

Casino smoking foes face deadline

Written by Administrator

Sunday, 29 September 2019 03:58 -

PINE BLUFF -- The clock is counting down toward a deadline to get a referendum on the Pine Bluff ballot that would make Saracen Casino Resort a nonsmoking casino.

Council Member Bruce Lockett, sponsor of the referendum, said this will be his last attempt to find a political solution to the issue of secondhand smoke in what will be one of Pine Bluff's largest employers, if not the largest.

Lockett has until Thursday to gather 2,000 signatures of registered voters in Pine Bluff in an effort to place the issue on the ballot in Pine Bluff in November 2020. He expressed optimism that the petition drive will ultimately be successful, but he admitted that the effort, to this point, has been an uphill struggle.

"I've done some checking around and I think we've got the first 500 signatures confirmed but we've probably still got a few more to check to see how close we're coming," Lockett said. "It's coming a little slower than anybody expected, but we're still going to be optimistic that we can get our numbers."

[\[RELATED: See complete Democrat-Gazette coverage of casinos in Arkansas at arkansasonline.com/casinos\]](http://arkansasonline.com/casinos)

According to the American Nonsmokers' Rights Foundation, 100% smoke-free gambling facilities are required by the laws of 24 states: Arizona, California, Colorado, Connecticut, Delaware, Florida, Illinois, Kentucky, Louisiana, Maine, Maryland, Massachusetts, Minnesota, Montana, Nebraska, New York, North Dakota, Ohio, Oklahoma, Oregon, South Dakota, Texas, Washington, and West Virginia. In the rest of the states, either no laws cover smoking in casinos or casinos aren't allowed.

Lockett said two issues are driving the difficulty in getting signatures on the petition, both of which, he said, have to do with the fact that the casino has not yet been built.

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"In other cities that have smoke-free casinos, usually the workers who work in the casinos themselves are driving it," he said. "But, since we don't have a casino, there's no workers to object to the smoke because there's no environment with the smoke in it to object to."

Lockett said drumming up public support for the issue has been problematic for the same reason.

"People around here who have been to a casino have never been to a smoke-free casino," he said. "They don't know what it's like to not have to deal with second-hand smoke."

Lockett had intended to introduce the petition at a town-hall-style meeting arranged by two University of Arkansas at Pine Bluff entities, the Minority Initiative Sub-Recipient Grant office and the Minority Research Center on Tobacco and Addictions, both of which had received a portion of Arkansas Tobacco Settlement funds to address the effects of smoking in minority communities.

But that meeting was abruptly canceled without explanation the night before it was to take place.

On the evening of the scheduled town hall, Sept. 10, the *Arkansas Democrat-Gazette* was told the meeting had been postponed to a later, unspecified date. That information came from Dr. Marian Lothery, head of the the Minority Initiative Sub-Recipient Grant office.

The town-hall meeting, titled "What's the Real Cost of Keeping Secondhand Smoke in Casinos?" was outlined in a work plan submitted in February by the Minority Initiative Sub-Recipient Grant office as part of a public information campaign in a \$1.3 million contract executed between the University of Arkansas at Pine Bluff and the Arkansas Department of Health, according to an email from Lothery to Dr. Mansour Mortazavi in the university's chemistry and physics department.

MEETING CANCELED

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According to a series of emails obtained through a Freedom of Information Act request by the *Arkansas Democrat-Gazette* between Mortazavi, Lothery, Dr. Valandra Oliver and Earnette Sullivan with the university's Minority Research Center on Tobacco and Addictions, and Chancellor Laurence Alexander, the town-hall meeting was canceled, not postponed, and the order to cancel the town-hall meeting came from Alexander.

In an email dated Sept. 9, sent at 5:03 p.m. by Mortazavi to Oliver and Sullivan, Mortazavi said, "The public events or interviews on behave [sic] of 15% Set Aside MUST be approved by Dr. Calvin Johnson or by the office of the Director in advance. When we talk in public forums, it will be considered the University's position not an individual's preference, especially the city council have already made six to one decision in favor of it. These after the fact activities puts the University at odds with the City Officials and Casino Managements."

In a subsequent email that same evening, sent at 11:12 p.m., Alexander said, "Because a 'Town Hall' on the settled issue of permitting smoking in the new casino would put the university in an awkward position unnecessarily and possibly damage the institution's relationship with the casino and the City of Pine Bluff, I am directing the sponsors to cancel the event."

In an interview, Alexander defended his action and questioned the timing of the meeting, saying that, to hold a town hall meeting after the City Council had effectively settled the issue with a vote, would be tantamount to lobbying, which is prohibited according to the terms of the contract.

"The casino has been talked about for a year or more so we've had plenty of time to talk about smoking and casinos," Alexander said in the interview. "This one seems to have occurred after the fact. What I mean by that is that this one was scheduled on Sept. 4, so the town hall would not have happened until after the City Council voted it down."

However, in an email to Mortazavi on Sept. 10, Lothery indicated that holding the meeting prior to a vote of the council could possibly be considered lobbying.

"Any activities done before any vote of any group, may be misconstrued as lobbying," Lothery wrote, "which we are not allowed to do."

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MATTER OF OPINION

When the *Arkansas Democrat-Gazette* questioned the assertion that holding a town hall meeting after the City Council had already decided the matter would be an influence of public policy, since the matter was already decided, Alexander said in the interview, simply, "Well, that's your opinion."

Asked why he wrote in his email that holding the town hall meeting could possibly damage the University of Arkansas at Pine Bluff's relationships with Saracen Casino and the city, Alexander said in the interview that no pressure had been brought to bear on the matter by either entity.

"I didn't study the matter, I just used good judgment," he said. "The matter was settled. The judgment at that point was, if the matter was settled, why would the university have not put on this event prior to the council's vote? Why, all of sudden, would the university try to jump into the middle of the fray and really influence public policy in that way?"

Carlton Saffa, spokesman for Saracen Casino Resort, said that although casino officials oppose any effort to make the casino a nonsmoking facility, no pressure was exerted by casino officials in the matter.

"Did we call them?" Saffa said. "I have had zero conversations with UAPB about smoking, smoking cessation, about that meeting. If somebody leaned on them, it wasn't anyone in our management structure."

Saffa suggested that Alexander's concern may have been because of the casino's stated opposition to a smoking ban.

"All I can say is perhaps they perceived that we don't like smoking bans," he said. "They're right. Maybe they're being over cautious but nobody called in an air strike to say stop the meeting."

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Dr. Joe Thompson, former surgeon general for Arkansas and current CEO of the Arkansas Center for Health Improvement, in an emailed statement, expressed disappointment with the way the matter has been handled, both by the city and by the university.

"There is no safe level of secondhand tobacco smoke exposure in an enclosed space," Thompson said, citing a study by the American Society of Heating, Refrigerating, and Air-Conditioning Engineers, which concluded that the only means of effectively eliminating health risks associated with indoor exposure is to ban smoking.

"Given the health burdens experienced by the Pine Bluff community, it's disappointing that the community now twice has been thwarted in their ability to have a conversation both in the City Council meeting and apparently in this scheduled but abruptly canceled town hall meeting."

State Desk on 09/29/2019

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