



COUNTY OF LOS ANGELES
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MARY C. WICKHAM
County Counsel

August 15, 2018

Agenda No. 7
3/6/18

EXECUTIVE SUMMARY

RE: Nuisance Tobacco Shops Report

On March 6, 2018, your Board directed the Department of Public Health ("DPH"), in collaboration with Regional Planning ("DRP"), County Counsel, Sheriff, Treasurer and Tax Collector ("TTC"), and key community stakeholders, to report back on nuisance tobacco shops, with a focus on tobacco-only retailers (i.e., "Smoke Shops"). The enclosed memorandum provides an analysis of: (1) the number and location of Smoke Shops in the unincorporated areas of the County ("UIA") and their impact on health and safety; (2) an assessment of best practices and regulatory mechanisms to address nuisance Smoke Shops; (3) an evaluation of disparate health impacts related to Smoke Shops; (4) mechanisms to track and monitor Smoke Shops; and (5) education and outreach strategies to reduce tobacco and other substance use, as follows:

- County Counsel convened a workgroup consisting of DPH, DRP, Sheriff, and TTC, which met several times to conduct the analyses and prepare the recommendations requested by your Board, and provided an update to the Health deputies on June 27, 2018.
- The analyses revealed that:
 - Approximately 9,809 retailers are licensed by the State to sell tobacco products throughout the County. Of those, approximately 691 retailers are licensed by DPH to sell tobacco products within the unincorporated areas of the County, and of those, 77 are licensed as Smoke Shops.
 - Tobacco retailers are concentrated in the First and Second Districts.
 - While use of tobacco products results in health impacts, the direct impact of the location of Smoke Shops on public health

is less clear. Public health experts agree that while Smoke Shops may increase access to tobacco products, increased access may not necessarily increase use of tobacco products in the surrounding community.

- The public perceives a connection between the prevalence of Smoke Shops and crime, but it is unclear whether crime is exacerbated by the prevalence of Smoke Shops, or whether other factors contribute to crime in or around Smoke Shops. On one hand, Smoke Shops operate for lengthy periods without any reported crime, while on the other, hospitals treat assault victims more frequently in areas where Smoke Shops are concentrated.
- The California Tobacco Control Program and the American Lung Association Center for Tobacco Policy and Organizing have identified ten best practices for regulating Smoke Shops. A survey of jurisdictions that have adopted one or more best practices is attached to the memorandum.
- Regulatory mechanisms recommended by the workgroup include: (1) prohibiting Smoke Shops in zones with or near any residential use to decrease the likelihood of a Smoke Shop being located on a lot either adjoining or adjacent to residential uses; (2) amending the County Business License Ordinance to require Smoke Shops to obtain a County Business License; and (3) amending the County Tobacco Retailing License Ordinance, which generally requires tobacco retailers to obtain a license from DPH, to, at a minimum, subject retailers of electronic tobacco products to regulation by the County.
- DPH has a robust public education and outreach program, funded in part by cigarette tax revenue and a recently-awarded \$1.3 million grant from the California Department of Justice, which focuses on reducing youth access to tobacco products and promoting healthy retail environments.

A detailed memorandum from our office is enclosed.

MCW:SSP:st

Enclosure



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TO: SUPERVISOR SHEILA KUEHL, Chair
SUPERVISOR HILDA L. SOLIS
SUPERVISOR MARK RIDLEY-THOMAS
SUPERVISOR JANICE HAHN
SUPERVISOR KATHRYN BARGER

FROM: MARY C. WICKHAM */maw/by UK*
County Counsel

RE: **Nuisance Tobacco Shops Report**

Purpose of Memorandum

On March 6, 2018, your Board directed the Department of Public Health ("DPH"), in consultation with Regional Planning ("DRP"), County Counsel, Sheriff, the Treasurer and Tax Collector ("TTC"), and key community stakeholders, to report back on nuisance Smoke Shops (i.e., tobacco-only retailers), addressing: (1) the number and location of Smoke Shops in the unincorporated areas of the County ("UIA") and their impacts on health and safety; (2) an assessment of best practices and regulatory mechanisms to address nuisance Smoke Shops; (3) an evaluation of disparate health impacts related to Smoke Shops; (4) mechanisms to track and monitor Smoke Shops; and (5) education and outreach strategies to reduce tobacco and other substance use. This memorandum and its enclosures provide you with the requested information.

Summary

County Counsel convened a workgroup consisting of DPH, DRP, Sheriff, and TTC, which met several times to conduct the analyses and prepare the recommendations discussed below. The analyses revealed that approximately 9,809 retailers are licensed by the State to sell tobacco products throughout the County. Of those, approximately 691 are licensed by the County to sell tobacco products within the UIA, and of those, 77 are licensed as Smoke Shops. Tobacco retailers are prevalent in the First and Second Districts.

Although Smoke Shops increase access to tobacco products, and the public is concerned about the contribution of Smoke Shops to disparate health impacts, it is statistically unclear whether increased access to tobacco products leads to health impacts associated with tobacco and other substance use. Similarly, the impact of Smoke Shops on safety is unclear, because a preliminary analysis suggests that the rate of crime at or near a Smoke Shop is more closely related to crime rates in the surrounding area rather than due to the Smoke Shop.

The California Tobacco Control Program and the American Lung Association Center for Tobacco Policy and Organizing have identified ten best practices for regulating Smoke Shops. A survey of jurisdictions that have adopted one or more best practices is attached as Enclosure D.

A lack of Smoke Shop-related zoning and business licensing requirements, in addition to an outdated Tobacco Retailing License Ordinance ("Tobacco Ordinance"), has led to a prevalence of Smoke Shops in certain areas of the County. Therefore, the workgroup recommends the following regulatory mechanisms to address nuisance Smoke Shops: (1) prohibit Smoke Shops in zones with or near any residential use to decrease the likelihood of a Smoke Shop being located on a lot either adjoining or adjacent to a residential use; (2) amend the County Business License Ordinance to require Smoke Shops to obtain a County Business License; and (3) amend the County Tobacco Retailing License Ordinance to, at a minimum, subject retailers of electronic tobacco products to regulation by the County.

Smoke Shops are tracked and monitored by the Sheriff and DPH's Tobacco Control and Prevention Program ("Tobacco Control").¹ The Sheriff receives calls for assistance and police reports, and maintains a record of calls and reports involving Smoke Shops. Tobacco Control issues tobacco retailing licenses and participates in enforcement of the Tobacco Ordinance, and maintains records related to licensed tobacco retailers, including Smoke Shops.

DPH has a robust public education and outreach program, which focuses on reducing youth access to tobacco products and promoting healthy

¹ Tobacco Control is the largest local lead agency in California to implement a countywide tobacco control program, and receives funding from the California Tobacco Tax and Health Promotion Act (Proposition 99, 1988) and Proposition 56 (2016), which raised the excise tax on tobacco to \$2.87, extended the definition of other tobacco products to include electronic cigarettes, and funds local tobacco prevention and control aimed at reducing illness and death from tobacco-related diseases by changing social norms to make tobacco use less desirable, less acceptable, and less accessible.

retail environments, and is funded in part by cigarette tax revenue and a recently-awarded \$1.3 million grant from the California Department of Justice, which will also fund enforcement activity.

Background

In 2017, Andrew M. Subica (a health services researcher and assistant professor in California) led a research study, which sought to analyze the impacts of Smoke Shops, medical marijuana dispensaries, and off-sale alcohol outlets in a large, urban low-income community of color ("Subica Study").² The Subica Study concluded that: (1) Smoke Shops are "significantly positively associated with property and violent crimes;" (2) Smoke Shops may, therefore, constitute public health threats; and (3) public safety may be improved by targeted regulation and monitoring. The Subica Study defined "nuisance properties" as "community institutions that exacerbate crime in their immediate locations," and concluded that Smoke Shops fall within that definition. Smoke Shops were also identified as nuisances by residents in a 2017 South Los Angeles People's Poll.

In order to respond to your Board's March 6, 2018 motion, which referenced both the Subica Study and South LA People's Poll, a workgroup was convened, which consisted of County Counsel, DPH, DRP planning staff, TTC Business License Section staff, and Sheriff deputies involved in Smoke Shop enforcement. DPH also collaborated with stakeholders, including the Community Coalition (which conducted the South LA People's Poll), and researchers involved in the Subica Study. On June 27, 2018, the workgroup presented its findings to the Health and Mental Health Services Cluster, which requested that the report also address: (1) costs of the recommended regulations; (2) whether buffers and caps have reduced crime in other jurisdictions; and (3) the stakeholders' response to the workgroup's recommendations.

Discussion

I. Existing Smoke Shops in Los Angeles County and Their Impacts

Any retailer that sells tobacco products, including grocery stores, gas stations, and Smoke Shops (also known as tobacco-only retailers), must obtain a license from the California Department of Tax and Fee Administration

² Andrew M. Subica, Jason A. Douglas, Nancy J. Kepple, Sandra Villaneuva, and Cheryl T. Grills, "The Geography of Crime and Violence Surrounding Tobacco Shops, Medical Marijuana Dispensaries, and Off-Sale Alcohol Outlets in a Large, Urban Low-Income Community of Color," *Preventive Medicine*, December 24, 2017.

(the "State"). If the retailer is located in a jurisdiction that has adopted a Tobacco Ordinance, such as the County, then a local tobacco retailing license is also required. In order to assess the number and location of Smoke Shops in the County, DPH, and DRP utilized geographic information system software, a list created by Dunn & Bradstreet based on nationally recognized business classification codes for tobacco stores,³ data maintained by Tobacco Control on licensed tobacco retailers operating in the County, and Internet research. DRP and DPH found that:

- Approximately 9,809 retailers⁴ are licensed by the State to sell tobacco products throughout the County (both incorporated areas and UIA).
- Approximately 691 retailers are licensed by the County to sell tobacco products within the UIA. The significant difference in numbers is due in part to the fact that the State requires retailers of electronic cigarettes ("e-cigarettes") and vaping products to obtain a State license, but the County Tobacco Ordinance does not apply to such retailers.
- Approximately 77 *tobacco-only* retailers (i.e., Smoke Shops) are licensed by the State to operate within the UIA. Of these *tobacco-only* retailers, 48 are licensed by the County.

Enclosure B contains a map which identifies State and County licensed tobacco retailers in the County.⁵ As the map shows, tobacco retailers are concentrated in highly dense, urban areas, and are more prevalent in the Second District than the other Supervisorial Districts. No licensed Smoke Shop was identified in the Third District.

II. Health Impacts of Smoke Shops

The health impacts of excessive tobacco use are widely publicized, including impacts of youth exposure to e-cigarettes and vaping products. While use of tobacco products results in well-recognized health impacts, the direct

³ The North American Industry Classification System defines tobacco stores as "...establishments primarily engaged in retailing cigarettes, cigars, tobacco, pipes, and other smokers' supplies."

⁴ Based on data obtained by the California Department of Tax & Fee Administration (formally Board of Equalization), as of December 2016.

⁵ It is difficult to identify unlicensed tobacco shops; however, the number is likely small, because under California law, tobacco wholesalers can only sell to licensed tobacco retailers.

impact of the location of Smoke Shops on public health is less clear. Public health experts agree that while Smoke Shops may increase access to tobacco products, some experts caution that increased access may not necessarily increase use of tobacco products in the surrounding community.

DPH contacted the Subica Study research team to gather additional background on the Subica Study's methodologies, and learned that the sample of tobacco retailers and controls used in the Subica Study were relatively limited. For instance, rather than considering all tobacco retailers as the control group (including gas stations and convenience stores), the Subica Study only included supermarkets and pharmacies in its control group. In a regression analysis, varied controls may lead to different results.

In analyzing health impacts of Smoke Shops, DPH identified several factors that could potentially contribute to negative public health conditions in communities where Smoke Shops are concentrated, including pollution and poverty. Additional time is needed to thoroughly analyze the relationship between specific health conditions (i.e., asthma, heart attacks, or nicotine addiction) and Smoke Shop density, while controlling for other contributing factors.

III. Public Safety Impacts of Smoke Shops

The Sheriff analyzed calls it received for assistance and reports of crime involving DPH-licensed Smoke Shops over a three-year period from January 1, 2015, through April 15, 2018 (Enclosure C). The Sheriff found:

District	Locations	Calls	Reports
1	18	178 ⁶	12
2	22	92	23
3	None	None	None
4	20	43	7
5	17	56	20

⁶ As shown in Enclosure C, two locations within the First District had a significantly high number of calls for service, which the Sheriff reports may be due to problems with the locations' alarm systems.

It is unclear from the Sheriff's records whether Smoke Shops clearly exacerbate crime in immediately surrounding areas. As Enclosure C shows, many Smoke Shops have operated in the UIA with no calls for Sheriff service or reported crime over a three-year period. Other locations range from very few incidents (i.e., fewer than ten calls or reports over the three-year period) to outliers with more than twenty incidents. At any single location, calls for service may greatly exceed the number of crimes reported for various reasons, including employees accidentally triggering store alarms. According to the Sheriff, the rate of crime at any particular Smoke Shop is generally proportional to the rate of crime in the surrounding neighborhood. For example, a strip mall located at 10714 Western Avenue contains a Smoke Shop, pizza delivery store, Metro PCS store, laundromat, nail salon, Chinese restaurant, and liquor store. Between 2015 and 2018, the strip mall generated 159 calls for service and 26 police reports. Of these, the highest number of calls and police reports involved the parking lot and the pizza delivery store.

DPH also conducted an analysis regarding the public safety impacts of Smoke Shops, and found that hospitals treat assault victims more frequently in areas where tobacco retailers, including Smoke Shops, are concentrated, than in other areas. However, DPH advises that additional research is needed to determine the extent to which Smoke Shops, as opposed to other factors, such as poverty and neighborhood crime rates, directly impact public safety.

