

# Local Comprehensive Clean Indoor Air Ordinance in Texas

## Overview

<b>Healthy People 2010 Objectives</b>	Establish smoke-free indoor air laws that prohibit smoking or limit it to separately ventilated areas in public places and worksites in every state and the District of Columbia. Increase the proportion of worksites with formal smoking policies that prohibit smoking or limit it to separately ventilated areas. Reduce the proportion of nonsmokers exposed to environmental tobacco smoke (ETS).
<b>OSH Indicator</b>	Proportion of jurisdictions with public policies for smoke-free workplaces, including smoke-free restaurants, bars, and other public places.
<b>City/County/Other</b>	El Paso
<b>State</b>	Texas
<b>Goals</b>	Eliminate Exposure to Secondhand Smoke
<b>Components</b>	Community Policy and/or Program Interventions Program Policy
<b>Areas of Policy and/or Program Intervention</b>	Clean Indoor Air Policies Local
<b>Audience/Population</b>	General Public Hispanics/Latinos Urban

## Policy/Program Objectives of the Intervention

Enact a comprehensive smoke-free ordinance covering workplaces and public places in the city of El Paso.

## Description of the Intervention

The El Paso ordinance is designed to protect nonsmoking employees and patrons from the health effects of secondhand smoke in workplaces and public places. The ordinance covers all workplaces and public places, including restaurants, bars, bingo facilities, and bowling alleys.

## Personnel/Key Players/Resources Required for Conducting the Intervention

The A Smoke-Free Paso del Norte Coalition includes a wide array of representatives from public agencies, voluntary health agencies, community-based and youth-serving organizations, and the faith community. Key members include the American Cancer

Society (which provided the campaign coordinator) and the American Heart and American Lung Associations, Community Voices Tobacco Control Program (a project funded by the WK Kellogg Foundation and the American Legacy Foundation), the state and local health departments, local law enforcement, local hospitals and community clinics, Planned Parenthood, the Independent School Districts and the Region 19 Education Center, a coalition of churches, and faculty from the University Health Sciences Center. The Coalition also recruited people harmed by their exposure to secondhand smoke in public places and workplaces.

### **Place Where the Intervention was Conducted**

El Paso, Texas, is the largest border city in the United States; on the other side of the Rio Grande River is El Paso's sister city, the booming metropolis of Ciudad Juarez, Mexico (fifth largest city in Mexico). With a population of 679,000, El Paso is the fifth largest city in Texas. It is a relatively poor city (10th poorest in the United States), with the highest percentage of residents without health insurance in the nation (37%). Seventy-eight percent (78%) of El Paso's residents are Hispanic/Latino.

The Fort Bliss Army base and the University of Texas at El Paso are two important institutions that play a large role in the life of the community.

In 1995, Las Cruces, New Mexico, passed a smoke-free workplace restaurant ordinance. Located 35 miles from El Paso, the Las Cruces ordinance created a supportive environment for smoke-free policies, further solidified when Las Cruces strengthened its ordinance again in 1997. The Tobacco-Free Las Cruces Coalition provided invaluable assistance to the El Paso Coalition as it began its own campaign.

### **Approximate Time Frame for Conducting the Intervention**

The El Paso smoke-free ordinance effort began in November 1994, when the El Paso Tobacco/Smoke Free Coalition presented a proposal to strengthen the city smoking ordinance to the El Paso City-County Health and Environmental District. Although the Health and Environmental District approved the proposal, this initial ordinance campaign faltered in the City Council (Health and Environmental District policies must be approved by the City Council). In March of 1996 the City tabled the proposed ordinance indefinitely.

The coalition did not abandon its goal of passing a comprehensive smoke-free ordinance. With funding for a four year comprehensive tobacco control project from the Paso del Norte Health Foundation, the coalition formed as the A Smoke-Free Paso del Norte Coalition in April 2000. The coalition planned to organize a 2-year public education and grassroots campaign with the goal of passing an ordinance in 2003. However, the coalition's hand was forced when the El Paso City-County Health and Environmental District announced in September 2000 its intention to introduce an ordinance in October. The coalition prevailed upon the Health and Environmental District to slow the process down, to allow the coalition more time to educate and organize. The Health and

Environmental District eventually held its public hearing in April of 2001, sending the ordinance to the city council for approval. After a preliminary discussion of the ordinance in April, the city council delayed formal action on the ordinance, because the city council election season began to heat up. The ordinance was passed after city elections, including a run-off for Mayor, on June 26, 2001. In all, the ordinance campaign took about 10 months.

