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Old Enough to Vote but Not Smoke? Whatever

By SUSAN CARPENTER, TIMES STAFF WRITER

Sitting outside UCLA's campus bookstore, his left leg dangling over the edge of a cement wall, Michael Cho is taking slow, pensive drags off his Marlboro during a break from his job stocking textbooks.

The 19-year-old art major, who began smoking as "a form of venting," is old enough to vote, work and go to war. But if a bill pending in the California Legislature gets an eleventh-hour burst of energy, he would no longer be old enough to buy cigarettes. The bill calls for raising the minimum legal age for purchasing cigarettes in California from 18 to 21--the highest in the country. While 18 remains the standard in most states, Alabama, Alaska and Utah have raised their minimums to 19.

The proposed bill has smokers' rights groups up in arms, but Cho, who read about the proposed bill in the campus newspaper a few months ago and who is among those who would be affected by such a law, doesn't seem to care.

"I started smoking many years before I was 18, so I don't think it will change things much," said Cho, who picked up the habit at 12, frequently buying cigarettes from stores that paid no attention to laws forbidding their sale to minors.

The legislation, now known as AB 1453, was introduced by state Assemblyman Paul Koretz (D-West Hollywood) in June at the urging of the California Medical Assn. and is currently being held in a Senate appropriations committee. If it doesn't pass by Friday, when the Legislature closes for the year, its sponsors say, it will be brought before the Assembly again in January.

The bill calls for fines for illegal sales, starting at \$200 and going up to \$6,000. Even if the age is raised, there's no guarantee young people won't be able to buy cigarettes: They can be purchased online and bought through older friends and other means, teens say. "Teenagers are already quite adept at getting fake IDs to get into clubs," said Laura, a 22-year-old UCLA student who didn't want her last name used. She tried her first cigarette at 14 and now smokes half a pack a day.

"You can't push a person to do something they don't want to do," said Daniela Perucca, a 27-year-old Italian now living in L.A. who has been smoking since she was 16. "If you say, 'Don't smoke until you're 21,' for sure they will try it."

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La Opinión

In Italy, where she started smoking, there's "no way" such a law would pass. According to Perucca, "Everyone smokes in Europe."

In the U.S., 23% of the population smokes. In California, 17% of the population does. Whether raising the age at which people can buy cigarettes will reduce that percentage further remains to be seen, but activists on both sides of the debate have expressed doubt.

Stanton Glantz, a UC San Francisco professor of medicine and one of the nation's most vociferous anti-smoking activists, calls the proposed bill silly. Glantz played a large part in California's adoption of the law against smoking in bars, workplaces and public buildings. But the move to raise the age for buying cigarettes is off the mark, he says.

"It's a waste of time because there's no evidence at all that restricting access to cigarettes affects actual smoking," says Glantz, who recently published a paper in Pediatrics magazine on youth access laws. "They made it hard to buy cigarettes, but they didn't affect actual smoking rates."

Language attached to the bill maintains that "reducing the number of older youth who smoke will help reduce sales of tobacco to even younger children."

The U.S. surgeon general reports that smokers usually sample cigarettes at the median age of 14 but don't begin to smoke daily until 18.

The federal government recognizes 18 as the age at which a person becomes a legal adult. In California, an 18-year-old can drive, join the Army, vote for president, get married, procure loans, sign contracts and hold a job. But a person must be 21 to legally buy or possess alcohol.

"If these kids are old enough to sign a legal document, aren't they old enough to make their own life choices?" asks Samantha Phillippe, president of Smokersclub.com and editor of the United Pro Choice Smokers Rights Newsletter.

Christopher Coes, 19, vice president of the National Youth Rights Assn. in Washington, D.C., said, "There are many 17-year-olds who are more responsible than 28-year-olds and vice versa. We do not feel that age should determine legislative policies."

A study conducted by the Centers for Disease Control found that smoking among those older than 18 fell 55% between 1965 and 1999. And "that was without any age restrictions," said Coes.

The National Youth Right's Assn.'s solution to reduce smoking: Target the tobacco companies and prevent them from advertising to minors. But advocates of the bill don't see it that way.

"[Teens] don't understand that by smoking, they're making a decision that will shorten their lives," said Scott Svonkin, chief of staff for Assemblyman Koretz, a sponsor of the pending bill. "They're like, 'Why are they messing with us?' Government passes laws to protect people every day. This is just another law to protect people."

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