



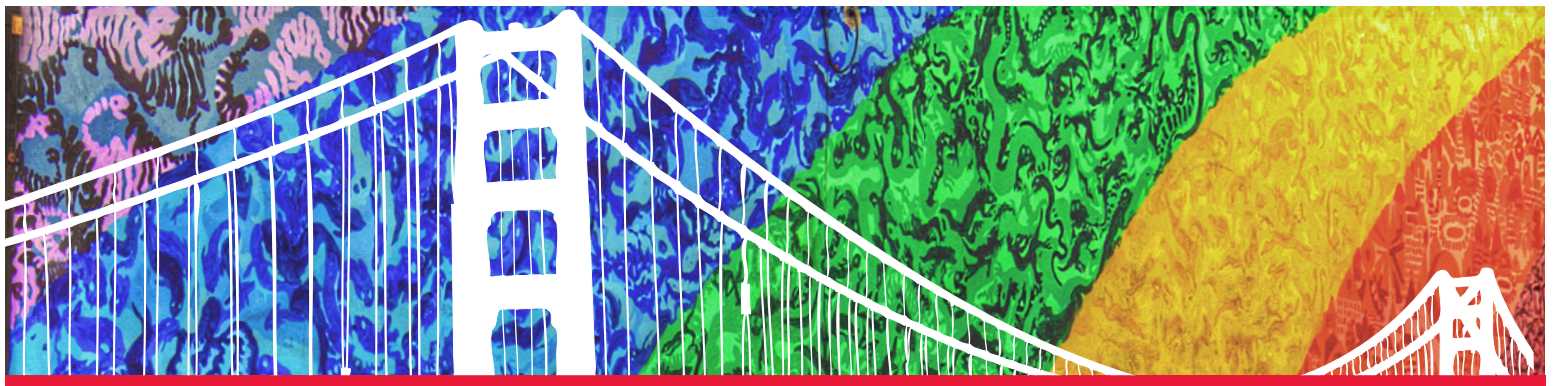
Protecting our Community's Health

Research, Findings, and a Resolution for Cleaner Air



research • statistics • practical solutions

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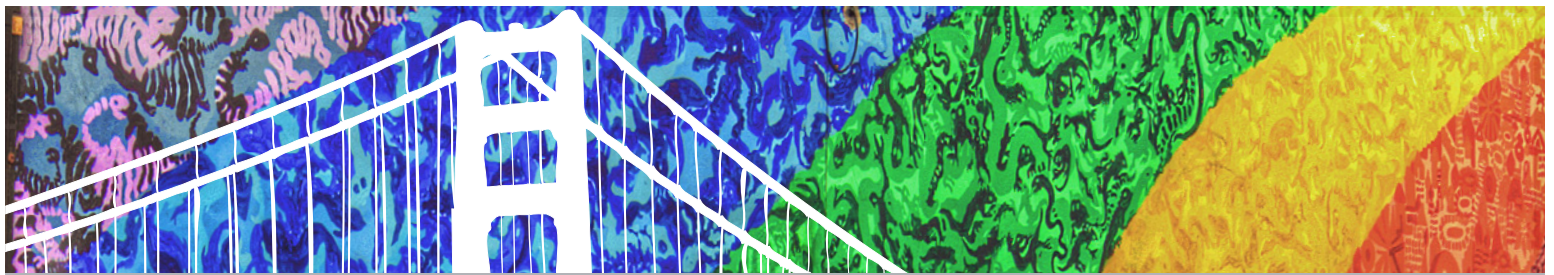
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A Resolution for Our Community's Health

Tobacco is our nation's number one killer, and LGBT people smoke twice as much as everyone else.

Freedom From Tobacco, a project of the SF LGBT Community Center funded by the SF Department of Health, exists to help inspire smokers to quit and protect everyone from secondhand smoke.

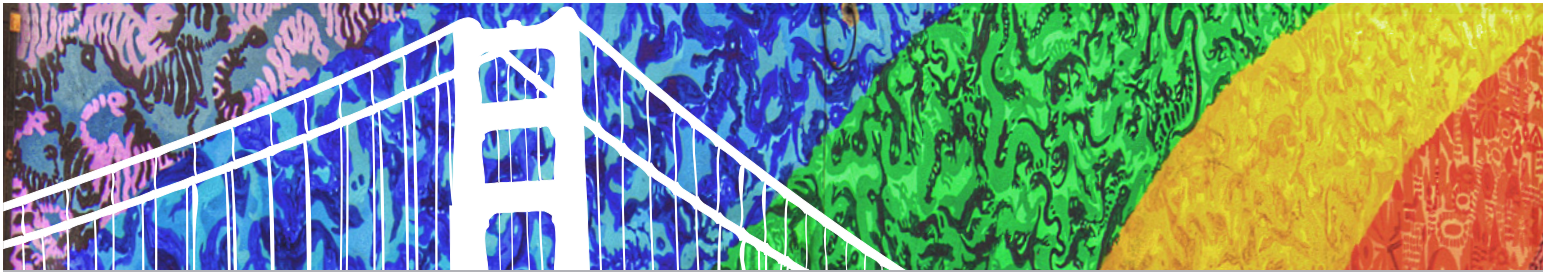
We determined that the most effective way to achieve these goals would be to look at the environment within which the LGBT community exists – the places we live, work and socialize – to see if these places could be made healthier, safer and more welcoming for all.

We saw that there were many bars and clubs in San Francisco which serve the LGBT community that have outdoor patios where smoking is allowed. From our extensive scientific research and observation of these areas, studies of additional data, and community surveys, we made several important discoveries including:

- Air quality measurements taken on some SF LGBT bar patios showed that if there was a cover over at least half of the patio, the air was just as toxic as an indoor smoking area.
- Smoke often comes well inside bars due to smoking near the back entrance to the patio or open windows.
- Food is sometimes prepared and served in areas where smoking is allowed.
- The Surgeon General has determined that there is no safe level of exposure to secondhand smoke.
- Bars that protect their customers and staff from exposure to secondhand smoke do not lose money, and often improve business.
- The vast majority of queers (including those who visit bars with patios) are bothered by secondhand smoke and understand that it is harmful in outdoor settings.

LGBT bars are where we build our community. We go to them because we feel comfortable there, know we'll have fun, and will be safe from homophobic outsiders.

In an effort to make these spaces safer and more inviting for everyone, we are asking patio bar owners to show their concern for the health of our community by signing the resolution, listed on page 4.