### **Summary of Implementation of the Intervention**

In November 2000, the coalition formed a Clean Indoor Air Ordinance Task Force to serve as the core team, responsible for day-to-day campaign operations (approximately 10 – 15 members). The Task Force spent a couple of months educating itself on secondhand smoke issues and city council politics. In the spring of 2001, Task Force members attended two trainings on organizing local ordinance campaigns. Based on their research and training learnings, the coalition developed a strategic plan to guide their campaign. Because of the short time frame, community education and grassroots mobilization activities were virtually simultaneous.

Task Force members made community presentations to educate the public and recruit new supporters, and identified a strong champion on the city council. The Task Force developed a youth smoke-free coalition, whose efforts were deemed vital to the success of the ordinance. Youth were recruited via the independent school districts.

Grassroots activities included a letter writing campaign to the El Paso Times (more than 7,000 letters were sent), a petition gathering effort, multiple meetings with City Council members, and (once the election season was in motion) attending candidate forums. The coalition also conducted a proactive media advocacy campaign, including a youth rally the day of the council's vote. The coalition produced an educational TV spot on secondhand smoke, and ran one paid print lobbying advertisement shortly before the vote. Although the coalition had planned to conduct a poll, this was rendered moot when the local media (the El Paso Times and the ABC affiliate) ran their own poll.

On June 26, 2001, the El Paso City Council voted 7 to 1 in support of the proposed ordinance.

After the ordinance passed, the coalition worked with the Health and Environmental District to develop an educational packet to be sent to 18,000 El Paso businesses.

### **Summary of Evaluation/Outcome of Intervention**

In February 2002, one month after the ordinance went into effect, the El Paso Times and the ABC affiliate (KVIA) sponsored an opinion poll. The poll found solid support for the new ordinance; 93 percent indicated that they would go out to restaurants and bars the same (49%) or more (44%) as a result of the ordinance.

In December 2002, 11 months after the ordinance went into effect, the Paso del Norte Health Foundation sponsored a household telephone survey which also found strong support for the ordinance; after a full year of implementation 78.5 percent indicated they supported the ordinance, and only 10.9 percent opposed it (the rest reported no opinion). Although general knowledge about the existence of the ordinance was high, familiarity with the specifics was spotty.

In March 2003, the mayor's office conducted an analysis of the economic impact of the ordinance on the city's hospitality industry, using sales tax receipts reported to the Texas State Comptroller and Texas Workforce Commission data. Data for the first two quarters of 2002 indicated that total sales subject to state sales tax in eating and drinking establishments continued to grow at a steady pace compared to that period in previous years (despite a sluggish national economy). The number of persons employed as waiters or waitresses also increased by 300 people, from 2001 to 2002 (Texas Workforce Commission).

### **Intervention's Applicability/Replicability/Recommendations for Other Sites**

The El Paso campaign is an excellent example of a grassroots campaign. It relied on direct organizing to identify, recruit and mobilize supporters, and involved relatively little paid media or paid advocacy efforts. The broad lessons from this campaign are transferable to other communities. In addition, the El Paso Coalition serves as a model for developing a diverse, representative coalition in a predominantly Mexican American community.

The only caution to coalitions considering the El Paso experience is that the time frame to educate the community and organize grassroots support was considerably compressed because of factors outside the coalition's control. Ideally, coalitions will have more time to educate the public and decision makers, and recruit and mobilize grassroots supporters.

### **Overview Notes**

This case study was written by Robin Hobart, an Office on Smoking and Health Consultant, in November of 2003.

# **Local Comprehensive Clean Indoor Air Ordinance in Texas**

## **Planning**

### **Was a needs assessment completed?**

No

### **Approach Used**

N/A

### **Planning Models Used**

The coalition relied on models developed and published by Americans for Nonsmokers' Rights (ANR) Clearing the Air: Citizen Action Guide and CDC's Best Practices for Comprehensive Tobacco Control to develop a clean indoor air campaign. In 2000, members of the coalition attended the CDC's Summer Institute course on Clean Indoor Air.

It should be noted that the coalition's original plan was to conduct a 2-year campaign—beginning with a comprehensive community education campaign, followed by a grassroots mobilization and media advocacy campaign once the ordinance was introduced. In September 2000, the El Paso City/County Health and Environmental District announced that it intended to consider an ordinance in October effectively scrapped.

The coalition quickly established a smaller ordinance task force, a core team to direct the day-to-day operations of the campaign (about 10 – 15 members). The task force began with a two month crash course to educate itself, dividing into research subcommittees that regularly reported back to one another. Task force members gathered information on the key issues they expected to be raised during the campaign (e.g., health effects, economic impact, experience in other cities, countering opposition tactics, etc.), assembling a binder of materials that was eventually provided to all city council members. The task force also researched local government issues (e.g., history of current ordinance, city charter, roles of city staff including the city manager, attorney, and clerk, members' voting records, etc.).

