

## Communication from Public

**Name:**

**Date Submitted:** 08/08/2019 05:57 PM

**Council File No:** 18-1104

**Comments for Public Posting:** Please post to CF 18-1104

# The Baptist Ministers Conference of Los Angeles and Southern California

4269 South Figueroa Street, Los Angeles, CA 90037

Rev. K.W. Tulloss, President

July 30, 2019

Dear Los Angeles City Attorney Mike Feuer  
CC: Los Angeles City Council Members

I am writing to address my concerns about the proposed ban on flavored tobacco products, including menthol, and how it will likely affect the community members our conference represent. As the president of the Baptist Ministers Conference of Los Angeles and Southern California it is my moral duty to examine prospective laws and ensure they will serve the greater good for our clergy members and church communities they are enforced upon. As the great Martin Luther King, Jr. once said, "In the end, for laws to be obeyed, men must believe they are right."

I fully support Los Angeles City Council's efforts to stop the use of tobacco - especially by the youth. However, I am concerned that the proposed ban is currently written too broadly and will have *unintentional consequences* that will disproportionately criminalize African American adults.

**A ban that focuses on flavored non-cigarette tobacco would successfully target the majority of youth smoking.** The alarming increase in youth smoking is spurred on by the creation of the new vaping phenomenon, not menthol cigarettes. Data released by the Centers for Disease Control and Prevention indicated that nationwide 4.9 million middle and high school students currently used tobacco products, up from 3.6 million in 2017. The increase in tobacco product use was attributed to explosive growth in e-cigarettes.

**The inclusion of menthol cigarettes in the proposed ban disproportionately affects African Americans and other communities of color.** The inclusion of menthol in the proposed ban will disproportionately criminalize African American smokers - including adult smokers.

The majority of the current U.S. cigarette market is comprised of non-mentholated cigarettes, which accounts for roughly 2/3 of the market. Menthol cigarettes only make up 1/3 of the current market, **yet 80% of African Americans in U.S. who smoke cigarettes smoke menthol cigarettes.**

Thus, the proposed ban of menthol cigarettes disproportionately punishes and stigmatizes African American smokers. In fact, in California, 70 percent of African American, 42 percent of American Indian, 33 percent of Hispanic/Latino, and 30 percent of Asian, adult cigarette smokers smoke menthol cigarettes compared to only 18 percent of white adult cigarette smokers.

#### **A menthol ban includes unintended consequences on adults**

Because many menthol users are African American adults, if the proposed ban were to include menthol cigarettes it would also create increased interaction between law enforcement and African American members of our community. As you understand this is quite concerning in the African American community, as we continue to fight for police accountability when working with Black and brown people. With high profile cases such as Eric Gardner who died at the hands of an officer for selling a loose cigarette, it is imperative that we do not support laws that criminalize addiction.

#### **Education not criminalization is the effective way to deter smoking**

As demonstrated by the failed “war on drugs”, the criminalization of victims who are battling an addiction is not only cruel it does not work! Numerous reports show that criminalizing addiction sets a dangerous obstacle to good treatment. The more effective way to decrease smoking among the youth and adults is to fund prevention and treatment programs.

*Again, we in no way support the use of tobacco. We do however, ask you to carefully review the proposed ban and moderate it so that does not criminalize and stigmatize the community we serve. Attached you will find 27 individual letters from Pastor’s and churches in Los Angeles supporting our demand.*

Thank you,

A handwritten signature in black ink, appearing to read "Rev. K. W. T. D." with a large, stylized flourish at the end.

Baptist Ministers Conference of Los Angeles and Southern California, President

# ST. MARK

MISSIONARY BAPTIST CHURCH

5017 COMPTON AVENUE

LOS ANGELES, CA 90011

[www.stmarkmbcofla.org](http://www.stmarkmbcofla.org)

(323) 231-5968

(323) 231-1040



DR. LOVELY HAYNES, PASTOR

DEA. NATHAN BATTLE, CHAIRMAN OF DEACONS

DEA. JAMES FRAZIER, CHAIRMAN OF TRUSTEES

ANN WOODMORE, CHURCH SECRETARY

ANN BERNARD, CHURCH CLERK

August 1, 2019

The Office of Mike Feuer  
Los Angeles City Attorney  
James K. Hahn City Hall East Suite 800  
Los Angeles, CA 90012

Dear LA City Attorney Mike Feuer,

I am writing to address my concerns about including menthol cigarettes in the proposed ban on flavored tobacco products.

As head of my congregation it is my moral duty to examine prospective laws and ensure they will serve the greater good for my members and the rest of the communities they are enforced upon. As the great Martin Luther King, Jr. once said, "In the end, for laws to be obeyed, men must believe they are right."

I fully support Los Angeles City Council's efforts to reduce the use of tobacco - especially by the youth. However, I am concerned that the proposed ban is currently written too broadly and will have unintentional consequences that disproportionately criminalize the African American adults.

**The inclusion of menthol cigarettes in the proposed ban disproportionately criminalizes African American adults and includes unintended consequences.**

Menthol cigarettes only make up 1/3 of the current market, yet 80% of African Americans in U.S. who smoke cigarettes smoke menthol cigarettes. Thus, the proposed ban of menthol cigarettes disproportionately punishes and stigmatizes African American smokers. A menthol ban would also create increased interaction between law enforcement and members of our community. As you understand this is quite concerning as we continue to fight for police accountability when working with the African American community. With high profile cases such as Eric Gardner who died at the hands of an officer for selling a loose cigarette, it is imperative that we do not support laws that may increase police interaction.

*Again, I do not support the use of tobacco.* I do however, ask you to carefully review the proposed ban and moderate it so that it does not criminalize and stigmatize the community I serve.

Thank you,

*Reverend Dr. Lovely Haynes, Pastor*

**Transformation:**

**The Transforming Power Of The Cross, The Process, Becoming More Like Christ,  
The Dynamics, To Live For Christ**

**1 Corinthians 1:18; 2 Corinthians 5:17 and Romans 12:1-2**

**TRUE FRIENDSHIP MISSIONARY BAPTIST CHURCH**  
**7901 South Van Ness Avenue**  
**Los Angeles, California 90044**  
**(323) 750 - 7304**

**REV. JAMES A. PERKINS, PASTOR**

**July 31, 2019**

The Office of Mike Feuer  
Los Angeles City Attorney  
James K. Hahn City Hall East Suite 800  
Los Angeles, CA 90012

LA City Attorney Mike Feuer,

Attorney Feuer, I am writing to address my concerns about the egregious plan being considered which includes menthol cigarettes in the proposed ban on flavored tobacco products, which supposedly focuses on youth tobacco use (vaping) especially, but lumps menthol cigarettes into this smorgasbord of regulations that borders on preposterous.

As Pastor of a congregation and community leader, it is my moral duty to examine prospective laws to ensure they will serve the greater good for my congregation and the rest of the communities where they are enforced. As Martin Luther King, Jr. once said, "In the end, for laws to be obeyed, men must believe they are right."