A Resolution for Our Community's Health

As an owner (or owners) of a bar or club in San Francisco, I/we provide valuable social gathering space for an LGBT community that continues to bear the burden of the effects of homophobia, which include a higher smoking rate. Because we care about the health of our community, including our customers and employees, we recognize the importance of the following facts:

- Tobacco kills more people than anything else.
- The LGBT community smokes twice as much as the general population.
- 53,000 Americans die from secondhand smoke every year.
- The Surgeon General has declared that there is no safe level of exposure to secondhand smoke.
- Air quality measurements taken on some SF LGBT bar patios showed that if there was a cover over at least half of the patio, the air was just as toxic as an indoor smoking area.

In recognition of these facts, and because we believe our community takes care of its own, I (We) resolve to reduce the impact of secondhand smoke on our customers and staff, and contribute to an environment that will help inspire the 70% of smokers who want to quit to accomplish that goal, by taking the following steps by the end of 2013 (check all that apply):

- Ensuring that all portions of outdoor areas which have permanent or temporary overhead covers are smoke-free at all times
- Clearly marking the boundaries of a smoke-free area (on side or rear patios) which extends at least 10 feet from all doors that lead to the bar's interior and from windows that can be opened
- Making sure that all areas where food is prepared or served are smoke-free
- Raising the awareness of our staff as to the importance of maintaining this resolution
- Taking this additional action of our own choice that will demonstrate our commitment to protecting our customers and employees from the dangers of secondhand smoke:

Hereby resolved by:

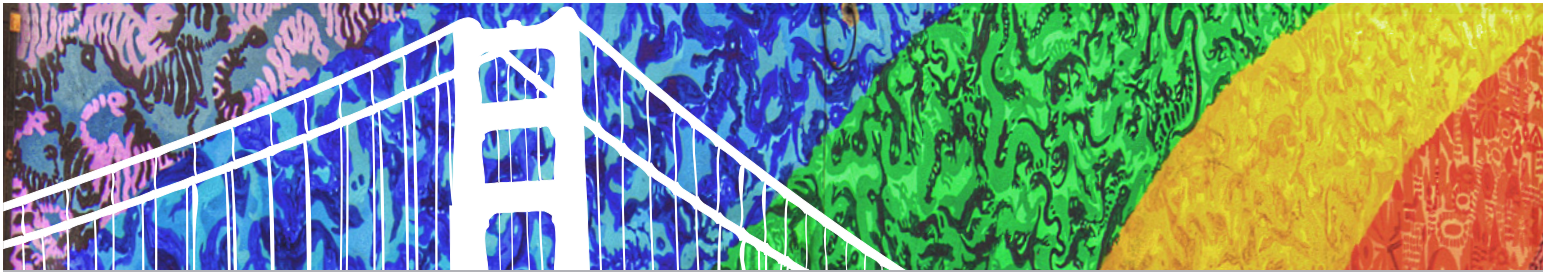
Name(s): _____

Signature(s) _____

Name of bar or club: _____

Date: _____

Freedom From Tobacco appreciates the support of LGBT-serving bars and clubs. We recognize the importance of your business to our community, and will present you with a formal certificate of appreciation to express our gratitude for signing this resolution.



Tobacco is a Serious Problem in the LGBT Community

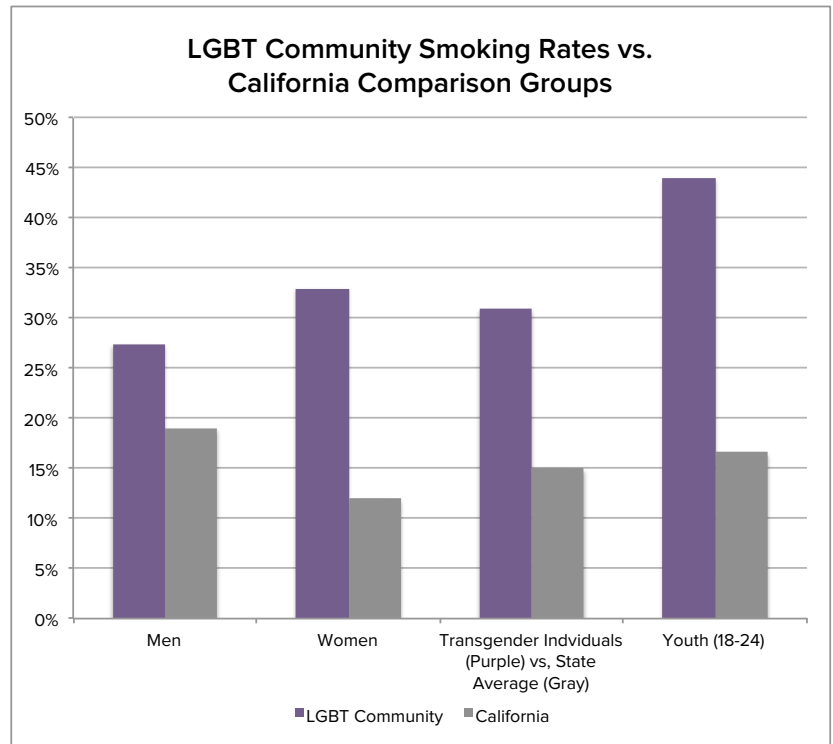
The LGBT community in California smokes twice as much as the general population.

Tobacco kills more people nationally than AIDS, alcohol, illegal drugs, suicide, murder and traffic accidents combined.¹

Men in the LGBT community smoke about 50% more than all men in California (27.4% vs. 19.1%). Women in our community smoke nearly three times as much as all women in California (32.5% vs. 11.9%). Transgender members of our community smoke twice as much as all Californians (30.7% vs. 15.4%). LGBT young adults 18-24 years old smoke most of all (43.7% vs. 16.6%).²

“It’s a thing gay people get together and do -- It’s a social event!”