The coalition sought information and technical assistance from ANR, the CDC, the Texas State Department of Health, the Tobacco-Free Las Cruces (NM) Coalition, the voluntary health agencies, as well as other local coalitions across the country with experience passing local smoke-free ordinances. In March of 2001, ordinance task force members attended an ANR "Back to Basics" ordinance training, and in April of 2001, Lawrence

Banegas of the New Mexico Department of Health conducted training on "Mobilizing the Community."

The task force developed a strategic plan to guide their campaign, drawing from their research and training. Because of the short time frame, community education and mobilization activities were almost simultaneous.

### **Planning Notes**

During the early phases of the campaign, coalition members discussed what provisions to include in the ordinance. The coalition decided after discussion and debate to draft a comprehensive ordinance creating full protection from secondhand smoke in ALL workplaces, which meant including free-standing bars. Although including free-standing bars was a radical idea for its time, the coalition considered it vital to promote a comprehensive workplace ordinance for two reasons. First, El Paso is a relatively poor community, with a large number of blue collar and hospitality workplaces – the types of workplaces least likely to voluntarily protect workers from secondhand smoke. Second, a large percentage of El Paso's restaurant and bar workers are recent immigrants from Mexico; they are unlikely to know about the dangers of secondhand smoke, much less ask for protection.

The coalition countered criticism of the free-standing bar provisions by staying on message that secondhand smoke is a health hazard that affects all workers, and all workers deserve protection. The coalition also pointed out that a comprehensive ordinance creates a level playing field; exempting some workplaces but not others might offer an unfair competitive advantage to the free-standing bars over restaurants and bars attached to restaurants.

Publicly, the coalition never wavered from this position. Privately, the coalition understood that local elected officials might seek political compromises, and reached agreement about their bottom-line requirements (i.e., at what point they would withdraw support for the ordinance, preferring nothing to pass rather than a seriously compromised ordinance riddled with exemptions). The ordinance's sponsor held fast to the coalition's vision of a comprehensive workplace ordinance to protect all workers—his motto of "no compromise" ultimately prevailed.

## **Implementation**

### **Implementation Level**

Local

### **What is the policy and/or program intervention designed to do?**

The El Paso ordinance is designed to protect nonsmoking employees and patrons from the health effects of secondhand smoke in workplaces and public places. The ordinance covers all workplaces and public places, including restaurants, bars, bingo facilities, and bowling alleys.

### **Explain the implementation of the policy and/or program intervention.**

The coalition formed a Clean Indoor Air Ordinance Task Force to serve as the core team, responsible for developing a campaign plan and directing day-to-day campaign operations (approximately 10–15 members). The coalition developed a job description for task force members, clearly spelling out responsibilities and time commitment.

The coalition strategically recruited key community leaders and gate keepers to join the task force. In addition to the voluntary health agencies, key supporters included Community Voices Tobacco Control Program (a project funded by the WK Kellogg Foundation and the American Legacy Foundation), the state and local health departments, local law enforcement, local hospitals and community clinics, Planned Parenthood, the Independent School District and the Region 19 Education Center, a coalition of churches, faculty from the University Health Sciences Center, a waiter/bartender, and a supportive (behind-the-scenes) local restaurant. The Tobacco-Free Las Cruces Coalition mentored the task force in the early stages of the campaign.

The coalition also developed a Youth Coalition, recruiting young people with the help of the independent school districts. The young people set three goals for themselves: (1) generate letters to the editor; (2) hold a rally on the day of the city council's public hearing; and, (3) testify at the public hearing.

In April 2001, the El Paso City/County Health and Environmental District held its public hearing on the ordinance. The district passed the ordinance and sent it on to the city council for consideration. Council member Larry Medina attended this hearing. Councilman Medina emerged as the ordinance champion at the first council discussion of the ordinance in April. The council delayed scheduling a formal hearing on the ordinance for several months, because of upcoming city elections.

The coalition launched a letter-writing campaign to the El Paso Times, which generated more than 7,000 letters (copies of letters were sent to the city council). Members of the youth coalition were vital contributors to the letter-writing campaign. The coalition

conducted a proactive media advocacy campaign educating reporters, monitoring media coverage, and following-up to correct any misinformation. The coalition's media efforts paid off, over the course of the campaign the El Paso Times ran 7 supportive editorial columns. In addition to media advocacy, the coalition placed some very limited paid media, airing an educational TV spot on secondhand smoke and running one paid print advertisement, both shortly before the council vote.

