

Rancho Cordova City Council
2729 Prospect Park Drive
Rancho Cordova, CA 95670

Re: Minor Possession and Purchase of Tobacco Products

Dear Mayor Sander and esteemed Councilmembers:

The Sacramento County Tobacco Control Coalition strives to transform our community into a tobacco-free society in the 21st Century. We aim to do so by providing education, coordination, advocacy, and support of tobacco control activities throughout the County. Part of our purpose is to advocate for positive changes that support smoke and tobacco-free communities as well as healthy community members. With our mission in mind, we are reaching out to you to share our concern over the recent incident in Rancho Cordova with a young man who was detained for possessing a little cigar. We are also offering our support to ensure what happened on April 27 does not happen again.

In 2016, the California legislature adopted a new law, which changed the minimum tobacco sales age to 21. The law, known as Tobacco 21, also removed language that criminalizes minors for possessing tobacco. California Penal Code (PC) 308 no longer makes it illegal for minors to purchase or possess tobacco products. Rather, PC 308 prohibits the giving, sale, and furnishing of tobacco products to anyone under the age of 21. This change to the law was intentional as tobacco is highly addictive and young people who use tobacco need support in quitting, not to be disciplined for using these products. Extensive research, including studies of internal tobacco industry documents, reveal how tobacco companies make flavorful products, aggressively market their products near schools, and offer price discounts on youth-friendly products in order to lure young people to a lifelong addiction to tobacco. These same tactics are being used by e-cigarette companies, many which are owned by cigarette makers. As a result, tobacco use rates in California and nationally have been increasing. In 2019, one in four teens in the US reported recent tobacco use.

Youth are long-term victims of a tobacco industry that, for centuries, has marketed their products to teens. This is an industry that specifically markets to communities of color. Youth of color, especially young men, are more likely to smoke because they are exposed to significantly more advertising and retailer placement in their neighborhoods than their white peers. Consequently, enforcement of youth possession and sales laws disproportionately affects these teens. Best practices show that efforts to prevent youth initiation and support quit attempts are significantly more effective in decreasing youth tobacco use than criminalizing teens for their addictive behavior.

The Sacramento County Tobacco Control Coalition is made up of committed individuals concerned about the negative effects of tobacco. This includes representatives from agencies, schools, community-based organizations, racial/ethnic groups within the local health jurisdiction, medical professionals, and individuals with special interest or expertise in tobacco control. Rancho Cordova's code on Distribution of Tobacco, RCMC 6.86.110 criminalizes youth for purchasing tobacco, which has now been scientifically proven to not be an effective policy in tobacco control. Comprehensive tobacco control policies that prohibit the sale of all flavored tobacco products, including menthol, and place the onus on retailers rather than the youth and young adults, protects them and all diverse communities who are disproportionately impacted by tobacco. We are urging Rancho Cordova to update your Tobacco Retail Licensing (TRL) policy to at least match the State's Tobacco 21 language.

By updating the current TRL policy to include the State's Tobacco 21 language and implementing a policy to restrict flavored tobacco and vape products, Rancho Cordova will step forward to protect young people who have been preyed upon by the tobacco industry. We hope to have the opportunity to work with Rancho Cordova leaders in the near future to discuss how, collectively, we can respond to this growing problem with an equitable approach that sets up teens in the community for success.

Sincerely,

Carol Maytum, MPH
Chair