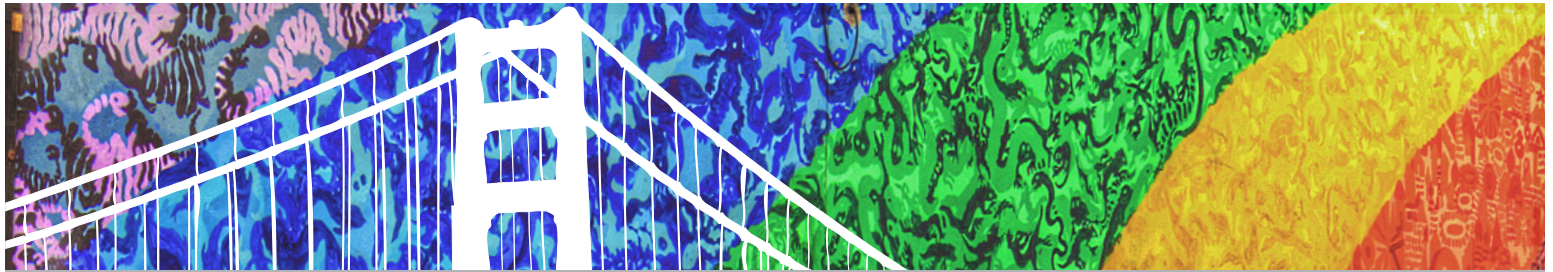
“All queer young people smoke, it’s just part of the package.”³



Historically, LGBT people have had few social meeting spaces. Because of societal rejection, queers traditionally have relied on bars and clubs as gathering places. Smoking continues to be common, and cigarettes continue to be used as a social lubricant in these environments, getting queer young adults in particular hooked on tobacco.

“I am married, and my wife knew about my status by the time of our second date. She said she could accept me as I was. After we were married, and she was pregnant with our son, she told me I could not be who I wanted/was. Out of a sense of commitment, I have stayed with her, and have not been able to fully express who I really am. I have considered suicide. After all, smoking and drinking are a civilized way of committing suicide.”⁴

Smoking can be a way of deliberately harming ourselves because of the impact of homophobia and transphobia on our lives. For vulnerable youth, transgender, and other LGBT people, smoking can also be a form of self sabotage through defiant expression (an attitude learned from tobacco marketing).



Tobacco is a Serious Problem in the LGBT Community

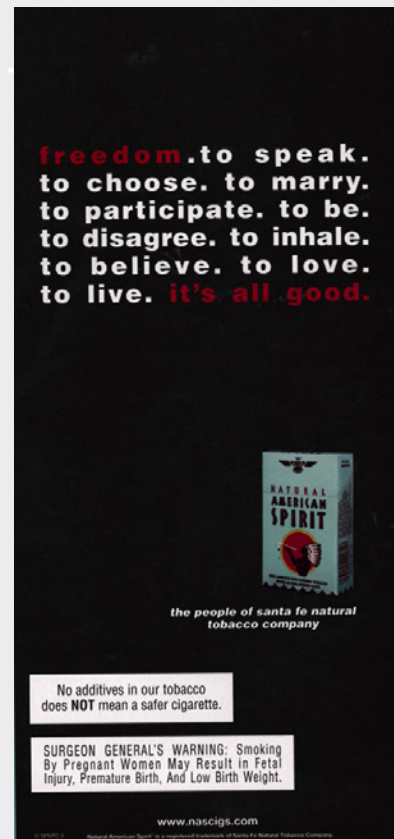
“It is important for LGBT people to know that the tobacco industry specifically targets queers of color to try to get them addicted to smoking. We need to better educate our LGBT communities of color to resist their advances.”

– Robert Bernardo, Past Co-Chair, Gay Asian Pacific Alliance (GAPA)

Big Tobacco Exploits Our Struggle for Equality

Tobacco companies know that queers smoke more because of homophobia. They cynically take advantage of this by using the rhetoric of “freedom” against us to try to get us to smoke even more. Sometimes this is less obvious, such as in an ad with two women kissing with the text, “I Choose.” Sometimes it is blatant, such as this ad that ran in *The Advocate* during Gay Pride month a few years ago.

What makes this even uglier is the fact that tobacco companies don’t support us at all. They are among the top contributors to right-wing politicians who work to deny our rights.

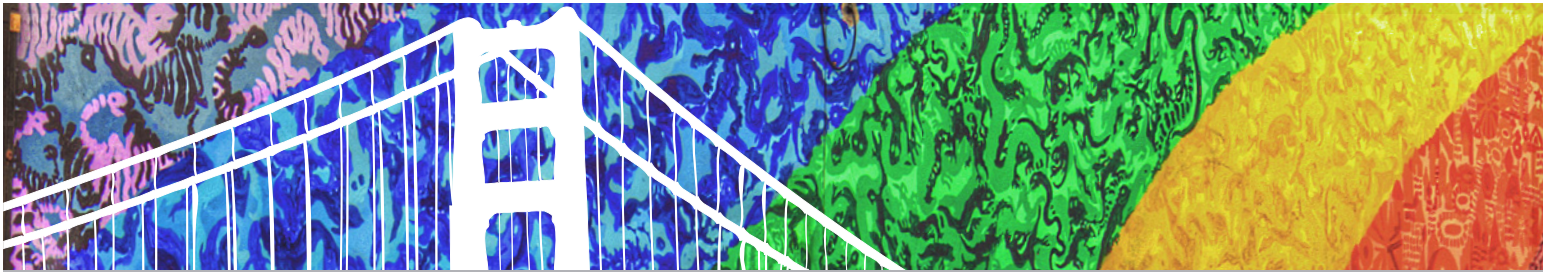


1: http://www.cdc.gov/tobacco/data_statistics/fact_sheets/health_effects/tobacco_related_mortality/

2: LGBT smoking prevalence: California Lesbian, Gay, Bisexual, and Transgender Tobacco Use Study, 2004; General population smoking prevalence is from California Tobacco Survey, 2002.)

3: Comments are from LGBT young adults in a recent study: http://lgbttobacco.org/files/Coming_Out_About_Smoking_NYAC.pdf

4: From a recent study on transgender discrimination: http://www.thetaskforce.org/downloads/reports/reports/ntds_full.pdf



Air Quality Measurements at Four Bars with Backyard Patios

Freedom From Tobacco, in partnership with UCSF, measured the air quality at four bars with backyard patios in San Francisco frequented by the LGBT community. We used a scientific instrument (TSI SidePak AM 510) which measures the amount of fine particulates in the air. Average measurements at two patios fell within the EPA “Unhealthy” range; a third rated as “Unhealthy for Sensitive Groups,” and the fourth as “Moderate.”

