

Case Studies from Community Coalitions

Advancing Local Tobacco Control Policy in a Preemptive State

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Policies that shield people from the harm of tobacco exposure are essential to protect the health of the population. Coalitions have often led the way in safeguarding community health by promoting social norm change through policy adoption. In some states, tobacco control laws are weak, in part because of a tobacco industry tactic of prohibiting or pre-empting communities from enacting ordinances that are more protective. In spite of strong state-level preemptions, local coalitions in Oklahoma have implemented hundreds of voluntary policies in tobacco control that have improved the protection and health of their communities while not violating preemption. Three case studies of policy change are presented that exemplify the key approach of local coalitions working with strong allies and informed decision makers to establish tobacco-free businesses, schools, and outdoor recreational areas. In each of the cases, the policy changes surpassed the protection provided by the state laws and inspired additional policy changes. The key strategies and lessons learned may help tobacco control coalitions in other states limited by preemption to garner more support and momentum for important policy changes within their communities and states.

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Introduction

Reducing the consumption of tobacco is imperative to curbing the health and economic tolls of tobacco-related disease. Essential to reducing the use of tobacco is the recognition that individuals and groups make choices within sets of dynamic, interconnected, social, and physical environments that impact health.¹ Social norm change strategies are credited with effectively and simultaneously assisting smokers to quit or to decrease their consumption, protecting non-smokers from secondhand smoke, and preventing tobacco use uptake among youth.^{2–4} Unlike individual education or action, a population-based approach like social norm change reinforces the idea that tobacco use in the community is unacceptable.⁵ Previous research has shown that policy adoption can lead to changes in social norms and that changes in social norms can lead to policy adoption.^{3,4,6–10} Local coalitions, reflective of diverse perspectives, experiences, cultures, and levels of authority, are respected and popular forces for improving community

health, often by changing social norms through policy adoption.^{2,11–13}

Local policy efforts are limited by preemptive language in some states' tobacco laws—a tactic of the tobacco industry.^{14–17} The intention behind the tactic is to prohibit consideration of effective tobacco control ordinances at the local level, where tobacco industry lobbyists have less influence with policymakers.^{14,17} Preemption, which restricts local governments from passing one or more types of tobacco control ordinances more stringent than state law, exists in 27 states, including Oklahoma.¹⁸ Section 1-1527 of Title 63 in the Oklahoma statutes, enacted in 1987, applies state preemption to local ordinances that would control smoking. Section 600.10 of Title 37 in the Oklahoma statutes, enacted in 1994, pre-empts local ordinances that address the “sale, purchase, distribution, advertising, sampling, promotion, display, possession, licensing, or taxation of tobacco products.” Collectively, these statutes make Oklahoma one of the most preemptive states in the nation regarding local tobacco control ordinances.¹⁸

State-level preemption hinders local policy innovations and eliminates the opportunity for community residents to engage in the local policy adoption process, thus impeding social norm change.^{15,19} Solutions to advance social norm change are crucial to prevent local tobacco control efforts from stalling. This paper highlights examples of local coalitions changing social norms

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in Oklahoma through meaningful policy adoption and what can be learned to advance such tobacco control efforts even when oppressed by state-level preemption.

Background

Since 2005, the Oklahoma Tobacco Settlement Endowment Trust (TSET) and Oklahoma State Department of Health (OSDH) have supported local coalitions to implement comprehensive tobacco control best practices that were modified to conform to the limits of preemption while remaining policy driven. Each coalition actively sought members from sectors that represented their community and trained them in planning, communication, presentation, and networking with the expectation that the coalition members would use their new skills to educate their peers and decision makers on tobacco-related policy issues. The local tobacco control programs provided technical assistance to familiarize coalition members with the benefits of local policies and the specific limitations presented by preemption in Oklahoma.¹⁸ Local coalitions called upon decision makers within the community to take voluntary actions for creating healthy environments.

Three case studies are presented to illustrate how various policy interventions were successfully led by local coalitions and resulted in meaningful policy changes by businesses, a school district, and a city under the limitations of preemption. The adopted policies advanced social norm change in Oklahoma by including language that was stronger than the state law while not violating preemption. Key implementation factors that led to local policy intervention success are identified and presented as well as additional outcomes and lessons learned.

Case Study 1—Businesses Serve as Mentors for Tobacco-Free Policies

Strategy

The strategy was to increase the number of voluntary worksite (e.g., businesses, universities, churches, career techs, hospitals, public schools) policies that prohibit the use of all types of tobacco for the entire property (indoors and outdoors) while also supporting employee cessation services. Such policies voluntarily adopted at worksites are not subject to preemption and go beyond the protection provided by the state law.

