

THE PRACTICAL RESEARCHER

Researching State Tobacco Policymaking: Issues, Data Sources, and Methods

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ABSTRACT

In recent years, scholars of applied public policy have published a growing number of studies regarding state tobacco policymaking. This article analyzes the research findings, data sources, and methodological approaches of this applied and theoretical policy research, including numerous comprehensive state tobacco policymaking studies analyzing issues such as youth access enforcement, tobacco taxes, anti-tobacco education efforts, and clean indoor air programs. Other studies have focused on individual policymaking instruments designed to address state tobacco control issues, including tort reform, tobacco listed as a cause of death on death certificates, tobacco sampling, promotion and advertising restrictions, and fire-safe cigarettes. This wealth of research into tobacco policymaking has contributed significantly to our understanding of federalism, policy diffusion, and iron triangles and issue networks.

SINCE THE EARLY 1990S, the connection between the political activities and influence of the tobacco industry and health advocates and the adoption of state tobacco control programs has been the topic of intense applied and scholarly research into public policy, public health policy, political science, and public administration. Indeed, public health policy scholars began to focus on state tobacco policymaking in the 1980s, with increased efforts after the 1989 United States Surgeon General report, *Reducing the Health Consequences of Smoking*, which in part called for more study of the tobacco lobby's political activities. This report suggested that the tobacco industry influence in policymaking may have been directly linked to poor public health caused by tobacco use (United States Department of Health and Human Services 1989). Growing evidence from a variety of reports, articles, and books on the tobacco industry's political activities suggests a connection between tobacco

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lobby influence and public health exists in many states (Derthick 2005; Givel 2005; Givel and Glantz 2001; Morley et al. 2002; Studlar 2002).

In recent years, scholars have published numerous comprehensive state tobacco policymaking studies, analyzing youth enforcement, tobacco taxes, anti-tobacco education efforts, and clean indoor air programs, as well as individual studies on state tobacco control instruments such as fire-safe cigarettes, tobacco taxes, and clean indoor air programs. In this article, I review the key recent literature in the field, focusing on the data sources and methodological approaches used by scholars to understand state tobacco policymaking.

ISSUES AND FINDINGS

Comprehensive State Tobacco Policymaking Research

Much recent research on the tobacco lobby and health advocates' policy goals, tactics, outputs, and outcomes on state tobacco policymaking and tobacco use has taken a comprehensive approach to understanding state tobacco policymaking. Such studies have included both individual state case studies and comparative analyses of state policymaking trends, examining issues such as tobacco excise taxes, clean indoor air programs, youth access enforcement, and anti-tobacco education programs. Comprehensive studies of state tobacco policymaking in books, peer-reviewed articles, reports, conference papers, and other formats are numerous and continue to be published. For example, the University of California, San Francisco (UCSF), has published 25 general and comprehensive reports by various authors on state tobacco policymaking in 18 states (<http://www.library.ucsf.edu/tobacco/state.html>). Other recently published comprehensive studies of state tobacco policymaking have focused on West Virginia (Studlar 1998), Oklahoma (Givel 2005; Spivak and Givel 2005), and California (Glantz and Balbach 2000). Other studies have explored the impact of federalism on state tobacco policymaking (Gardiner and Muhlenberg 2003) and how local tobacco policymaking influences state tobacco policies (Shipan and Volden 2004). At least two peer-reviewed articles have been published on the general and comprehensive nature of state tobacco policymaking trends in all states (Givel and Glantz 2001; Morley et al. 2002).

Tobacco Policymaking and Research into Political Behavior

Several scholars have also used state tobacco policymaking as a venue for examining more general theories of political behavior. For example, schol-

ars have studied state legislators' voting behavior on tobacco bills to assess the influence of tobacco industry lobbyists (Cohen et al. 1997; Flynn et al. 1997; Goldstein and Bearman 1996; Goldstein et al. 1997). Scholars have also examined state tobacco referenda and initiatives and their role in state tobacco policymaking (Aguinaga-Bialous and Glantz 1997; Connolly and Robbins 1998; Givel 2005; Goldman and Glantz 1998). Finally, several recent publications have analyzed the content and pattern of the 1990s' state lawsuits against the tobacco companies and their impact on tobacco control and public health policymaking (Derthick 2005; Orey 1999; Rybak and Phelps 1998; Spill, Licari, and Ray 2001; Winder and LaPlant 2000).