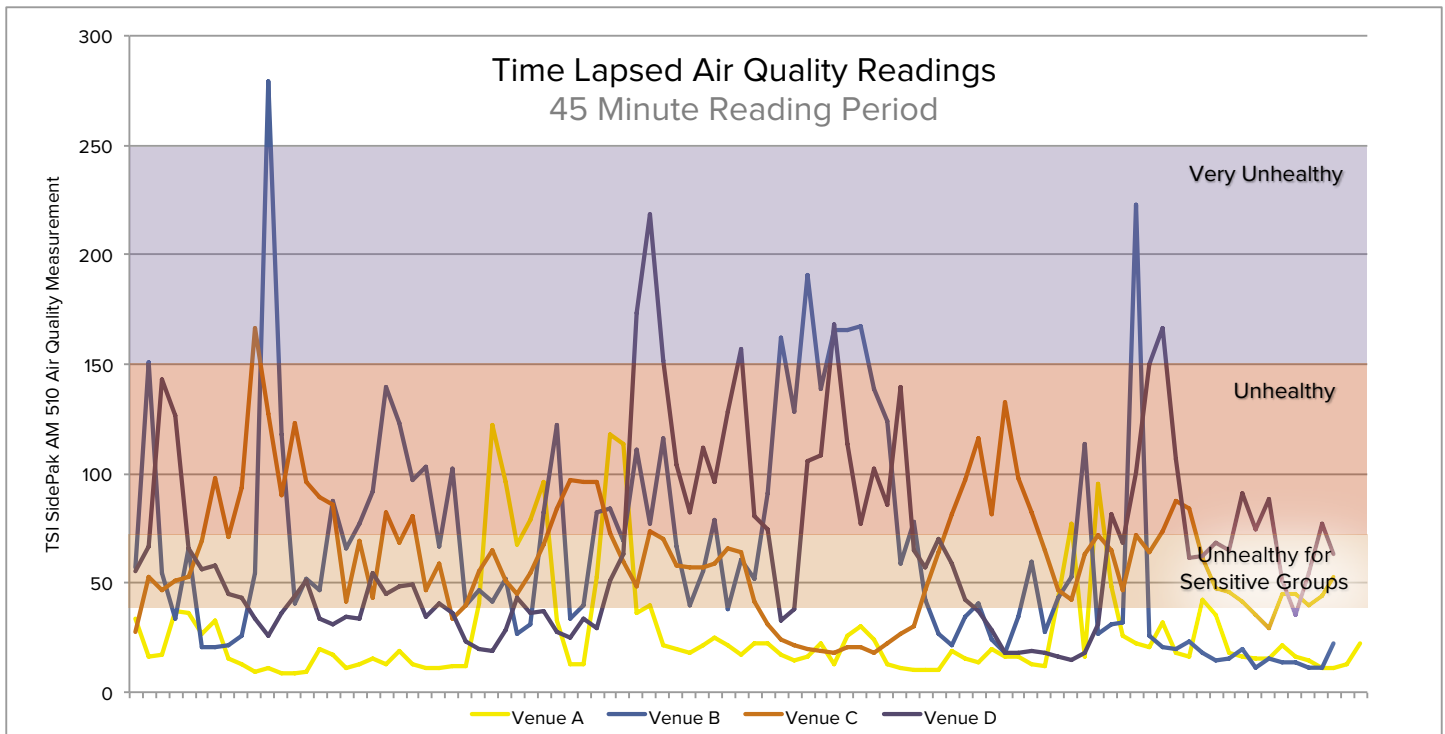
Peak readings at all four venues were in the “Unhealthy” range, and some extended into “Very Unhealthy” and “Hazardous” levels.

The three spaces with the more dangerous levels each had overhead coverings of some kind over at least 50% of the backyard, while the space with fewer “Unhealthy” measurements had minimal overhead coverage.

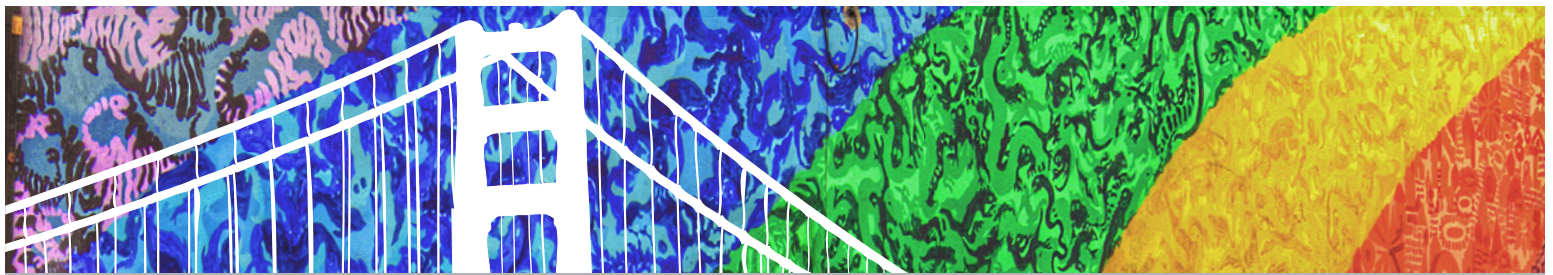
There is no safe level of exposure to secondhand smoke—Surgeon General.¹

About 53,000 people in the U.S. die every year from exposure to secondhand smoke.²

1: <http://www.surgeongeneral.gov/library/secondhandsmoke/factsheets/factsheet7.html>
2: <http://bcn.boulder.co.us/community/abct/abctdiff.htm>



For questions or clarification regarding methods or results, please contact UCSF Researcher Amanda Fallin, Amanda.Fallin@ucsf.edu.



The Impact of Secondhand Smoke in Outdoor Spaces

Research Shows That Secondhand Smoke in Outdoor Spaces Can Be Just as Dangerous

A Stanford study demonstrated that a non-smoker sitting outside within 18 inches of a person smoking two cigarettes over an hour is exposed to the same amount of secondhand smoke as that person would be if they were sitting for one hour inside a bar with a smoker.¹

An extensive Australian study showed that being outside under an overhead cover increased the average exposure to secondhand smoke by about 50% compared to no cover.²

Other studies have shown that having an outdoor smoking area adjacent to an indoor non-smoking area can result in as bad or worse air quality conditions inside the venue than had existed prior to the passage of the indoor smoking law.^{3,4}

Workers Can't Get Away From Secondhand Smoke

"The bar kept filling with smoke from the patio, so I had to choose between my health, my job and my community. My health won."

– Anonymous Ex-Bartender at a San Francisco Gay Bar

Freedom From Tobacco visited fifteen bars or clubs with patios in San Francisco. Of these, thirteen had their **patio doors open to the inside**, and five had **bars on the patio** -- including the two spaces with the highest air toxicity.

We also visited four restaurants where smoking was allowed on the patio (illegally), and five venues where people were smoking indoors in non-permitted areas.