The coalition established a petition gathering effort, largely coordinated by a member who served on a local coalition of churches. Petitions were copied and provided to the entire city council.

The coalition held multiple meetings with council members, preferring to meet in teams of three: a coalition member, a constituent to talk about his/her personal experience, and a person known to have influence with the council member. Many organizations, particularly the public agencies and the ACS project funded by the Paso del Norte Health Foundation, could not directly lobby on behalf of the ordinance. However, they could, and did, engage in all educational activities. Those who could lobby included the voluntary health agencies and individual supporters. Throughout this process, the coalition remained in close contact with Councilman Medina, who kept them informed of behind-the-scenes lobbying and politicking. Once the election season was in motion, coalition members, including youth representatives, attended candidate forums.

The coalition developed a database of supporters, drawn largely from people who signed the petitions. Most action alerts were sent by e-mail, although the coalition also faxed and/or phoned supporters who didn't have e-mail access. In addition, the various organizational members of the coalition sent e-mail and direct mail action alerts to their members, staff, and constituencies.

Although the coalition had planned to conduct a poll, this was rendered moot when the local media (the El Paso Times and the ABC affiliate) ran their own poll, which found strong support for the ordinance (69% of registered voters overall, 77% of registered Hispanic voters).

On the day of the hearing, the Youth Coalition held a rally outside city council chambers. Youth also testified during the hearing, urging the council to consider the legacy they would leave for the next generation of El Pasoans. The coalition organized the testimony for the public hearing, giving each speaker a specific topic to cover (and reviewing the youth testimony). Speakers included respected physicians, youth, workers, asthmatics, and a city council member from Las Cruces to speak about that town's experience going smoke-free. The coalition packed the council chamber with supporters, wearing flashing buttons to visibly demonstrate their support for the ordinance.

On June 26, 2001, the El Paso City voted 7 to 1 in favor of the ordinance.

Following enactment of the ordinance, the local Restaurant Association seemed resigned to complying with the new ordinance. However, the bars organized and continued to



agitate against the ordinance, attempting to collect enough signatures to force the ordinance to a referendum. The coalition closely tracked this effort, which failed to collect enough valid signatures to qualify (in part because the petitions were not uniform in their language). Opponents also attempted to place the ordinance back on the city agenda for discussion. Coalition members monitored the council agenda, and sent representatives when the ordinance was listed. After opponents failed to show up twice after asking for discussion, the council stopped putting the issue on the agenda.

To prepare for the effective date, the coalition worked with the Health and Environmental District to develop materials for an educational mailing to 18,000 El Paso businesses. The packet included a letter from the Mayor and the Health and Environmental District Medical Director, no-smoking decals for businesses to display, an educational brochure developed by ACS, and a sample written no-smoking policy for businesses to share with employees developed by AHA.

## **Background**

The El Paso Tabaco/Smoke Free Coalition was formed in 1994. The same year, the coalition presented a proposal to strengthen the city smoking ordinance to the El Paso City-County Health and Environmental District. Although the Health and Environmental District approved the proposal, the ordinance faltered in the city council (Health and Environmental District policies must be approved by the city). In March 1996 the council tabled the proposed ordinance indefinitely.

Coalition members were ambivalent about the strength of the proposed ordinance. At that time, representatives from the El Paso Restaurant Association sat on the coalition and on the Health Board subcommittee formed to draft the proposed ordinance; their presence led to weaker smoking restrictions than the coalition had hoped for.

Despite the setback in 1996, the coalition did not abandon its goal of passing a comprehensive smoke-free ordinance. In January 2000, the American Cancer Society received a grant from the Paso del Norte Health Foundation to conduct a 4-year comprehensive tobacco control project. As part of this project, the coalition reorganized itself as the Smoke-Free Paso del Norte Coalition, and planned to organize a 2-year public education and grassroots campaign with the goal of passing an ordinance in 2003. However, the coalition's hand was forced when the El Paso City-County Health and Environmental District announced its intention to introduce an ordinance in September of 2000.

## **Evaluation**

### **Type(s) of Evaluation Planned or Conducted and Status**

#### **What is the status of your evaluation?**

Completed

#### **Do you address process evaluation?**

During the time the city council was considering the ordinance, the local media (the El Paso Times and KVIA, the ABC affiliate) sponsored an opinion poll. That poll, conducted in April 2001, found that more than two-thirds of those surveyed supported the ordinance.

#### **Do you address outcome evaluation?**

Coalition members consider the 7 to 1 vote in favor of the ordinance their strongest evaluation measure, compelling evidence of the success of their grassroots campaign.