I fully support Los Angeles City Council's efforts to reduce the use of tobacco, by our children, however, I am concerned that the proposed ban is currently written too broadly and will have unintentional consequences that disproportionately criminalize African American adults, other people of color, mentally ill and the homeless in my community.

The inclusion of menthol cigarettes in the proposed ban disproportionately criminalizes African Americans, other people of color, the poor and includes some obvious, but hopefully unintended consequences. **We just got through de-criminalizing marijuana and we don't want to open up this apparent "Pandora's Box" of Menthol.**

Menthol cigarettes only make up 1/3 of the current market, **yet 80% of African Americans in U.S. along with large numbers of people of color and the poor who smoke cigarettes, smoke menthol cigarettes.** Thus, the proposed ban of menthol cigarettes disproportionately punishes and stigmatizes African American smokers, other people of color and the poor.

A menthol ban would also create increased interaction between law enforcement and members of our community. You must understand, my genuine concern as we continue to fight for police accountability when working with the African American community, other people of color and the poor, **if you don't ban all cigarettes you really shouldn't ban any.**

With high profile cases such as Eric Gardner who died at the hands of an officer for selling a loose cigarette, it is imperative that we do not support laws that may increase police interaction. *I in no way support the use of tobacco.* I do however, ask you to carefully review the proposed ban so that it does not create more problems than it solves.

We must educate our children and provide examples for them to follow. I smoked for 18 years and never touched a menthol cigarette and it was my family's prayers and support that enabled me to overcome that insidious habit before it destroyed my health. Education is important to reduce tobacco use, but criminalizing it is not the answer. **Forty years plus smoke free...**

Respectfully Submitted,

*James A. Perkins*

Dr. James A. Perkins Pastor

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# NEW BEGININGS CHRISTIAN FELLOWSHIP CHURCH

9819 South Avalon Blvd, Los Angeles, CA 90003  
323-755-6990  
Bishop Harrington Mc Frazier

August 1, 2019

The Office of Mike Feuer  
Los Angeles City Attorney  
James K. Hahn City Hall East Suite 800  
Los Angeles, CA 90012

LA City Attorney Mike Feuer,

I am writing to address my concerns about the egregious plan being considered which includes menthol cigarettes in the proposed ban on flavored tobacco products, which supposedly focuses on youth tobacco use (vaping) especially, but lumps menthol cigarettes into this smorgasbord of regulations that borders on preposterous. I stand with the Baptist Ministers Conference and Pastor's from throughout our city to denounce these plans by the city.

As Pastor of a congregation and community leader, it is my moral duty to examine prospective laws to ensure they will serve the greater good for my congregation and the rest of the communities where they are enforced. As Martin Luther King, Jr. once said, "In the end, for laws to be obeyed, men must believe they are right."

A menthol ban would also create increased interaction between law enforcement and members of our community. You must understand, our genuine concern as we continue to fight for police accountability when working with the African American community, other people of color and the poor, **if you don't ban all cigarettes you really shouldn't ban any.**

We must educate our children and not incarcerate. I plan to provide examples for them to follow through educating them on not smoking.

Sincerely,

*Bishop Harrington McFrazier*  
New Beginnings Christian Fellowship Church

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**ST. REST FRIENDSHIP BAPTIST CHURCH  
709 WEST MANCHESTER AVENUE  
Los Angeles, California 90044  
(323) 752 - 6179  
Rev. Torrey N. Collins, Pastor**

**August 1, 2019**

The Office of Mike Feuer  
Los Angeles City Attorney  
James K. Hahn City Hall East Suite 800  
Los Angeles, CA 90012

LA City Attorney Mike Feuer,

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A menthol ban would also create increased interaction between law enforcement and members of our community. You must understand, my genuine concern as we continue to fight for police accountability when working with the African American community, other people of color and the poor, **if you don't ban all cigarettes you really shouldn't ban any.**

We must educate our children and provide examples for them to follow.

Sincerely,

*Pastor Torrey N. Collins*

St. Rest Friendship Baptist Church, Lead Pastor

**Good News Baptist Church**  
**2400 West Vernon Avenue, Los Angeles CA 90008**  
**Pastor Terri Wilson**

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July 30, 2019

**To LA City Council and LA City Attorney M. Fuer**

I am writing to address my concerns about the horrible plan being considered to ban flavor tobacco in LA City. I've been informed that menthol cigarettes are included in that proposed ban on flavored tobacco products. I stand with the BMC of Los Angeles and Southern California to denounce that plan by our city.

As a Pastor of a congregation and community leader, it is my moral duty to examine prospective laws to ensure they will serve the greater good for my congregation and the rest of the communities where they are enforced. As Martin Luther King, Jr. once said, "In the end, for laws to be obeyed, men must believe they are right."

I fully support Los Angeles City Council's efforts to reduce the use of tobacco, by our children, however, I am concerned that the proposed ban is currently written too broadly and will have unintentional consequences that disproportionately criminalize African American adults.

Sincerely,

*Pastor Terri Wilson*

Good News Baptist Church

# CONCORD CHURCH

2828 WEST JEFFERSON BLVD LOS ANGELES, CA 90018

(323) 731-9873

REV. BILL HEMPHILL, PASTOR

July 31, 2019

The Office of Mike Feuer  
Los Angeles City Attorney  
James K. Hahn City Hall East Suite 800  
Los Angeles, CA 90012

LA City Attorney Mike Feuer,

I am writing to address my concerns about the plan being considered around flavor tobacco products which includes menthol cigarettes. This plan supposedly focuses on youth tobacco use (vaping), but lumps menthol cigarettes into this & of regulations that borders on preposterous. I stand with the Baptist Ministers Conference and Pastor's from throughout our city to denounce this plan by the city.

As Pastor of a congregation and community leader, it is my moral duty to examine prospective laws to ensure they will serve the greater good for my congregation and the communities where they are enforced. As Martin Luther King, Jr. once said, "In the end, for laws to be obeyed, men must believe they are right."

A menthol ban can create increased interaction between law enforcement and members of our community. You must understand, our genuine concern as we continue to fight for police accountability when working with the African American community, other people of color and the poor, if you don't ban all cigarettes you really shouldn't ban any.

Sincerely,

*Pastor William Hemphill*

Concord Church

# *Beacon of Light Baptist Church*

*Pastor Stan Richards*

The Office of Mike Feuer  
Los Angeles City Attorney  
James K. Hahn City Hall East Suite 800  
Los Angeles, CA 90012

LA City Attorney Mike Feuer,

I am writing to address my concerns about the plan being considered around flavor tobacco products which includes menthol cigarettes. This plan supposedly focuses on youth tobacco use (vaping), but lumps menthol cigarettes into this & of regulations that borders on preposterous. I stand with the Baptist Ministers Conference and Pastor's from throughout our city to denounce this plan by the city.

As Pastor of a congregation and community leader, it is my moral duty to examine prospective laws to ensure they will serve the greater good for my congregation and the communities where they are enforced. As Martin Luther King, Jr. once said, "In the end, for laws to be obeyed, men must believe they are right."