14% of workers in California are still exposed to secondhand smoke at work, including disproportionate numbers of low income, young adult and Latino workers. (CA Department of Public Health)

"Secondhand smoke is the third leading cause of preventable death in the United States. Californians go to work to earn an honest day's pay for an honest day's work, not to breathe in toxic air. Yet, one in seven members of the workforce continues to be exposed to secondhand smoke at work."

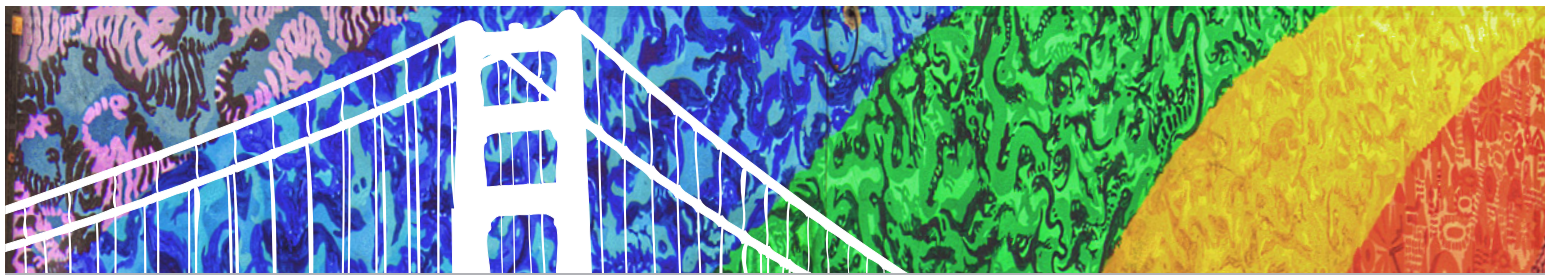
– Senator Mark DeSaulnier (D-Concord)

1: http://exposurescience.org/pub/preprints/Klepeis_OTS_Preprint.pdf

2: Cameron, M., Brennan, E., Durkin, S., Borland, R., Travers, M. J., Hyland, A., et al. (2009). Secondhand smoke exposure (PM) in outdoor dining areas and its correlates. *Tobacco Control*, doi: 10.1136/tc.2009.030544.

3: Mulcahy, M., Evans, D. S., Hammond, S. K., Repace, J.L., & Byrne, M. (2005). Secondhand smoke exposure and risk following the Irish smoking ban: nAn assessment of salivary cotinine concentrations in hotel workers and air nicotine levels in bars. *Tobacco Control*, 14, 384-388.

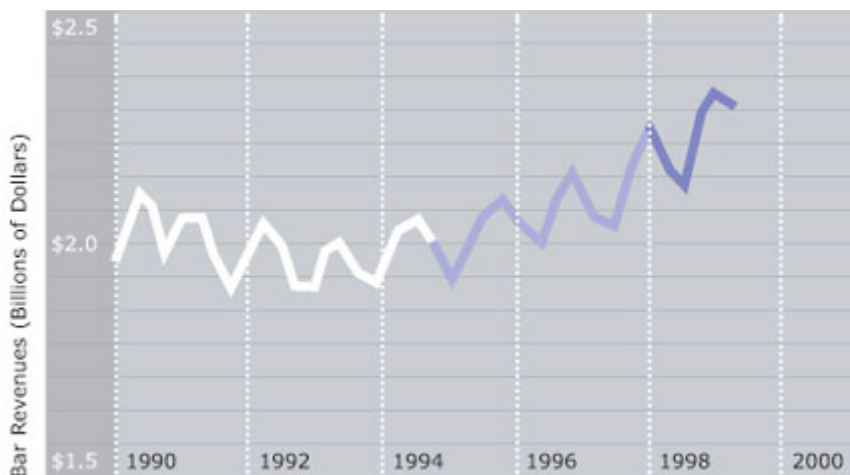
4: Sureda, X., Martinez-Sanchez, J.M., Lopez, M.J., Fu, M., Aguero, F., Salro, E., Nebot, M., Fernandez, E. (2011). Secondhand smoke levels in public building main entrances: outdoor and indoor PM2.5 assessment. *Tobacco Control*, Epub, <http://www.ncbi.nlm.nih.gov/pubmed/21964181>.



Secondhand Smoke Laws are Good for Business

All rigorous, scientifically conducted studies have shown that bars and restaurants do not suffer financially from secondhand smoke laws, and that some make more money after going smoke-free.¹

- There was no change or a positive change in bar revenue for towns as diverse as West Lake Hills, Texas, and New York City and states as different as Arkansas, Oregon and Texas²
- In a Massachusetts survey, 69% of bar patrons said they would continue to use bars just as much; 20% said they would go more often³
- After New York bars and restaurants went smoke-free, about 10,600 new workers were hired (about 2,800 seasonally adjusted positions) between March and December 2003⁴
- Businesses save money by going smoke-free due to reduced maintenance expenses, lower insurance rates, and lower labor costs (fewer sick days)⁵



Look at California. While seasonal fluctuations persist, revenues from California restaurant bars and free-standing bars continued to climb after restaurants became smoke-free in mid-1994 (light blue) and after free-standing bars went smoke-free in 1998 (dark blue). (Data from quarterly reports of the California State Board of Equalization.)

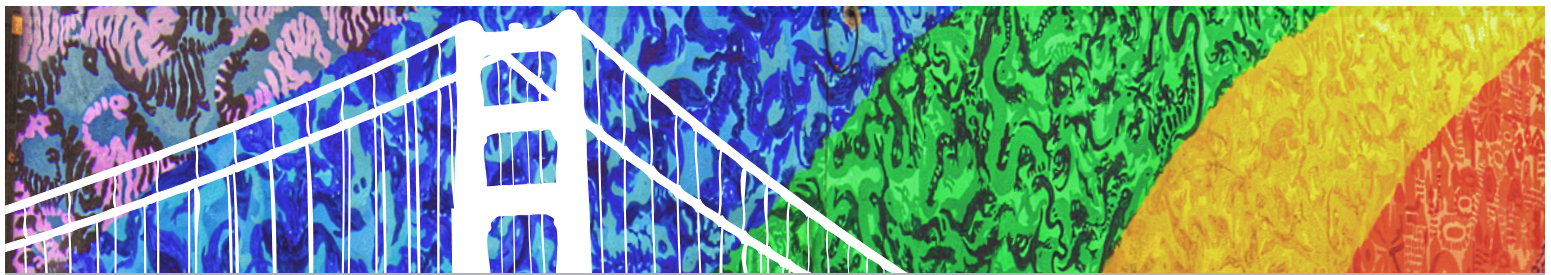
Smoke-free bars in cities adjacent to other cities where smoking is allowed in bars do not make less money – and the bars that allow smoking do not make more money – than they did previous to the time when this difference existed.⁶

“What did El Paso’s 2002 smokefree measure do to our business? Helped grow sales 10% to 15% a year.”

