

Baptist Ministers Conference of Los Angeles and Southern California

4269 South Figueroa Street, Los Angeles California 90037

Office of the President

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 Baptist Ministers' Conference of Southern California, which represents more than 300 active pastors in Los Angeles, Ventura, San Diego and the Inland Empire, we write out of concern for SB793. We are alarmed that in your efforts to curtail the use and sale of flavored tobacco you have included a ban on menthol cigarettes, which are the preferred choice of 80-85 percent of African Americans who choose to smoke.

We saw how the war on drugs criminalized our community by convicting those with addictions. It is something that we fought against for years and we cannot go backwards now with menthol cigarettes when we know that the most powerful alternative is education. Your proposed ban would disproportionately impact people and communities of color and trigger criminal penalties, prioritizing criminalization over public health and harm reduction. It would also instigate unconstitutional policing and other negative interactions with local law enforcement, while creating a black market and demand for menthol cigarettes.

While the inclusion of menthol cigarettes in the ban may not have been intended with racist connotations, we are concerned that its effect in enforcement may be, as it is sure to be meted out unequally in our black and brown communities. In April, a 14-year old Rancho Cordova youth was traumatized by police brutality after being pummeled repeatedly by an officer for being in possession of a cigarillo; and the world watched on July 17, 2014 as Eric Garner had the life snuffed out of him by New York police officers trying to arrest him over the sale of "loosies" in front of a Staten Island convenience store. His last words, "I can't breathe", have since become the rallying cry of the Black Lives Matter movement.

In the heated climate surrounding the George Floyd tragedy and the heightened sensitivity to police interactions with African Americans coupled with cases like that of the Rancho Cordova youth, one cannot ignore the disproportionate unintended consequences that would come with the enforcement of a menthol cigarette ban on African Americans, giving police yet another reason to approach people of color possibly leading to an encounter that could deteriorate into unjustified deaths, beatings and arrests. To be clear none of the pastors we represent advocate smoking for their members or community youth and in fact, strongly encourage those who do smoke to quit, not just for their health but for the health of those around them.

What is not clear is whether or not this ban will have any positive effect on curtailing the smoking habits of African Americans who prefer menthol cigarettes. What is more likely is that it will create an illicit marketplace for the sale of menthol cigarettes with penalties that could lead to imprisonment and fines for a community of people that can hardly afford it.

As there are no safeguards to prevent what happened in Rancho Cordova, we ask that you rethink the inclusion of menthol cigarettes in SB 793 and explore alternative methods of education and treatment that have been proven to be successful in reducing smoking rates over the last few decades.

Sincerely,

A handwritten signature in black ink that reads "Pastor K. W. Tulloss". The signature is written in a cursive style with a large, stylized flourish at the end.

Pastor K. W. Tulloss
President, Baptist Minister's Conference of Los Angeles & Southern California