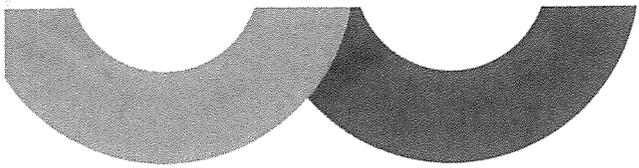
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We must educate our children and not incarcerate. I plan to provide examples for them to follow through educating them on not smoking.

Sincerely,

*Pastor Stan Richards*

Beacon of Light Baptist Church



**Welcome Missionary Baptist Church**

**8615 South Central Avenue, LA CA 90002**

**323-582-5813**

**Pastor J.W. Brown**

August 1, 2019

The Office of Mike Feuer  
Los Angeles City Attorney  
James K. Hahn City Hall East Suite 800  
Los Angeles, CA 90012

LA City Attorney Mike Feuer,

I am writing to address my concerns about the plan being considered around flavor tobacco products which includes menthol cigarettes. This plan supposedly focuses on youth tobacco use (vaping), but lumps menthol cigarettes into this & of regulations that borders on preposterous. I stand with the Baptist Ministers Conference and Pastor's from throughout our city to denounce this plan by the city.

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We must educate our children and not incarcerate. I plan to provide examples for them to follow through educating them on not smoking.

Sincerely,

*Pastor JW Brown*

Welcome Missionary Baptist Church







**UNITED CHRISTIAN'S  
MISSIONARY BAPTIST CHURCH  
722 EAST MANCHESTER AVENUE  
LOS ANGELES, CALIFORNIA 90012**

**REVEREND NATHANIEL G. HALEY SR. PASTOR**

The Office of Mike Feuer  
Los Angeles City Attorney  
James K. Hahn City Hall East Suite 800  
Los Angeles, CA 90012

08/1/2019

Dear LA City Attorney Mike Feuer, I am writing to address my concerns about including menthol cigarettes in the proposed ban on flavored tobacco products.

As head of my congregation it is my moral duty to examine prospective laws and ensure they will serve the greater good for my members and the rest of the communities they are enforced upon. As the great Martin Luther King, Jr. once said, "In the end, for laws to be obeyed, men must believe they are right."

I fully support Los Angeles City Council's efforts to reduce the use of tobacco - especially by the youth. However, I am concerned that the proposed ban is currently written too broadly and will have unintentional consequences that disproportionately criminalize the African American adults.

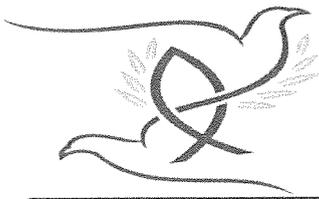
The inclusion of menthol cigarettes in the proposed ban disproportionately criminalizes African American adults and includes unintended consequences.

Menthol cigarettes only make up 1/3 of the current market, yet 80% of African Americans in U.S. who smoke cigarettes smoke menthol cigarettes. Thus, the proposed ban of menthol cigarettes disproportionately punishes and stigmatizes African American smokers. A menthol ban would also create increased interaction between law enforcement and members of our community. As you understand this is quite concerning as we continue to fight for police accountability when working with the African American community. With high profile cases such as Eric Gardner who died at the hands of an officer for selling a loose cigarette, it is imperative that we do not support laws that may increase police interaction.

Again, I in no way support the use of tobacco. I do however, ask you to carefully review the proposed ban and moderate it so that does not criminalize and stigmatize the community I serve.

Thank you

Pastor Nathaniel Haley Sr.



GNL  
GREATER NEW LIGHT  
BAPTIST CHURCH

*Dr. Patrick D. Ross, Senior Pastor*

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Frankye G. "Jerr" Charles, *Clerk* ♦ Donald R. Charles, *Chair of Deacons* ♦ Dr. Kenneth J. Mason, *Interim Chair of Trustees*

August 1, 2019

The Office of Mike Feuer  
Los Angeles City Attorney  
James K. Hahn City Hall East, Suite 800  
Los Angeles, CA 90012

Dear Attorney Mike Feuer,

I am writing to address my concerns about including menthol cigarettes in the proposed ban on flavored tobacco products.

As the leader of my congregation, it is my moral duty to examine prospective laws and ensure that they will serve the greater good for my constituency and the entire community. As Dr. Martin Luther King, Jr. once said, "In the end, for laws to be obeyed, men must believe they are right."

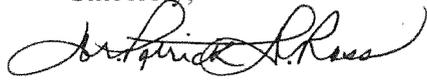
I fully support the Los Angeles City Council's efforts to reduce the use of tobacco, especially by the youth. However, I am concerned that the proposed ban is currently written too broadly and will have unintentional consequences that disproportionately criminalize African-American adults.

**The inclusion of menthol cigarettes in the proposed ban disproportionately criminalizes African-American adults, and it has unintended consequences.** Menthol cigarettes only make up 33.3% of the current market, **yet 80% of African-Americans smokers in the United States use menthol cigarettes.** Thus, the proposed ban of menthol cigarettes suspiciously punishes and stigmatizes African-American smokers.

A menthol ban would also create increased interactions between law enforcement and citizens of our community. As you understand, this is quite concerning as we continue to encourage police accountability when working with the African-American community. With high profile cases such as Eric Gardner who died at the hands of an officer for selling a loose cigarette, we mustn't support laws that may increase police involvement.

*Again, I in no way support the use of tobacco.* I do, however, ask that you carefully review the proposed ban and moderate it so that it does not criminalize and stigmatize the community that I serve.

Sincerely,



Dr. Patrick D. Ross

PDR/fgc



*"Growing Together in Christ" 2 Peter 3:18*

## ZION HILL BAPTIST CHURCH

7860 10<sup>th</sup> Avenue  
Los Angeles, CA 90043  
Office: 323-753-4610  
Fax: 323-753-3659  
Email: ZHBC@ATT.NET

**Dr. Seth Pickens, Pastor**

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August 2, 2019

The Office of Mike Feuer  
Los Angeles City Attorney  
James K. Hahn City Hall East Suite 800  
Los Angeles, CA 90012

Dear L.A. City Attorney Mike Feuer,

I am writing to address my concerns about including menthol cigarettes in the proposed ban on flavored tobacco products.

As head of my congregation it is my moral duty to examine prospective laws and ensure they will serve the greater good for my members and the rest of the communities they are enforced upon. As the great Martin Luther King, Jr. once said, "In the end, for laws to be obeyed, men must believe they are right."

I fully support Los Angeles City Council's efforts to reduce the use of tobacco - especially by the youth. However, I am concerned that the proposed ban is currently written too broadly and will have unintentional consequences that disproportionately criminalize the African American adults.