That said, two types of more formal outcome evaluation were undertaken, measuring public opinion/attitudes/behaviors and economic indicators. A summary of enforcement activities was also assembled.

Two opinion polls were conducted. In February 2002, one month after the ordinance went into effect, the El Paso Times and KVIA sponsored an opinion poll, a follow-up to their April 2001 poll. In December 2002, the Texas Department of Health and Clearwater Research conducted a survey for the Paso del Norte Health Foundation, to measure El Paso residents' knowledge of and attitudes toward the ordinance after one year of implementation.

In March 2003, the Mayor's office conducted an economic impact analysis, to determine the ordinance's effect on the hospitality industry. He also summarized enforcement activities for the first year of the ordinance.

#### **Briefly describe the evaluation design.**

No information is available on the design of the opinion polls sponsored by the El Paso Times and KVIA (according to press reports, the February 2002 survey was of 300 registered voters in the city).

The survey conducted for the Paso del Norte Health Foundation consisted of items related to demographics, personal tobacco use behaviors, knowledge of and attitudes toward the ordinance, attitudes towards secondhand smoke, and behavioral intentions re: going to smoke-free venues. The survey used the city of El Paso as its sampling frame,

and used a truncated, list-assisted sample design with the household as the primary sampling unit. About 2,003 adults with telephones, living within the city limits of El Paso, were interviewed. The interviews were conducted in English or in Spanish, depending on the respondents' preference. The data were weighted for differing probabilities of selection, and post-stratified to reflect the adult population of El Paso.

The mayor's economic impact analysis compared rates of increase in the total amount of sales in eating and drinking establishments in fiscal Quarters 1 and 2 in years prior to the ordinance (2000 and 2001), with fiscal Quarters 1 and 2 of 2002 (the first two quarters the ordinance went into effect). He also compared employment statistics for 2001 and 2002 from the Texas Workforce Commission.

The summary of enforcement activities was based on information collected by the Police Department.

### **Data Collection Methods**

- Telephone Interview/Survey
- Other: Economic data collected by state agencies; complaints to, and citations issued by the police department

### **Data Source**

- Tax Revenue Data
- Other:
  1. Public Opinion polls conducted by the local newspaper (El Paso Times) and ABC-affiliate (KVIA)
  2. Telephone survey conducted for the Paso del Norte Health Foundation
  3. Employment statistics from the Texas Workforce Commission
  4. Citations issued and calls to the Police Department seeking enforcement

### **Range of Intended Outcomes**

- Behavior Change
- Policy Change
- Increased Knowledge
- Attitude Change
- Change in Norms

**List key evaluation findings and/or conclusions for each intended outcome.**

In February 2002, one month after the ordinance went into effect, the El Paso Times/KVIA poll of 300 registered voters found that 93 percent of respondents reported that they would go out the same (49%) or more often (44%) now that the ordinance was in effect.

In December 2002, one year after the ordinance went into effect, the Paso del Norte Health Foundation survey found that 78.5 percent of respondents indicated that they supported the ordinance, and only 10.9 percent opposed it (the rest reported no opinion). Although general knowledge about the existence of the ordinance was high, familiarity with the specifics was spotty. Nearly nine of ten respondents (87.9%) knew there was an ordinance, and over half (59.6%) knew that the ordinance banned smoking in bowling alleys. More than 7 in 10 knew that smoking was banned in restaurants, but less than 40 percent knew that bars were also required to be smoke-free.

The Paso del Norte Health Foundation survey also found a significant decline in adult smoking, from 22.1 percent in 1996 to 17.3 percent at the time of the survey (a 20% decline).

The mayor's economic impact analysis found that total sales subject to state sales tax in eating and drinking establishments continued to grow at a steady pace after the ordinance went into effect. Total sales for the first two quarters of 2002 increased by 4.4 percent, up slightly from the prior year's increase of 2.5 percent. The number of waiters and waitresses also went up, by 300, from 2001 to 2002.

The mayor also provided a summary of enforcement activities from January 2, 2002, through March 8, 2003. The summary showed that a total of 247 first offense citations and 1 second offense citation had been issued. In the first year, the police department received an average 15 calls a month asking for enforcement; in 2003 this increased to 22 calls per month. The police department believes this indicates that residents are becoming more aware of the ordinance.

**Were evaluation findings and/or conclusions disseminated to policy and/or program intervention stakeholders?**

Not surprisingly, the results of the polls sponsored by the media received print and TV-coverage. The coalition also included the results in materials shared with the council, and in its testimony.

