

California Democrats accepting more campaign cash from tobacco industry

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<http://www.sacbee.com/2014/08/02/6601133/california-democrats-accepting.html> .

Democrats in the California Capitol have become increasingly willing in recent years to take money from cigarette companies, a source of campaign funding that was once so controversial it remains shunned by their state party organization.

Donations from the nation's two major cigarette companies to Democratic candidates for the Legislature and other California offices more than quadrupled over the last five years, a Sacramento Bee analysis of campaign finance data shows.

In 2009, Altria and R.J. Reynolds gave \$43,300 to Democrats, 14.7 percent of the money they put into the campaign accounts of California politicians. Last year, they contributed \$196,100 to Democrats, 46.6 percent of the money the industry gave to all state candidates.

The shift came as the Legislature, dominated by Democrats, quietly rejected several bills aimed at reducing smoking and the illnesses that come with it. Legislation to ban smoking on public school campuses, in apartment buildings, and at state parks and beaches withered in committee. Proposals to raise taxes on cigarettes went nowhere. One bill to limit Internet sales of electronic cigarettes was shelved, while another originally meant to restrict use of electronic cigarettes was rewritten to allow them to be sold from vending machines in bars.

Anti-cancer advocates say it's no coincidence that tobacco-control policies are stalling as Democrats accept more of the industry's money.

"There was a time when tobacco money was radioactive, but over the years it has become acceptable," said Jim Knox, vice president of government relations for the American Cancer Society Cancer Action Network.

The Legislature's lack of action on many anti-smoking measures, he said, "correlates with an increasing trend to accept contributions from tobacco companies."

Tobacco stigma lifting?

The tobacco industry, which expanded in recent years to include vapor-filled electronic cigarette brands, has long been a big political spender. Altria and R.J. Reynolds together put more than \$127 million into California politics since 2000, much of it to fight ballot measures to raise taxes on cigarettes or to committees that mount campaigns independent from specific candidates.

The cigarette companies declined to answer questions about how they target political contributions or why donations to California Democrats are on the rise. Altria spokesman David Sutton touted his company's record of disclosure, pointing to a Web page that lists its political spending in every state.

Republicans received most of the \$4.9 million the two cigarette companies have given directly to candidates for the Legislature and other California offices since 2000. Every sitting Republican state legislator received campaign money directly from Altria and R.J. Reynolds. The companies also gave \$3.9 million since 2000 to the California Republican Party.

But for the Democrats who rule the Capitol – they hold majorities in both houses of the Legislature and occupy every constitutional office – accepting tobacco money remains controversial. Some say they shouldn't affiliate with an industry that has a history of lying about the health dangers of smoking while marketing their products to children and the poor.

The California Democratic Party does not accept donations from cigarette-makers because, spokesman Tenoch Flores said, tobacco companies “do not reflect our values.”

Others, however, say tobacco money doesn't carry the stain it once did because today's political landscape is so flooded with corporate cash.

“I just don't think it's an issue with the electorate anymore,” said Richie Ross, a political consultant who worked on campaigns for some of the Democratic legislators who accept tobacco contributions. “So when the voters move on, I move on.”

The California Democrats who have accepted the most money from the cigarette companies in recent years are Gov. Jerry Brown, who has taken \$55,500 from them since 2009, and Assemblyman John A. Pérez, who was speaker of the lower house until this spring and received \$95,600 from the cigarette-makers over the last five years.

The acceptance of tobacco money by such prominent Democrats likely caused others in their party to do the same, said Stanton Glantz, a medical professor at the University of California, San Francisco, who heads the Center for Tobacco Control Research and Education.

“If you had to pick one reason (for the increase), I think it's the governor, the bad example he's setting,” Glantz said. “The message that sends to everybody else is that it's OK.”

Glantz criticizes Brown not only for taking the money but also for vetoing a bill in 2012 that sought to ban smoking in nursing homes.

“While health and safety considerations must prevail, to the extent a resident's preferences can be accommodated, they should,” Brown wrote in vetoing Assembly Bill 217. “Allowing an elderly resident, who can't go home and who has smoked for a lifetime, to smoke in a designated indoor area during inclement weather – this sounds reasonable to me.”

California's last Democratic governor, Gray Davis, was a prolific fundraiser but didn't take any money from tobacco companies. He sued the cigarette-makers in the 1990s, joining other states seeking payment for government costs of tobacco-related illnesses. After spending more than a year in negotiations to reach a \$206 billion nationwide settlement with the tobacco industry in 1998, Davis said he couldn't imagine taking their money for his political campaigns.