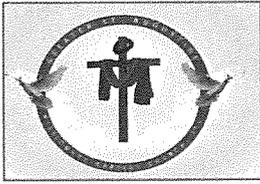
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Menthol cigarettes only make up 1/3 of the current market, **yet 80% of African Americans in U.S. who smoke cigarettes smoke menthol cigarettes.** Thus, the proposed ban of menthol cigarettes disproportionately punishes and stigmatizes African American smokers. A menthol ban would also create increased interaction between law enforcement and members of our community. As you understand this is quite concerning as we continue to fight for police accountability when working with the African American community. With high profile cases such as Eric Gardner who died at the hands of an officer for selling a loose cigarette, it is imperative that we do not support laws that may increase police interaction.

*Again, I in no way support the use of tobacco.* I do however, I ask you to carefully review the proposed ban and moderate it so that does not criminalize and stigmatize the community I serve.

Respectfully,

Seth Pickens  
Senior Pastor



# Greater St. Augustine Missionary Baptist Church, Inc.

8704 South Figueroa Street  
Los Angeles, CA 90003  
Dr. E. Wayne Gaddis, Sr., Pastor  
(323) 758-1153

August 1, 2019

The Office of Mike Feuer  
Los Angeles City Attorney  
James K. Hahn City Hall East Suite 800  
Los Angeles, CA 90012

Dear LA City Attorney Mike Feuer,

I am writing to address my concerns about including menthol cigarettes in the proposed ban on flavored tobacco products.

As head of my congregation it is my moral duty to examine prospective laws and ensure they will serve the greater good for my members, and the rest of the communities they are enforced upon. As the great Martin Luther King, Jr. once said, "In the end, for laws to be obeyed, men must believe they are right."

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**The inclusion of menthol cigarettes in the proposed ban disproportionately criminalizes African American adults and includes unintended consequences.**

Menthol cigarettes only make up 1/3 of the current market, **yet 80% of African Americans in the U.S. who smoke cigarettes smoke menthol cigarettes.** Thus, the proposed ban of menthol cigarettes disproportionately punishes and stigmatizes African American smokers. A menthol ban would also create increased interaction between law enforcement and members of our community. As you understand this is quite concerning as we continue to fight for police accountability when working with the African American community. With high profile cases such as Eric Gardner who died at the hands of an officer for selling a loose cigarette, it is imperative that we do not support laws that may increase police interaction.

*Again, I in no way support the use of tobacco.* I do however, ask you to carefully review the proposed ban and moderate it so that does not criminalize and stigmatize the community I serve.

Thank you,

Dr. E. Wayne Gaddis, Sr., Pastor  
Greater St. Augustine M.B.C.

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# Christ Liberation Ministries

The Office of Mike Feuer  
Los Angeles City Attorney  
James K. Hahn City Hall East Suite 800  
Los Angeles, CA 90012

Dear LA City Attorney Mike Feuer,

I am writing to address my concerns about including menthol cigarettes in the proposed ban on flavored tobacco products.

As head of my congregation it is my moral duty to examine prospective laws and ensure they will serve the greater good for my members and the rest of the communities they are enforced upon. As the great Martin Luther King, Jr. once said, "In the end, for laws to be obeyed, men must believe they are right."

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**The inclusion of menthol cigarettes in the proposed ban disproportionately criminalizes African American adults and includes unintended consequences.**

Menthol cigarettes only make up 1/3 of the current market, **yet 80% of African Americans in U.S. who smoke cigarettes smoke menthol cigarettes.** Thus, the proposed ban of menthol cigarettes disproportionately punishes and stigmatizes African American smokers. A menthol ban would also create increased interaction between law enforcement and members of our community. As you understand this is quite concerning as we continue to fight for police accountability when working with the African American community. With high profile cases such as Eric Gardner who died at the hands of an officer for selling a loose cigarette, it is imperative that we do not support laws that may increase police interaction.

*Again, I in no way support the use of tobacco.* I do however, I ask you to carefully review the proposed ban and moderate it so that does not criminalize and stigmatize the community I serve.

Thank you,



**Pastor  
Thembekila  
Smart  
Senior Minister**

1788 S. Crescent  
Heights Blvd. Los  
Angeles, CA  
90035

PHONE 310.654.7832

EMAIL Soltemp7@aol.com

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## CALIFORNIA STATE CONFERENCE OF THE NATIONAL ASSOCIATION FOR THE ADVANCEMENT OF COLORED PEOPLE

Esquire Plaza, 1215 K Street, 1609 • Sacramento, CA. 95814 • 916.498.1898 • FAX 916.498.1895

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Gwen Moore  
1<sup>st</sup> Vice President

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2<sup>nd</sup> Vice President

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Dave Smith  
Area Director North

LaJuana Bivens  
Area Director Central

Dan Daniels, Sr.  
Area Director Coastal

Freddye Davis  
Area Director West

### FLOOR ALERT

**To:** Members of the California State Senate  
**From:** CA-HI State Conference of the NAACP  
**Re:** SB 38 (Hill)  
**Position:** Oppose

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On behalf of the California-Hawaii State Conference of the NAACP (CA- HI NAACP), representing 48 branches and 23 youth units statewide, we express our opposition to SB 38 (Hill), which would ban the sale of flavored tobacco products.

The CA – HI NAACP, advocates against punitive laws that disproportionately affect African Americans. SB 38, includes menthol cigarettes, which is the preferred choice of the over 80% of African Americans who choose to smoke cigarettes.

SB 38 would also authorize an enforcing agency to assess civil penalties to retailers for selling flavored tobacco products, but also has unintended consequences for Black communities. A ban on menthol cigarettes would give police another reason to interact negatively on the retail level or with individual citizens for a low-level, non-violent offense. At a time in which we know that interactions between law enforcement and young men and women of color lead to all-too-often tragic results, we should be looking at a way to lessen any negative encounters in our community with law enforcement.

All Californians under the age of 21 are already banned from purchasing any tobacco products. Prohibiting adults from being able to purchase menthol cigarettes, in an effort to address the sale of tobacco products to minors will principally affect African-American smokers. We believe SB 38 creates another racially discriminatory public policy and will lead to increased crime, targeted enforcement, unfair treatment and illegal street sales.

It is for these reasons the CA-HI State Conference of the NAACP opposes SB 38 (Hill), and urges you to vote “NO” on this measure.

## Communication from Public

**Name:**

**Date Submitted:** 08/08/2019 06:37 PM

**Council File No:** 18-1104

**Comments for Public Posting:** Please post to CF 18-1104

# The Baptist Ministers Conference of Los Angeles and Southern California

4269 South Figueroa Street, Los Angeles, CA 90037

Rev. K.W. Tulloss, President

July 30, 2019

Dear Los Angeles City Attorney Mike Feuer  
CC: Los Angeles City Council Members

I am writing to address my concerns about the proposed ban on flavored tobacco products, including menthol, and how it will likely affect the community members our conference represent. As the president of the Baptist Ministers Conference of Los Angeles and Southern California it is my moral duty to examine prospective laws and ensure they will serve the greater good for our clergy members and church communities they are enforced upon. As the great Martin Luther King, Jr. once said, "In the end, for laws to be obeyed, men must believe they are right."

