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**Scientific and policy information on Smoking bans.**

**Report to the Ohio Legislature.**

I am a 40 year physician, 32 year attorney, Emergency Physician and former Public Health Official. I am familiar with the research on second hand smoke health effects. I evaluated the report of the EPA in the early 90s and the more recent report on the same scientific claims made by the Surgeon General in 2006. Both studies are burdened by unreliable and exaggerated claims. The Ohio legislature would be well advised to consider the sources—government agencies that are often if not always promoting agendas that are not supported by good science.

I make these assertions that can be supported by reliable research:

1. There is no dispute that cigarette smoking has negative health effects. I would point out that the anti smoking activists haven't had the nerve or courage to try to eliminate smoking.
2. In addition the anti smoking lobby aggressively seeks tax revenues from smokers. Apparently the anti smoking crusade can't decide what their goal is, but smoker would just prefer to be left alone.
3. The 20-25% of the population that are cigarette smokers are aware of the risks, unless they are unconscious, and engage in legal activity and would suggest that the government should leave them alone.
4. The research promoted and relied on by smoking ban advocates does not show evidence that second hand smoke is dangerous to anyone. Any silly and hidden effort to stop smoking by smoking bans is not honest or appropriate.
5. The risk of second hand smoke claimed by the EPA, and the Surgeon General, is a claim not proved by the research that is put up by the EPA and the Surgeon General.
6. The studies promoted by the anti smoking lobby show a a small risk that is not proof of real risk. Results that are shown by the EPA and the Surgeon General of less than 20 percent effect for second hand smoke are not proof under the rules of science. Moreover studies of equal merit show no effect, no risk from second hand smoke. The studies that show no effect are Boffetta's study sponsored by the World Health Organization (*Journal of the National Cancer Institute*, 1998) and James Enstrom, (*British Medical Journal*, 2003, also *Inhalation Toxicology* 2006).
7. Einstein said that evidence that disproves a premise is controlling and the research promoted by the EPA is too weak, the research by Enstrom and Boffetta shows there is no second hand

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smoke problem.

8. The comprehensive study of **smoking bans** by the National Bureau of Economic Research reported in 2010 in the *Journal of Public Analysis and Management*, showed no health benefits from smoking bans. The study was much more comprehensive than the cherry-picked, short term studies promoted by smoking ban advocates in places like Helena Montana, or Pueblo Colorado. Cherry picking is what the anti smoking advocates do to panic the public and politicians.

There is no doubt that the smoking ban crusade is motivated by unreasonable, unscientific effort to intimidate and persecute the 25% of Americans who legally smoke. The campaign is heavily financed by companies that sell tobacco avoidance products and the American Cancer Society that is motivated to stop smoking anytime, anywhere.

Government has no right to prohibit smoking by consenting adults on the basis of inadequate scientific claims that assert their smoking will harm some non smoker. Smokers can easily associate with their consenting friends in adult forums. The government should stand down and leave smoker alone.

Aggressive meddling in peoples lives violates basic American principles of government.

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References available from the signatory on request.