“I was delighted that the state benefited from an appropriate settlement. So I didn't think it was appropriate for me to turn around and put my hand out,” he said.

Brown's political spokesman Dan Newman would not explain the governor's decision to accept tobacco contributions, saying only that he discloses all campaign donations as required by state law. Brown is running for an unprecedented fourth term this year against long-shot Republican candidate Neel Kashkari, and is well ahead of Kashkari in both fundraising and public opinion polls.

Doug Herman, a campaign consultant to Pérez, said the former speaker accepts tobacco money to help advance the Democrats' agenda.

"He's taking their money and using it against them to (win) the supermajority and get good Democrats elected," Herman said.

Democrats weaken bills

Democratic political strategist Garry South said it's "unseemly" for Brown and Pérez to take money from an industry "that's killing people."

"It's simply baffling to me why Democrats in California would accept campaign contributions from Big Tobacco," South said.

"We have the second-lowest smoking rate of any state, and it's going down. ... We don't grow tobacco here so there are no farmers to protect. There are no cigarette factories here so there are no jobs or workers to protect. ... So what exactly are the interests in California that politicians can protect?"

He said the tobacco companies, long aligned with Republicans, are understandably responding to California's overwhelmingly Democratic political climate.

"They've shifted their whole strategy to try to buy off Democrats," South said. "But is that the right thing for Democrats to do, to take their money? My argument is no. It's galling to me."

Other Democrats who have accepted more than \$20,000 in tobacco money in recent years include Sens. Rod Wright and Cathleen Galgiani, as well as Assemblymen Isadore Hall, Adam Gray, Steven Bradford and Henry Perea. All of them represent districts with high poverty – Wright, Hall and Bradford in urban Los Angeles and Galgiani, Gray and Perea in the Central Valley. Smoking is more prevalent in poor communities – nearly 28 percent of adults who live below the poverty line smoke, compared with 17 percent of adults who are at or above it, according to data from the national Centers for Disease Control and Prevention.

Ross, who has worked on campaigns for Galgiani, Perea and Gray, said voters in impoverished areas have "more immediate and pressing concerns" than scrutinizing who's funding political campaigns.

"People are trying to keep the lights on," Ross said. "It's like, 'I don't have time to worry about that. I've got people selling heroin down the street. I really don't care about someone selling cigarettes down the street.'"

Hall, who chairs the committee that oversees alcohol and tobacco laws, wrote a bill Brown signed last year to prohibit smoking in foster homes. This year, he is carrying a bill to ban

smoking in homes used as child care businesses. But many of the most significant anti-smoking measures died or were watered down in the influential committee Hall oversees.

A bill last year to ban smoking on state beaches died in Hall's committee when six Democrats opposed it or did not cast votes. Five of the six have reported campaign contributions from cigarette companies.

A bill this year to prohibit the use of electronic cigarettes in the same places traditional cigarettes are banned was rewritten in Hall's committee to focus solely on the sale of e-cigarettes in vending machines. Senate Bill 648 now says the vapor-filled devices cannot be sold in vending machines, except those inside bars.

Sen. Ellen Corbett, who wrote the bill to prohibit e-cigarettes in the same places traditional cigarettes are banned, said she watered down the bill because it was the only way to get it through Hall's committee.

"I am very committed to making sure that we keep e-cigarettes out of minors' hands because I am concerned about the health impacts on young people," said Corbett, a San Leandro Democrat. "This was just my opportunity to try to move the ball further. Not as far as I wanted to, but to in some way protect minors."

Hall did not return calls from The Bee.

Democratic political consultants David Townsend and Steve Maviglio said political donations from cigarette companies remain a sensitive issue for many Democratic voters.

"I don't think it's more acceptable," Townsend said. "In Democratic primaries in particular, I think it can be damaging."

Maviglio used an opponent's ties to cigarette companies to attack a fellow Democrat during the June primary. The candidate, Steve Glazer, did not take any money from tobacco companies in his run to represent the East Bay suburbs in the Assembly. But he once worked as a political consultant for the California Chamber of Commerce, which takes money from many big companies, including those that make cigarettes.

Maviglio, working for the labor unions that backed Democrat Tim Sbranti, helped craft a series of mailers that attacked Glazer for his ties to Big Tobacco. One of them looked like a huge pack of cigarettes with a warning label featuring Glazer's name and face.

Glazer lost to Sbranti, and Maviglio gives some credit to the tobacco-themed attacks.

"We did post-election surveys and found that it was very important for a lot of voters," Maviglio said.