I fully support Los Angeles City Council's efforts to stop the use of tobacco - especially by the youth. However, I am concerned that the proposed ban is currently written too broadly and will have *unintentional consequences* that will disproportionately criminalize African American adults.

**A ban that focuses on flavored non-cigarette tobacco would successfully target the majority of youth smoking.** The alarming increase in youth smoking is spurred on by the creation of the new vaping phenomenon, not menthol cigarettes. Data released by the Centers for Disease Control and Prevention indicated that nationwide 4.9 million middle and high school students currently used tobacco products, up from 3.6 million in 2017. The increase in tobacco product use was attributed to explosive growth in e-cigarettes.

**The inclusion of menthol cigarettes in the proposed ban disproportionately affects African Americans and other communities of color.** The inclusion of menthol in the proposed ban will disproportionately criminalize African American smokers - including adult smokers.

The majority of the current U.S. cigarette market is comprised of non-mentholated cigarettes, which accounts for roughly 2/3 of the market. Menthol cigarettes only make up 1/3 of the current market, **yet 80% of African Americans in U.S. who smoke cigarettes smoke menthol cigarettes.**

Thus, the proposed ban of menthol cigarettes disproportionately punishes and stigmatizes African American smokers. In fact, in California, 70 percent of African American, 42 percent of American Indian, 33 percent of Hispanic/Latino, and 30 percent of Asian, adult cigarette smokers smoke menthol cigarettes compared to only 18 percent of white adult cigarette smokers.

#### **A menthol ban includes unintended consequences on adults**

Because many menthol users are African American adults, if the proposed ban were to include menthol cigarettes it would also create increased interaction between law enforcement and African American members of our community. As you understand this is quite concerning in the African American community, as we continue to fight for police accountability when working with Black and brown people. With high profile cases such as Eric Gardner who died at the hands of an officer for selling a loose cigarette, it is imperative that we do not support laws that criminalize addiction.

#### **Education not criminalization is the effective way to deter smoking**

As demonstrated by the failed “war on drugs”, the criminalization of victims who are battling an addiction is not only cruel it does not work! Numerous reports show that criminalizing addiction sets a dangerous obstacle to good treatment. The more effective way to decrease smoking among the youth and adults is to fund prevention and treatment programs.

*Again, we in no way support the use of tobacco. We do however, ask you to carefully review the proposed ban and moderate it so that does not criminalize and stigmatize the community we serve. Attached you will find 27 individual letters from Pastor’s and churches in Los Angeles supporting our demand.*

Thank you,



Baptist Ministers Conference of Los Angeles and Southern California, President

# ST. MARK

MISSIONARY BAPTIST CHURCH

5017 COMPTON AVENUE

LOS ANGELES, CA 90011

[www.stmarkmbcofla.org](http://www.stmarkmbcofla.org)

(323) 231-5968

(323) 231-1040



DR. LOVELY HAYNES, PASTOR

DEA. NATHAN BATTLE, CHAIRMAN OF DEACONS

DEA. JAMES FRAZIER, CHAIRMAN OF TRUSTEES

ANN WOODMORE, CHURCH SECRETARY

ANN BERNARD, CHURCH CLERK

August 1, 2019

The Office of Mike Feuer  
Los Angeles City Attorney  
James K. Hahn City Hall East Suite 800  
Los Angeles, CA 90012

Dear LA City Attorney Mike Feuer,

I am writing to address my concerns about including menthol cigarettes in the proposed ban on flavored tobacco products.

As head of my congregation it is my moral duty to examine prospective laws and ensure they will serve the greater good for my members and the rest of the communities they are enforced upon. As the great Martin Luther King, Jr. once said, "In the end, for laws to be obeyed, men must believe they are right."

I fully support Los Angeles City Council's efforts to reduce the use of tobacco - especially by the youth. However, I am concerned that the proposed ban is currently written too broadly and will have unintentional consequences that disproportionately criminalize the African American adults.

**The inclusion of menthol cigarettes in the proposed ban disproportionately criminalizes African American adults and includes unintended consequences.**

Menthol cigarettes only make up 1/3 of the current market, yet 80% of African Americans in U.S. who smoke cigarettes smoke menthol cigarettes. Thus, the proposed ban of menthol cigarettes disproportionately punishes and stigmatizes African American smokers. A menthol ban would also create increased interaction between law enforcement and members of our community. As you understand this is quite concerning as we continue to fight for police accountability when working with the African American community. With high profile cases such as Eric Gardner who died at the hands of an officer for selling a loose cigarette, it is imperative that we do not support laws that may increase police interaction.

*Again, I do not support the use of tobacco.* I do however, ask you to carefully review the proposed ban and moderate it so that it does not criminalize and stigmatize the community I serve.

Thank you,

*Reverend Dr. Lovely Haynes, Pastor*

Transformation:

The Transforming Power Of The Cross, The Process, Becoming More Like Christ,  
The Dynamics, To Live For Christ

1 Corinthians 1:18; 2 Corinthians 5:17 and Romans 12:1-2

**TRUE FRIENDSHIP MISSIONARY BAPTIST CHURCH**  
**7901 South Van Ness Avenue**  
**Los Angeles, California 90044**  
**(323) 750 - 7304**

**REV. JAMES A. PERKINS, PASTOR**

**July 31, 2019**

The Office of Mike Feuer  
Los Angeles City Attorney  
James K. Hahn City Hall East Suite 800  
Los Angeles, CA 90012

LA City Attorney Mike Feuer,

Attorney Feuer, I am writing to address my concerns about the egregious plan being considered which includes menthol cigarettes in the proposed ban on flavored tobacco products, which supposedly focuses on youth tobacco use (vaping) especially, but lumps menthol cigarettes into this smorgasbord of regulations that borders on preposterous.

As Pastor of a congregation and community leader, it is my moral duty to examine prospective laws to ensure they will serve the greater good for my congregation and the rest of the communities where they are enforced. As Martin Luther King, Jr. once said, "In the end, for laws to be obeyed, men must believe they are right."

I fully support Los Angeles City Council's efforts to reduce the use of tobacco, by our children, however, I am concerned that the proposed ban is currently written too broadly and will have unintentional consequences that disproportionately criminalize African American adults, other people of color, mentally ill and the homeless in my community.

The inclusion of menthol cigarettes in the proposed ban disproportionately criminalizes African Americans, other people of color, the poor and includes some obvious, but hopefully unintended consequences. **We just got through de-criminalizing marijuana and we don't want to open up this apparent "Pandora's Box" of Menthol.**

Menthol cigarettes only make up 1/3 of the current market, **yet 80% of African Americans in U.S. along with large numbers of people of color and the poor who smoke cigarettes, smoke menthol cigarettes.** Thus, the proposed ban of menthol cigarettes disproportionately punishes and stigmatizes African American smokers, other people of color and the poor.

