

Menthol Ban Impacts on Communities of Color

AFRICAN-AMERICAN COMMUNITIES ARE OVER-REPRESENTED IN THE NATION'S INCARCERATED POPULATION.



According to Pew Research, although African Americans make up approximately 12% of the population, they represent 33 percent of the 1.46 million sentenced prisoners in 2016.

A menthol ban could make this situation worse.

Civil rights and law enforcement groups have said a crackdown on increased illegal sales resulting from a menthol ban would also strike communities of color.

“ Over 80% of African Americans who choose to smoke prefer menthol cigarettes. Thus, any consideration of a possible ban on menthol cigarettes will **principally affect African-American smokers.** ”

REV. AL SHARPTON

Creator and Founder, National Action Network



“But I don't want the police to have one more reason to put their hands on young Black men.”

CHIEF JOHN DIXON

Past president of the National Organization of Black Law Enforcement Executives



“The proposal...to ban menthol cigarettes is an example of well-intention elected officials who are ignoring unintended consequences of a racially discriminatory public policy.”

DR. BENJAMIN F. CHAVIS, JR.

President and CEO
National Newspaper Publishers Association



A Menthol Cigarette is Just Another Cigarette

AND SHOULD BE REGULATED NO DIFFERENTLY THAN OTHER CIGARETTES

The RAI companies agree with FDA “that menthol in cigarettes is not associated with an increase in tobacco-related diseases to the user” when compared to non-menthol cigarettes.

The best available science demonstrates that menthol cigarettes have no different impact than non-menthol cigarettes on smoking frequency, initiation, dependence or cessation.



Banning menthol will likely lead to unintended consequences.



FUEL AN ALREADY WIDESPREAD ILLEGAL TOBACCO MARKET

- ATF claims “...cigarettes are the #1 black market commodity in the world.”
- The Institute of Medicine wrote in a 2015 report to Congress: the U.S. illegal cigarette market was between 8.5% and 21% of the total market.

LAW ENFORCEMENT GROUPS¹ SAY A BAN ON MENTHOL WOULD:

- Increase the number of criminals on the street
- Make criminals out of law-abiding citizens
- Create more problems between law enforcement and communities of color

Smoking rates for menthol and non-menthol cigarettes continue to decline and are at historic lows.



¹ ATF, FOP, National Organization of Black Law Enforcement Executives (NOBLE), Alabama State Trooper Association

The data and sources cited in this document are shared solely for the purposes of discussion and evaluation of proposed legislative and/or regulatory action. RAISC is not responsible for the content of linked external sources, and the views or policies they express do not necessarily reflect the review of policies of RAISC or the companies for which it provides services.

A Menthol Cigarette Ban Could Lead to Significant Unintended Consequences

FUELING CRIMINAL ACTIVITY AND UNDERMINING PUBLIC HEALTH

Illegal cigarette sales are already widespread in the U.S and will most likely grow if menthol cigarettes, which are 35 percent of the current cigarette market, are banned.

- The Fraternal Order of Police and Law Enforcement Alliance of America have previously expressed concern that banning menthol would increase the number of criminals on the street and expand organized crime.
- ATF has estimated organized crime and terrorism activity related to existing contraband cigarette sales at \$5 billion to \$10 billion annually in the U.S.



Illegal menthol sales could **slow or reverse** the rapid declines in youth smoking.

As illegal sales are not subject to legal restrictions on youth purchases at retail, a ban would likely lead to easier and greater youth access to menthol cigarettes.

Civil rights groups have highlighted the need to consider the unintended consequences of criminalized menthol sales and the disparate impact on communities of color.

“ We stand with groups like the Drug Policy Alliance, the Law Enforcement Action Partnership, and the National Organization of Black Law Enforcement Executives in demanding that any conversation about criminalizing menthol cigarettes include **a candid discussion about racial disparities and selective prosecution in communities of color.** ”

REV. AL SHARPTON

Creator and Founder, National Action Network

