requires the Department of Industrial Relations and the Department of Fair Employment and Housing to use additional separate collection categories and other tabulations for major Asian groups and Native Hawaiian and other Pacific Islander groups. (Gov. Code § 8310.7.)
- 10) Establishes the Information Practices Act of 1977, which generally enumerates the requirements applicable to state agencies that collect, maintain, and disclose personal information from California residents, including limitations on permissible disclosure, the rights of residents to know and access the information, and required accounting of disclosures of the information. (Civ. Code § 1798, et seq.)
- 11) Requires that each state agency maintain in its records only personal information that is relevant and necessary to accomplish the purpose of the agency. (Civ. Code § 1798.14.)

- 12) Requires that each agency collect personal information to the greatest extent practicable directly from the individual who is the subject of the information rather than from another source. (Civ. Code § 1798.15.)
- 13) Prohibits an individual's name and address from being distributed for commercial purposes, sold, or rented by an agency unless such action is specifically authorized by law. (Civ. Code § 1798.60.)
- 14) Defines "personal information," for purposes of the IPA, as any information that is maintained by an agency that identifies or describes an individual, including, but not limited to, the individual's name, social security number, physical description, home address, home telephone number, education, financial matters, and medical or employment history. (Civ. Code § 1798.3(a).)

**THIS BILL:**

- 1) Requires a state agency that directly or by contract collects demographic data as to the ancestry or ethnic origin of Californians to use a separate collection category and tabulation for Jewish ancestry or ethnicity in any form that offers respondents the option of selecting one or more ethnic or racial designations.
- 2) Except for personal identifying information, which shall be deemed confidential, requires a state agency to do both of the following with the demographic data collected:
  - a. Include the data in every demographic report on ancestry or ethnic origins of Californians by the state agency that is published on or after January 1, 2027.
  - b. Make the aggregated data available to the public in accordance with state and federal law, including by publishing the data on its internet website.
- 3) Makes conforming changes to the Education, Penal, and Unemployment Insurance codes.

**COMMENTS:**

- 1) **Author's statement.** According to the author:

Jewish identity is not solely a matter of religion. For many Jewish Californians, it is also rooted in shared ancestry, ethnicity, culture, history, language, and family heritage. SB 1387 ensures that California's demographic data systems reflect that reality. By allowing individuals to voluntarily self-identify as Jewish ethnically, this bill improves the accuracy of state data, strengthens civil rights analysis, and helps policymakers better understand and respond to the experiences of Jewish communities across California.

- 2) **Demographic Data Collection.** As the United States was being formed, the framers of the Constitution understood that for people to maintain power of their government, every person living in the newly created United States of America must be counted, and that count would be used to determine representation in the Congress. The first U.S. Census was conducted in 1790 and they have occurred every 10 years since that time.

Collecting demographic data provides the cornerstone for making state and federal policy and funding decisions. In addition, detailed demographic data is an important part of the historical

record and can track large shifts in population over time, such as the movement of approximately six million Black people from south to the north and west during Great Migration.

Good demographic information is so critical that it is hard to imagine how policy and funding decisions could be made without it. How much funding would flow from the state to our 58 counties if there was no data on the number of people living in those counties, for example. Without demographic information, policymakers would have no way of confirming that pregnant Black women face much higher mortality rates during birth than white women. The examples are endless.

California state agencies regularly collect personal information – including information on race or ethnicity – from employees, students, residents, and others. Sometimes this information is necessary to provide the service or carry out the function that the agency was created to perform. Existing law requires state agencies to collect demographic data related to ancestry, race, and ethnicity to make the information publicly available in aggregate form, excluding personal identifying information, deemed confidential, that could link the demographic data to a particular individual.