Rosa Saenz & Family | Owners, Carlos and Mickey’s, El Paso, Texas

“Were we nervous when El Paso restaurants and bars went smokefree on New Year’s Day, 2002?” asks Rosa Saenz. “With casinos that allow smoking outside town and Ciudad Juarez just across the river, sure, we thought we might lose some business.

“Instead, our sales are up the last two years. People actually thank me for being smokefree. And we don’t have the lines waiting for a smokefree table anymore, while the smoking section wasn’t full.



Secondhand Smoke Laws are Good for Business

“The bar business is no different. We always had live entertainment. But now, without the smoke, our singer can really sing out. Our cashier can leave her contacts in. Our wait staff pick up the same tips they did before. And I can go home, kiss my five-year-old, and not smell like an ashtray.

“I started in restaurants when I was twelve, at my parents’ place, and I’ve run my own business here for twelve years. If anyone claims that going smokefree will cost you, take it from Rosa Saenz: that’s nonsense.”

“You never saw anybody fight a smokefree measure as hard as I did. But you know what? I was wrong.”

Christopher Wisocki | Owner
The Pickwick, Duluth, Minnesota

“The Pickwick is a classic and you don’t change a classic,” says Chris Wisocki. “It’s been in the family for ninety years. So when the restaurant association told me that a local smokefree measure would endanger my business, I immediately got up in arms.

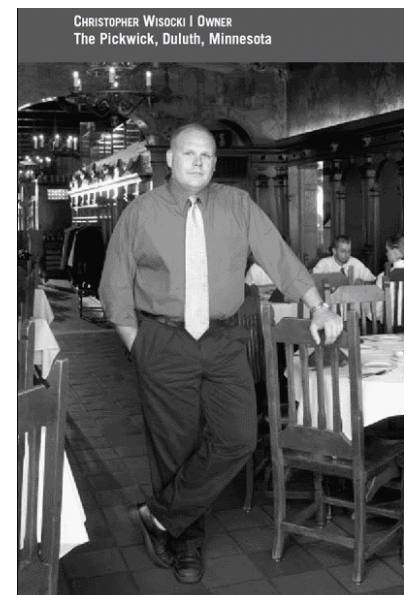
“I was sure our dining and bar trade would go to smoking places just over the line in Wisconsin - and I’d lose all that my dad and my uncle worked so hard for.

“There got to be so much conflict and confusion over Duluth’s first ordinance, though, I finally said the heck with it and went 100% smokefree after all.”

“Later, when a clearer, stronger smokefree measure was put to the voters, it won big. No surprise to me. The Pickwick’s atmosphere had definitely changed for the better.

Our business, too. It’s up 15 percent. “Did I have a knee-jerk reaction to smokefree measures? Ask anybody. Do I admit I was wrong? You bet.”

Business owner stories and photos from www.tobaccoscam.ucsf.edu.



1: Scollo, M., Lal, A., Hyland, A., Glantz, S. (2003). Review of the quality of studies on the economic effects of smoke-free policies on the hospitality industry. *Tobacco Control*, 12:13-20.

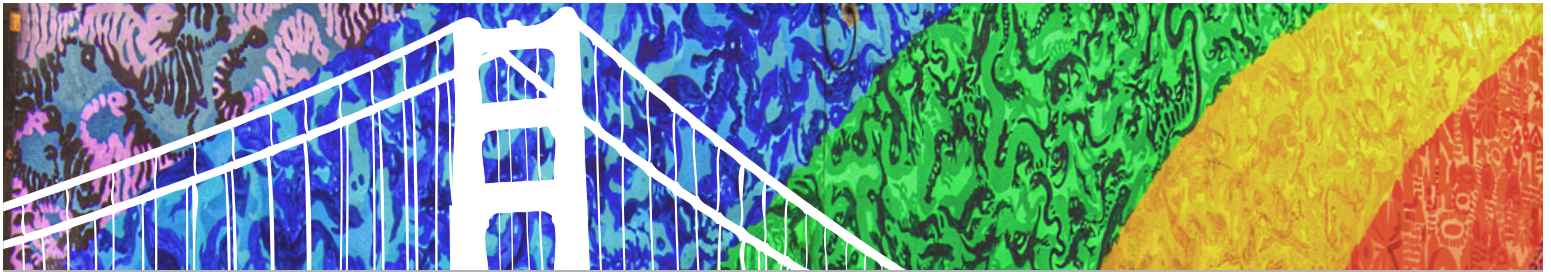
2: Erikson, M., & Chaloupka, F. (2007). The Economic Impact of Clean Indoor Air Laws. *CA Cancer J Clin*, 57:367-378.

3: Biener, L., & Siegel, M. (1997). Behavior intentions of the public after bans on smoking in restaurants and bars. *American Journal of Public Health*, 87(12), 2042-2044.

4: New York City Department of Health and Mental Hygiene (2003). Initial effects of New York City smoking ordinance, from http://www.tobaccoscam.ucsf.edu/pdf/103NYC_July03.pdf

5: Kooreman, H., Judson-Patrick, A., Wright, E., (2009). The Economic Impact of Smoke-Free Policies on Business and Health. Center for Health Policy, Indiana University.

6: Glantz, S., & Smith, L. (1994). The Effect of Ordinances Requiring Smoke-Free Restaurants on Restaurant Sales.



The LGBT Community Wants Smoke-Free Outdoor Spaces

“At the beginning of Spring, some of my friends and I started going to (SF LGBT bar with patio) on a regular basis. But we started going less and less because so many people smoked in the back patio and our inability to breathe made it difficult to party-down. I feel confident that we would still be going there regularly if the patio didn’t feel like a death trap.”