IV. Best Practices and Regulatory Options

The California Tobacco Control Program and the American Lung Association Center for Tobacco Policy and Organizing have identified the best practices for regulating Smoke Shops listed below, and Enclosure D includes a survey of jurisdictions that have adopted various best practices within the County and throughout the State.

- Prohibit new tobacco retailers near youth sensitive areas or other tobacco retailers;
- Prohibit new retailers who primarily or exclusively sell tobacco products;
- Cap the number of retailers that can sell tobacco products;
- Prohibit sale of tobacco products in pharmacies;
- Regulate the sale of drug paraphernalia;
- Regulate e-cigarettes;

- Prohibit the sale of flavored tobacco products, including menthol; and
- Require minimum pack size for little cigars and cigarettos.

In addition to the best practices listed above, the workgroup recommends the following regulatory mechanisms.

1. Zoning Ordinance

Title 22 of the County Code currently prohibits tobacco advertising on billboards in residential and agricultural zones, and within 1,000 feet of sensitive uses that serve children (i.e., schools, parks, and youth centers). (Section 22.52.840.H.) However, Smoke Shops are permitted in several zones, including commercial and industrial zones, and in some cases require discretionary approval. DRP recommends the following amendments to Title 22 to address nuisance Smoke Shops:

- Add a definition for Smoke Shops, to clarify the land use category. The definition can mimic the definition set forth in a new Smoke Shop Business License Ordinance, as discussed below.
- Prohibit Smoke Shops in zones with or near any residential use to decrease the likelihood of a Smoke Shop being located on a lot either adjoining or adjacent to a residential use.
- Alternatively, require a Conditional Use Permit ("CUP") for new Smoke Shops in zones with or near any residential use. Most jurisdictions do not require a CUP for Smoke Shops. A CUP would evaluate potential significant impacts and impose restrictions that could prohibit Smoke Shops from locating within the vicinity of certain sensitive uses. The County's CUP process is expensive (i.e., over \$10,000) and requires a public hearing, which can take up to a year to process.

The recommendations above are cost-neutral, as additional costs of processing CUPs can be offset by CUP application fees.

2. Business License Ordinance

The TTC recommends establishing a new business license for Smoke Shops, which would be codified in Title 7 of the County Code and administered by the TTC. A business license could address some of the limitations of a zoning amendment and incorporate many of the "best practices"

listed above to protect the public health, safety, and welfare of the public. A Smoke Shop business license could address nuisance conditions by, for example, limiting permissible hours of operation, requiring on-duty managers, prohibiting loitering or admission of persons who are intoxicated or under age, and either placing a cap on the number of Smoke Shops permitted to operate in the UIA or imposing buffering requirements from sensitive uses or other Smoke Shops. Costs of administering and enforcing the new business license requirement would be offset by business license fees. If directed by your Board, the TTC will prepare a draft tobacco shop business license ordinance for your consideration.

3. Tobacco Ordinance

Currently, the sale of tobacco products in the UIA may only occur pursuant to a valid license issued by Tobacco Control in accordance with the County's Tobacco Ordinance (Chapter 11.35 of the County Code). The Tobacco Ordinance was adopted in 2007, and consistent with State law and regulations, applies to any person selling tobacco products, including gas stations, grocery stores, and other establishments. Although the Tobacco Ordinance is a helpful tool in monitoring, tracking, and regulating Smoke Shops, it has never been amended, despite significant developments in the tobacco laws and industry over the eleven years since its adoption.

As a result, many Smoke Shops are not required to obtain a County license because they fall outside of the outdated definition of "tobacco retailer." Similarly, many activities are outside of the scope of the Tobacco Ordinance, e.g., the sale of e-cigarettes and vaping pens. Yet, nuisances may be created by Smoke Shops which sell such products, and such establishments are regulated and licensed by the State.

Tobacco Control recommends, at a minimum, amending the Tobacco Ordinance's definition of "tobacco product" to mirror expanded State law, so that the Tobacco Ordinance will apply to all tobacco retailers currently subject to licensure by the State. This recommendation can be considered a "best practice," because it would align the County's ordinance with State law and jurisdictions throughout the State. Further, including vape shops or other e-cigarette retailers in the County's Tobacco Ordinance would also improve the County's ability to monitor and regulate the sale of products which are attractive to minors, such as flavored e-cigarettes.

Tobacco license fees, which are currently \$235.00, fund all costs of the Tobacco Control program, including administration, enforcement (including Sheriff services), and education. The recommended amendments to the Tobacco Ordinance would increase program costs. Additional resources (e.g., staffing and educational materials) may be needed to educate existing tobacco retailers of the new regulations, and to license stand-alone vape shops. The

increased costs associated with these new resources can be offset by license fees and grants received by DPH for Tobacco Control.

V. Tracking and Monitoring Tobacco Shops

DPH Inspections. Tobacco Control conducts annual inspections of tobacco retailers in the UIA as part of its administration of the Tobacco Ordinance. The inspections are conducted by DPH Environmental Health Inspectors, and, because the scope of the Tobacco Ordinance includes all tobacco retailers and not simply Smoke Shops, retailers subject to inspection include tobacco/smoke shops, gas stations, markets, donut shops, and any other business that sells tobacco, tobacco products, and/or tobacco paraphernalia. The primary purpose of DPH's inspection is to determine whether the subject retailer has valid State and County tobacco retailing licenses, and to assist with compliance if the retailer is not properly licensed. DPH estimates that it annually inspects approximately 90 percent of the tobacco retailers operating in the UIA.

Sheriff's Department. In addition to tracking calls for service and crime reports filed at tobacco retailers, the Sheriff flags nuisance retailers for additional monitoring, a sting, or inspection. Once the situation is stabilized, a specialized group of Sheriff's deputies continues to monitor calls for service and stay in touch with the owner.

Youth decoy tobacco stings are conducted on approximately 20 percent of tobacco retailers in the UIA annually through a partnership between the Sheriff and DPH's Tobacco Retail Licensing Unit. Generally, a sting involves the usage of under-age youth decoys who attempt to purchase tobacco products from retailers in the UIA. If a retailer sells a tobacco product to a youth decoy, a citation and notice to appear are issued pursuant to Penal Code section 308(a)(1). This violation is a misdemeanor and typically results in a fine and suspension of the County TRL, which prohibits the retailer from selling and displaying tobacco, tobacco products, and tobacco paraphernalia during the suspension period. Suspensions are up to 30 days for the first violation, up to 90 days for the second violation within a five-year period, up to 120 days for the third violation within a five-year period, and revocation for the fourth violation within a five-year period. Suspensions are monitored by DPH and other agencies that DPH may report the violation to, such as the California Attorney General or the California Department of Public Health.

VI. Education and Outreach

DPH has historically operated a public education and outreach campaign, whose goals include reducing youth access to tobacco products and promoting healthy retail environments. Activities focus on education and outreach to cities within the County, minimizing youth access, and establishing

tobacco retail licensing programs in cities that currently lack them. DPH also offers technical assistance to jurisdictions interested in updating existing or developing new policies to regulate e-cigarettes and e-devices (vaping products). To support its efforts, DPH plans to launch a media campaign aimed at youth access issues and prevention of underage use of tobacco products such as flavored little cigars and cigarillos, vaping and emerging products. The media campaign will use new and existing ads, and potentially include placements on television, radio, and social media. In addition, DPH will launch a countywide media educational campaign focused on promoting tobacco cessation.

DPH has been awarded a \$1.3 million grant from the California Department of Justice to expand Tobacco Control enforcement, and plans to use the grant funds to: identify and target problem tobacco retailers; conduct enforcement operations at retail stores in locations where minors congregate; undertake tobacco retailer compliance checks; evaluate the health and safety impact of tobacco-only shops and vape shops; and provide education and training for tobacco retailers on the new State laws, including the Tobacco 21 law and revised tobacco product definition (which now includes e-cigarettes), youth access to tobacco products, and tobacco retailer license programs.

VII. Conclusion

Approximately 77 Smoke Shops in the UIA are licensed by DPH under the County Tobacco Ordinance, and they are located in each Supervisorial District except the Third. Although Smoke Shops increase access to tobacco products, additional analysis is needed to determine whether increased access leads to health impacts associated with tobacco and other substance use, such as asthma and heart attacks. The public perceives a connection between the prevalence of Smoke Shops and crime, but it is unclear whether crime is exacerbated by the prevalence of Smoke Shops, or whether other factors contribute to crime in or around Smoke Shops. On one hand, Smoke Shops operate for lengthy periods without any reported crime, while on the other, hospitals treat assault victims more frequently in areas where Smoke Shops are concentrated.

Nevertheless, the County may improve its regulation of Smoke Shops by amending several existing ordinances: (1) the zoning ordinance may be amended to clarify the land use and prohibit Smoke Shops in zones with or near any residential use; (2) Smoke Shops may be required to obtain a County business license through an amendment of Title 7 of the County Code; and (3) the Tobacco Ordinance may be updated to regulate retailers of e-cigarettes and vaping products. The recommendations discussed above may be pursued independently or concurrently with one another, and were received favorably by the Community Coalition and researchers involved in the Subica Study.

If you have questions concerning this matter, please contact me, Senior Assistant County Counsel Patrick Wu, at (213) 974-1861, or Deputy County Counsel Shahiedah Palmer, at (213) 974-1860.

MCW:SSP:st

Enclosures

c: Honorable Jim McDonnell
Sheriff

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Board of Supervisors

Dr. Barbara Ferrer, Director
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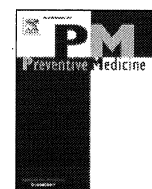
Joseph Kelly
Treasurer & Tax Collector

EXHIBIT A



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The geography of crime and violence surrounding tobacco shops, medical marijuana dispensaries, and off-sale alcohol outlets in a large, urban low-income community of color

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ABSTRACT

Tobacco shops, medical marijuana dispensaries (MMD), and off-sale alcohol outlets are legal and prevalent in South Los Angeles, California—a high-crime, low-income urban community of color. This research is the first to explore the geographic associations between these three legal drug outlets with surrounding crime and violence in a large low-income urban community of color. First, spatial buffer analyses were performed using point-location and publically accessible January–December 2014 crime data to examine the geography of all felony property and violent crimes occurring within 100, 200, 500, and 1000-foot buffers of these three legal drug outlet types across South Los Angeles. Next, spatial regression analyses explored the geographic associations between density of these outlets and property and violent crimes at the census tract level. Results indicated that mean property and violent crime rates within 100-foot buffers of tobacco shops and alcohol outlets—but not MMDs—substantially exceeded community-wide mean crime rates and rates around grocery/convenience stores (i.e., comparison properties licensed to sell both alcohol and tobacco). Spatial regression analyses confirmed that tobacco shops significantly positively associated with property and violent crimes after controlling for key neighborhood factors (poverty, renters, resident mobility, ethnic/racial heterogeneity). Thus, study findings provide the first empirical evidence that tobacco shops may constitute public health threats that associate with crime and violence in U.S. low-income urban communities of color. Implementing and enforcing control policies that regulate and monitor tobacco shops in these communities may promote community health by improving public safety.

1. Introduction

Crime and violence are pervasive in many low-income urban communities of color (Peterson and Krivo, 2008; Walker et al., 2011), resulting in elevated rates of injury, disability, and death (Kominski et al., 2002; McKenna et al., 2005; Morenoff, 2005; Sampson et al., 2005). In these communities, nuisance properties—i.e., community institutions that exacerbate crime in their immediate locations—are abundant (Ellaway et al., 2010; Lipton and Gruenewald, 2002; Romley et al., 2007), posing significant threats to public health. Examples include motels (LeBeau, 2011; Schmerler, 2005), vacant properties (Kraut, 1999), payday lenders (Kubrin et al., 2011; Wilcox and Eck, 2011), and alcohol outlets (liquor stores, bars) (Campbell et al., 2009; Roncek and Maier, 1991).

In California, alcohol outlets are just one of three legal drug outlets specially designated to sell controlled substances to the public. Tobacco shops and medical marijuana dispensaries (MMD) are also legal, prevalent, and of rising national concern due to the proliferation of dangerous synthetic drugs sold in tobacco shops and acceleration of medical marijuana legalization (Abele, 2004; Boggess et al., 2014; California Police Chiefs Association, 2009; Fass et al., 2012). Yet, little is known about these potential nuisance properties' relationships with neighborhood crime in low-income urban communities of color.

1.1. Local ecology of legal drug outlets and crime

Most literature on the nexus of legal drug outlets and crime have examined alcohol outlets, linking alcohol outlet density—denoting

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alcohol availability—with elevated violent crime rates (Costanza et al., 2001; Gorman et al., 2001; Lipton and Gruenewald, 2002; Zhu et al., 2004). Interestingly, off-sale alcohol outlets selling packaged alcohol for off-premises consumption (e.g., liquor stores) display stronger associations with surrounding crime than on-sale outlets selling alcohol for on-premises consumption (e.g., taverns) (Forsyth and Davidson, 2010; Richardson et al., 2015), which have greater on-site social controls (Gruenewald et al., 2006).

Less research has examined the association between MMDs and crime. Prior studies examining marijuana use and crime have generated equivocal findings (Arseneault et al., 2000; Green et al., 2010; Moore and Stuart, 2005; Ostrowsky, 2011; Pedersen and Skardhamar, 2010) while geographic information systems (GIS) research studying relationships between marijuana availability and crime have failed to link medical marijuana legalization (Morris et al., 2014; Wang and Herrera, 2014) and MMD density with neighborhood property or violent crime (Freisthler et al., 2013, 2016; Kepple and Freisthler, 2014).