3) **What this bill would do.** This bill requires state agencies that collect self-identified data on ethnicity to add “Jewish” to the list of options a person can select from. For example, under the Penal Code, CDCR is required to collect voluntary self-identification information pertaining to the race or ethnic origin of people admitted, in custody, released, or paroled. Currently, that list includes American Indian/Alaskan Native, Bangladeshi, Black, Cambodian, Chinese, Colombian, Cuban, Fijian, Filipino, Guamanian or Chamorro, Guatemalan, Native Hawaiian, Other Hispanic Not Listed, Hmong, Indian, Indonesian, Jamaican, Japanese, Korean, Laotian, Malaysian, Mexican, Nicaraguan, Other, Other Asian Not Listed, Other Pacific Islander Not Listed, Pakistani, Puerto Rican, Salvadorian, Samoan, Sri Lankan, Taiwanese, Thai, Tongan, Unknown, Vietnamese, and White. This bill would add “Jewish” to that list.

4) **Analysis.** The policy question of whether Jewishness should be considered an ethnicity for demographic purposes is outside of the purview of this Committee. That question was addressed by the Judiciary Committee, which heard the bill prior to this Committee. The question before this Committee is a narrow one: Does adding “Jewish” to the list of ethnicities for demographic reports present a privacy risk for Californians?

Staff finds that it does not negatively impact privacy rights any more than collecting any other demographic information for two main reasons. First, the collection of demographic information by state departments is both voluntary and self-selecting, allowing an individual to either refrain from identifying altogether or selecting one of the other options. Secondly, current state law requires that any personal information be stripped from demographic data prior to making it available to the public. Therefore, it does not appear to be a risk to individual privacy rights.

**ARGUMENTS IN SUPPORT:** Jewish California, sponsors of the bill, representing over 40 organizations, writes in support:

Jewish identity is widely understood as encompassing ancestry, history, language, culture, community, and shared values – not solely religion. These are characteristics of an ethnicity. Yet California's data collection systems treat Jewish identity only as a religion, if at all. This results in the systematic undercounting, misclassification, and misunderstanding of Jewish

Californians, undermining equitable policymaking and the accurate tracking of antisemitic hate crimes.

The data bears this out. According to Pew Research Center, a majority of American Jews say that religion is not central to their Jewish identity. 52% of U.S. Jews cite ancestry and 55% cite culture as central to their Jewish identity, while only 36% cite religion. Despite this reality, California demographic systems fail to capture how the majority of Jewish Californians engage with their identity. This gap has real and compounding consequences.

California relies on demographic data to identify disparities, conduct research, tailor services, and ensure compliance with civil rights protections. When Jewish ethnicity is absent from data systems, disparities affecting Jewish communities – whether in healthcare needs, educational outcomes, or discrimination – are less likely to be identified or addressed.

Furthermore, antisemitic hate crimes are frequently motivated by perceived ethnicity, ancestry, or peoplehood – not religious observance. When Jews are categorized only as a religion, hate crimes targeting Jews as an ethnic group may be mischaracterized, underreported, or analytically obscured. This weakens California's ability to accurately measure antisemitism, identify trends, allocate prevention resources, and evaluate the effectiveness of state interventions.

State law does not merely collect data – it signals to the public how communities are understood. When California recognizes Jews only as a religion, it reinforces a narrow and incomplete understanding of Jewish identity, encouraging the misconception that Jews are defined solely by belief or worship rather than by a rich and distinct culture, history, peoplehood, and shared experience. That misunderstanding leads to generalizations, creating fertile ground for bias and discrimination.

SB 1387 is consistent with a long-standing legislative principle that California has applied to many communities. Recognizing that good data informs good policy, California has enacted several recent laws requiring more detailed demographic data collection, including for Asian American and Pacific Islander subgroups (AB 1088, 2011; AB 1726, 2016), Black subgroups (SB 189, 2022), LGBTQ+ communities (SB 957, 2024), and Middle Eastern and North African populations (AB 91, 2025). Extending the same recognition to Jewish Californians is both equitable and overdue.