State Tobacco Policy Instrument Research

Another recent line of research on state tobacco policy examines policy instruments designed to address the reduction of tobacco use, including tobacco excise taxes, clean indoor air legislation, youth access enforcement efforts, tobacco industry related tort and product liability reform efforts, the listing of tobacco as a cause of death on death certificates, state smoking employment discrimination laws, tobacco sampling, promotion and advertising restriction policies, fire-safe cigarette legislation, and state anti-tobacco education efforts (Chaloupka et al. 2002; Licari and Meier 1997; Chriqui et al. 2002b; Dearlove and Glantz 2002; DiFranza and Dussault 2005; Landman, Ling, and Glantz 2005; Givel and Glantz 2000a; Daynard, Howard, and Wilking 2004; Thomas, Hedberg, and Fleming 2001; Gunja et al. 2002). These studies have used both individual state case studies and comparisons among states in exploring the politics and effectiveness of these policy instruments.

State Tobacco Excise Taxes

Over 100 peer-reviewed articles have been published on state tobacco tax policymaking (Chaloupka et al. 2002). These studies have shown that cigarette taxes decrease overall cigarette use in the range of a 10 percent tax on cigarettes reducing cigarette use by 2.5 to 5.0 percent (Chaloupka et al. 2002; Licari and Meier 1997; Peterson et al. 1992; Ross and Chaloupka 2003; Thomson et al. 2004a). Furthermore, a number of recent studies have shown that youth smoking is as much as three times more sensitive to price increases than adult smoking (Chaloupka et al. 2002).

State Clean Indoor Air Policies

Another significant area of recent scholarly research has been state clean indoor air policies (Chriqui et al. 2002b; Dearlove and Glantz 2002; Givel 2005; Glantz and Balbach 2000; Jacobson and Wasserman 1999; Magza-

men and Glantz 2001; McMullen et al. 2005). Much of this literature has focused on evaluating the effectiveness of these laws on reducing tobacco use (Chriqui et al. 2002b; Jacobson and Wasserman 1999; McMullen et al. 2005), but several studies have also assessed the relative political strength of the tobacco lobby and health advocates in passing such laws (Derthick 2005; Givel 2005; Givel and Glantz 2001; Morley et al. 2002; Studlar 2002). An important focus of this research has been the effect of state preemption of strong local clean indoor air laws and the consequential effect on health risks. The consensus in the research is that such preemption, which is favored by the tobacco industry, weakens clean indoor air policies that can decrease health risks (Derthick 2005; Givel 2005; Givel and Gantz 2001; Morley et al. 2002; Studlar 2002). Furthermore, smoke-free workplace laws have reduced adult smoking rates (Gilpin et al. 2002; McMullen et al. 2005). Recent research estimates that 12.7 percent of the 76.5 billion fewer smokers in the United States between 1988 and 1994 occurred as a result of smoke-free workplaces, and smoking prevalence is 6.0 percent lower among employees who work in smoke-free workplaces than the general population (Chapman et al. 1999; Gilpin et al. 2002).

State Youth Access Enforcement Policies

Another robust area of research has been in state youth access enforcement policies (Alciati et al. 1998; Andersen, Begay, and Lawson 2003; Bal et al. 2001; Chriqui et al. 2002a; Cummings et al. 2002; DiFranza and Dussault 2005; Givel and Glantz 2004–5; Gottlieb et al. 2003; Landman, Ling, and Glantz 2002; Thomson et al. 2004b), but these studies' findings are sharply divided as to the efficacy of such programs. Some researchers suggest that youth access enforcement programs have been quite effective in reducing youth tobacco use (DiFranza and Dussault 2005), while others argue the opposite (Fichtenberg and Glantz 2002). Meanwhile, a related line of research has focused on tobacco industry support for state preemption of strong local youth access enforcement laws and the public health implications of these changes (Alciati et al. 1998; Givel 2005).

State Anti-Tobacco Education Policies

Research on state anti-tobacco education policies has also produced a significant number of publications (Bialous, Fox, and Glantz 2001; Givel and Glantz 2000a; Givel and Glantz 2000b; Givel and Glantz 2000c; Ibrahim, Tsoukalas, Glantz 2004; Tsoukalas and Glantz 2003). These published studies have examined the efficacy and vigorousness of such education programs

in states such as Florida, Massachusetts, Mississippi, and California (Balbach, Traynor, and Glantz 2000; Carver et al. 2003; Givel and Glantz 2000a; Thomson et al. 2004b; Zucker et al. 2000). A number of these studies have determined that anti-tobacco education can effectively reduce tobacco use (Balbach, Traynor, and Glantz 2000; Carver et al. 2003; Givel and Glantz 2000a; Thomson et al. 2004b; Zucker et al. 2000). Researchers have also examined the effect of tobacco industry opposition to the federal anti-tobacco education effort, American Stop Smoking Intervention Study (ASSIST) (sponsored in 17 states by the National Cancer Institute) finding that the industry actively worked against pro-tobacco-control lobbying by ASSIST-funded projects (Bialous, Fox, and Glantz 2001; Stillman et al. 2003).