Further, the geographic relationship between tobacco shops and crime is unstudied, although research has associated tobacco shop density with smoking (Agaku et al., 2014; Henriksen et al., 2008) and heart disease (Barnes et al., 2016). Tobacco shops are retail outlets that: (1) specialize in paraphernalia for consuming tobacco, marijuana, and smokable herbal mixtures, and (2) sell potent psychoactive substances (e.g., synthetic cannabinoids) that mimic the effects of illegal drugs (Pillay and Kelly, 2010). Due to minimal legislative controls on these psychoactive drugs in tobacco shops, they are more easily obtained than tobacco or alcohol (Spiller et al., 2011), with their legality and attractive pricing encouraging user experimentation (Pillay and Kelly, 2010; Van Hout and Bingham, 2012). Yet, the compounds in many synthetic drugs sold in tobacco shops have been linked to severe side effects including paranoia, psychosis, aggressive/violent behavior, cardiovascular complications, and death (Cary, 2010; Prosser and Nelson, 2012; Rosenbaum et al., 2012; Van Hout and Bingham, 2012).

Additionally, tobacco shops may associate with neighborhood crime by servicing high-risk clientele; in particular, illegal street, needle-injecting, and poly-drug users—many with criminal histories—attracted to these outlets by the easy accessibility of legal drugs (Ryall and Butler, 2011). Yet, despite their growing presence and possible role as nuisance properties in low-income communities, the relationship between tobacco shops and crime remains unstudied (Clark, 2007; Press, 1980).

1.2. Theoretical frameworks

To understand the potential geographic associations between tobacco shops, MMDs, and alcohol outlets with crime in low-income urban communities of color, this study relies on two complementary ecological theories. Routine activities theory holds that crimes occur around properties that bring three elements together during peoples' routine activities of daily living (e.g., working, socializing): (1) motivated offender, (2) suitable target/victim, and (3) absence of persons to monitor the offender (“handlers”), protect the target/victim (“guardians”), or supervise the location (“managers”) (Eck and Weisburd, 1995; Felson, 1995). The convergence in time and place of these three elements thus accounts for crime's increased prevalence around nuisance properties, with effective social controls (handlers, guardians, managers) having the strongest influence on crime (Eck and Weisburd, 1995; Felson, 1995).

Second, social disorganization theory suggests that nuisance properties abound and crime proliferates in low-income urban communities of color due to heightened social disorganization—the inability of a community to realize the common values of its residents and maintain effective social controls to resolve community problems (Bursik, 1988; Kubrin and Weitzer, 2003; Shaw and McKay, 1942). In socially disorganized communities, breakdowns in residents' social ties with each other (i.e., local friendship networks, community meetings) and formal relationships with authorities (Kubrin and Weitzer, 2003; Sampson and

Raudenbush, 2001; Walker, 2009) prevent residents from exerting informal social control over neighborhood crime through street surveillance, supervising misbehaving youth, and reporting misconduct to authorities (Morenoff et al., 2001; Sampson et al., 1997; Sampson et al., 1999).

Three factors have been prominently linked to social disorganization: poverty/social deprivation, resident instability/mobility, and ethnic/racial heterogeneity (Kubrin and Weitzer, 2003; Markowitz et al., 2001; Sampson and Groves, 1989). Poverty/social deprivation promotes crime (Andresen, 2006; Cahill and Mulligan, 2003) by increasing residents' social isolation and enticing criminal behavior from economically disadvantaged residents (Bursik Jr. and Grasmick, 1993; Kubrin and Weitzer, 2003) while resident instability/mobility (i.e., high population turnover) and ethnic/racial heterogeneity hinder residents from maintaining social ties, particularly across ethnic/racial lines; decreasing their likelihood to challenge criminal behavior (Bursik Jr. and Grasmick, 1993; Gruenewald et al., 2006; Kubrin and Weitzer, 2003).

Thus, socially disorganized low-income communities of color are rendered both vulnerable to crime and unable to resist nuisance properties from proliferating in high densities (Peterson et al., 2000; Sampson and Wilson, 1995); signaling a compromised system of social controls to offenders (Gorman et al., 2001). We posit this leads legal drug outlets to become nuisance properties by: (1) undermining informal social control in areas where they are densely located (Kubrin et al., 2011), and (2) creating criminal network breeding grounds around outlets that merge motivated offenders (Asmussen, 2007; Møller, 2008) with cash-rich targets (Kubrin et al., 2011) in the absence of effective social controls (e.g., police, pedestrian traffic) (Costanza et al., 2001; Wilcox and Eck, 2011).

1.3. Study aims

This study had two objectives. First, to examine via GIS buffer analyses the localization of felony property and violent crime around tobacco shops, MMDs, and off-sale alcohol outlets vs. grocery/convenience stores—i.e., comparison retail properties also selling alcohol and tobacco—in South Los Angeles (LA). If crime were found to localize around these legal drug outlets, we used ordinary least squares (OLS) and geographically weighted regression (GWR) to explore these associations while controlling for neighborhood poverty/deprivation, residential instability/mobility, and ethnic/racial heterogeneity.

2. Methods

2.1. Research context

South LA is a large low-income urban community containing LA County's (LAC) highest concentration of: (1) African American residents (28.5%) and second highest concentration of Latina/o residents (67.7%), (2) adults without high school education (38.8%), and (3) residents living in poverty (31.1%), greatly exceeding national poverty rates of 15.9% (U.S. Census Bureau, 2010). In recent Department of Public Health (DPH) data (2013), South LA residents demonstrated LAC's worst population health outcomes, exhibiting elevated rates of adult and childhood obesity, diabetes, HIV/AIDS, and mortality from diabetes, coronary, and cerebrovascular disease. Gang-related crime is pervasive (LAC Police Department, 2011); South LA's homicide rate of 38.8 per 100,000 youth aged 15–34 years nearly quadruples the national homicide rate of 10.6 per 100,000 youth (DPH, 2013).

2.2. Design

Adhering to CBPR principles (Israel et al., 1998), the study concept emerged from over 40 South LA stakeholders recruited by our community partner The Community Coalition for 4 community mapping

sessions—a data-gathering technique that asks participants to record pertinent spatial details on paper maps (Forrester and Cinderby, 2013). Participants were adult and youth residents, public health and park officials, and gang interventionists who helped us identify and chart local nuisance properties preventing residents from accessing local parks.

Participants reported high criminal activity around numerous neighborhood properties but particularly implicated tobacco shops (e.g., “smoke shops”), off-sale alcohol outlets (e.g., “corner stores,” “liquor stores”), and MMDs as public nuisances. For example, one gang interventionist stated, “smoke shops are bad. They’re the new liquor stores. That’s where the gangs hang out now.” Driven by similar stakeholder reports, we chose to study the relationships between these three potential nuisance properties and South LA crime to empirically ground the Coalition’s grassroots nuisance abatement work (Aboelata, 2004).

2.3. Current study

The study area consisted of the eight contiguous zip codes composing the South LA region: 90001, 90002, 90003, 90011, 90037, 90044, 90047, and 90059. This area contained 30.45 mile² and 520,104 residents (Census, 2010). ZIP code descriptive statistics are shown in Table 1. Across the eight ZIP codes, residents’ median age ranged from 25.5 to 36.2 years, population density ranged from 10,276 to 24,240 residents per square mile, and median per-capita income ranged from \$9505 to \$19,552.

2.4. Data

January–December 2014 spatial outlet and crime data for each ZIP code were collected and aggregated in 2015. Spatial outlet data were verified by two research team members to ensure the exposure data accurately measured target outlets.

Point location data for off-sale alcohol outlets were obtained from the California Alcohol Beverage Control Board and two Internet business directories cited in an earlier geospatial study (Hoerster et al., 2009): ReferenceUSA.com and Superpages.com. No Control Board data for tobacco shops or MMDs were available. Therefore, tobacco shop and MMD point location data were obtained from multiple Internet search directories: ReferenceUSA.com, Superpages.com, Google Map Results, Yelp.com, Headshopfinder.com, Findheadshops.com, Headshops.com, Medicalmarijuana.com, Weedmaps.com, and THCFinders.com. Comparison grocery/convenience store addresses were acquired by Internet search, and then phoned to verify they sold both alcohol and tobacco. Authors visually confirmed each property’s address via Google Maps Street View, then established its active operations from January–December 2014 using: (1) Control Board or Internet search data indicating the property was established before 2014 (e.g., newspaper articles, resident meeting minutes), or (2) pre-2014 property images on

Google Maps Street View (Fig. 1). Unconfirmed properties were excluded from analysis.

January–December 2014 crime data were compiled from LA Police Department (2015) and LAC Sheriff’s Department (2015) data, which listed location and code type of crime incidents. Incidents were recoded into felony property and violent crime categories using the Uniform Crime Reporting definitions (FBI, 2004). Property crimes consisted of arson, motor vehicle theft, larceny theft, and burglary. Violent crimes included criminal homicide, aggravated assault, forcible rape, and robbery. For comprehensiveness, we also analyzed total crimes (i.e., all felony plus misdemeanor crimes), which we expected to show smaller relationships with our legal drug outlets as total crimes included many non-property and non-violent crimes such as forgeries, identity theft, and sexual felonies/misdemeanors (e.g., failure to register as sexual offender) unlikely to geographically associate with our legal drug outlets.

2.5. Buffer and pairwise analyses

Spatial outlet location and crime data were entered into ArcGIS v.10.3 (ESRI, 2014). Addresses were geocoded to 100%. Spatial buffers were created to determine the mean rates of property, violent, and total crime occurring within 100, 200, 500, and 1000 ft of target properties. To clarify, 100-foot buffers captured all crime occurring within a 100-foot radius of target properties. Then, crime incident counts within 100, 200, and 500-foot buffers of each property were outputted, entered into SPSS v.22 (IBM Corp, 2013), and analyzed via nonparametric Kruskal-Wallis H tests with Bonferroni adjustment to identify significant differences in crime incidence between tobacco shops, MMDs, off-sale alcohol outlets, and grocery/convenience stores. Community-wide scores were not compared as they lacked point locations.

2.6. OLS regression

To further explore spatial associations between legal drug outlet density and crime incidents—using census tracts as the unit of analysis—we constructed three “global” OLS regression models in ArcGIS with: (1) property, violent, and total crime as the three models’ dependent variables, and (2) tobacco shop, MMD, and off-sale alcohol outlet density as the main independent variables for all models, with poverty, renters, resident mobility, and ethnic/racial heterogeneity (drawn from U.S. Census, 2014 data) as control variables. Within each census tract, poverty consisted of total number of people below the 2014 federal poverty level; renters referred to total number of renters; mobility referred to total number of people living in the tract < 1 year; ethnic/racial heterogeneity was calculated using: $1 - [P_{\text{African American}}^2 + P_{\text{Latino/o}}^2 + P_{\text{Asian}}^2 + P_{\text{Pacific Islander}}^2 + P_{\text{American Indian}}^2 + P_{\text{White}}^2 + P_{\text{Other}}^2]$ where p is the proportion of persons (Warner and Pierce, 1993).

In OLS regression, a single model uniformly summarizes the

Table 1
Descriptive statistics for South Los Angeles study area by ZIP code.

	90001	90002	90003	90011	90037	90044	90047	90059
Total population	57,110	51,223	66,266	103,892	62,276	89,779	48,606	40,952
Total square miles	3.50	3.06	3.55	4.29	2.84	5.17	4.73	3.31
Population density (per square mile)	15,635	16,728	18,660	24,240	21,928	17,365	10,276	12,359
Median age	26.6	25.5	26.3	26.2	29.8	29.8	36.2	25.7
Income (per capita) %	\$11,409	\$10,705	\$9963	\$9505	\$10,957	\$12,932	\$19,552	\$11,308
Female	50.8	51.0	50.7	49.2	49.9	52.0	54.5	52.1
African American	10.0	24.6	25.2	8.4	20.4	38.5	67.5	34.0
Hispanic	89.8	74.2	74.1	90.4	76.8	60.6	31.1	64.5
White, non-Hispanic	0.7	0.8	0.5	0.5	1.8	1.1	1.2	1.0
Below federal poverty level	32.1	34.8	39.2	43.3	40.7	34.4	21.1	36.2

Per capita income data from: www.incomebyzipcode.com/california

Racial demographics data from: 2014 American Community Survey: <http://factfinder.census.gov>

