



Blacks in Law Enforcement of America

A National Organization of Black Law Enforcement Professionals

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Accepting Our Responsibility to Rebuild Our Community

October 31, 2022

George Latimer
County Executive
Westchester County
148 Martine Avenue, White Plains, NY 10601

Dear George Latimer,

I am writing you this letter of our concern about the recent proposed Menthol Ban Legislation discussed by the Westchester Legislators Health Committee.

Smoking in the U.S. has dropped to an all-time low. The Centers for Disease Control and Prevention reported that only 1 in 8 adults were current smokers. Youth smoking is also reported at an all-time low of 3.3 percent.

We recognize the legislator's well-intentioned efforts to reduce tobacco product deaths and diseases. However, this county law will affect Black communities more than White communities. Depending on the data used, it is estimated that 74% to 95% of Black Americans smoke menthol cigarettes and only 22% to 36% of White American smoke menthol cigarettes.

To pass legislation that will have a severe racial disparate impact on Black people while White people in Westchester can smoke freely with impunity is a sign of governmental microaggression, which is unacceptable, even with the intention to save Black people's lives.

If passed, the legislation that will have a severe racial disparate impact on Black people while White people in Westchester can smoke freely with impunity is contradictory to your government's message of equity and diversity.

Are you aware that New York State has the highest rate of inbound cigarette smuggling activity in the U.S., with an estimated 60 percent of cigarettes consumed in the state deriving from smuggling?

Are you also aware that 80 percent of the cigarettes sold in New York City are sold illegally, either over the counter or in the backrooms of bodegas?

While our politicians legalized marijuana on the one hand and plan criminalized only menthol cigarettes, which are primarily used by Black people, on the other, we are only substituting one illegal substance for the other. We will feed the demand for more illegal sales that will directly affect Westchester's Black communities and create more interactions with Black residents with police.

It is irresponsible for the legislators not to have testimony from the Westchester County Chiefs Association, the Westchester District Attorney's Office, or Alcohol Tabaco and Firearms (ATF) of access to the unintended consequences that this bill creates concerning public safety.

I fully understand the need to address the dangers of smoking that are also written on every box of cigarettes. However, to pass legislation that will have a severe racial disparate impact on Black people while White people in Westchester can smoke freely with impunity is a sign of governmental microaggression, which is something I cannot accept.

This legislation will also create setbacks in police reform to which Westchester County and its 43 municipalities have been at turtle speed slow to advance any meaningful police reform policies or Civilian Complaint Review Boards.

The county will also lose approximately 1.6 million dollars in tax revenue. If Westchester County is serious about the health of Black people in Westchester. In this case, tax revenue should be allocated for health education programs, preventive smoking patches, and gums, ensuring Black and Brown communities have fresh fruits, vegetables, and clean water to drink. Let's ensure our children's playgrounds are safe places to play and exercise.

Let's remember that Mount Vernon, a city of 90 thousand people, does not have a full-functioning hospital. These are the issues in the Black communities of Westchester that need direct attention now! 1.6 million can help in these causes.

A road to health and wellness starts with education, changing people's mindset on food and exercise habits, and recognizing that cigarette smoking is an addiction and that we should treat it as such. Not by passing legislation that will criminalize only one group and not the entirety. We have been down this road before; have we not learned anything from our past mistakes?

Thank you for your time in this matter.

Damon K. Jones

Damon K. Jones
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cc: Westchester County Legislators
Westchester County District Attorney's Office
Westchester County Chiefs Association
Alcohol, Tobacco, and Firearms
State Assemblyman Nadar Sayegh
National Black Police Association
Blacks in Law Enforcement of America DC Office
National Black Police Association
National Association of Black Law Enforcement Executives
Westchester Coalition for Police Reform