A menthol ban would also create increased interaction between law enforcement and members of our community. You must understand, my genuine concern as we continue to fight for police accountability when working with the African American community, other people of color and the poor, **if you don't ban all cigarettes you really shouldn't ban any.**

With high profile cases such as Eric Gardner who died at the hands of an officer for selling a loose cigarette, it is imperative that we do not support laws that may increase police interaction. *I in no way support the use of tobacco.* I do however, ask you to carefully review the proposed ban so that it does not create more problems than it solves.

We must educate our children and provide examples for them to follow. I smoked for 18 years and never touched a menthol cigarette and it was my family's prayers and support that enabled me to overcome that insidious habit before it destroyed my health. Education is important to reduce tobacco use, but criminalizing it is not the answer. **Forty years plus smoke free...**

Respectfully Submitted,

*James A. Perkins*

Dr. James A. Perkins Pastor

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# NEW BEGININGS CHRISTIAN FELLOWSHIP CHURCH

9819 South Avalon Blvd, Los Angeles, CA 90003  
323-755-6990  
Bishop Harrington Mc Frazier

August 1, 2019

The Office of Mike Feuer  
Los Angeles City Attorney  
James K. Hahn City Hall East Suite 800  
Los Angeles, CA 90012

LA City Attorney Mike Feuer,

I am writing to address my concerns about the egregious plan being considered which includes menthol cigarettes in the proposed ban on flavored tobacco products, which supposedly focuses on youth tobacco use (vaping) especially, but lumps menthol cigarettes into this smorgasbord of regulations that borders on preposterous. I stand with the Baptist Ministers Conference and Pastor's from throughout our city to denounce these plans by the city.

As Pastor of a congregation and community leader, it is my moral duty to examine prospective laws to ensure they will serve the greater good for my congregation and the rest of the communities where they are enforced. As Martin Luther King, Jr. once said, "In the end, for laws to be obeyed, men must believe they are right."

A menthol ban would also create increased interaction between law enforcement and members of our community. You must understand, our genuine concern as we continue to fight for police accountability when working with the African American community, other people of color and the poor, **if you don't ban all cigarettes you really shouldn't ban any.**

We must educate our children and not incarcerate. I plan to provide examples for them to follow through educating them on not smoking.

Sincerely,

*Bishop Harrington McFrazier*  
New Beginnings Christian Fellowship Church

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**ST. REST FRIENDSHIP BAPTIST CHURCH  
709 WEST MANCHESTER AVENUE  
Los Angeles, California 90044  
(323) 752 - 6179  
Rev. Torrey N. Collins, Pastor**

**August 1, 2019**

The Office of Mike Feuer  
Los Angeles City Attorney  
James K. Hahn City Hall East Suite 800  
Los Angeles, CA 90012

LA City Attorney Mike Feuer,

I am writing to address my concerns about the egregious plan being considered which includes menthol cigarettes in the proposed ban on flavored tobacco products, which supposedly focuses on youth tobacco use (vaping) especially, but lumps menthol cigarettes into this smorgasbord of regulations that borders on preposterous. I stand with the Baptist Ministers Conference and Pastor's from throughout our city to denounce these plans by the city.

As Pastor of a congregation and community leader, it is my moral duty to examine prospective laws to ensure they will serve the greater good for my congregation and the rest of the communities where they are enforced. As Martin Luther King, Jr. once said, "In the end, for laws to be obeyed, men must believe they are right."

A menthol ban would also create increased interaction between law enforcement and members of our community. You must understand, my genuine concern as we continue to fight for police accountability when working with the African American community, other people of color and the poor, **if you don't ban all cigarettes you really shouldn't ban any.**

We must educate our children and provide examples for them to follow.

Sincerely,

*Pastor Torrey N. Collins*

St. Rest Friendship Baptist Church, Lead Pastor

**Good News Baptist Church**  
**2400 West Vernon Avenue, Los Angeles CA 90008**  
**Pastor Terri Wilson**

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July 30, 2019

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**To LA City Council and LA City Attorney M. Fuer**

I am writing to address my concerns about the horrible plan being considered to ban flavor tobacco in LA City. I've been informed that menthol cigarettes are included in that proposed ban on flavored tobacco products. I stand with the BMC of Los Angeles and Southern California to denounce that plan by our city.

As a Pastor of a congregation and community leader, it is my moral duty to examine prospective laws to ensure they will serve the greater good for my congregation and the rest of the communities where they are enforced. As Martin Luther King, Jr. once said, "In the end, for laws to be obeyed, men must believe they are right."

I fully support Los Angeles City Council's efforts to reduce the use of tobacco, by our children, however, I am concerned that the proposed ban is currently written too broadly and will have unintentional consequences that disproportionately criminalize African American adults.

Sincerely,

*Pastor Terri Wilson*

Good News Baptist Church

# CONCORD CHURCH

2828 WEST JEFFERSON BLVD LOS ANGELES, CA 90018

(323) 731-9873

REV. BILL HEMPHILL, PASTOR

July 31, 2019

The Office of Mike Feuer  
Los Angeles City Attorney  
James K. Hahn City Hall East Suite 800  
Los Angeles, CA 90012

LA City Attorney Mike Feuer,

I am writing to address my concerns about the plan being considered around flavor tobacco products which includes menthol cigarettes. This plan supposedly focuses on youth tobacco use (vaping), but lumps menthol cigarettes into this & of regulations that borders on preposterous. I stand with the Baptist Ministers Conference and Pastor's from throughout our city to denounce this plan by the city.

As Pastor of a congregation and community leader, it is my moral duty to examine prospective laws to ensure they will serve the greater good for my congregation and the communities where they are enforced. As Martin Luther King, Jr. once said, "In the end, for laws to be obeyed, men must believe they are right."

A menthol ban can create increased interaction between law enforcement and members of our community. You must understand, our genuine concern as we continue to fight for police accountability when working with the African American community, other people of color and the poor, if you don't ban all cigarettes you really shouldn't ban any.

Sincerely,

*Pastor William Hemphill*

Concord Church

# *Beacon of Light Baptist Church*

*Pastor Stan Richards*

The Office of Mike Feuer  
Los Angeles City Attorney  
James K. Hahn City Hall East Suite 800  
Los Angeles, CA 90012

LA City Attorney Mike Feuer,

I am writing to address my concerns about the plan being considered around flavor tobacco products which includes menthol cigarettes. This plan supposedly focuses on youth tobacco use (vaping), but lumps menthol cigarettes into this & of regulations that borders on preposterous. I stand with the Baptist Ministers Conference and Pastor's from throughout our city to denounce this plan by the city.

As Pastor of a congregation and community leader, it is my moral duty to examine prospective laws to ensure they will serve the greater good for my congregation and the communities where they are enforced. As Martin Luther King, Jr. once said, "In the end, for laws to be obeyed, men must believe they are right."

A menthol ban can create increased interaction between law enforcement and members of our community. You must understand, our genuine concern as we continue to fight for police accountability when working with the African American community, other people of color and the poor, **if you don't ban all cigarettes you really shouldn't ban any.**

We must educate our children and not incarcerate. I plan to provide examples for them to follow through educating them on not smoking.