Herman, the Democratic consultant to Pérez, has a different view, arguing that voters are already cynical about the enormous role interest groups play in funding campaigns. Unions and businesses can mount unlimited independent campaigns, and political donations frequently pass through committees with vague and confusing names before they reach the candidate they benefit, making it hard for the public to track campaign finance.

"They've all become a little numb," Herman said.

Altria has a large lobbying presence in Sacramento. It has contracts with four lobbying firms and spent \$841,140 lobbying at the California Capitol last year, disclosure reports show. The main firm that represents the company, Lang, Hansen, O'Malley and Miller, makes more money from Altria than any other client. It's not uncommon to see partner Joe Lang – widely regarded as one of the most influential lobbyists in town – smoking on the patio outside his office, directly across the street from the Capitol.

Like many wealthy interest groups, tobacco companies use multiple means to influence decisions in the Capitol. R.J. Reynolds, for example, paid for 5 percent of the cost of the back-to-session bash in January. The glitzy, \$100,000 party several lobbying groups threw for legislators and their staff featured a live performance by the rapper Coolio, cocktails flowing out of ice sculptures and a cigar cabana in the courtyard where guests could choose from a variety of smokes.

<http://blogs.sacbee.com/capitolalertlatest/2014/01/lawmakers-party-with-coolio-at-back-to-session-bash.html>

Knox, the anti-cancer lobbyist, is trying a new tactic to counter tobacco companies' influence in California. He's asking all legislative and state office candidates to refuse tobacco money, and has vowed to publicly call out those who take tobacco money in the run-up to the November election.

The first candidate to sign Knox's pledge, he said, was Democratic Assemblyman Mike Gatto, who earlier this year rejected a \$1,500 contribution from R.J. Reynolds. The company sent the check, Gatto said, so that its Sacramento lobbyist could attend a lunchtime fundraiser with him at Chops.

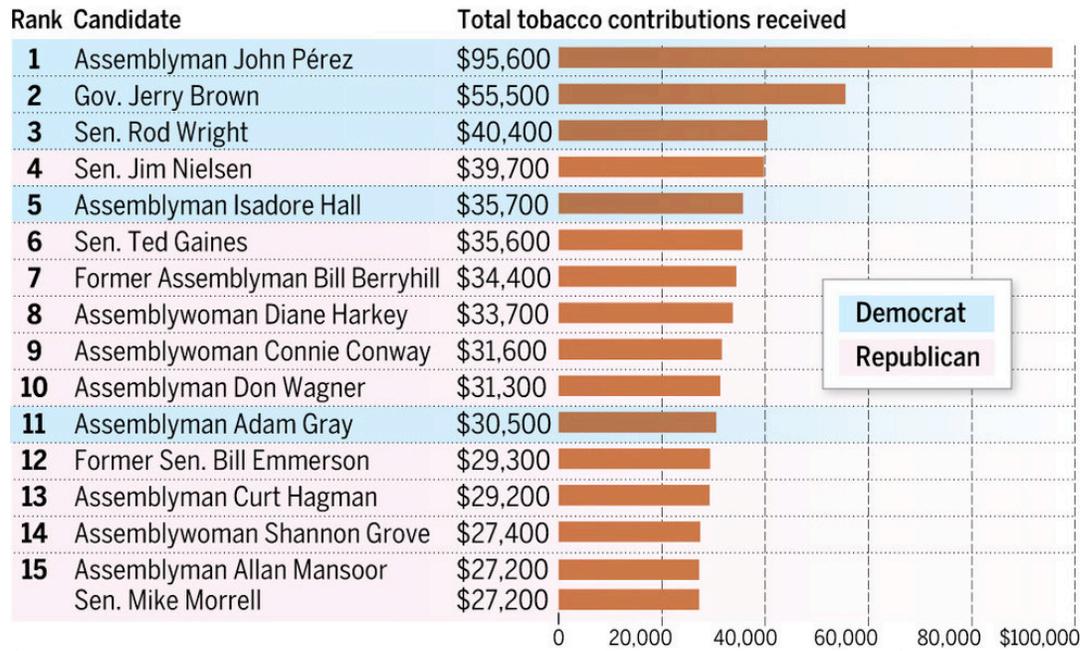
"Please thank him politely, but do not accept that check," Gatto wrote in an April email to his campaign fundraiser.

Gatto said he has a longstanding policy of rejecting campaign money from tobacco and oil companies out of respect for the politics of his liberal Los Angeles district.

"This becomes more than a contribution," he said. "It becomes who you are willing to associate yourself with."

WHO TOOK THE MOST

State politicians taking the most tobacco money since 2009:



Source: Reports filed to the California secretary of state by Altria and R.J. Reynolds

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