

CAMPAIGN CHRONICLES

A NEWSLETTER FOR COMMUNITIES
WORKING ON TOBACCO CONTROL POLICIES

The
CENTER FOR TOBACCO POLICY & ORGANIZING

 **AMERICAN
LUNG
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SMOKE FREE AFFORDABLE HOUSING UNITS IN L.A.'S FUTURE?

Protections for Residents of LA City Affordable Housing on the Table

By Jack Nicholl,
Campaign Consultant

Affordable housing developers in Los Angeles will be asked to set aside 50% of the units they build as smoke free beginning in 2005 if City Council President Alex Padilla's motion is incorporated into LA Housing Department policy for next year's funding cycle. In November of last year, the LA City Council Housing Committee approved Mr. Padilla's motion calling for setting aside 50% of new units built with Housing Trust Fund monies in smoke free sections or buildings.

Since then advocates including Smokefree Air for Everyone (SAFE), the American Cancer Society, American Heart and Lung

associations, Watts Healthcare Corporation, Hispanic-Latino Tobacco Education Network, Project TAAR, LA County Tobacco Control and Prevention Program, Social Model Recovery Systems, the Center and several other organizations have been negotiating with the Housing Department and several developers. Some areas of agreement include: it will be a 5-year pilot project; separate HVAC systems will not be required; and, a variety of approaches will be acceptable including setting aside separate buildings as smoke free when possible and creating separate smoke free sections in other buildings.

In the latest round, the advocates, organized in a group called The Smoke Free Affordable Housing Campaign, submitted a complete plan including lease provisions and other specifics for

inclusion in the next Notice of Funding Availability (NOFA) and in the eventual contract between the Housing Department and developers. The lease provisions and contract requirements for developers will contain the requirements for smoke free units and are the final objective of this campaign. Councilman Padilla's office is reviewing this proposal and is committed to

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Center Targets Smoke Free Housing in New Grant

The American Lung Association of California's Center for Tobacco Policy & Organizing project has been awarded a grant from the California Department of Health Services, Tobacco Control Section, to continue to provide policy and organizing technical assistance through 2007.

The project will not only continue to provide core TA services that include assisting local communities develop and pass strong tobacco control policies, but will also provide issue framing materials and research to assist communities working on smoke free policies in

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Latest Legislative News

By Paul Kneprath, Vice President ALAC Government Relations

On Thursday 5/27/04, Assembly Bill 2997 (Firebaugh) failed to pass the full state Assembly on a vote of 37-30 with 13 members not voting. Despite the lobbying efforts of the American Lung Association and American Heart Association, with a nice assist from the California Nurses Assoc. (which didn't have a position on the bill), and the tremendous efforts of Assembly Member Firebaugh, the bill fell short of the 41 votes needed for passage.

AB 384-Tobacco Prohibition in Prisons
AB 1239 - Fees on Tobacco Manufacturers
AB 1583 - Smoking on Beaches
AB 1808 - Smoking, Cigarette Littering on State Beaches
AB 2694 - Littering of Tobacco Products
AB 2997 - Smoking in Cars with Minors
AB 3092 - STAKE Act Signage
SB 676 - Fees on Tobacco Manufacturers
SB 1173 - Self-Service Display Ban
SB 1821 - Tobacco to 21

For more details on all these bills <http://www.californialung.org/thecenter>

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moving the project forward before summer.

There are a number of questions which this pilot project will help answer. Will prospective tenants lie about their smoking habits in order to secure an affordable unit in a non-smoking area? Will tenants in the smoke free section who are smokers obey the requirement to smoke outside? Will an extensive process of warnings and education be enough to eliminate smoking in smoke free units? Will eviction be necessary? Will courts sustain the evictions?

While we don't know the answers to these questions yet, we do know that there is a real need to protect non-smokers in apartments, especially in lower income communities. The 2002 Los Angeles County Health Survey documents that in LA County, residents living below the Federal Poverty Level (FPL) report significantly greater exposure to second hand smoke in the home than residents living at or above FPL. In a 2002-2003 survey conducted by community-based organizations of over 2,000 apartment residents in low income communities, 41.3% indicated they had experienced tobacco smoke drifting into their unit from another unit or from outside. Of these, thirty percent reported that someone in their household had a medical condition that is aggravated by exposure to tobacco smoke. Of all of those surveyed, 67.2% indicated that they would prefer to live in a totally smoke free building.

Tenants of any income level living in any community, however, need to be concerned about the most recent warnings coming from the Centers

for Disease Control and Prevention. Relying on recent studies, the Centers warned that even short-term exposure to second hand smoke, in an enclosed space, can cause heart attacks or stroke in susceptible persons. The 4,000 chemicals including 69 carcinogens found in second hand smoke are much more than an annoyance. They are deadly, and quicker to kill than we ever imagined.

The next steps in the campaign will involve final negotiations with the Housing Department and then turning out support for the negotiated pilot project at the Housing Committee and the full City Council.

New Secondhand Smoke Attorney at TALC

The Center team extends a warm welcome to attorney Richard Hardack, the new secondhand smoke expert at the Technical Assistance Legal Center (TALC). Richard holds a degree from the Boalt Hall School of Law (U.C. Berkeley) and has worked at the Berkeley City Attorney's Office and at a private law firm.

The staff position was made available when attorney Ed Bolen left in early May who had been working closely with Center staff to help create a policy and legal framework for advocates working on smoke free shared housing issues. A project Richard, in his first week at TALC, readily picked up and has been providing valuable legal direction.

We look forward to working with Richard and wish Ed the best in his new endeavors.

NEW ENTRYWAY RESOURCES

New materials and resources are constantly being added to our website that you may find useful in your campaign planning and organizing activities. If you haven't checked out the site lately, visit: <http://www.californialung.org/thecenter/community/index.html>

Some of the new materials include:

- **Smoke Free Entryway Op Ed.** This was written to assist the Smoke Free Entryways for Stockton Campaign gain public support around their current campaign to prohibit smoking within 20-feet of the entryways of all workplaces in the City of Stockton.

- **Smoke Free Entryway Fact Sheet.** Designed by the Stockton campaign, this one page document highlights the main issue elements.

- **Smoke Free Entryway Q&A.** Also created to assist the Stockton campaign, this document serves as a good tool for developing talking points.

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shared housing environments.

Along with key partners including TALC, BREATH, SAFE, TCS and others, the Center is currently developing an issue framing document that will help provide some direction in this exciting new tobacco control arena. The Center is also conducting a statewide telephone survey of 600 apartment residents the results of which will be used in the development of effective campaign strategies and messaging.

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