



San Mateo Coalition Prevails Over Stiff Opposition in Passage of County Tobacco Licensing Policy

Executive Summary

Due to an outdated and unenforceable Tobacco Retail License (TRL) in San Mateo County, the San Mateo County Tobacco Education Coalition (the Coalition) saw an opportunity to create parity across the county while advocating for stronger enforcement.

San Mateo County adopted a TRL policy in 2016, that outlined retailers were responsible for self-reporting of violations and inspections were not required. These provisions rendered the policy ineffective and challenging to enforce.

While the Coalition could try to pass an updated TRL policy city by city, the Coalition decided that the best way to impact local jurisdictions would be to influence change at the county level. For three years, their campaign strategy relied heavily on educating decision-makers that the current policy was ineffective and important enough to address amid a pandemic, re-elections, and significant opposition to their campaign objectives.

San Mateo County Tobacco Education Control Coalition:

The Youth Leadership Institute (YLI)

American Cancer Society Cancer Action Network

Taulama For Tongans (Taulama)

Stanford Cancer Institute

LGBT Partnership

San Mateo County Tobacco Prevention Program (TPP)

American Heart Association

Campaign Goal: Strengthen San Mateo County's Tobacco Retail License Policy

Work closely with those who can influence decision-makers

The Coalition, in partnership with the local San Mateo Youth Leadership Institute chapter, partnered to collect signatures to demonstrate to elected officials the widespread community support that existed for an updated TRL. Those who wanted to demonstrate support signed postcards and provided their contact information if they wanted to be added to the distribution list and learn more about how they could support the initiative. The goals were simple – educate the community, demonstrate constituent support for a new policy, and create new advocates to spread the message.

Coalition members worked diligently to educate the public about the dangers of tobacco and the need for stronger enforcement. The co-chairs, who are non-funded partners, worked with San Mateo County Environmental Health to explore how to revise the existing TRL to strengthen the enforcement component. As community members began to show their support, the Environmental Health Department held concerns about staffing to fulfill a more proactive enforcement obligation. The Environmental Health Department challenged the need for codifying a minimum of proactive compliance checks within the TRL citing concerns around enforcement, funding, and limited capacity of staff to fulfill obligations. In response to this opposition, the Coalition began to meet regularly with the Department to address their concerns in hopes the department would shift their stance to a more supportive one.

Work strategically with decision-makers

In the earlier stages of the campaign, the Coalition met with County Supervisors to identify a policy champion. Though they were seeking to identify one policy champion, surprisingly two Supervisors came forward to lead the charge. With two policy champions rooting for a new policy, the Coalition members were hopeful. Throughout the process, Supervisors were mostly supportive, but a few addressed concerns about the impact on small businesses and questioned whether proactive enforcement was the solution to ensure retailer compliance. Coalition members developed talking points to address these concerns and used these talking points to educate the public and key constituents, in addition to Supervisors should these concerns be raised with them.

Show Data: It proved retailers were out of compliance

The Coalition collected data that would prove the current policy lacked compliance. This data demonstrated the county needed a structured, proactive program funded through a fee within the TRL. With pilot funding provided by the County's Tobacco Prevention Program, Coalition members visited 40 retailers to conduct an observational survey. The results were shocking. Overwhelming evidence suggested that 70% of the retailers were not complying with the current policy, either being in violation of having an active permit and/or selling flavored tobacco. The Coalition not only did their research, but used their resources to create a plan and was unwavering in knowing what they wanted and how best it could be enforced.

Be a Resource to Policy-Makers

The Coalition worked diligently to support the efforts in developing the new, strengthened policy. They also contacted the Public Health Law Center (PHLC), a statewide technical assistance provider to California Tobacco Prevention Program-funded projects, to help develop language for the updated policy. PHLC provided a model TRL policy for the County to further tailor. PHLC's expertise in shaping comprehensive policies as subject-matter-experts helped to provide credibility to the content of the updates suggested. With policymakers embracing the support and expertise within the resource from PHLC, San Mateo County was on its way to clean up their existing policy.

Even though things were moving along, the Coalition had to ensure that the Supervisors were ready to support the revised, strengthened TRL. Coincidentally, the neighboring Santa Clara County updated their TRL to include two inspections a year, raising the bar for a minimum number of compliance checks within a TRL ordinance, and setting an example for San Mateo County to follow. This update was a great opportunity to again engage with San Mateo County's Supervisors about the need to follow suit to have parity with unincorporated jurisdictions. With Santa Clara updating their TRL, community support in place, and draft policy language almost finalized, the San Mateo Board had no choice but to vote in favor of the new policy. The support was so strong that even the Coalition's most vocal opponent on the board shifted his stance. The Supervisor agreed to vote in favor of the policy and even proposed to increase inspections from one year to two per year. A little competition between counties can be helpful.

▶ Check out the Center's Resources at organizingtoendtobacco.org

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"Tips for Engaging & Retaining Coalition Members"

Keep your coalition engaged

There is no telling how long a campaign could last. Whether it is five months or five years, it is essential to keep your coalition engaged and invested for the life of the campaign. While the San Mateo Coalition had its ups and downs, they demonstrated impressively consistent efforts over three years. To keep their coalition members engaged for the long-haul, coalition leaders hosted monthly coalition meetings, involved members in key strategy decisions, and clarified the value each member provided to the cause. Members provided insight and analysis from a community-member perspective and were empowered to speak up regarding strategy and next steps. Just as important, coalition members would periodically reaffirm commitment to the strategy encouraging each other to stay focused on the desired outcome(s).

Success

Eventually, the community voice resonated with policy-makers and mobilized them into action to support a new policy, which outweighed any opposition from opponents, including those that argued County Departments didn't have the capacity or funding to enforce the TRL. As discussions changed from whether it would happen to how it would happen, the coalition had much to celebrate. Over three years and five drafts later, which had built-in funding to fulfill capacity needs of Staff, the County Board of Supervisors unanimously passed the new TRL in May of 2023. The Coalition continues to support the implementation by working with incorporated jurisdictions to adopt the County's Ordinance and enter the County's compliance program.



For more information about this coalition, go to www.smchealth.org