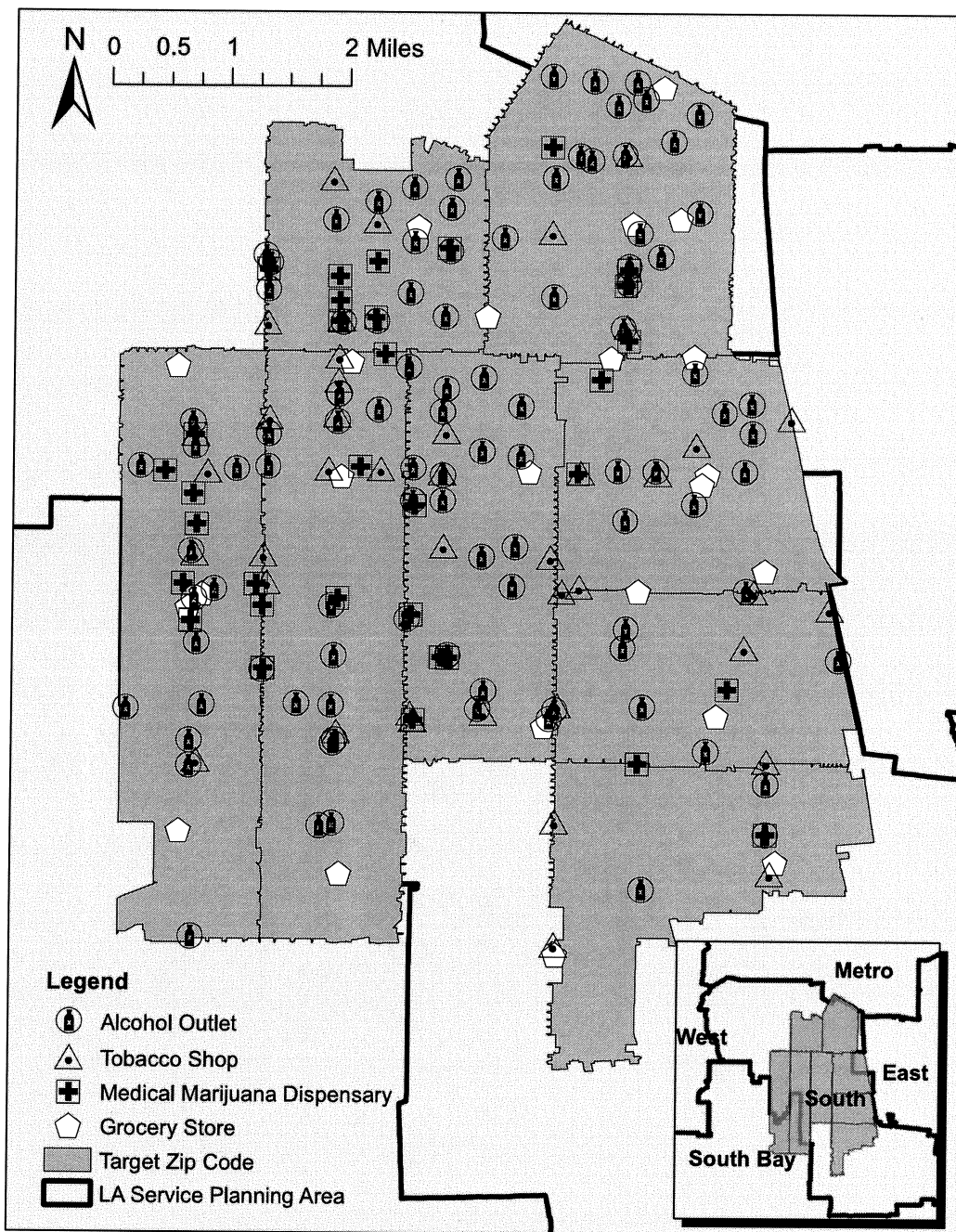


Fig. 1. Locations of study legal drug outlets in South Los Angeles target zip codes.

“global” relationships between variables throughout an area. But when variable relationships throughout an area are not uniform and instead exhibit spatial dependence—i.e., values at one location depend on values at neighboring locations (Anselin, 2003)—“global” OLS models cannot explain these clusters of correlated values. Of our three OLS models, only the violent crime model displayed spatial dependence via Moran's Index.

2.7. GWR regression

To account for this spatial dependence, “local” geographically weighted regression (GWR) analyzed separate “local” violent crime regression models for each census tract (Fotheringham et al., 1998).

This “local” GWR analysis allowed us to explore regional variations (spatial non-stationarity) (Brunsdon et al., 1996) in any violent crime-outlet relationships that emerged as significant in the “global” OLS model.

3. Results

3.1. Outlet locations & surrounding crime incidents within buffers

Crime incidence was exceedingly high between January–December 2014 with approximately 15,000 property crimes, 14,000 violent crimes, and 37,500 total crimes reported in the study area. Table 2 presents mean property, violent, and total crime rates occurring within

Table 2

Number of 2015 property violent, and total crimes within 100, 200, 500, and 1000 ft buffers around tobacco, off-sale alcohol, medical marijuana, and grocery/convenience retail businesses across all target South Los Angeles ZIP codes.

	Community-wide	Tobacco shops (N = 41)	Off-sale alcohol outlets (N = 99)	Marijuana dispensaries (N = 38)	Grocery/convenience stores (N = 23)
Property crimes (N = 15,817)					
100 ft	0.59	2.20	1.91	2.08	0.22
200 ft	2.34	6.34	6.32	5.03	3.17
500 ft	14.64	21.51	22.90	20.05	29.35
1000 ft	58.54	69.34	45.49	62.669	85.87
Violent crimes (N = 14,004)					
100 ft	0.52	2.51	2.33	1.58	0.09
200 ft	2.07	6.78	7.92	5.32	2.39
500 ft	12.96	23.80	23.42	20.68	22.39
1000 ft	51.83	64.51	64.14	60.11	64.00
Total crimes (N = 37,575)					
100 ft	1.39	6.93	5.84	4.00	0.39
200 ft	5.56	17.29	19.40	11.61	6.74
500 ft	34.76	56.29	41.03	47.42	64.13
1000 ft	139.06	166.90	163.37	146.05	188.04

Bold-faced: Nuisance property mean score is significantly different from mean score of grocery/convenience stores at $p < 0.05$.

* Grocery/convenience stores refer to retail businesses (non-liquor, marijuana, tobacco shops) that are licensed in the target zip codes to sell both liquor and tobacco to the public.

Table 3

Ordinary least squares regression results of associations between 2015 property, violent, and total crimes with South Los Angeles tobacco, off-sale alcohol, and medical marijuana outlets at the census tract level.

	Property crimes			Violent crimes			Total crimes		
R^2	0.40			0.43			0.44		
Adjusted R^2	0.39			0.39			0.40		
AIC	1219.53			1214.05			1402.36		

	Estimate	SE	t value	Estimate	SE	t value	Estimate	SE	t value
Intercept	-0.14	19.19	-0.01	-29.85	14.51	-2.06*	-14.96	42.21	-0.35
Tobacco shops	16.53	7.00	2.36**	15.07	6.90	2.18*	40.37	15.40	2.62**
Off-sale alcohol outlets	5.18	4.45	1.16	3.82	4.16	0.92	8.70	9.79	0.89
Marijuana dispensaries	20.77	6.45	3.22**	12.92	7.14	1.81	20.90	14.19	1.47
Renters	0.03	0.01	3.14**	0.02	0.01	2.18*	0.09	0.02	4.01*
Poverty	-0.02	0.01	-1.44	-0.01	0.02	-0.15	-0.06	0.03	-2.15*
Resident mobility	0.04	0.02	1.72	0.05	0.02	1.99*	0.12	0.05	2.57*
Racial heterogeneity	127.37	32.96	3.86**	160.48	27.24	5.89**	314.01	72.50	4.33**

* $p < 0.05$.

** $p < 0.01$.

100, 200, 500, and 1000-foot buffers of all target properties and community-wide.

Buffer analyses revealed higher mean rates of property, violent, and total crime occurring within 100 and 200 ft of tobacco shops, MMDs, and off-sale alcohol outlets versus: (1) grocery/convenience stores, and (2) community-wide rates. Conversely, at 500 ft, grocery/convenience stores displayed equivalent mean property, violent, and total crime rates vs. tobacco shops, MMDs, and off-sale alcohol outlets, suggesting grocery/convenience stores were located in similarly high crime areas as our legal drug outlets.

3.2. Nonparametric comparisons of average crime incidents around outlet locations

Kruskal-Wallis H tests were significant for: property crime at 200 ft [$\chi^2(3, N = 201) = 10.57, p < 0.05$]; violent crime at 100 ft [$\chi^2(3, N = 201) = 11.48, p < 0.01$] and 200 ft [$\chi^2(3, N = 201) = 23.43, p < 0.001$]; and total crime at 100 ft [$\chi^2(3, N = 201) = 12.39, p < 0.01$], 200 ft [$\chi^2(3, N = 201) = 23.27, p < 0.001$] and 500 ft [$\chi^2(3, N = 201) = 15.94, p < 0.001$].

Bonferroni comparisons (Table 1) indicated that at 100 ft, tobacco shops and off-sale alcohol outlets—but not MMDs—experienced significantly higher property and violent crime rates than grocery/convenience stores ($p < 0.05$). These preliminary findings of increased crime around tobacco shops and off-sale alcohol outlets justified running OLS regressions to examine whether outlet density significantly associated with increased crime.

3.3. Global spatial dependence between crime incidents and outlet types

Table 3 displays OLS regression property, violent, and total crime model results: tobacco shops, MMDs, and off-sale alcohol outlets were the main predictors; poverty, renters, resident mobility, and ethnic/racial heterogeneity were control variables. Model diagnostics revealed no multicollinearity in any models (all Variance Inflation Factors < 4.75) and only the violent crime model demonstrated spatial autocollinearity.

The property crime model accounted for 39% of the total variance in area property crime, with tobacco shops, MMDs, and renters and ethnic/racial heterogeneity significantly positively associating with

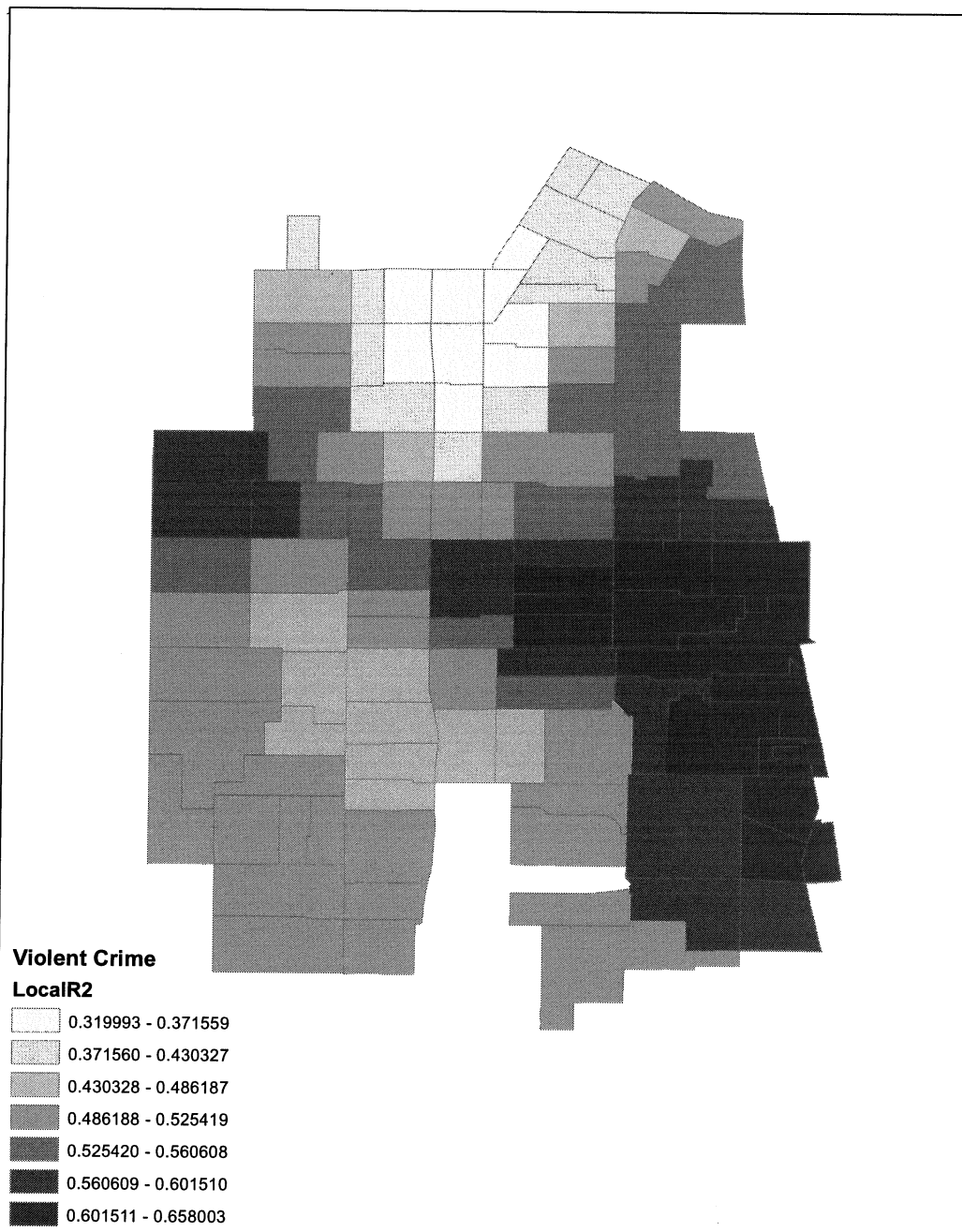


Fig. 2. Geographically weighted regression violent crime model “local” R^2 values by census tracts in South Los Angeles.

property crime at the census tract level ($p < 0.01$). The total crime model accounted for 40% of total variance in area total crimes, with tobacco shops and poverty, renters, resident mobility, and ethnic/racial heterogeneity significantly positively associating with total crime at the census tract level ($p < 0.05$). For the violent crime model, tobacco shops and renters, resident mobility, and ethnic/racial heterogeneity significantly positively associated with violent crimes at the census tract level ($p < 0.01$) but this model's residuals were spatially autocorrelated (Moran's Index = 0.16, $Z = 2.48$, $p < 0.05$). This necessitated GWR analysis to explore the regional variation (non-stationarity) of the significant tobacco shop-violent crime relationship in the OLS model while correcting for autocorrelation.

3.4. Local spatial dependence between violent crime incidents and tobacco shops

ArcGIS estimates of the violent crime GWR model produced an optimal adaptive bandwidth of 67 neighbors, an R^2 of 0.71, and adjusted R^2 of 0.58; substantially exceeding the OLS model's adjusted R^2 of 0.40. The GWR model generated a smaller $AICc$ value of 1199.70 vs. the OLS model's $AICc$ value of 1214.05; a “serious” $AICc$ model difference (Fotheringham et al., 1998). Thus, by accounting for regional variation, the “local” GWR model had superior explanatory power over the “global” OLS model.

