

## COUNTY OF SANTA CLARA

OFFICE OF THE BOARD OF SUPERVISORS  
COUNTY GOVERNMENT CENTER, EAST WING  
70 WEST HEDDING STREET, 10<sup>TH</sup> FLOOR  
SAN JOSE, CALIFORNIA 95110  
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**SUSAN ELLENBERG**  
SUPERVISOR, DISTRICT FOUR

February 25, 2020

Mayor Liccardo and San José City Council  
San José City Hall - 18<sup>th</sup> Floor  
200 E. Santa Clara  
San José, CA 95113

Dear Mayor Liccardo and San José City Council:

I support the proposal submitted by Councilmember Carrasco to ban e-cigarettes and flavored tobacco products in San Jose to combat the sharp rise in youth vaping and flavored tobacco use we are seeing across Santa Clara County. According to a [study](#) funded by the Santa Clara County Public Health Department, nearly 1 in 3 teens in Santa Clara County have tried vaping<sup>1</sup>. Flavored tobacco products and vaping are intentionally marketed towards youth and communities of color.

The survey also found:

- 13.2 percent of Santa Clara County teens reported using e-cigarettes in the past month, meaning they were counted as current users
- Nearly 1 in 3 Santa Clara County teens – 31.6 percent – report that they have used an e-cigarette at least once
- 82.3 percent of teens currently using tobacco reported using a flavored product; use of flavored products was widespread across all tobacco products and all demographic categories
- More than 2 in 5 teens – 45.4 percent – reported purchasing their own e-cigarettes, with over a quarter of this group saying they buy them directly from a local store. Among those who purchased e-cigarettes in a local store, 62.5 percent purchased them at a vape shop

Additionally, the proposed policy seeks to address the overconcentration of tobacco outlets in lower income neighborhoods and can help address the historical targeting of communities of color by the tobacco industry and ongoing disparities in tobacco-related disease. In San Jose, more than 1 in 4 stores that sell tobacco products are located within 2 blocks of a school. Exposure to tobacco marketing has been shown to impact tobacco use initiation among youth, especially when stores are

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<sup>1</sup> Zhu S-H, Lee J, Zhuang YL, Braden K, Cole A, Wolfson T, Gamst A (2019). Tobacco use among high school students in Santa Clara County: Findings from the 2017-18 California Student Tobacco Survey. San Diego, CA: Center for Research and Intervention in Tobacco Control, University of California, San Diego. Accessed from: <https://www.sccgov.org/sites/phd/hi/tf/Pages/tobacco-free-home.aspx>

close to schools. Multiple studies have shown that youth are more likely to smoke when they live or go to school in neighborhoods with a high concentration of tobacco retailers. This policy could restrict new tobacco retailers from being located within 1,000 feet of schools and other youth-sensitive areas, such as community centers, parks, and libraries.

Santa Clara County was one of the first jurisdictions in the nation to restrict the sale of flavored tobacco and e-cigarettes, but much of the work to implement evidence-based policies to reduce exposure to tobacco and e-cigarettes falls to our City partners. Proactive policies like this proposal are critical to supporting the health of our youth and knitting together aligned policies across jurisdictions.

Please support this proposal so that we can together address the high use of vaping and tobacco products by youth across our County.

Sincerely,

A black rectangular redaction box covering the signature of the County Supervisor.

County Supervisor Susan Ellenberg  
Santa Clara County District 4

Cc: San José City Clerk

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SUPERVISOR, DISTRICT FOUR

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Mayor and Councilmembers  
San Jose City Hall  
200 E. Santa Clara Street  
San Jose, CA 95113

**RE: Support for Bill of Rights for Children and Youth**

Dear Mayor and Councilmembers:

I am writing in strong support of Councilmember Sylvia Arenas' Council Policy Prioritization nomination for the City of San Jose to adopt a Bill of Rights for Children and Youth.

The Board of Supervisors adopted a Bill of Rights for Children and Youth on February 9, 2010, providing a framework to formulate decisions, develop policies, and make investments that impact children and ensuring that leaders keep the needs of young people at the forefront of decisions about budgets and government policies. Investments in children's health, education, and welfare are demonstrated to have long-term social and economic benefits, as well as, reduced costs in public services. It was this work 10 years ago by past County Supervisors and advocates like Kids in Common that laid the foundation for myself and Supervisor Chavez to introduce an annual Children's Budget on November 19, 2019 to ensure we are making those investments and filling the gaps where we can.

As a County Supervisor, I have made it a priority to approach the work I do as a public servant with the children of our County as the primary focus. The City of San Jose needs to prioritize children because doing so is the single most important investment a society makes in its future. Children 0-18 make up 25% of San Jose's total population. A Children's Bill of Rights, adopted by the City of San Jose, would be instrumental in guiding the work needed to serve all of San Jose's children and youth. In a time when children's priorities are threatened by shifting economic cycles, social trends, and political rhetoric, it is critical that the City have a mechanism to understand and budget for programs that address the most pressing needs of our County's children, youth, and families.

Investing in our children – and families –benefits us all.

Sincerely,

County Supervisor Susan Ellenberg  
Santa Clara County District 4