Sincerely,

*Pastor Stan Richards*

Beacon of Light Baptist Church

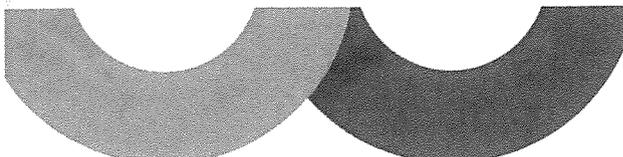
## Communication from Public

**Name:**

**Date Submitted:** 08/08/2019 06:37 PM

**Council File No:** 18-1104

**Comments for Public Posting:** Please post to CF 18-1104



**Welcome Missionary Baptist Church**

**8615 South Central Avenue, LA CA 90002**

**323-582-5813**

**Pastor J.W. Brown**

August 1, 2019

The Office of Mike Feuer  
Los Angeles City Attorney  
James K. Hahn City Hall East Suite 800  
Los Angeles, CA 90012

LA City Attorney Mike Feuer,

I am writing to address my concerns about the plan being considered around flavor tobacco products which includes menthol cigarettes. This plan supposedly focuses on youth tobacco use (vaping), but lumps menthol cigarettes into this & of regulations that borders on preposterous. I stand with the Baptist Ministers Conference and Pastor's from throughout our city to denounce this plan by the city.

As Pastor of a congregation and community leader, it is my moral duty to examine prospective laws to ensure they will serve the greater good for my congregation and the communities where they are enforced. As Martin Luther King, Jr. once said, "In the end, for laws to be obeyed, men must believe they are right."

A menthol ban can create increased interaction between law enforcement and members of our community. You must understand, our genuine concern as we continue to fight for police accountability when working with the African American community, other people of color and the poor, **if you don't ban all cigarettes you really shouldn't ban any.**

We must educate our children and not incarcerate. I plan to provide examples for them to follow through educating them on not smoking.

Sincerely,

*Pastor JW Brown*

Welcome Missionary Baptist Church







**UNITED CHRISTIAN'S  
MISSIONARY BAPTIST CHURCH  
722 EAST MANCHESTER AVENUE  
LOS ANGELES, CALIFORNIA 90012**

**REVEREND NATHANIEL G. HALEY SR. PASTOR**

The Office of Mike Feuer  
Los Angeles City Attorney  
James K. Hahn City Hall East Suite 800  
Los Angeles, CA 90012

08/1/2019

Dear LA City Attorney Mike Feuer, I am writing to address my concerns about including menthol cigarettes in the proposed ban on flavored tobacco products.

As head of my congregation it is my moral duty to examine prospective laws and ensure they will serve the greater good for my members and the rest of the communities they are enforced upon. As the great Martin Luther King, Jr. once said, "In the end, for laws to be obeyed, men must believe they are right."

I fully support Los Angeles City Council's efforts to reduce the use of tobacco - especially by the youth. However, I am concerned that the proposed ban is currently written too broadly and will have unintentional consequences that disproportionately criminalize the African American adults.

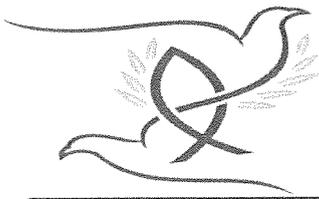
The inclusion of menthol cigarettes in the proposed ban disproportionately criminalizes African American adults and includes unintended consequences.

Menthol cigarettes only make up 1/3 of the current market, yet 80% of African Americans in U.S. who smoke cigarettes smoke menthol cigarettes. Thus, the proposed ban of menthol cigarettes disproportionately punishes and stigmatizes African American smokers. A menthol ban would also create increased interaction between law enforcement and members of our community. As you understand this is quite concerning as we continue to fight for police accountability when working with the African American community. With high profile cases such as Eric Gardner who died at the hands of an officer for selling a loose cigarette, it is imperative that we do not support laws that may increase police interaction.

Again, I in no way support the use of tobacco. I do however, ask you to carefully review the proposed ban and moderate it so that does not criminalize and stigmatize the community I serve.

Thank you

Pastor Nathaniel Haley Sr.



GNL  
GREATER NEW LIGHT  
BAPTIST CHURCH

*Dr. Patrick D. Ross, Senior Pastor*

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Frankye G. "Jerr" Charles, *Clerk* ♦ Donald R. Charles, *Chair of Deacons* ♦ Dr. Kenneth J. Mason, *Interim Chair of Trustees*

August 1, 2019

The Office of Mike Feuer  
Los Angeles City Attorney  
James K. Hahn City Hall East, Suite 800  
Los Angeles, CA 90012

Dear Attorney Mike Feuer,

I am writing to address my concerns about including menthol cigarettes in the proposed ban on flavored tobacco products.

As the leader of my congregation, it is my moral duty to examine prospective laws and ensure that they will serve the greater good for my constituency and the entire community. As Dr. Martin Luther King, Jr. once said, "In the end, for laws to be obeyed, men must believe they are right."

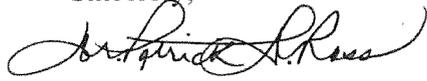
I fully support the Los Angeles City Council's efforts to reduce the use of tobacco, especially by the youth. However, I am concerned that the proposed ban is currently written too broadly and will have unintentional consequences that disproportionately criminalize African-American adults.

**The inclusion of menthol cigarettes in the proposed ban disproportionately criminalizes African-American adults, and it has unintended consequences.** Menthol cigarettes only make up 33.3% of the current market, **yet 80% of African-Americans smokers in the United States use menthol cigarettes.** Thus, the proposed ban of menthol cigarettes suspiciously punishes and stigmatizes African-American smokers.

A menthol ban would also create increased interactions between law enforcement and citizens of our community. As you understand, this is quite concerning as we continue to encourage police accountability when working with the African-American community. With high profile cases such as Eric Gardner who died at the hands of an officer for selling a loose cigarette, we mustn't support laws that may increase police involvement.

*Again, I in no way support the use of tobacco.* I do, however, ask that you carefully review the proposed ban and moderate it so that it does not criminalize and stigmatize the community that I serve.

Sincerely,



Dr. Patrick D. Ross

PDR/fgc



*"Growing Together in Christ" 2 Peter 3:18*

## ZION HILL BAPTIST CHURCH

7860 10<sup>th</sup> Avenue  
Los Angeles, CA 90043  
Office: 323-753-4610  
Fax: 323-753-3659  
Email: ZHBC@ATT.NET

**Dr. Seth Pickens, Pastor**

---

August 2, 2019

The Office of Mike Feuer  
Los Angeles City Attorney  
James K. Hahn City Hall East Suite 800  
Los Angeles, CA 90012

Dear L.A. City Attorney Mike Feuer,

I am writing to address my concerns about including menthol cigarettes in the proposed ban on flavored tobacco products.

As head of my congregation it is my moral duty to examine prospective laws and ensure they will serve the greater good for my members and the rest of the communities they are enforced upon. As the great Martin Luther King, Jr. once said, "In the end, for laws to be obeyed, men must believe they are right."

