

Pastors of Compton

July 16, 2020

The Honorable Jim Wood, Chair
Assembly Health Committee
Room 6026 State Capitol
Sacramento, California 95818

CC: Senator Jerry Hill
Assembly Health Committee Members

Dear Assemblymember Wood,

On behalf of the Pastors of Compton, we would like to address some concerns we have involving SB793 and its proposed ban on menthol cigarettes. We understand the need to address the health issues associated with tobacco use among not only youth, but people of all ages and backgrounds, but we are concerned that this piece of legislation will disproportionately impact people and communities of color.

The majority of Blacks who choose to smoke, prefer menthol cigarettes, and choosing to place a ban on this will inadvertently criminalize this demographic.

With the numerous interactions we hear of in our congregations, our communities and in the news, involving Blacks and law enforcement, we cannot turn a blind eye to what appears to be systemic racism and the connection of why Blacks are reprimanded or even killed due to something as minor as the sale of a single cigarette.

To be sure, we are not in favor of smoking and are all too aware of the health risks tobacco use poses to our constituents, but we don't believe that criminalizing the sale of cigarettes for those who have been legally smoking for years is the answer, particularly in a community that is already over-policed.

Gwendolyn Carr, Eric Garner's mother, cautions: "When you ban a product sold mostly in Black communities, you must consider the reality of what will happen to that very same over-represented community in the criminal justice system."

The death of Eric Garner in 2014 generated national attention not only for the brutality he experienced at the hands of NYPD police, but because his only crime was selling single cigarettes in violation of state law.

We don't believe a prohibition on menthol tobacco products will reduce smoking among Black people, young people, or others. What we are certain of, is that those who smoke will find a way to continue to do so creating a thriving black marketplace as enforcement attempts to stop them could very well lead to fines, arrests, eventual incarceration and perhaps even another Eric Garner.

The city of San Francisco banned the sale of menthol cigarettes last June and according to Charles Hawthorne of the Harm Reduction Coalition, the city has since witnessed an expansion of its illicit market and more situations for people to interact with police.

Even if you disagree with this observation, you have to admit that the jury is still out on whether or not bans actually make a difference given how easily studies can be manipulated.

Some even argue that the regulated market, which restricts sales and requires ID for purchase, protects youth more than the underground market—through which anyone can buy cigarettes on a street corner.

Speaking on behalf of hundreds of black male youth in the Compton area who attend our churches—and to our great dismay are already targeted by police—this can't be the best solution you have to offer.

In our congregation, we focus in on changing family dynamics to protect young people against smoking and find that we have the greatest results in engaging young people in messaging to other youth against smoking.

Finally, it easy for those of you who sit in positions of power to ban the sale of something in our community when

you don't have to live with the consequences of it in your communities.

I hope that you will give this much thought and with deliberation consider an alternative that will yield more positive results.

Sincerely,

Dr. Michael J. Fisher

Dr. Michael J. Fisher
President, Pastors of Compton
Pastor, Greater Zion Church Family
Founder, JT Foundation