Other State Tobacco Policy Instruments

Recent research into the adoption and impact of other state tobacco policymaking instruments includes studies of tort and product liability reform (Daynard, Howard, and Wilking 2004), the listing of tobacco as a cause of death on death certificates (Thomas, Hedberg, and Fleming 2001; Zevallos et al. 2004), tobacco sampling, promotion and advertising policies (Fishman et al. 1999; Wakefield and Chaloupka 2000; Studlar 2002), and fire-safe cigarette policies (Gunja et al. 2002). The tobacco industry has sought to reduce their legal liabilities by supporting caps on litigation awards, opposing policies certifying death due to tobacco use, and opposing policies that mandate cigarettes be made more fire safe; the industry also opposed sampling, promotion, and advertising restrictions for fear that these policies would reduce tobacco consumption. Although many states are addressing state smoking employment discrimination policies, no research has been conducted on this issue, leaving it ripe for future research.

DATA SOURCES

The recent flurry of research into state tobacco policymaking has generated several important data sources that could be used for research into a wide range of important questions. These data sources include previously secret tobacco industry documents, interest group reports and Web pages, state and local government laws and regulations, peer-reviewed articles, campaign finance reports, newspaper articles, magazine articles, archival records other than tobacco industry documents, and authoritative government data on tobacco policy and epidemiological trends (Table 1).

Table 1. Sources of Data for State and Local Tobacco Policy and Related Social Epidemiological Trends

Organization	Type of Data	Location
University of California, San Francisco, Legacy Tobacco Depository	Tobacco industry documents from litigation	http://legacy.library.ucsf.edu/
University of California, San Francisco, Library	Reports on state and local tobacco policymaking	http://www.library.ucsf.edu/tobacco/state.html
Centers for Disease Control and Prevention	State tobacco policy and social epidemiological trends	http://www.cdc.gov/tobacco/sgt_sgr_2000/index.htm http://www.cdc.gov/tobacco/search/index.htm http://apps.nccd.cdc.gov/statusystem/
National Cancer Institute	State tobacco social epidemiological trends	http://dceps.nci.nih.gov/TCRB/ http://www.sclid-nci.net
Americans for Nonsmokers' Rights	State and local tobacco policy reports and articles	http://www.tidatabase.org/
Americans for Nonsmokers' Rights	Local tobacco control policies and ordinances	http://www.no-smoke.org/
National Library of Medicine	PubMed data to retrieve peer-reviewed state and local tobacco policy and epidemiological publications	http://www.nlm.nih.gov/
American Lung Association	State tobacco policies and laws	http://lungaction.org/reports/tobacco-control.html
Campaign for Tobacco Free Kids	State tobacco policies, reports, and articles	http://www.tobaccofreekids.org
Orzechowski & Walker	Tobacco tax data	Orzechowski & Walker, 2111 Wilson Blvd., Suite 700, Arlington, VA, 22201

Tobacco Industry Documents

Archival data from over 40 million previously secret tobacco documents was obtained as a result of litigation—beginning with *State of Minnesota et al., v. Philip Morris, Inc., et al.* (No. C1-94-8565, 2nd District, Minneapolis)—and was provided by the 1998 Master Settlement Agreement between 46 state Attorneys General and the tobacco industry. These data have become a key resource to understanding how state tobacco policymaking works from the perspective of the tobacco industry. Researchers can access these documents through tobacco industry Web sites linked to the Centers for Disease Control (CDC) Web site (<http://www.cdc.gov/tobacco/industrydocs/>). The terms of the Master Settlement Agreement specify that the tobacco industry Web sites will be discontinued in 2010. Meanwhile, the documents are stored in perpetuity and updated periodically based on newly obtained trial documents at UCSF's Legacy Tobacco Document Depository Web site (<http://legacy.library.ucsf.edu/>). Ongoing litigation may lead to the release of new tobacco industry documents, and if this occurs, the UCSF archival record will be updated.

