

Westchester County Executive and Board of Legislatures,

**This is a letter to Westchester County, NY regarding Prohibiting the Sale of Flavored Cigarettes, Tobacco Products, Electronic Nicotine Delivery Systems and Vapor Products.**

Over the past year, we've all learned how important it is for our government to pursue prudent, data-driven policies to protect public health. However, any policy that makes it excessively difficult for consumers to purchase tobacco products, such as a proposed menthol flavor ban, is neither prudent nor data-driven. This approach would not only do little to stop the usage of tobacco products, but it would also enable an influx of organized crime and illicit smuggling in communities across the country.

As a law enforcement professional, I have seen firsthand how restrictive tobacco policies create new crime. Just because a tobacco product is made prohibitively expensive or outlawed entirely doesn't mean demand for that product will go away. Instead, black markets will inevitably rise to provide these banned substances to the public – whether by illegal international imports, counterfeiting, or underground domestic smuggling. This is not a hypothetical scenario – in states and localities which restrict tobacco sales, black market operations have increased dramatically.

This poses an even greater risk to public health. Black market tobacco operators are often affiliated with other, more dangerous goods such as narcotics, opioids, and firearms. By creating a demand for black market tobacco, restrictive policies will invite these other dangers into American communities, and force law enforcement agencies to spread thin their valuable resources.

It is undeniable that the goal of reducing tobacco dependency and use is a noble one. However, a federal menthol ban would run counter to this goal, especially as many states and localities launch an aggressive campaign to restrict safe tobacco alternatives, such as a nicotine vape devices. By outlawing tobacco alternatives, like nicotine vapor devices, policymakers would be taking away options that many use as a glidepath towards quitting entirely. In addition, many consumers will be more inclined to pursue black market options to get the products they want regardless.

For these reasons outlined above, I urge your department to reject a menthol cigarette ban, and instead work to find solutions that protect public health without enabling criminal activity.

Thank you for your time in reading this letter.

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