Fig. 2 displays the local R^2 values of the GWR violent crime model for each census tract. As all local R^2 values were positive (from 0.32 to 0.66), the GWR model positively predicted violent crime in all tracts.

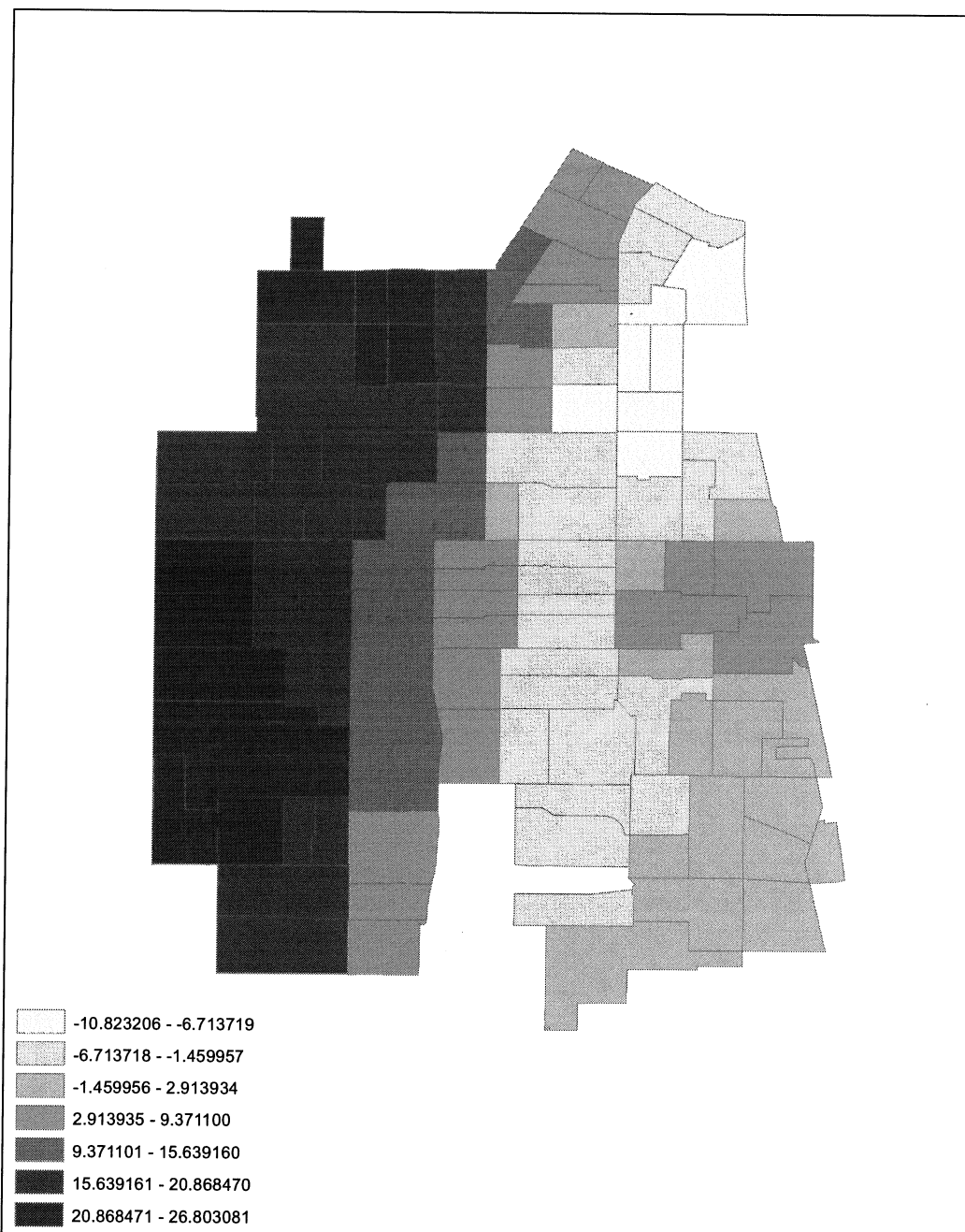


Fig. 3. Geographically weighted regression coefficients indicating associations between tobacco shops and violent crime incidents by census tracts in South Los Angeles.

Overall, while the tobacco shop-violent crime relationship was “globally” significant in the OLS model, it exhibited regional variation as “local” GWR regression coefficients fluctuated from negative to positive (− 10.82 to 26.80) across census tracts (Fig. 3). Thirty-four of the 116 study area census tracts (29.31%) had negative associations between tobacco shop density and violent crime, indicating tobacco shops may have associated with decreased violent crime in these tracts. In contrast, 70.69% of census tracts had positive associations, indicating that for most of South LA, more tobacco shops may have associated with increased violent crime.

4. Discussion

Study findings revealed that tobacco shops and off-sale alcohol

outlets—but not MMDs—are proximal to heavy felony property and violent crime activity within South LA. GIS regression results further indicated that after accounting for core neighborhood indicators of social disorganization that could additionally influence crime's geography in South LA's census tracts—i.e., poverty, renters, resident mobility, and ethnic/racial heterogeneity—tobacco shops positively associated with neighborhood property, violent, and total crimes in the census tracts; validating residents' perceptions that tobacco shops are linked with neighborhood crime. Thus, our data suggest tobacco shops may constitute nuisance properties associated with dangerous neighborhood conditions for crime and violence in South LA, and perhaps similar low-income urban communities of color.

In contrast, while MMDs associated with increased property crimes at the census tract level, they were not linked to surrounding violent

crime, aligning with emerging reports indicating limited MMD associations with nearby crime (Chang and Jacobson, 2017; Freisthler et al., 2016). Several MMD-related factors may suppress their associations with violent crime in South LA: (1) presence of visible property safeguards (e.g., security cameras), which may lower dispensary-related violence (Freisthler et al., 2016), (2) visual anonymity of many MMDs to passers-by including potential offenders, and (3) MMDs' tendency to close or relocate quickly—e.g., by June 2015, few MMDs operated at their 2014 locations.

As expected, grocery/convenience stores encountered significantly less crime within 100 and 200 ft than tobacco shops and off-sale alcohol outlets despite also: (1) selling alcohol and tobacco, and (2) being situated in high crime areas (based on high surrounding crime rates at 500 and 1000 ft). Drawing from surveillance scans we subsequently conducted revealing that all but one grocery/convenience store—vs. no legal drug outlets—possessed well-lit parking lots ranging between 100 and 300 ft in size, we surmised parking lots deterred crime by containing highly visible social controls including “guardians” (e.g., other customers) and “managers” (e.g., clerks, security guards) (Freisthler et al., 2016; Wilcox and Eck, 2011). Consequently, for commercial properties selling legal drug products within high-crime environments, their physical characteristics (e.g., presence of “guardians,” active security measures) may strongly influence surrounding crime (Costanza et al., 2001; Wilcox and Eck, 2011). Additional studies may wish to explore which social and physical controls (e.g., security guards, parking lots, street lights, cameras) most limit crime around these high-risk commercial properties, as implementing these control features may prevent these properties from becoming public nuisances.

Limitations included cross-sectional analyses restricting causal inferences and an inability to evaluate the effects of synthetic drug availability on crime around tobacco shops; an important research area given tobacco shops' evidenced association with neighborhood crime. Also, significance levels for tobacco shop-violent crime GWR coefficients were not provided as the significant positive association between tobacco shops and violent crime reported in the “global” OLS model obviated the need to draw further statistical inferences from GWR data, which were intended for visually mapping the “local” spatial distribution of variable relationships (Anselin, 2005; Brunson et al., 1996; Sordia et al., 2012).

5. Conclusion

Current results are the first to empirically implicate tobacco shops as likely nuisance properties that associate with crime and violence within a large low-income urban community of color. Accordingly, residents, researchers, and policy makers may potentially improve public health in these vulnerable communities by reducing tobacco shop density using federally-recommended evidence-based strategies (Jernigan et al., 2013; Task Force on Community Preventive Services, 2009) such as public advocacy for zoning and nuisance abatement policies and enforcement (Bobo et al., 2010), and community-guided, problem-oriented policing of these potential public nuisances (Weisburd et al., 2010).

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Conflict of interest statement

The authors have no conflicts of interest to declare.

References

- Abele, G., 2004. Synthetic drugs trafficking in three European cities: major trends and the involvement of organized crime. In: *Trends in Organized Crime*. 8 (24:37).
- Aboelata, M.J., 2004. *The Built Environment: 11 Profiles of Neighborhood Transformation*. The Prevention Institute, Oakland, CA.
- Agaku, I.T., Adisa, A.O., Omadavie, U.T., Vardavas, C.I., 2014. The relationship between proximity of tobacco retail outlets to schools and tobacco use among school personnel in sub-Saharan Africa. *Prev. Med.* 69, 21–27.
- Andresen, M.A., 2006. A spatial analysis of crime in Vancouver, British Columbia: a synthesis of social disorganization and routine activity theory. *Can. Geogr.* 50, 487–502.
- Anselin, L., 2003. *GeoDa 0.9 User's Guide*. Urbana-Champaign: Spatial Analysis Laboratory, Department of Geography, University of Illinois, Urbana-Champaign.
- Anselin, L., 2005. Under the hood. Issues in the specification and interpretation of spatial regression models. *Agric. Econ.* 27, 247–267.
- Arseneault, L., Moffitt, T.E., Caspi, A., Taylor, P.J., Silva, P.A., 2000. Mental disorders and violence in a total birth cohort: results from the Dunedin study. *Arch. Gen. Psychiatry* 57, 979–986.
- Asnussen, V., 2007. Danish cannabis policy in practice: the closing of “Pusher Street” and the cannabis market in Copenhagen. In: Fountain, J., Korf, D. (Eds.), *Drugs in Society: European Perspectives*. Radcliffe Medical Press, Inc., London, UK, pp. 14–27.
- Barnes, R., Foster, S.A., Pereira, G., Villanueva, K., Wood, L., 2016. Is neighbourhood access to tobacco outlets related to smoking behaviour and tobacco-related health outcomes and hospital admissions? *Prev. Med.* 88, 218–223.
- Bobo, K., Kendall, J., Max, S., 2010. *Organizing for Social Change 4th Edition: Midwest Academy Manual for Activists*. The Forum Press, Orange County, CA.
- Boggs, L.N., Pérez, D.M., Cope, K., Root, C., Stretesky, P.B., 2014. Do medical marijuana centers behave like locally undesirable land uses? Implications for the geography of health and environmental justice. *Urban Geogr.* 35, 315–336.
- Brunson, C., Potheringham, A.S., Charlton, M.E., 1996. Geographically weighted regression: a method for exploring spatial nonstationarity. *Geogr. Anal.* 28 (4), 281–298.
- Bursik, R.J., 1988. Social disorganization and theories of crime and delinquency: problems and prospects. *Criminology* 26, 519–552.
- Bursik Jr., R.J., Grasmick, H.G., 1993. Economic deprivation and neighborhood crime rates, 1960–1980. *Law Soc. Rev.* 27, 263.
- Cahill, M.E., Mulligan, G.F., 2003. The determinants of crime in Tucson, Arizona. In: *Urban Geography*. vol. 24, pp. 582–610.
- California Police Chiefs Association's Task Force on Marijuana Dispensaries, 2009. *White Paper on Marijuana Dispensaries*. Retrieved March 20, 2015 from: http://www.chico.ca.us/document_library/departments/planning_department/mmj_87-156.pdf.
- Campbell, C.A., Hahn, R.A., Elder, R., Brewer, R., Chattopadhyay, S., Fielding, J., ... Task Force on Community Preventive Services, 2009. The effectiveness of limiting alcohol outlet density as a means of reducing excessive alcohol consumption and alcohol-related harms. *Am. J. Prev. Med.* 37, 556–569.
- Cary, P., 2010. Spice, K2 and the Problem of Synthetic Cannabinoids. vol. 6. National Drug Court Institute, pp. 1–2.
- Chang, T., Jacobson, M., 2017. Going to pot? The impact of dispensary closures on crime. *J. Urban Econ.* 100, 120–136.
- Clark, S., 2007 December 16. Rise of the tobacco shops. In: *Sunday Business Post*.
- Costanza, S.E., Bankston, W.B., Shihadeh, E., 2001. Alcohol availability and violent crime rates: a spatial analysis. *J. Crime Justice* 24, 71–83.
- County of Los Angeles Department of Health, 2013. *Key Indicators of Health*. Retrieved March 23, 2015 from: http://publichealth.lacounty.gov/ha/docs/kir_2013_finals.pdf.
- Eck, J.E., Weisburd, D., 1995. Crime places in crime theory. In: Eck, J.E., Weisburd, D. (Eds.), *Crime and Place*. Crime Prevention Studies, Vol 4. Criminal Justice Press, Monsey, NY, pp. 1–33.
- Ellaway, A., Macdonald, L., Forsyth, A., Macintyre, S., 2010. The socio-spatial distribution of alcohol outlets in Glasgow city. *Health Place* 16, 167–172.
- ESRI, 2014. *ArcGIS Desktop, Release 10.3*. Environmental Systems Research Institute, Redlands, CA.
- Fass, J.A., Fass, A.D., Garcia, A.S., 2012. Synthetic cathinones (bath salts): legal status and patterns of abuse. *Ann. Pharmacother.* 46, 436–441.
- Federal Bureau of Investigations, U.S. Department of Justice, 2004. *Uniform Crime Reporting Handbook*. Retrieved March 2, 2015 from: <https://www2.fbi.gov/ucr/handbook/ucrhandbook04.pdf>.
- Felson, M., 1995. Those who discourage crime. *Crime Place* 4, 53–66.
- Forrester, J., Cinderby, S., 2013. *A Guide to Using Community Mapping and Participatory - GIS*. Retrieved February 8, 2015 from: http://www.iweedforum.org/research/Borderlands_Community_Mapping_Guide.pdf.
- Forsyth, A.J., Davidson, N., 2010. Community off-sales provision and the presence of alcohol-related detritus in residential neighbourhoods. *Health Place* 16, 349–358.
- Fotheringham, A.S., Brunson, C., Charlton, M.E., 1998. Geographically weighted regression: a natural evolution of the expansion method for spatial data analysis. *Environ. Plan.* 30, 1905–1927.