Setting

A large urban county with a population of more than 600,000, the second-most populous county in Oklahoma, served as the setting. The county's major industries include aerospace manufacturing and aviation,

health care, energy, manufacturing, and transportation. The county has the highest average household income in the state.

Implementation

Each year from 2007 to 2011, the county's tobacco control coalition hosted an annual "Make It Your Business" Luncheon Symposium to bring together local businesses interested in tobacco-free worksite policies. Each symposium was a luncheon with a speaker panel that lasted 2–3 hours during a weekday. Coalition member organizations donated in-kind services and provided materials and supplies to support the symposium. Additionally, coalition organizations and partners provided the meal. The speakers, often owners or managers of prominent local businesses, summarized their experience with implementing a tobacco-free policy at their worksite. The local tobacco control program staff provided information on the economic and health benefits of tobacco-free worksites and a resource kit for each participating business, detailing the process of adopting a tobacco-free worksite policy and providing cessation support to employees. The number of attendees at the symposium grew each year, with 60 in attendance, representing 26 businesses, in 2011.

The symposium served as a catalyst for year-round activity. Businesses contacted the local tobacco control program for assistance to develop, implement, maintain, and enforce a tobacco-free worksite policy. Program staff followed up with symposium attendees and offered technical assistance and connections to businesses of similar size or occupation that had already adopted tobacco-free worksite policies. Program staff built a network of businesses to share their policies and their experiences with others. Members of the network also returned to the symposium as speakers to further share their journey and answer questions from the attendees.

Outcomes

In 5 years, more than 300 representatives from various businesses attended Make It Your Business events in the county. Each year the number of tobacco-free worksites increased. More than 70 businesses in the county adopted tobacco-free worksite policies. Many included some form of cessation benefit and more than half (40) implemented more stringent policies that covered requirements for tobacco-free offsite business-sponsored functions. Additional businesses continued the process of adopting policies with the assistance of the local tobacco control program or on their own.

In 2012, based on the interest and needs of businesses, the coalition expanded the scope of the Make It Your Business Symposium to an annual conference format that addressed a more comprehensive approach to worksite wellness. Interest in this new, broader approach was driven by the rise in healthcare costs, recognized needs of employee populations, and growth of worksite wellness programs. As with tobacco-free worksite policies, the goal of wellness programs is healthy environments and employees. In 2013, the conference attendance grew to 95 participants representing 62 businesses. Twelve coalition member organizations and partners contributed \$22,281 to support the conference.

Lessons Learned

Supporting businesses in adopting voluntary tobacco-free worksite policies is an effective strategy to create healthier work environments. Support for businesses must include technical assistance as well as peer consultation. The Make It Your Business Symposium attendees reported that the greatest benefit of the event was the opportunity to hear the actual experiences, good and bad, from businesses that had previously adopted tobacco-free worksite policies. In addition, attendees were able to ask questions and receive answers about the policy development and implementation process. The coalition learned that they had to expand the event to meet the emerging needs of the business community. Working with many concerned partners, the coalition has moved the county closer to becoming a healthier community.

Case Study 2—School District Creates Tipping Point for Local Policy Adoption

Strategy

The strategy was to pass voluntary “Tobacco Free 24/7” school policies that prohibited tobacco use by a student, staff member, or school visitor at any time (24 hours a day, 7 days a week), including non-school hours on or in all school grounds, facilities, vehicles, and at any school-sponsored function held off campus. Such policies voluntarily adopted at educational settings are not subject to preemption. The policy would expand the coverage afforded by the current state law that prohibits tobacco use at educational settings only from 7AM to 4PM.

Setting

The setting was a large suburban public school district in Oklahoma with more than 20,000 students in preschool through 12th grade. The school district served portions of the third-most populous county in Oklahoma, which had more than 250,000 residents. Private and public entities in the community, including the school district, had not been initially receptive to messages from the local tobacco control

program or coalition because of concerns that 24/7 tobacco-free policies might impose upon visitors to the community.

Implementation

In 2005, a local opinion leader and active member of the county’s tobacco control coalition prepared to help advance tobacco-free strategies through participation in state and national meetings and local coalition events. She subsequently became an advocate of 24/7 tobacco-free school policies during her service as an officer with the statewide Parent Teacher Association (PTA), resulting in the approval of a resolution by the PTA asking all local chapters in Oklahoma to advocate the passage of the policy in their own school districts.