Hilary Burdge, MA, Research Project Manager, Gay-Straight Alliance Network

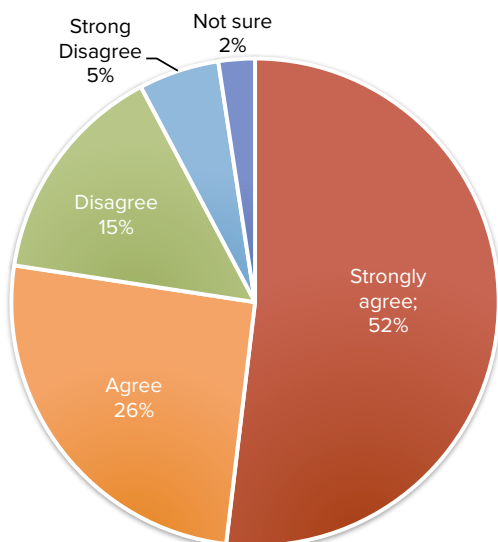
Freedom From Tobacco surveyed over 1300 people at San Francisco Pride events in 2011.

Among the respondents:

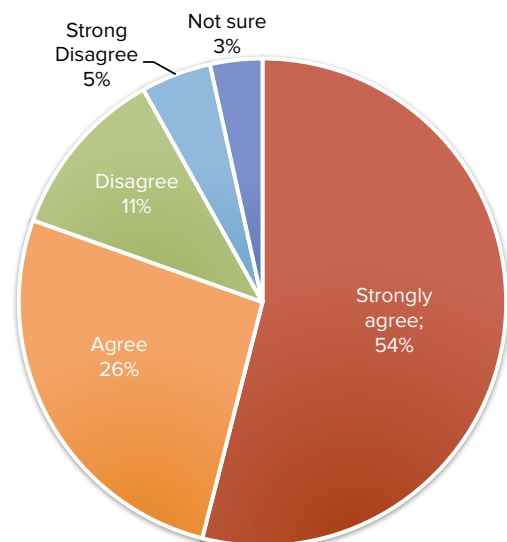
- Over 80% are bothered by secondhand smoke
- Over 82% believe that secondhand smoke in outdoor patios of bars and clubs is harmful
- Over 90% believe that secondhand smoke in outdoor dining areas is harmful

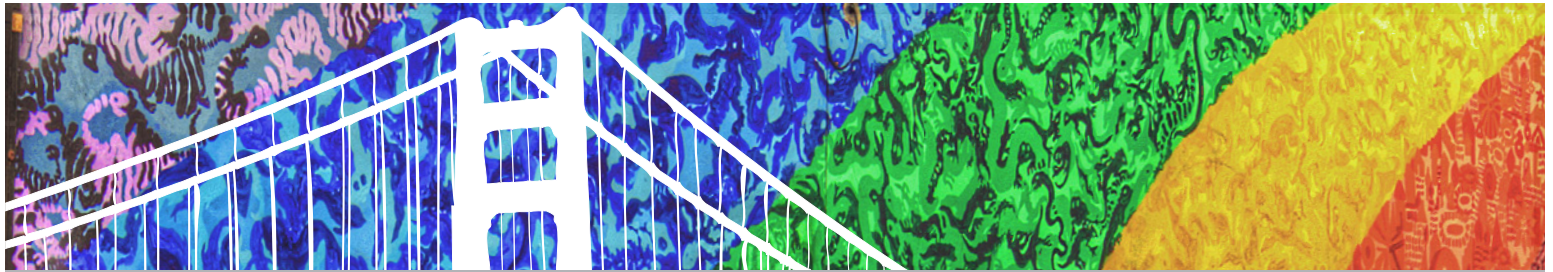
Of the 580 people surveyed who go to LGBT bars and clubs with patios in San Francisco, over 77% are bothered by secondhand smoke and understand that exposure to secondhand smoke in outdoor bar patios is harmful.

I am bothered by secondhand smoke in outdoor public areas



Secondhand smoke in outdoor patios of bars and clubs is harmful





What the Law Requires

Relevant Sections of Article 19F of the San Francisco Health Code:

SEC. 1009.21. - DEFINITIONS

(a) “Bar” or “Tavern” means any business establishment primarily devoted to the serving of alcoholic beverages ... and in which the serving of food is only incidental to the consumption of such beverages.

(m) “Outdoor patio” means a side or rear outside area of a bar or tavern that has no walls or ceiling and is open air.

SEC. 1009.22.

(a) Smoking is prohibited in ...

(14) Bars and Taverns... the portion of an outdoor patio at least ten feet away from the entry, exit or operable window of the bar or tavern...

(d) Smoking is prohibited in service waiting areas which are defined as any area designed to be regularly used by one or more persons to ... enter a public place ... such as ... ticket lines, movie theater lines, concert lines...

(e) ... smoking outside entrances, exits and operable windows and vents of all buildings is only permitted at the curb of the nearest street, sidewalk or alley. If there is no curb within fifteen feet of the building, smoking is prohibited within fifteen feet of entrances, exits, and operable windows and vents of any building.

(i) Any person who owns, operates or manages property is required to take the following steps ...

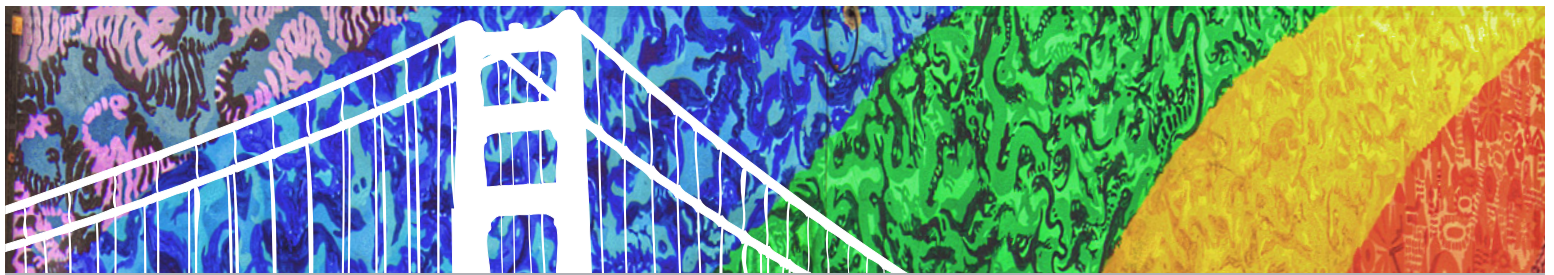
(1) Post clear and prominent signs at each entrance to the premises no higher than 8 feet and no lower than 5 feet, and within 10 feet of the door or the most appropriate place for visibility from outside, that read “Smoking only 1) at the curb, or 2) if no curb, at least 15 ft. from entrances, exits, operable windows, and vents” in letters no less than one half inch in height and include 1) the international “No Smoking” symbol...