The UCSF site allows researchers to simultaneously search the records of all seven tobacco industry organizations that were defendants in the initial Minnesota lawsuit,¹ the 1991 “Joe Camel” trial documents related to marketing tobacco products to children through cartoon characters, the Depositions and Trial Testimony Archive (DATTA) transcripts of various state trial activity for the tobacco industry, and the 1994 UCSF Brown & Williamson documents (University of California 2005). Additionally, the UCSF site provides searchable links to the 4B Index, which supplied the tobacco industry defendants in the Minnesota case with access to the documents. The UCSF site also includes the approximately 380,000 pages of tobacco industry documents identified by the Minnesota case attorneys as crucial during the trial and the Guilford (England) British-American Tobacco documents, a subset of key documents used in that same case.

Reports and Articles

Published tobacco policy research can be found by searching traditional social science databases such as JSTOR and the Web of Science. Other important data can be obtained from state statutes and regulations, newspaper articles, magazine articles, and interest group reports and Web pages, including the Americans for Nonsmokers' Rights database (<http://www.tidatabase.org/>). Until 1999, comprehensive and detailed state tobacco tax data could also be obtained in the Tobacco Institute annual publication, *The Tax Burden on Tobacco* (National Center for Chronic Disease Prevention and Health Pro-

motion 2005). Since the Tobacco Institute became defunct in 1999, *The Tax Burden on Tobacco* has been published by Orzechowski and Walker (Table 1), an economic consulting firm supported by the tobacco companies (National Center for Chronic Disease Prevention and Health Promotion 2005). In addition, a comprehensive listing of peer-reviewed studies on state and local tobacco policymaking and tobacco-related social epidemiology trends can be obtained through the PubMed Internet search engine, which is sponsored by the National Library of Medicine (<http://www.nlm.nih.gov/>).

Campaign Finance Reports

State campaign finance data for political candidates regarding the tobacco industry and public health advocates is also available in all states. Likewise, reports of financial contributions or payments from tobacco industry or health organization sources to political parties and lobbyists are also available (Feigenbaum and Palmer 2003). Accessing such data ordinarily entails a state-by-state search of government Web sites or an analysis and coding of non-electronic reports. States differ widely as to their legal requirements for reporting such information (Feigenbaum and Palmer 2003; Michaelson 2001; Schultz 2004). Currently, 18 states provide access to campaign finance data exclusively on the Internet, 17 states provide access to these data from both the Internet and paper reports, and 15 states provide access only from paper reports (Campaign Finance Information Center 2005).

State and Local Data on Tobacco Policies and Social Epidemiology

Raw data on state tobacco policy and tobacco-related social epidemiological trends can be obtained from government agencies. Five particularly relevant general government data sources include three sites run by the CDC (http://www.cdc.gov/tobacco/sgr/sgr_2000/index.htm, <http://apps.nccd.cdc.gov/statesystem/>, and <http://www.cdc.gov/tobacco/search/index.htm>) and two run by the National Cancer Institute (<http://dccps.nci.nih.gov/TCRB/> and <http://www.sclد-nci.net>). Aggregate data on local tobacco control ordinances and policies may be found on the Web site of Americans for Nonsmokers' Rights (<http://www.no-smoke.org/>). Assessments of state tobacco control policies can be obtained through the American Lung Association's annual report, "State of Tobacco Control" (<http://lungaction.org/reports/tobacco-control.html>).

FUTURE RESEARCH

The current body of applied and theoretical research on state tobacco policymaking provides several clear indicators about where such research should focus in the future. First, we must continue to conduct applied evaluations of policy instruments to monitor whether the early impacts we have documented are sustained as the programs mature. Policy evaluation also needs to be conducted to examine the effectiveness of various mixes of state tobacco policies. That is, we need to understand whether the effects of a given policy are stronger or weaker when implemented in conjunction with certain other policies. On the political side, we need to better understand the influences on legislative voting on tobacco policy, especially the effect of campaign contributions and constituency characteristics. Furthermore, the role of both tobacco industry and health and anti-tobacco public interest groups on state tobacco policymaking needs to be clarified, as does the impact of recent state tobacco-related referenda and initiatives.

Also of general interest to political scientists is how we can use tobacco policy research to build and test general theories of state policymaking. This focus has begun with recent studies of policy diffusion (Shipan and Volden 2004; Studlar 2002), federalism (Gardiner and Muhlenberg 2003), and iron triangles and issue networks in state tobacco policymaking (Givel and Glantz 2004–5). The opportunity to develop and test the theoretical assumptions of these and other theories through tobacco policy research remains considerable. In this way, state tobacco policymaking research will not only be relevant from a practical perspective, it can also contribute to our general understanding of state politics and policymaking.

ENDNOTES

1. These seven tobacco organizations are the American Tobacco Company, Brown & Williamson, Lorillard, Philip Morris, R.J. Reynolds, the Tobacco Institute, and the Council for Tobacco Research.

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