

nity is sponsoring events that are considered gay or gay-friendly. Many Gay Prides have been sponsored by tobacco companies.

Another way is advertising. In *The Advocate* and other magazines with LGBT readership, you're going to see high tobacco advertising and gay content in general advertising in magazines they know we're picking up.

That's why Oregon is so cool. We have some tremendous advocates in the LGBT community. [Just Out Publisher] Marty [Davis] has consistently refused to accept tobacco advertising. [Pride Northwest] has an explicit policy [refusing to accept] tobacco dollars.

JRC: With mandatory bicycle helmet laws for kids and liquor laws enforced by the Oregon Liquor Control Commission, Oregon has gained the reputation as a "nanny state." Does the smoking ban reinforce this stereotype?

CC: Given the current crisis that we're in, people should lighten up about a certain amount of regulation.

Calling us a nanny state is really short-sighted. If there was a workplace where people were breathing asbestos and benzene, we would say, "Why isn't the government doing something about that?" Well, asbestos and benzene are in secondhand smoke.

JRC: If the smoking ban is meant to prevent exposing workers to secondhand smoke, do you also oppose the use of smokeless tobacco products?

CC: Any tobacco product carries some inherent risk, and we would never advocate for them.

Portland has been a test market for [the Camel tobacco product] Snus and will be a test market for dissolvable tobacco products coming out in January. One of the best results from passing laws like these is it gives people incentive to quit. We fear those products might give people less incentive to quit.

JRC: What is the enforcement plan?

CC: We, the Department of Human Services, are the enforcement authority. We've delegated that authority to county health departments. We take an educational approach to enforcement. We assume business owners want to comply with

MARTY DAVIS



Cathryn Cushing, spokeswoman for the Oregon Department of Human Services' Tobacco Prevention Education Program, says a little regulation, in the form of a smoking ban, is good for Oregon.

the law. We aren't interested in antagonistic relationships.

Enforcement is complaint-driven. A complaint has to be filed before action is taken. Someone can call or file a complaint on our Web site, which is forwarded to the county. The county will send a letter informing them of the law. If a second complaint is filed, county personnel will do a site visit, talk to the business owner and set up a remediation plan with the business. If the business is unwilling to comply, there's a fine structure set up. Fines are up to \$500 per day with a \$2,000-per-month maximum.

There are no penalties in the law for individuals.

JRC: The smoking ban is a victory for non-smokers. What's next?

CC: We have won a significant battle, protecting people from secondhand smoke. We need to help people in the private sector understand that secondhand smoke is bad. People who own multiusage housing are beginning to understand smoking in building affects more than just the tenants. We are always going to work hard to get people to quit and help prevent young people from starting. This is just one step—a really significant one, but just one step. The tobacco industry is still out there. We're not done until they're done. 



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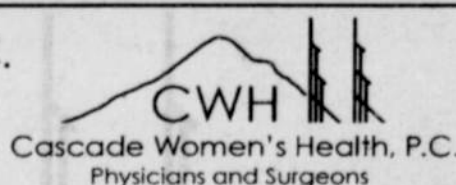


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