The coalition shared the results of the Paso del Norte Health Foundation study with the city council, the police department (which enforces the ordinance), and the media.

Mayor Caballero's office held a press conference with the ordinance sponsor, Mayor Pro Tem Larry Medina, to release the results of the economic impact analysis, together with a summary of enforcement activities.

**Briefly describe how evaluation findings and/or conclusions were used to inform program planning or development?**

Evaluation findings could be used to refine policy and program intervention strategies, increase staff, technical assistance, and training.

**Evaluation Notes**

N/A

## Resources Required

Describe the individuals and groups whose paid or unpaid participation was essential.

- Business Community/Organizations—Individual Restaurants
- Coalition Members
- Community Leaders
- Medical and Health Professionals
- Policymakers—Board of Health
- Policymakers—City Council Person
- Public Health Professionals
- Public Health Professionals—Local Health Dept.
- Public Health Professionals—State Health Dept.
- Other—Community Voices (a Legacy Foundation-funded project); individual restaurant workers; Project TRUST (The Texas SmokeLess States project)

### Personnel

Title/ Position	Responsibilities/ Skills Required	Source	Hours/ Duration
<b>Coalition Coordinator</b>	The coordinator knew the El Paso community very well. Staffed the Coalition; coordinated all aspects of the ordinance campaign; oversaw advertising agency; acted as liaison in seeking technical assistance and support from advocates and organizations across the United States.	Volunteer American Cancer Society, Paso del Norte Health Foundation Project	Full-time during the course of the campaign
<b>Ordinance Task Force Members</b>	Task force members conducted research on clean indoor air/secondhand smoke issues, recruited supporters and endorsing organizations, served as media spokespersons, met with City Council members, and testified at public hearings. Task force members were asked to attend two trainings (ANR Back to Basics and Lawrence Banegas' Community Mobilization).	Volunteer	Some Task Force members worked almost full-time on the ordinance during the heat of the campaign, others volunteered 4-6 a month
<b>Intern</b>	Community Voices hired an intern to	Other: Intern	Full-time

**Personnel**

<b>Title/ Position</b>	<b>Responsibilities/ Skills Required</b>	<b>Source</b>	<b>Hours/ Duration</b>
	conduct research on ordinance issues. The intern, a masters of public health student working as a waiter, quit his restaurant job to become a fulltime paid intern for Community Voices in the summer of 2001. The Intern researched the economic aspects of a comprehensive ordinance, diseases associated with secondhand smoke, and the disparity in workplace protections.		
<b>Advertising Agency</b>	Produced and placed television and print ads.	Consultant	N/A

**Additional Staff and Information:**

The voluntary health agencies and Community Voices provided a tremendous amount of in-kind staff support to the ordinance effort, particularly to the task force.

**Materials/Resources Required**

There was a media campaign that was first and foremost a campaign to mobilize grassroots support, it did not rely much on expensive paid campaign elements. Beyond printing of fact sheets and materials for a resource binder, buttons for the hearing, and limited print and TV ads, the vast majority of the work consisted of people power.

The Coalition minimized costs by relying heavily on e-mail communications and action alerts to supporters. The grassroots database was maintained in Excel. The American Cancer Society provided information about the Smoke-Free Paso del Norte Coalition on its Web site.

The advertising agency provided pro bono work to develop the lobbying print ad. It also provided a \$1,000 discount on placement fees for the television ad.

## **Costs/Funding**

### **Budget**

Estimated labor costs	\$ 0.00
Estimated cost of materials, promotional efforts, printing, etc.	\$ 34500.00
Estimated total cost of conducting policy and/or program intervention	\$ 0.00

### **Budget Notes**

The Texas Division of the American Cancer Society provided the coalition with a \$5,000 grant to support printing (e.g., fact sheets, buttons) and postage costs associated with the campaign.

The coalition worked with an ad agency to produce the educational TV spot on secondhand smoke for \$2,000, plus \$8,000 to air the ad. TRUST for a Smoke-Free Texas (the Texas SmokeLess States project), provided a grant of \$2,500 to support placement of the print advertisement, which was developed on a pro bono basis by the ad agency.

Following enactment of the ordinance, El Paso City/County Health and Environmental District sent an educational mailing to 18,000 El Paso businesses. The American Cancer Society paid for the printing of an educational brochure (about \$2,000), the Health and Environmental District paid for nonsmoking decals to be posted by businesses (about \$3,000), and the Paso del Norte Health Foundation paid the mailing costs (\$10,000).

The ANR Back to Basics training cost approximately \$2,000, and Lawrence Banegas conducted his Community Mobilization training on a pro bono basis.

