

News

Middletown smoking ban sparks dispute Middletown's new law angers many smokers

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Americans may be enamored of the sharply dressed chain-smokers of the TV drama "Mad Men," who can smoke anywhere they want. But in real life, for smokers, there are fewer places where they can light up.

Middletown voted to ban smoking in two parks and 30 feet from any city playground on Monday. The City of Kingston prohibits smoking outside City Hall, and Port Jervis and Tuxedo forbid smoking in their parks and playgrounds.

Middletown's new law includes fines of up to \$150 and jail time for repeat offenders, and it passed without a single person speaking against it at Monday's meeting. Respondents to a Recordonline.com poll split 50-50 out of 1,657 votes.

"It's a little law that has brought a lot of attention," said Middletown Mayor Joe DeStefano. He says the feedback he's received has also been divided.

Health groups triumphed

POW'R Against Tobacco, a state-funded group working to reduce tobacco use, and the Orange County Department of Health were instrumental in establishing the law, meeting with the mayor and Common Council.

"We're providing the signs for the park and we provided the city with sample resolutions," said Meghan DuBois O'Connor, the Orange County coordinator for POW'R.

DeStefano proposed penalties be added to the resolution. "If we were going to pass it, we needed to give it teeth," he said. But he doesn't expect to have to use those teeth to bite. He says enforcement will mostly involve park security politely asking people to put out their cigarettes. Since the signs are being provided, the cost of the smoking ban to the city is next to nothing.

Gary Nolan, director of the Citizens Freedom Alliance Inc. Smoker's Club, thinks smoking restrictions like Middletown's are based on "junk science." He says concentrations of second-hand smoke don't rise to the danger level in most situations.

"What's next? Do we ban obese people because we can't expose children to them?" Nolan asked.

Goal was to protect children

The Middletown Common Council, however, sees the ban as a matter of public health and a way to protect children from second-hand smoke. In this they are backed up by not only POW'R and the county health department but also the American Cancer Society, the Centers for Disease Control and Prevention and the American Lung Association.

A legal settlement reached with the major tobacco companies in 1998 dismantled most of Big Tobacco's lobbying. At the same time, anti-smoking groups became better funded and more effective.

But Michael Siegel, a professor at Boston University's School of Public Health and an anti-smoking activist, is concerned that some overzealous groups could damage the credibility of legitimate efforts to protect people from second-hand smoke. Siegel said the intent of Middletown's ban was reasonable, but he added that imposing jail time would enforce a criminal penalty on an offense that only rises to the level of a parking violation.

"We should always base policy on scientific evidence of adverse health effects," he said. "Anything beyond that and (smoking restrictions) become an ideology."

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