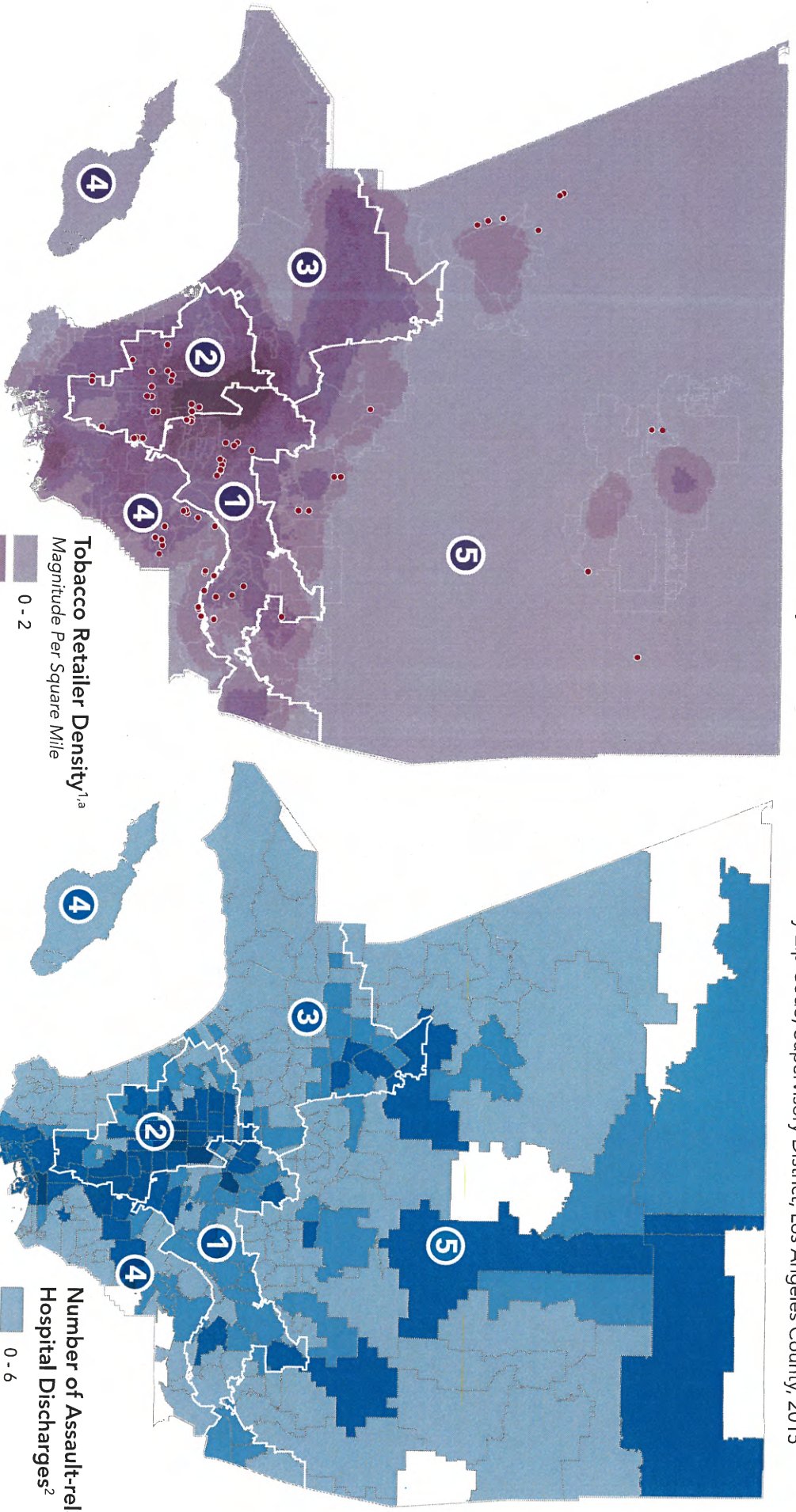
- Freisthler, B., Kepple, N.J., Sims, R., Martin, S.E., 2013. Evaluating medical marijuana dispensary policies: spatial methods for the study of environmentally-based interventions. *Am. J. Community Psychol.* 51, 278–288.
- Freisthler, B., Ponicki, W.R., Gaidus, A., Gruenewald, P.J., 2016. A micro-temporal geospatial analysis of medical marijuana dispensaries and crime in Long Beach, California. *Addiction* 111, 1027–1035.
- Gorman, D.M., Speer, P.W., Gruenewald, P.J., Labouvie, E.W., 2001. Spatial dynamics of alcohol availability, neighborhood structure and violent crime. *J. Stud. Alcohol Drugs* 62, 628–636.
- Green, K.M., Doherty, E.E., Stuart, E.A., Ensminger, M.E., 2010. Does heavy adolescent marijuana use lead to criminal involvement in adulthood? Evidence from a multi-wave longitudinal study of urban African Americans. *Drug Alcohol Depend.* 112, 117–125.
- Gruenewald, P.J., Freisthler, B., Remer, L., LaScala, E.A., Treno, A., 2006. Ecological models of alcohol outlets and violent assaults: crime potentials and geospatial analysis. *Addiction* 101, 666–677.
- Henriksen, L., Feighery, E.C., Schleicher, N.C., Cowling, D.W., Kline, R.S., Fortmann, S.P., 2008. Is adolescent smoking related to the density and proximity of tobacco outlets and retail cigarette advertising near schools? *Prev. Med.* 47, 210–214.
- Hoerster, K.D., Garrow, R.L., Mayer, J.A., Clapp, E.J., Weeks, J.R., Woodruff, S.L., ... Sybert, S.A., 2009. Density of indoor ranning facilities in 116 large US cities. *Am. J. Prev. Med.* 36, 243–246.
- IBM Corp., 2013. IBM SPSS Statistics for Windows, Version 22.0. IBM Corp., Armonk, NY.
- Israel, B., Schultz, A., Parker, E., Becker, A., 1998. Review of community-based research: assessing partnership approaches to improve public health. *Annu. Rev. Public Health* 19, 173–202.
- Jernigan, D.H., Sparks, M., Yang, E., Schwartz, R., 2013. Using public health and community partnerships to reduce density of alcohol outlets. *Prev. Chronic Dis.* 10. <http://dx.doi.org/10.5888/pcd10.120090>.
- Kepple, N.J., Freisthler, B., 2014. Exploring the ecological association between crime and MMDs. *J. Stud. Alcohol Drugs* 73, 523–530.
- Kominski, G.F., Simon, P.A., Ho, A., Luck, J., Lim, Y.W., Fielding, J.E., 2002. Assessing the burden of disease and injury in Los Angeles County using disability-adjusted life years. *Public Health Rep.* 117, 185–191.
- Kraut, D.T., 1999. Hanging out the no vacancy sign: eliminating the blight of vacant buildings from urban areas. *New York Univ. Law Rev.* 74, 1139–1177.
- Kubrin, C.E., Weitzer, R., 2003. New directions in social disorganization theory. *J. Res. Crime Delinq.* 40, 374–402.
- Kubrin, C.E., Squires, G.D., Graves, S.M., Ousey, G.C., 2011. Does fringe banking exacerbate neighborhood crime rates? *Criminol. Public Policy* 10, 437–466.
- LeBeau, J., 2011. Sleeping with strangers: hotels and motels as crime attractors and crime generators. In: Andresen, M.A., Kinney, B. (Eds.), *Patterns, Prevention, and the Geometry of Crime*. Willan Publishing, Cullompton, Eng., pp. 77–102.
- Lipton, R., Gruenewald, P., 2002. The spatial dynamics of violence and alcohol outlets. *J. Stud. Alcohol Drugs* 63, 187–195.
- Los Angeles County Sheriff's Department, 2015. 2014 Part I & II Crimes. Retrieved March 2, 2015 from. <http://shq.lasdnews.net/CrimeStats/CAASS/desc.html>.
- Los Angeles Police Department (2011). Unpublished raw data.
- Los Angeles Police Department, 2015. Crime Mapping and COMPSTAT. Retrieved March 2, 2015 from. http://www.lapdonline.org/crime_mapping_and_compstat.
- Markowitz, F.E., Bellair, P.E., Liska, A.E., Liu, J., 2001. Extending social disorganization theory: modeling the relationships between cohesion, disorder, and fear. *Criminology* 39, 293.
- McKenna, M.T., Michaud, C.M., Murray, C.J., Marks, J.S., 2005. Assessing the burden of disease in the United States using disability-adjusted life years. *Am. J. Prev. Med.* 28, 415–423.
- Møller, K., 2008. Regulating cannabis markets in Copenhagen. In: Asmussen, V., Bjerge, B., Houborg, E. (Eds.), *Drug Policy—History, Theory and Consequences*. Aarhus University Press, Aarhus, Denmark, pp. 123–146.
- Moore, T.M., Stuart, G.L., 2005. A review of the literature on marijuana and interpersonal violence. *Aggress. Violent Behav.* 10, 171–192.
- Morenoff, J.D., 2005. Racial and ethnic disparities in crime and delinquency in the United States. In: Rutter, M., Tienda, M. (Eds.), *Ethnicity and Causal Mechanisms*. Cambridge University Press, Cambridge, UK, pp. 139–173.
- Morenoff, J.D., Sampson, R.J., Raudenbush, S.W., 2001. Neighborhood inequality, collective efficacy, and the spatial dynamics of urban violence. *Criminology* 39, 517–558.
- Morris, R.G., TenEyck, M., Barnes, J.C., Kovandzic, T.V., 2014. The effect of medical marijuana laws on crime: evidence from state panel data, 1990–2006. *PLoS One* 9, e92816.
- Ostrowsky, M.K., 2011. Does marijuana use lead to aggression and violent behavior? *J. Drug Educ.* 41, 369–389.
- Pedersen, W., Skardhamar, T., 2010. Cannabis and crime: findings from a longitudinal study. *Addiction* 105, 109–118.
- Peterson, R.D., Krivo, L.J., 2008. Race, residence, and violent crime: a structure of inequality. *Univ. Kansas Law Rev.* 57, 903–933.
- Peterson, R.D., Krivo, L.J., Harris, M.A., 2000. Disadvantage and neighborhood violent crime: do local institutions matter? *J. Res. Crime Delinq.* 37, 31–63.
- Pillay, D., Kelly, B.D., 2010. Recreational drugs and health information provided in head shops. *Psychiatrist* 34, 100–102.
- Press, R.M., 1980 December 17. Nationwide drive against 'tobacco shops' runs into a federal court snag. In: *Christian Science Monitor*.
- Prosser, J.M., Nelson, L.S., 2012. The toxicology of bath salts: a review of synthetic cathinones. *J. Med. Toxicol.* 8, 33–42.
- Richardson, E.A., Hill, S.E., Mitchell, R., Pearce, J., Shortt, N.K., 2015. Is local alcohol outlet density related to alcohol-related morbidity and mortality in Scottish cities? *Health Place* 33, 172–180.
- Romley, J.A., Cohen, D., Ringel, J., Sturm, R., 2007. Alcohol and environmental justice: the density of liquor stores and bars in urban neighborhoods in the United States. *J. Stud. Alcohol Drugs* 68, 48–55.
- Roncek, D.W., Maier, P.A., 1991. Bars, blocks, and crimes revisited: linking the theory of routine activities to the empiricism of "hot spots". *Criminology* 29, 725–753.
- Rosenbaum, C.D., Carreiro, S.P., Babu, K.M., 2012. Here today, gone tomorrow... and back again? A review of herbal marijuana alternatives (K2, Spice), synthetic cathinones (bath salts), kratom, *Salvia divinorum*, methoxetamine, and piperazines. *J. Med. Toxicol.* 8, 15–32.
- Ryall, G., Butler, S., 2011. The great Irish head shop controversy. In: *Drugs: Education, Prevention and Policy*. vol. 18, pp. 303–311.
- Sampson, R.J., Groves, W.B., 1989. Community structure and crime: testing social-disorganization theory. *Am. J. Sociol.* 94, 774–802.
- Sampson, R.J., Raudenbush, S.W., 2001. Disorder in Urban Neighborhoods: Does It Lead to Crime. U.S. Department of Justice, Office of Justice Programs, National Institute of Justice, Washington, DC.
- Sampson, R.J., Wilson, W.J., 1995. Toward a theory of race, crime, and urban inequality. In: *Race, Crime, and Justice: A Reader*, pp. 177–190.
- Sampson, R.J., Raudenbush, S.W., Earls, F., 1997. Neighborhoods and violent crime: a multilevel study of collective efficacy. *Science* 277, 918–924.
- Sampson, R.J., Morenoff, J.D., Earls, F., 1999. Beyond social capital: spatial dynamics of collective efficacy for children. *Am. Sociol. Rev.* 64, 633–660.
- Sampson, R.J., Morenoff, J.D., Raudenbush, S., 2005. Social anatomy of racial and ethnic disparities in violence. *Am. J. Public Health* 95, 224–232.
- Schmerler, K., 2005. Disorder at budget motels. Center for Problem-Oriented Policing Inc., United States Department of Justice, Washington DC.
- Shaw, G.R., McKay, H.D., 1942. *Juvenile Delinquency and Urban Areas*. University of Chicago Press, Chicago, IL.
- Siordia, C., Saenz, J., Tom, S.E., 2012. An introduction to macro-level spatial non-stationarity: a geographically weighted regression analysis of diabetes and poverty. *Hum. Geogr.* 6 (2), 5.
- Spiller, H.A., Ryan, M.L., Weston, R.G., Jaansen, J., 2011. Clinical experience with and analytical confirmation of "bath salts" and "legal highs" (synthetic cathinones) in the United States. *Clin. Toxicol.* 49, 499–505.
- Task Force on Community Preventive Services, 2009. Recommendations for reducing excessive alcohol consumption and alcohol-related harms by limiting alcohol outlet density. *Am. J. Prev. Med.* 37, 570–571.
- U. S. Census Bureau, 2010. American FactFinder. Retrieved March 18, 2015 from. <http://factfinder.census.gov>.
- U. S. Census Bureau, 2014. American FactFinder. Retrieved May 9, 2016 from. <http://factfinder.census.gov>.
- Van Hout, M.C., Bingham, T., 2012. "A costly turn on": patterns of use and perceived consequences of mephedrone based head shop products amongst Irish injectors. *Int. J. Drug Policy* 23, 188–197.
- Walker, J., 2009. Social disorganization theory. In: Miller, J. (Ed.), *21st Century Criminology: A Reference Handbook*. SAGE Publications, Inc., Thousand Oaks, CA, pp. 312–323. <http://dx.doi.org/10.4135/9781412971997.n36>.
- Walker, S., Spohn, C., DeLone, M., 2011. *The Color of Justice: Race, Ethnicity, and Crime in America*. Cengage Learning, Boston, MA.
- Wang, H.M., Herrera, V.H., 2014 March 27. A Note of Marijuana Legalization and Arrest Rates in the United States. A Paper Presented at the Academic and Business Research Institute Conference. San Antonio, TX.
- Warner, B.D., Pierce, G.L., 1993. Reexamining social disorganization theory using calls to the police as a measure of crime. *Criminology* 31 (4), 493–517.
- Weisburd, D., Telep, C.W., Hinkle, J.C., Eck, J.E., 2010. Is problem-oriented policing effective in reducing crime and disorder? *Criminol. Public Policy* 9, 139–172.
- Wilcox, P., Eck, J.E., 2011. Criminology of the unpopular. *Criminol. Public Policy* 10, 473–482.
- Zhu, L., Gorman, D.M., Horel, S., 2004. Alcohol outlet density and violence: a geospatial analysis. *Alcohol Alcohol.* 39, 369–375.