The California Federation of Teachers writes in support:

The bill mandates California state agencies to specifically include Jewish ancestry in demographic data collections. This change involves new categorization in reports on ethnic origins starting January 1, 2027. It extends to various departments, including corrections and rehabilitation, requiring them to disaggregate Jewish identity in ethnicity self-identification data. The legislation aims to enhance understanding and representation of diverse communities, ensuring Jewish ancestry is systematically acknowledged in state data reports.

Good decisions rely on good data. As educators, we understand that matters of public policy require as much data as possible for honest deliberation, tailored proposals, and ultimately, having clear statutes and policies with clear goals. SB 1387 helps refine the data collected by the state to help identify issues where the Jewish members of our communities may stand out from broader data sets. If there are problems or successes with our public policies that impact

the Jewish community more than others, having this information will help yield better policy results in the future.

***ARGUMENTS IN OPPOSITION:*** In opposition to the bill, the Jewish Voice for Peace – Bay Area Chapter argues:

History offers a clear warning: when Jewish identity is officially distinguished from that of all other ethnic groups, the results have too often been catastrophic. From census records used to identify Jewish populations in occupied Europe to more recent examples of ethnic registries being weaponized against minorities, the bureaucratic marking of Jews as a distinct ethnic category has served persecution at least as often as it has served protection. The bill's sponsors offer no evidence that data collection of this kind reduces antisemitism. We are aware of none.

We also oppose this bill on factual and legal grounds. Judaism is a religion, not a single ethnicity. To the degree that ethnicity is relevant, demographers already demarcate Ashkenazi, Mizrahi and Sephardic Jews as different ethnicities. Jews trace their origins to every region of the world — Eastern Europe, North Africa, the Middle East, South Asia, and beyond — and share the cultural practices of those places of origin alongside their Jewish identity. Every other ethnicity referenced in the statutes this bill would amend is defined by geographic origin, as are the federal Office of Management and Budget standards. Religion, unlike geographic origin, is something a person can adopt or leave. Treating one religion as an ethnicity — and only one — is legally inconsistent and factually wrong. The best way to count and analyze the Jewish population is through scientific polling done by professionals such as the Pew Research Center. This is the way it is currently done.

Importantly, SB 1387 does not remove or replace existing religious categorization. It simply adds the option for Jewish Californians to self-identify based on ethnicity – ensuring that our community is neither invisible nor misrepresented in the data systems that drive critical public health, education, and civil rights decisions.

The Jewish Voice for Peace – Sacramento Chapter states:

Many American Jews, and probably even more in California, are mostly secular, not religiously observant. If asked offhand, many of us might say we identify as culturally and/or ethnically Jewish. But we vehemently oppose SB 1387 for its wrong-headed oversimplification of identity, one that could well exacerbate antisemitism, among other unintended consequences.

In Sacramento Jewish Voice for Peace, our grandparents' or great-grandparents' families typically immigrated between 110 and 150 years ago from various parts of Eastern or Central Europe: Russia, Poland, Ukraine, Belarus, Moldavia, Czech and Slovak lands, Hungary, Romania and Galicia, then a province of the Austro-Hungarian Empire. Others on this list were in the Russian or Prussian empires.

These ancestors left their longtime homelands to escape religiously based and racialized hatred amid the political and economic upheavals of the time.

They were Ashkenazi Jews, but even as so, differed considerably in their cultural-religious practices, the languages they spoke and the nature of their relations with neighbors. And they

differed much more from Jews descended from the 1492 Spanish expulsion, many of whom landed in North Africa or the Balkans; or Arab Jews, Persian Jews, Jews in India, Africa or China, some after immigrating, others who became Jewish through conversion of their communities.

There are Jewish Californians descended from all these groups too. Our diversity is one reason that SB 1387, which would invite us to cram our Jewish identities into a single box labeled “ethnicity,” is so wrong.