### **Funding Sources**

- Local Initiative
- RWJF SmokeLess States Grant
- Voluntary Agency/ American Cancer Society

### **Funding Notes**

The Paso del Norte Health Foundation's grant to the American Cancer Society supported the staff person who served as coalition coordinator, and paid for the ANR training, the educational TV ad, and the postage costs for the business mailing. The foundation's funds could only be used for educational efforts; they could not be used to support direct lobbying efforts.



The Texas Division of the American Cancer Society provided funding to support postage, printing and other materials development (e.g., copying materials for city binders, buttons for supporters to wear at the hearing, etc.).

Project TRUST (the Texas SmokeLess States Coalition) provided funding to run the print ad.

## **Timeline**

### **Planning**

- 1994 Tabaco/Smoke-Free El Paso Coalition formed.
- 1994–1996 First attempt to strengthen El Paso’s smoking ordinance.
- January 2000 Paso del Norte Health Foundation provides local American Cancer Society with 4-year grant to support comprehensive tobacco control project.
- April 2000 Coalition reorganizes as the Smoke-Free Paso del Norte Coalition.
- August 2000 Two coalition members attend the CDC Summer Institute course on Clean Indoor Air.
- September 2000 El Paso City/County Health and Environmental District announces intention to consider revisions to the El Paso smoking ordinance in October. Coalition prevails upon Health and Environmental District to slow down process.
- November 2000 Coalition meets with health and environmental district to discuss timeline. Coalition forms ordinance task force, begins recruiting members to the task force. Health and environmental district votes to draft an ordinance.
- December 2000 Task force divides into subcommittees to begin researching the issues and developing a campaign plan.

### **Implementation**

- January 2001 Health and environmental district drafts ordinance, drawn from the ANR model ordinance.
- January 2001 Coalition begins grassroots organizing to educate and recruit individuals and organizations to support the ordinance effort.
- January 2001 Letter writing campaign begun.
- March 2001 Coalition begins meeting with city council members to gauge interest and educate. Teams comprised of a task force member, a constituent, and a person with influence with the council member.
- March 26, 2001 Ordinance task force members attend ANR "Back to Basics" local ordinance training.
- April 2, 2001 El Paso City/County Health and Environmental District holds public hearing on the ordinance. Council member Larry Medina, eventual champion on the council, attends that hearing. Ordinance is passed and sent to the city council for consideration.
- April 26, 2001 Ordinance task force attends Lawrence Banegas training on "Mobilizing the Community."

- April 2001 El Paso Times and KVIA (ABC-affiliate) release poll results showing strong support for the ordinance.
- April 2001 Ordinance is presented to the council; Councilman Medina emerges as the ordinance champion.
- May 2001 City council elections held. Coalition members, including youth representatives, attend candidate forums.
- May 31, 2001 Run-off election held.
- June 18–26, 2001 Educational secondhand smoke TV ad airs.
- June 23, 2001 Print ad run in El Paso Times the Saturday before the council vote
- June 26, 2001 City council passes ordinance, 7 to 1. Youth rally held before the hearing.
- July–August 2001 Coalition asks supporters to send letters to the editor and personal letters thanking the council for passing the ordinance.
- September 2001 Bars circulate petitions in an unsuccessful attempt to force a referendum on the ordinance.
- November–December 2001 Coalition collaborates with the health and environmental district to send an educational mailing to 18,000 El Paso businesses (mailed December 15, 2001).
- January 2, 2002 Ordinance goes into effect.

### **Evaluation**

- February 2002 El Paso Times/KVIA release follow-up poll.
- December 2002 Paso del Norte Health Foundation conducts poll.
- March 17, 2003 Mayor Caballero holds press conference to release results of economic impact analysis.

## **Lessons Learned**

### **What were the important elements to the intervention's success?**

A collaborative, unified approach throughout the campaign. The coalition's motto could be described as "check your organizational turf and egos at the door" – everyone was working toward a common goal. There must be a unified approach to this type of campaign. It cannot be led by one agency, but rather it must be community-based and owned.

Sought training on policy and media advocacy for the coalition's ordinance task force members. Received technical assistance and support from ANR, the CDC, the voluntary health agencies, and from other local coalitions with experience working on smoke-free ordinances (in particular, the Las Cruces NM coalition).

Built a diverse coalition, drawing from many sections of the community (e.g., health groups, law enforcement, educational groups, church groups, public agencies).

Youth component. The coalition recruited and developed youth leaders and empowered the youth coalition to set its own goals for the ordinance campaign. The youth were vital to the letter-writing campaign, held a rally the day of the council vote, and their testimony at the public hearing was extremely persuasive to city council members.