EXHIBIT B

NUISANCE TOBACCO SHOPS IN LOS ANGELES COUNTY

Density^{1,a} & Location of Licensed Tobacco-only Retailers
By Supervisory District, Los Angeles County

Number of Assault-related Hospital Discharges²
By Zip Code, Supervisory District, Los Angeles County, 2015



- LICENSED UNINCORPORATED TOBACCO-ONLY RETAILERS¹

SUPERVISORY DISTRICTS (SUP): 1 through 5

* Santa Catalina Island not shown in its true location; not shown: San Clemente Island (SUP 4)

Tobacco Retailer Density^{1,a}
Magnitude Per Square Mile

0 - 2
2 - 5
5 - 9
9 - 15
15 - 24
24 - 41

^a Includes all CDTFA-licensed tobacco retailers

Number of Assault-related Hospital Discharges²

0 - 6
7 - 15
16 - 33
34 - 54
55 - 90
No Data

0 5 10 20 miles

Sources: ¹Tobacco retail licensing data obtained by the California Department of Tax & Fee Administration (CDTFA) (formerly Board of Equalization); ²Hospital Patient Inpatient Discharge Data. Office of Statewide Health Planning and Development (OSHPD), State of California. International Classification of Diseases, 9th Rev. (ICD-9), 2015.

EXHIBIT C

**Reports and Calls for Service at Tobacco Shops in LASD's Unincorporated Area
01/01/15 to 04/15/18**

TCPP_ID	DBA	LICENSED_LOCATION	UNINCORP AREA	REPORTS	CALLS	SUPV DIST
TCPP0853	VAPORSMOKE	1691 EASTERN AVE	LOS ANGELES	0	0	1
TCPP0652	ALLIGATOR SMOKE SHOP	2490 FLORENCE AVE	HUNTINGTON PK	0	0	1
TCPP0605	EASTSIDE SMOKE SHOP	3549 E CESAR E CHAVEZ AVE	LOS ANGELES	1	10	1
TCPP0660	UNIVERSE SMOKE SHOP	3842 E 1ST ST	LOS ANGELES	0	0	1
TCPP0582	YASSA SMOKE SHOP	3956 WHITTIER BLVD	LOS ANGELES	2	13	1
TCPP0015	T J SMOKE SHOP	507 AZUSA AVE	LA PUENTE	1	17	1
TCPP0682	TK SMOKE SHOP	5350 WHITTIER BLVD	LOS ANGELES	3	7	1
TCPP0215	PIPE DREAMS SMOKE SHOP	6170 WHITTIER BLVD	LOS ANGELES	0	1	1
TCPP0310	TOBACCO SHOP	6567 E OLYMPIC BLVD	LOS ANGELES	0	0	1
TCPP0470	J&H SMOKE SPOT	7837 PACIFIC BLVD	HUNTINGTON PARK	0	0	1
TCPP0736	BRAZIL DISCOUNT CIGARETTES	5628 WHITTIER BLVD	COMMERCE	2	2	1
TCPP0757	CIGARETTES ETC.	1859 N HACIENDA BLVD # F-6	LA PUENTE	1	8	1
TCPP0789	EJ'S SMOKE SHOP	19064 LA PUENTE RD	WEST COVINA	0	1	1
TCPP0788	HAPPY ZONE SMOKE SHOP	2676 E FLORENCE AVE	WALNUT PARK	0	1	1
TCPP0805	JC'S CIGARRERO	7800 PACIFIC BLVD STE 12	HUNTINGTON PK	0	0	1
TCPP0965	KOKOPELLI SMOKESHOP	7837 PACIFIC BLVD STE 4	HUNTINGTON PK	0	0	1
TCPP0779	THE SMOKE STOP	1225 S ATLANTIC BLVD	LOS ANGELES	1	46	1
TCPP0168	VIDEO 94	19020 LA PUENTE RD	WEST COVINA	1	72	1
TCPP0114	SMOKING ARTS	10213 S VERMONT AVE	LOS ANGELES	0	0	2
TCPP0715	SMOKE & MORE	10714 WESTERN AVE	LOS ANGELES	5	12	2
TCPP0877	NEWS AND CIGARETTE CITY	11832 WILMINGTON AVE	LOS ANGELES	2	10	2
TCPP0533	ALI TOBACCO & MARKET	12407 WILMINGTON AVE	COMPTON	0	6	2
TCPP0577	D&M TOBACCO	1245 CARSON ST	TORRANCE	3	4	2
TCPP0175	SMOKE AND MARKET	1252 E FLORENCE AVE	LOS ANGELES	0	3	2
TCPP0523	CALIFORNIA TOBACCO	12910 ATLANTIC AVE	COMPTON	0	3	2
TCPP0780	VALUE PLUS TOBACCO MARKET	13406 AVALON BLVD	LOS ANGELES	1	8	2
TCPP0722	FLORES TOBACCO	15502 ATLANTIC AVE	RANCHO DOM	1	3	2
TCPP0873	B & M TOBACCO	1717 W EL SEGUNDO BLVD	GARDENA	3	4	2
TCPP0755	TNT Tobacco	1804 Firestone Blvd	Los Angeles	0	0	2
SUBICA22	THE VAPE EMPIRE LLC	21720 S VERMONT AVE	TORRANCE	0	1	2
TCPP0702	COMPTON SMOKEN VAPE & GIFT	2787 DEL AMO BLVD	COMPTON	1	0	2
TCPP0341	SMOKER'S PARADESAI	417 W EL SEGUNDO BLVD	LOS ANGELES	0	0	2
TCPP0790	R&B TOBACCO SHOP	4405 COMPTON BLVD	COMPTON	1	1	2
TCPP0532	SMOKEY DA BEAR SMOKE SHOP	6052 COMPTON AVE	LOS ANGELES	1	5	2
TCPP0866	SAMIIS SMOKE FOR LESS	627 EL SEGUNDO BLVD	LOS ANGELES	4	22	2
TCPP0641	BLACK DRAGON'S TOBACCO	800 W CARSON ST	TORRANCE	1	10	2
TCPP0824	7TH HEAVEN SMOKE SHOP	1807 E FLORENCE AVE	LOS ANGELES	0	0	2
TCPP0795	CC'S SMOKE & VAPE	1451 1/2 W CENTURY BLVD	LOS ANGELES	0	0	2
TCPP0820	KOOKOO SMOKES	4435 LENNOX BLVD STE 3	LENNOX	0	0	2

TCPP_NTRI	POP N' VAPE	15709 CRENSHAW BLVD STE B	GARDENA	0	0	2
TCPP0230	PRADO HOUSE CIGAR CO	10536 SPY GLASS HILL RD	WHITTIER	0	0	4
TCPP0338	SAM'S SMOKE SHOP	11515 SLAUSON BLVD	WHITTIER	5	13	4
TCPP0847	SMOKEN	11734 COLIMA RD	WHITTIER	2	4	4
TCPP0521	WHITTIER SMOKE SHOP	13511 TELEGRAPH RD	WHITTIER	0	1	4
TCPP0851	US TOBACCO/DUO SMOKE SHOP	15010 MULBERRY DR	WHITTIER	0	1	4
TCPP0315	TOBACCO REVOLUTION	15652 LEFFINGWELL RD	WHITTIER	0	12	4
TCPP0562	EMPIRE TOBACCO, LLC	15914 HALLIBURTON RD	HACIENDA HTS	0	4	4
TCPP0632	E-CIG CITY5	16042 GALE AVE	HACIENDA HTS	0	2	4
TCPP0451	VAPEBAY, INC.	17055 WEDGEWORTH DR	HACIENDA HTS	0	0	4
TCPP0571	EGYPT SMOKE	18253 COLIMA RD	ROWLAND HTS	0	0	4
TCPP0475	R.H. SMOKE SHOP	18448 COLIMA RD	HACIENDA HTS	0	0	4
TCPP0871	FZ SMOKE SHOP	18939 LABIN CT	ROWLAND HTS	0	0	4
TCPP0387	HACIENDA SMOKE SHOP	2037 HACIENDA BLVD	HACIENDA HTS	0	0	4
TCPP0394	JOE'S SMOKE SHOP AND WATER	8240 NORWALK BLVD	WHITTIER	0	0	4
TCPP0916	CLEARMIST VAPE & E-CIG	1729 FULLERTON RD STE B	ROWLAND HTS	0	0	4
TCPP0809	DRAGON VAPE DRAGON MIST VAPE	18451 COLIMA RD	ROWLAND HTS	0	0	4
TCPP_NTRI	OG SMOKE AND VAPE SHOP	11511 E WASHINGTON BLVD	WHITTIER	0	2	4
TCPP0771	VAPERACK	14433 E TELEGRAPH RD	WHITTIER	0	2	4
TCPP0825	WEST COAST VAPE KINGS	10832 KANE AVE	WHITTIER	0	0	4
TCPP0770	WHITTIER VAPES	15640 LEFFINGWELL RD	WHITTIER	0	2	4
TCPP0852	BIG BEN TOBACCO	128 ROSEMEAD BLVD	PASADENA	1	1	5
TCPP0288	A1 TOBACCO HOUSE	1920 LAKE AVE	ALTADENA	4	5	5
TCPP0409	CIGAR & MORE INC	23868 COPPERHILL DR	VALENCIA	0	2	5
TCPP0679	ACE TOBACCO SHOP #1	2501 LAKE AVE	ALTADENA	1	3	5
TCPP0690	SCV VAPE	25269 THE OLD RD	SANTA CLARITA	8	13	5
TCPP0758	THE SMOKE ZONE	25886 THE OLD RD	STEVENSON RANCH	1	2	5
TCPP0170	SMOKE DEPOT & VAPE LOUNGE	26930 THE OLD RD	VALENCIA	0	7	5
TCPP0576	LA CRESCENTA SMOKE SHOP INC	3132 FOOTHILL BLVD	LA CRESCENTA	0	0	5
TCPP0701	HABEBE SMOKE & MKT	31585 CASTAIC RD	CASTAIC	0	5	5
TCPP0393	ANJYS SMOKE SHOP	31755 CASTAIC RD	CASTAIC	1	1	5
TCPP0723	SMOKE 4 LESS #3	31870 CASTAIC RD	CASTAIC	1	4	5
TCPP0704	DISCOUNT CIGARETTES	40340 170TH ST E	LAKE LOS ANGELES	0	0	5
TCPP0581	BEST BUY 1 CIGARETTE/TOBACCO	4332 LIVE OAK AVE	ARCADIA	0	1	5
TCPP0478	PREMIUM CIGAR & VAPE AT Q	5037 AVENUE N	QUARTZ HILL	0	0	5
TCPP0531	ALL IN 1 SMOKE SHOP #2	7250 ROSEMEAD BLVD	SAN GABRIEL	2	5	5
TCPP0407	LITTLEROCK TOBACCO INC.	8714 AVENUE T	LITTLEROCK	1	7	5
TCPP0925	HIGH DESERT VAPOR INC	5015 COLUMBIA WAY	QUARTZ HILL	0	0	5

TCPP_ID obtained from the Department of Public Health

Reports data was obtained from LARCIS

Calls for Service data was obtained from RAPS

EXHIBIT D

**COUNTY OF LOS ANGELES – DEPARTMENT OF PUBLIC HEALTH
Tobacco Retail Licenses**

Cities in Los Angeles County that have adopted a Tobacco Retail License Ordinance.