Then there is the fact that large numbers of those who identify, at least in part, as Jews couldn’t fit in that box at all. They may have converted to Judaism for any number of reasons, been born of a mixed couple or adopted. Are they “ethnically” Jews?

Even in Israel, where all these different Jewish ethnic communities also exist, there’s no common view as to who is a Jew. Orthodox rabbis, who control family law matters, say you have to be born of a Jewish mother (a racial designation) or converted in the Orthodox tradition (a sectarian religious one). The state, fixated as it is on demographics, is more flexible because it seeks to maximize the numbers of those who accept superior social and political privileges it grants over non-Jews, especially indigenous Palestinians.

In America, being Jewish in the common understanding involves a broad range of practices and identities that share a roughly common religious/philosophical tradition, even among those who aren’t observant or who flout what we in Jewish Voice for Peace understand as “Jewish ethics”: solidarity among all oppressed peoples in pursuit of freedom, justice and dignity.

There are other such religion-based identities, but none of them are defined in official state or federal records as belonging to a single ethnicity.

Our identities have been and continue to be studied by numerous academic and communal institutions, which provide some useful data. We cannot see how singling out Jews for a faulty and misleading identification as a single “ethnicity” by use of a check box would be at all useful to us or to the rest of society. At worst, it could create flawed data about some Jews, correlating with false and dangerous assumptions about our social status.

The existing check boxes available to other groups are already complicated and problematic in many ways. Perhaps it’s time to rethink their purpose and come up with better ways to describe all our identities, to ensure that all are treated fairly and with equal respect.

## **REGISTERED SUPPORT / OPPOSITION:**

### **Support**

Jewish California (formerly Jpac) (Sponsor)  
30 Years After  
Adat Shalom Los Angeles  
Agudath Israel of California  
Bay Area Center to Counter Antisemitism  
Bay Area Jewish Coalition Education & Advocacy  
Beverly Hills Synagogue

Board of Rabbis of Southern California  
 California Jewish Democrats  
 Cft – a Union of Educators & Classified Professionals, Aft, Afl-cio  
 Chai Marin  
 Contra Costa Jewish Democrats  
 Hadassah, the Women's Zionist of America, INC.  
 Hillel of San Diego  
 Jcc/federation of San Luis Obispo  
 Jerc Bay Area  
 Jerc, Jewish Long Beach  
 Jewish Center for Justice  
 Jewish Democratic Coalition of the Bay Area  
 Jewish Family and Children's Services of San Francisco, the Peninsula, Marin and Sonoma  
 Counties  
 Jewish Family Service LA  
 Jewish Family Service of the Desert  
 Jewish Family Services of Silicon Valley  
 Jewish Federation Bay Area  
 Jewish Federation Los Angeles  
 Jewish Federation of Greater Santa Barbara  
 Jewish Federation of Orange County  
 Jewish Federation of San Diego  
 Jewish Federation of the Desert  
 Jewish Federation of the Greater San Gabriel and Pomona Valleys  
 Jewish Federation of Ventura County  
 Jewish Silicon Valley  
 Jfcs East Bay  
 Northern California Jewish Labor Committee  
 Oakland Jewish Alliance  
 Palo Alto Jewish Alliance  
 Progressive Zionists of California  
 Sf Jews in School  
 The Jewish Coalition of Berkeley  
 Valley Beth Shalom

### **Opposition**

1021 Jewish Workers for Justice  
 Bend the Arc: Jewish Action California  
 Jewish Parents for Collective Liberation  
 Jewish Voice for Peace Bay Area  
 Jewish Voice for Peace, Orange County  
 Jewish Voice for Peace, Sacramento Chapter  
 Jswana Bay  
 National Campus Jewish Alliance California Chapter  
 Rad Jews of Orange County \*long Beach  
 Sacramento Regional Coalition for Palestinian Rights  
 Workers Circle/arbeter Ring of Northern California

**Analysis Prepared by:** Julie Salley / P. & C.P. / (916) 319-2200