SEC. 1009.29. - AUTHORITY TO ADOPT RULES AND REGULATIONS.

The Director may issue and amend rules, regulations, standards, guidelines, or conditions to implement and enforce this Article.

Freedom From Tobacco visited 35 businesses in San Francisco and observed:

- Twelve of the businesses had posted signs stating that smokers must smoke at the curb. Smokers were closer than the curb at seven of these.
- Smokers were closer than the curb at eighteen of the twenty-seven venues where any smokers were in front.
- At two venues, employees told smokers to move to the curb, while at three other venues, employees themselves



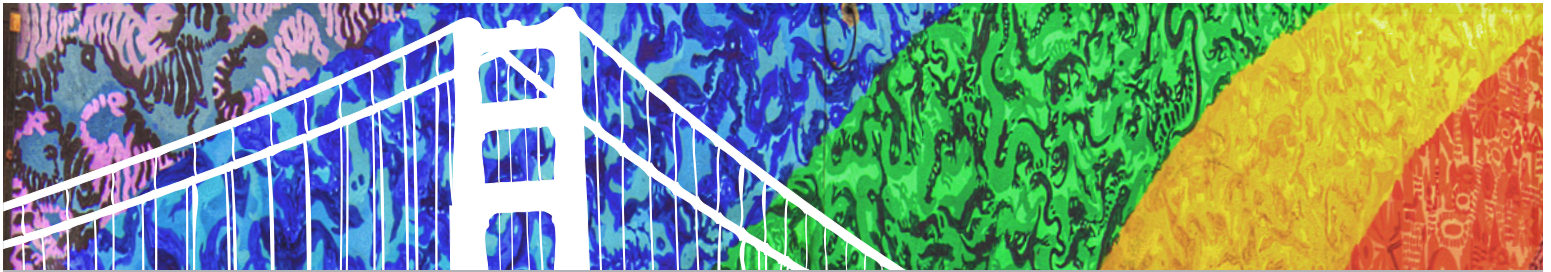
What the Law Requires

were smoking closer than the curb.

- Sixteen venues did not have “no smoking” signs inside the bar.

22 of the 35 venues visited had side or rear patios. Of these...

- One had a sign stating that smoking was not allowed ten feet from the entry in the patio area, and a line on the floor at the ten foot point.
- Sixteen had smokers on the patio. Fifteen of these had smokers on the patio within ten feet of doors or operable windows (including employees at two venues).
- Twenty-one had cigarette butts within ten feet of doors or operable windows. Nine of these had over 20 butts in that area.
- At five venues, people were eating on the patio while smokers were present. At two of these, food was also being prepared on the patio.



LGBT Community Members Who Contributed to this Report



Jane Aceituno

“Every single member of my family smokes, and I can’t convince them to quit smoking. One of my grandfathers is dying from emphysema, which is a tragedy for my family that I would like other people to not have to go through. Working on this project has helped me feel empowered to make a difference in the lives of members of the LGBT community who smoke and don’t smoke.”



Brian Davis

“When I was a child, I watched my father struggle to quit smoking for years before he finally succeeded. That memory inspires me today in my work to help smokers quit. As an LGBT civil rights activist, I am enraged by Big Tobacco’s efforts to take advantage of homophobia to manipulate queer smokers to smoke more. It’s time for our community to fight for our freedom from tobacco!”



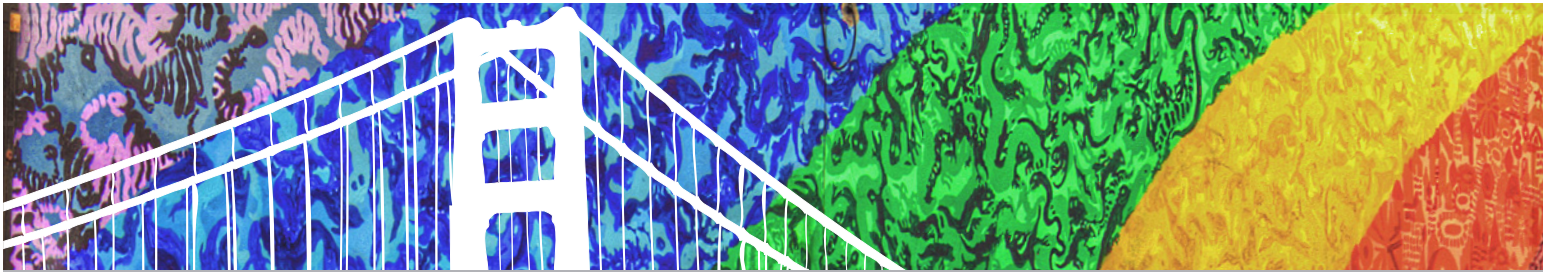
TC Duong

“As someone who has worked on tobacco control at the national level, I see how tobacco companies disproportionately target marginalized communities - people of color, immigrants and LGBTQ people. Seeing their direct quote of how our communities are more vulnerable and more easily targeted, working on tobacco control is a social justice issue for me. This is about how corporations with power determine our health.”



Stanley Ellicott

“Like my fellow advocates, tobacco has ravaged my family—stealing the life of my aunt, and the health of my parents and sister. Through my work with Freedom From Tobacco, I hope to create public health improvements that benefit the entire community, and lend support to those who bravely attempt to stop smoking.”



LGBT Community Members Who Contributed to this Report



Sean Fleming

“My involvement in the mental health professions has helped me to see the personal and public health costs that result from Big Tobacco and other corporations shaping national policies and targeting at risk populations. As a member of the LGBTQ community I have been most affected by the prevalence of these corporate attacks on our communities’ health, and the use of income generated by our community to fund anti-LGBTQ politics.”



Jacquie Hansen

“As a child the images of glamorous movie stars wreathed in smoke inclined me to think – to get what they have, I must be like them. Thus the dance began until a doctor told me I would not be long for this world if I continued smoking (3 packs a day).

Back then, they did not punch up the cigarettes with 8000 chemicals, and it was so hard to stop; yet I did. I also have severe left-overs with my health that were compounded then and now are manageable. However I still wind up with problems for at least 24 hrs when I have been near a place where there was smoke!”



Rachel Nolan

“As a young queer youth, I used smoking as a way to find community with others. When I learned 20 years later that I had been targeted by Big Tobacco not only for being young, but for being gay, I became outraged. I am passionate about speaking the Truth about tobacco and helping others break free from smoking and the community from second-hand smoke.”

