

State and Local Lawmakers' Awareness of Tobacco Industry Racketeering

Potential Effects on Support for Tobacco-Related Laws, Refusing Industry Influences

INTRODUCTION

Internal tobacco industry documents show tobacco companies have heavily influenced public policy for at least six decades. In 2006, a federal court ruled that tobacco companies – including Altria, R.J. Reynolds, and Phillip Morris USA – had committed at least 145 distinct acts of racketeering and would likely continue to commit fraud. After 11 years of legal appeals, publication of court-ordered “corrective statements” began in late 2017. This study examined lawmakers’ awareness of tobacco industry racketeering and how increased awareness may affect tobacco-related policies.

METHODOLOGY

In May and June of 2018, state legislators (n = 7,327) from all 50 U.S. states and councilmembers and mayors (n = 3,930) from all 456 U.S. cities with populations >75,000 were invited by email to take an online survey. A random sample of 1,815 non-respondents received one reminder phone call. A total of 436 lawmakers (195 state/241 local) completed the 10-minute survey. After reading the statements and court findings, lawmakers participating in the survey answered questions about a broad range of current or proposed tobacco-related laws as well as examples of tobacco industry interference in lawmaking. Calibration weighting was used to further address the potential of non-response bias.

SUMMARY RESULTS

- Regarding federal court findings, only 35.1% of lawmakers reported being aware that tobacco companies had violated civil racketeering laws and only 35.8% reported being aware the companies were found likely to continue committing fraud. Overall, reported awareness was less than 80% for 9 of the 10 federal court findings surveyed.
- Regarding the court-ordered statements, awareness was lowest for “smoking kills, on average, 1,200 Americans every day” (42.7%); that “more people die every year from smoking than from murder, AIDS, suicide, drugs, car crashes, and alcohol combined” (43.6%); that “secondhand smoke kills over 38,000 Americans each year” (49.9%); and that “‘low tar’ and ‘light’ cigarette smokers inhale essentially the same amount of tar and nicotine as they would from regular cigarettes” (52.1%). Overall, reported awareness was less than 80% for 12 of the 18 court-ordered statements.
- There was strong support for all 14 of the tobacco control policies surveyed. Support was highest to “fund programs to help prevent youth from smoking and to help smokers quit” (88.7%) and to “ban smoking inside all public places and workplaces, including restaurants and bars” (85.3%). Two-thirds of lawmakers (68.3%) reported they were more likely to “support the adoption of stronger tobacco-related laws after reading the statements and court findings.”
- Most lawmakers didn’t think they should “trust tobacco companies as much as they trust other companies” (77.6%) or “trust tobacco company lobbyists to provide accurate information on tobacco issues” (70.8%). Few thought “tobacco companies are now taking responsibility for the harm caused by smoking” (11.8%). Most thought they should refuse “campaign contributions from tobacco companies (58.4%), campaign contributions from tobacco company lobbyists” (60.2%), and “meals or other gifts from tobacco company lobbyists” (65.9%).
- Less than one out five lawmakers thought they should “allow tobacco companies or tobacco company lobbyists to help write laws” (18.4%). Regarding current tobacco-related laws written or influenced by a tobacco company or tobacco company lobbyist, very few lawmakers thought they should “leave the law as it is” (6.0%) while three out of five thought they should either “revise the law” (41.3%) or “remove the law and start over” (20.0%).

CONCLUSIONS

Increased awareness among lawmakers of the federal racketeering verdict and court-ordered corrective statements may aid efforts to remedy decades of tobacco industry misinformation and interference in tobacco-related lawmaking.