- Artesia
- Azusa
- Baldwin Park
- Beverly Hills
- Burbank
- Calabasas
- Carson
- Cerritos
- Compton
- Culver City
- Duarte
- El Monte
- El Segundo
- Gardena
- Glendale
- Hawaiian Gardens
- Hawthorne
- Huntington Park
- Inglewood
- La Cañada-Flintridge
- La Verne
- Lancaster
- Lawndale
- Lomita
- Long Beach
- Los Angeles
- Los Angeles County Unincorporated Area
- Lynwood
- Malibu
- Manhattan Beach
- Maywood
- Montebello
- Monterey Park
- Palmdale
- Pasadena
- San Fernando
- San Gabriel
- Santa Monica
- Sierra Madre
- South El Monte
- South Pasadena
- Temple City
- West Covina
- West Hollywood

Los Angeles County: Tobacco Control and Prevention Best Practices in the Retail Environment

LA County Jurisdictions	Prohibit new tobacco retailers near youth sensitive areas	Prohibit new tobacco retailers from locating near other tobacco retailers	Prohibit new "Significant Tobacco Retailers"	Limit or "cap" the number of retailers that can sell tobacco products	Prohibit sale of tobacco products in pharmacies	Regulate the sale of drug paraphernalia	Regulates electronic cigarettes	Prohibit sale of flavored tobacco products (inc. e-cig and accessories)	Prohibit sale of menthol flavored cigarettes	Require minimum pack size for little cigars and cigarillos
Artesia							X			
Beverly Hills							X			
Calabasas	X ¹									
Carson							X			
Cerritos							X			
Covina	X ²	X ²					X ²			
Culver City							X			
Duarte						X	X			
El Monte							X			
Gardena							X			X
Huntington Park	X	X		X		X				X
La Mirada	X ²	X ²								
La Verne							X			
Lynwood	X	X		X		X				
Manhattan Beach	X ¹	X					X	X ³		
Palmdale	X ²					X				
Pasadena	X ²									
Santa Monica							X			
South El Monte							X			
South Pasadena	X ¹									
Temple City	X ²	X								
West Hollywood	X ¹	X					X			X

Notes

¹ near schools only

² in zoning code or CUP

³ adult- only exempt

California: Tobacco Control and Prevention Best Practices in the Retail Environment

CA Jurisdictions	Prohibit new tobacco retailers near youth sensitive areas	Prohibit new tobacco retailers from locating near other tobacco retailers	Prohibit new "Significant Tobacco Retailers"	Limit or "cap" the number of retailers that can sell tobacco products	Prohibit sale of tobacco products in pharmacies	Regulate the sale of drug paraphernalia	Regulate electronic cigarettes	Prohibit sale of flavored tobacco products (inc. e-cig and accessories)	Prohibit sale of menthol flavored cigarettes	Require minimum pack size for little cigars and cigarillos
Adelanto	X ¹									
Albany	X ¹						X			
Alturas							X			
American Canyon			X				X			
Anaheim	X ¹									
Antioch	X									
Arroyo Grande							X			
Artesia							X			
Arvin							X			
Banning							X			
Beaumont							X			
Berkeley	X				X		X	X ⁵	X ⁵	
Beverly Hills							X			
Bishop							X			
Brisbane							X			
Buellton		X								
Calabasas	X ⁷									
California City							X			
Calimesa							X			
Campbell							X			
Capitola	X						X			
Carmel by the Sea							X			
Carpentaria	X ¹			X			X			
Carson							X			
Cathedral City							X			

CA Jurisdictions	Prohibit new tobacco retailers near youth sensitive areas	Prohibit new tobacco retailers from locating near other tobacco retailers	Prohibit new "Significant Tobacco Retailers"	Limit or "cap" the number of retailers that can sell tobacco products	Prohibit sale of tobacco products in pharmacies	Regulate the sale of drug paraphernalia	Regulate electronic cigarettes	Prohibit sale of flavored tobacco products (inc. e-cig and accessories)	Prohibit sale of menthol flavored cigarettes	Require minimum pack size for little cigars and cigarillos
Cerritos							X			
Cloverdale							X			X
Coachella							X			
Concord							X			
Contra Costa County	X ²	X	X	X	X		X	X ²	X ²	X
Corona							X			
Costa Mesa	X ¹	X								
Covina	X ¹	X ¹					X ¹			
Crescent City	X ¹						X ¹			
Culver City							X			
Daly City					X		X			
Davis							X			
Delano							X			
Desert Hot Springs							X			
Duarte						X	X			
Dublin	X	X	X				X			
Eastvale							X			
El Cajon	X ¹	X					X			
El Cerrito	X	X	X			X	X	X		X
El Monte							X			
Emeryville	X									
Fairfield	X ¹	X								
Firebaugh							X			
Fort Bragg							X			
Fowler						X				
Fremont		X ¹					X			
Gardena							X			X

CA Jurisdictions	Prohibit new tobacco retailers near youth sensitive areas	Prohibit new tobacco retailers from locating near other tobacco retailers	Prohibit new "Significant Tobacco Retailers"	Limit or "cap" the number of retailers that can sell tobacco products	Prohibit sale of tobacco products in pharmacies	Regulate the sale of drug paraphernalia	Regulate electronic cigarettes	Prohibit sale of flavored tobacco products (inc. e-cig and accessories)	Prohibit sale of menthol flavored cigarettes	Require minimum pack size for little cigars and cigarillos
Goleta	X						X			
Grass Valley							X			
Grover Beach							X			
Hayward	X ¹			X	X		X	X ⁶		X
Healdsburg					X		X			
Hemet							X			
Hollister	X	X	X	X	X		X			
Huntington Park	X	X	X	X		X				X
Kern County							X			
La Mirada	X ¹	X ¹								
La Verne							X			
Lake Elsinore							X			
Los Gatos	X	X	X		X		X	X ³	X ³	
Lynwood	X	X	X	X		X				
Manhattan Beach	X ⁷	X					X	X ³		
Marin County	X ¹				X					
Menifee							X			
Merced	X						X			
Mill Valley							X			
Monterey						X	X			
Monterey County						X	X			
Moreno Valley							X			
Morgan Hill							X			
Mountain View	X ¹				X					
Murrieta						X	X			
Nevada City		X					X			X
Norco							X			

CA Jurisdictions	Prohibit new tobacco retailers near youth sensitive areas	Prohibit new tobacco retailers from locating near other tobacco retailers	Prohibit new "Significant Tobacco Retailers"	Limit or "cap" the number of retailers that can sell tobacco products	Prohibit sale of tobacco products in pharmacies	Regulate the sale of drug paraphernalia	Regulate electronic cigarettes	Prohibit sale of flavored tobacco products (inc. e-cig and accessories)	Prohibit sale of menthol flavored cigarettes	Require minimum pack size for little cigars and cigarillos
San Jacinto	X						X			
San Jose										
San Leandro	X ¹	X ¹					X	X		X
San Luis Obispo							X			
San Luis Obispo County							X			
San Marcos								X		
San Mateo							X			
San Mateo County							X			
San Rafael	X ¹						X			
Santa Ana							X			
Santa Barbara County	X	X			X		X			
Santa Clara		X ¹					X			
Santa Clara County	X ⁷	X			X		X	X ³	X ³	
Santa Cruz	X						X			
Santa Cruz County	X				X		X			
Santa Monica							X			
Saratoga	X ¹	X ¹					X			
Scotts Valley	X	X					X			
Seal Beach		X ¹					X			
Seaside							X			
Selma	X ¹	X ¹					X			
Shafter							X			
Sierra Madre				X						
Solana Beach							X			
Sonoma		X		X	X		X	X		X
Sonoma County	X			X	X		X			
South El Monte							X			

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South Pasadena	X ⁷									
South San Francisco							X			
Taft							X			
Tehachapi							X			
Temecula							X			
Temple City	X ¹	X								
Union City	X ¹	X					X			X
Vallejo	X ¹									
Vista	X ¹						X			
Wasco							X			
Watsonville							X			
West Covina	X ⁷									
West Hollywood	X ⁷	X					X			X
Westminster	X ¹						X			X
Wildomar							X			
Windsor	X ¹									
Winters							X			
Woodland							X			
Yolo County							X	X	X	

Notes

- ¹ in zoning code or CUP
- ² within 1000 ft of youth sensitive areas
- ³ adult-only exempt
- ⁴ pending June 2018 referendum
- ⁵ within 600 ft of schools
- ⁶ within 500 ft of schools
- ⁷ near schools only

REQUEST FOR COUNTY COUNSEL ACTION

March 6, 2018

TO: MARY C. WICKHAM
County Counsel

FROM: CASSANDRA LO
Deputy County Counsel

AGENDA DATE: March 6, 2018

SUBJECT: Item 7: Nuisance Tobacco Shops

REQUESTED BY: Board

TIME FRAME FOR RESPONSE: 120 Days

ATTACHMENTS: Motion by Supervisor Ridley-Thomas, Revised Motion

ACTION REQUESTED:

The Board directed the Director of Public Health, with the Director of Planning, County Counsel, Sheriff, TTC, and other key community stakeholders, to report back in 120 days regarding nuisance tobacco shops or "smoke shops." The report should include: 1) an assessment of the number and location of tobacco shops and their impact on community health and safety; 2) an assessment of the best practices and regulatory mechanisms, including changes to the Tobacco Retailer License requirements, Title 7 Business Licenses, density and zoning restrictions and conditional use permits, an evaluation of health impacts, mechanisms to track and monitor tobacco shops, and targeted education and outreach strategies to reduce use of tobacco and other substances.

Attachments

c: Lawrence Hafetz
Lester Tolnai
Rodrigo Castro-Silva
Thomas Faughnan
Roger Granbo
Dawyn Harrison
Patrick Wu
Rosemarie Belda
Agenda Team

MOTION BY SUPERVISOR MARK RIDLEY-THOMAS

March 6, 2018

Addressing Nuisance Tobacco Shops

A 2017 study by the University of California Riverside, School of Medicine showed that South Los Angeles tobacco shops, or “smoke shops,” are associated with high levels of violent and property crimes around their locations. The data suggested that smoke shops “may constitute nuisance properties associated with dangerous neighborhood conditions for crime and violence in South Los Angeles, and perhaps similar low-income urban communities of color.”

This study empirically supports the widespread concern from the community. According to Community Coalition’s 2017 South Los Angeles People’s Poll of over 4,000 residents, 64% of adults and 44% of youth are “very concerned” with criminal activity at, and surrounding, smoke shops. According to the same poll, 61% of adults and 41% of youth are also concerned with loitering at smoke shops.

Nuisance properties can attract robberies, drug use, and other crimes, making them unsafe zones for residents, particularly in low-income communities. This further

- MORE -

MOTION

SOLIS _____

RIDLEY-THOMAS _____

HAHN _____

BARGER _____

KUEHL _____

MOTION BY SUPERVISOR MARK RIDLEY-THOMAS
March 6, 2018
PAGE 2

contributes to economic disinvestment, blight, social disorganization and community-level trauma. However, appropriate regulations of these nuisance properties can promote healthy physical, social, and economic environments for these communities.

I THEREFORE MOVE THAT THE BOARD OF SUPERVISORS: Instruct the Director of the Department of Public Health, in collaboration with the Director of Regional Planning, County Counsel, Sheriff, and key community stakeholders, to report back on nuisance tobacco shops, due to the Board of Supervisors in writing in 120 days, including:

1. Assessment of the number and location of tobacco shops in unincorporated Los Angeles County, and their impact on community health and safety;
2. Assessment of the best practices and regulatory mechanisms to address nuisance tobacco shops, including, but not limited to, changes to the Tobacco Retailer License requirements, density and zoning restrictions, and Conditional Use Permits;
3. Evaluation of disparate health impacts related to these nuisance properties;
4. Mechanisms to track and monitor tobacco shops; and,
5. Existing and new targeted education and outreach strategies to reduce tobacco and other substance use.

#

(HS/CT)

REVISED MOTION BY SUPERVISOR MARK RIDLEY-THOMAS

March 6, 2018

Addressing Nuisance Tobacco Shops

A 2017 study by the University of California Riverside, School of Medicine showed that South Los Angeles tobacco shops, or "smoke shops," are associated with high levels of violent and property crimes around their locations. The data suggested that smoke shops "may constitute nuisance properties associated with dangerous neighborhood conditions for crime and violence in South Los Angeles, and perhaps similar low-income urban communities of color."

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MOTION BY SUPERVISOR MARK RIDLEY-THOMAS

March 6, 2018

PAGE 2

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I THEREFORE MOVE THAT THE BOARD OF SUPERVISORS: Instruct the Director of the Department of Public Health, in collaboration with the Director of Regional Planning, County Counsel, Sheriff, Treasurer and Tax Collector, and key community stakeholders, to report back on nuisance tobacco shops, due to the Board of Supervisors in writing in 120 days, including:

1. Assessment of the number and location of tobacco shops in unincorporated Los Angeles County, and their impact on community health and safety;
2. Assessment of the best practices and regulatory mechanisms to address nuisance tobacco shops, including, but not limited to, changes to the Tobacco Retailer License requirements, Title 7 Business Licenses, density and zoning restrictions, and Conditional Use Permits;
3. Evaluation of disparate health impacts related to these nuisance properties;
4. Mechanisms to track and monitor tobacco shops; and,
5. Existing and new targeted education and outreach strategies to reduce tobacco and other substance use.

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(HS/CT)