Found and cultivated a strong champion on the city council. Councilman Medina was passionate and enthusiastic in his support for the ordinance, stayed in close communication with the coalition about developments and strategy, and brooked no compromises.

Proactive efforts with the media. The coalition developed key speaking points and distributed them to committed activists. It provided the media with background information, facts, and statistics and monitored media coverage (responding immediately to any negative press). A letter-writing campaign to the local paper generated more than 7,000 letters to the editor (letters were cc:d to the City ).

### **Describe the policy and/or program interventions applicability/replicability to other sites, and include recommendations for other sites.**

The El Paso campaign is an excellent example of a grassroots campaign. It relied on direct organizing to identify, recruit and mobilize supporters, and involved relatively little paid media or paid advocacy efforts. These broad lessons from this campaign are transferable to other communities. In addition, the El Paso Coalition serves as a model for developing a diverse, representative coalition in a predominantly Mexican American community.

The only caution to coalitions considering the El Paso experience is that the time frame to educate the community and organize grassroots support was considerably compressed, due to factors outside the Coalition's control. Ideally, coalitions will have more time to educate the public and decision makers, and recruit and mobilize grassroots supporters.

**Describe the challenges faced, and below each challenge, describe any solutions used to correct or reduce the problem.**

Challenge: The ordinance was launched by health and environmental district well in advance of the coalition's readiness to run a campaign. The coalition had planned to spend more than a year educating and organizing before formally introducing an ordinance before the city council. The campaign also was overtaken by city Council elections.

Solutions: Worked with the health and environmental district to slow down its process as much as possible. Was clear with people recruited to the ordinance task force that it was a serious time commitment. Met several times a week to adjust campaign activities based on recent events. Attended candidate forums to keep support for the ordinance visible.

Challenge: Business community saying "you have no right to regulate; you're imposing on business and private property rights."

Solutions: Got hospitality workers involved to shift the focus back to the health issues. Rhetorical response to this is "The government already regulates business to protect public health, that's why we have things like food handling and fire safety laws, this isn't any different."

Challenge: Occasional inaccurate coverage in the press.

Solutions: Followed-up with reporter, provided the facts to set the record straight.

Challenge: Volunteers who were passionate, to the point of being aggressive and confrontational.

Solutions: Emphasized "facts not emotion" with volunteers. While passion is good, and personal stories compelling, The coalition trained volunteers how to stay on message and helped them see that being aggressive and confrontational harmed their cause. Developed a one-page fact sheet with speaking points to help volunteers focus and stay on track.

**What would you have done differently?**

Tried harder to recruit supportive restaurant and bar owners to talk to the media and city council members.

## **Lessons Learned Notes**

Several key coalition member organizations could not directly lobby (i.e., urge council members to vote a particular way on a pending ordinance). This included public agency staff (e.g., local and state health departments), and the coalition coordinator, whose position was funded through the Paso del Norte Health Foundation grant to ACS. However, a tremendous amount of the organizing work to support the ordinance was educational, not direct lobbying. And the coalition included members who could, and did, lobby (e.g., the voluntary health agency staff, individual citizens, etc.). When seeking funding, consider carefully the potential restrictions on activity that may come with that funding. Make sure that some members of the coalition are not prevented from lobbying due to funding constraints.

Don't have a "citizen's committee" write the ordinance. This observation is based on the coalition's experience with the 1994 attempt to strengthen the ordinance, when representatives from the local restaurant association were on the coalition and on the health and environmental district subcommittee that drafted the proposed revisions. Their presence significantly weakened the provisions.

## References/Deliverables

- *Clearing the Air: A Citizens Guide to Action, American for Nonsmokers' Rights* (510 841-3032).
- El Paso Ordinance Task Force Core Member Job Description.
- *Model Smoke-free Ordinance, Americans for Nonsmokers' Rights* (download from website at [www.no-smoke.org](http://www.no-smoke.org)).
- PowerPoint presentation: *El Paso: Star of Texas—The Passage of a Smoke-Free Ordinance*, prepared by Pat Ayala, Luan Coalwell.
- Press Release, Mayor Caballero's Office (March 17, 2003): *The Smoking Ban: A Year in the Life of an Ordinance (economic impact analysis)*.
- *Settling the Smoke: Status Report on Adult Smoking in El Paso*, Final Report, conducted by the Texas Department of Health and Clearwater Research for the Paso del Norte Health Foundation.
- Video tape presentation: *Protegiendo el aire de sus hijos y de su comunidad: How One Latino Community Banned Indoor Smoking*, available from the National Latino on Alcohol and Tobacco Prevention, 202 265-8054.