I fully support Los Angeles City Council's efforts to reduce the use of tobacco - especially by the youth. However, I am concerned that the proposed ban is currently written too broadly and will have unintentional consequences that disproportionately criminalize the African American adults.

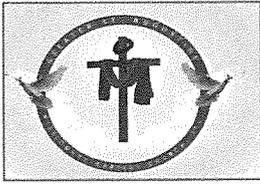
**The inclusion of menthol cigarettes in the proposed ban disproportionately criminalizes African American adults and includes unintended consequences.**

Menthol cigarettes only make up 1/3 of the current market, **yet 80% of African Americans in U.S. who smoke cigarettes smoke menthol cigarettes.** Thus, the proposed ban of menthol cigarettes disproportionately punishes and stigmatizes African American smokers. A menthol ban would also create increased interaction between law enforcement and members of our community. As you understand this is quite concerning as we continue to fight for police accountability when working with the African American community. With high profile cases such as Eric Gardner who died at the hands of an officer for selling a loose cigarette, it is imperative that we do not support laws that may increase police interaction.

*Again, I in no way support the use of tobacco.* I do however, I ask you to carefully review the proposed ban and moderate it so that does not criminalize and stigmatize the community I serve.

Respectfully,

Seth Pickens  
Senior Pastor



# Greater St. Augustine Missionary Baptist Church, Inc.

8704 South Figueroa Street  
Los Angeles, CA 90003  
Dr. E. Wayne Gaddis, Sr., Pastor  
(323) 758-1153

August 1, 2019

The Office of Mike Feuer  
Los Angeles City Attorney  
James K. Hahn City Hall East Suite 800  
Los Angeles, CA 90012

Dear LA City Attorney Mike Feuer,

I am writing to address my concerns about including menthol cigarettes in the proposed ban on flavored tobacco products.

As head of my congregation it is my moral duty to examine prospective laws and ensure they will serve the greater good for my members, and the rest of the communities they are enforced upon. As the great Martin Luther King, Jr. once said, "In the end, for laws to be obeyed, men must believe they are right."

I fully support Los Angeles City Council's efforts to reduce the use of tobacco - especially by the youth. However, I am concerned that the proposed ban is currently written too broadly, and will have unintentional consequences that disproportionately criminalize African American adults.

**The inclusion of menthol cigarettes in the proposed ban disproportionately criminalizes African American adults and includes unintended consequences.**

Menthol cigarettes only make up 1/3 of the current market, **yet 80% of African Americans in the U.S. who smoke cigarettes smoke menthol cigarettes.** Thus, the proposed ban of menthol cigarettes disproportionately punishes and stigmatizes African American smokers. A menthol ban would also create increased interaction between law enforcement and members of our community. As you understand this is quite concerning as we continue to fight for police accountability when working with the African American community. With high profile cases such as Eric Gardner who died at the hands of an officer for selling a loose cigarette, it is imperative that we do not support laws that may increase police interaction.

*Again, I in no way support the use of tobacco.* I do however, ask you to carefully review the proposed ban and moderate it so that does not criminalize and stigmatize the community I serve.

Thank you,

Dr. E. Wayne Gaddis, Sr., Pastor  
Greater St. Augustine M.B.C.

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# Christ Liberation Ministries

The Office of Mike Feuer  
Los Angeles City Attorney  
James K. Hahn City Hall East Suite 800  
Los Angeles, CA 90012

Dear LA City Attorney Mike Feuer,

I am writing to address my concerns about including menthol cigarettes in the proposed ban on flavored tobacco products.

As head of my congregation it is my moral duty to examine prospective laws and ensure they will serve the greater good for my members and the rest of the communities they are enforced upon. As the great Martin Luther King, Jr. once said, "In the end, for laws to be obeyed, men must believe they are right."

I fully support Los Angeles City Council's efforts to reduce the use of tobacco - especially by the youth. However, I am concerned that the proposed ban is currently written too broadly and will have unintentional consequences that disproportionately criminalize the African American adults.

**The inclusion of menthol cigarettes in the proposed ban disproportionately criminalizes African American adults and includes unintended consequences.**

Menthol cigarettes only make up 1/3 of the current market, **yet 80% of African Americans in U.S. who smoke cigarettes smoke menthol cigarettes.** Thus, the proposed ban of menthol cigarettes disproportionately punishes and stigmatizes African American smokers. A menthol ban would also create increased interaction between law enforcement and members of our community. As you understand this is quite concerning as we continue to fight for police accountability when working with the African American community. With high profile cases such as Eric Gardner who died at the hands of an officer for selling a loose cigarette, it is imperative that we do not support laws that may increase police interaction.

*Again, I in no way support the use of tobacco.* I do however, I ask you to carefully review the proposed ban and moderate it so that does not criminalize and stigmatize the community I serve.

Thank you,



**Pastor  
Thembekila  
Smart  
Senior Minister**

1788 S. Crescent  
Heights Blvd. Los  
Angeles, CA  
90035

PHONE 310.654.7832

EMAIL Soltemp7@aol.com



## CALIFORNIA STATE CONFERENCE OF THE NATIONAL ASSOCIATION FOR THE ADVANCEMENT OF COLORED PEOPLE

Esquire Plaza, 1215 K Street, 1609 • Sacramento, CA. 95814 • 916.498.1898 • FAX 916.498.1895

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Ronald Hasson  
Area Director Southwest

Dave Smith  
Area Director North

LaJuana Bivens  
Area Director Central

Dan Daniels, Sr.  
Area Director Coastal

Freddye Davis  
Area Director West

### FLOOR ALERT

**To:** Members of the California State Senate  
**From:** CA-HI State Conference of the NAACP  
**Re:** SB 38 (Hill)  
**Position:** Oppose

---

On behalf of the California-Hawaii State Conference of the NAACP (CA- HI NAACP), representing 48 branches and 23 youth units statewide, we express our opposition to SB 38 (Hill), which would ban the sale of flavored tobacco products.

The CA – HI NAACP, advocates against punitive laws that disproportionately affect African Americans. SB 38, includes menthol cigarettes, which is the preferred choice of the over 80% of African Americans who choose to smoke cigarettes.

SB 38 would also authorize an enforcing agency to assess civil penalties to retailers for selling flavored tobacco products, but also has unintended consequences for Black communities. A ban on menthol cigarettes would give police another reason to interact negatively on the retail level or with individual citizens for a low-level, non-violent offense. At a time in which we know that interactions between law enforcement and young men and women of color lead to all-too-often tragic results, we should be looking at a way to lessen any negative encounters in our community with law enforcement.

All Californians under the age of 21 are already banned from purchasing any tobacco products. Prohibiting adults from being able to purchase menthol cigarettes, in an effort to address the sale of tobacco products to minors will principally affect African-American smokers. We believe SB 38 creates another racially discriminatory public policy and will lead to increased crime, targeted enforcement, unfair treatment and illegal street sales.

It is for these reasons the CA-HI State Conference of the NAACP opposes SB 38 (Hill), and urges you to vote “NO” on this measure.