Having successfully advocated for the passage of a 24/7 tobacco-free school policy in a smaller school district, she shared the rationale and benefits of the policy at a local PTA meeting of the large suburban district. Each of the 120 meeting participants, including the district superintendent, received a packet of materials including a sample policy. During the meeting, the local PTA members voted to advocate for a 24/7 tobacco-free school policy. Subsequently, the local PTA officers met with the district superintendent, providing additional education on the policy and stating how it would benefit both the school district and the community. The officers also promoted the policy with the school district’s Board of Education members.

The district superintendent expressed concern about the policy possibly offending visitors and coaches at sporting events; the cost of implementation (signs on the property and promotional items); problems with compliance; and the district’s ability to enforce the policy. The superintendent was put into contact with superintendents from public school districts with 24/7 tobacco-free school policies, who were able to allay many of the concerns by conveying the experiences of their communities and visitors in supporting the change. In addition, coalition members and program staff met with the superintendent several times to build a trusting relationship, share information, and commit resources. Within 2 months, the superintendent advocated with the local public school district’s Board of Education to introduce the 24/7 tobacco-free school policy. Members of the community in favor of the policy change attended the board meeting.

Outcomes

In spring 2007, the local public school district’s Board of Education unanimously passed a 24/7 tobacco-free school policy effective the next school year. The 24/7 tobacco-free policy change in the local public school district was the tipping point for other policy changes in the community. The city attorney in one of the county’s largest

municipalities presented smoking in public places and youth access ordinances expressly to help support the newly passed 24/7 school policy in achieving tobacco-free schools. The result was the city's passage of the strongest clean indoor air and youth access ordinances allowed under preemption. In addition, the local youth baseball and football association passed a tobacco-free policy for its playing fields. By 2013, 99% of public school students in the county were covered by a 24/7 tobacco-free school policy with 83% (5/6) of the county's public school districts having enacted policies. The one school district that did not pass a 24/7 tobacco-free school policy was unique in that its 9th- through 12th-grade students attended high school in another school district that had a 24/7 tobacco-free policy.

Lessons Learned

It is necessary to identify and involve opinion leaders in the community as well as to determine key decision makers' receptivity to change and perception of barriers. Some of the barriers faced in passing the policy were resistance to change and fear of reaction from visitors. Peers and advocates were vital in pushing past these barriers by relating their own expertise and experience. Providing subject matter training and advocacy opportunities for coalition members, community partners, and opinion leaders is a key program component to catalyze social norm change. A local advocate needs to be proactive, recognize opportunities, respectfully challenge the status quo, and be innovative in mobilizing support to change the way a community addresses tobacco use.

Case Study 3—City Resolution for Tobacco-Free Parks Affects State Law

Strategy

The strategy was to pass a local tobacco-free outdoor recreational area ordinance that would prohibit smoking and other tobacco use throughout all city-owned parks and other outdoor recreational venues such as playgrounds, sports complexes, swimming pools, and golf courses. The ordinance would have expanded upon the state law that requires all "buildings" owned or operated by a county or municipal government to be designated as entirely non-smoking or to have one designated smoking room that meets certain enclosure and ventilation standards.

Setting

The setting was a large city within the state's most populous county, which has more than 700,000 residents. The municipal park system encompasses 152 facilities, including playgrounds, sports fields, walking trails, swimming pools, splash pads, and other outdoor

recreational areas. The ordinance adoption process for recreational outdoor areas starts with the Park Commission passing a formal proposal to the City Manager's Office, who considers the proposed ordinance for placement on the City Council meeting agenda. The City Council votes on the proposed ordinance, approving specific language and the date the ordinance will be effective.

Implementation

An active coalition member took the idea of working on a tobacco-free outdoor recreational area ordinance to local Students Working Against Tobacco (SWAT) teams at the organization where she was employed. The SWAT teams were interested in the effort and moved into action. During the youths' retreat, they made posters describing why they wanted parks to be tobacco free. A youth spokesperson, accompanied by 15 other youths, proposed tobacco-free parks at the Park Commission meeting in July 2011. During their testimony, they shared their personal experiences with asthma, secondhand smoke, health, and their desire to play in the park. After the youths spoke, a coalition member offered the coalition's help in providing tobacco-free signage for the parks and noted the coalition's expectation of compliance and self-enforcement of the policy among the public. The youths' messages and involvement resonated with the commissioners who placed the topic on the agenda for the next meeting, thus starting the process toward formal action by the City Council.

Letters of support were sent to members of the Park Commission from coalition members and other members of the community. Park Commission members commented how the letters affected them and encouraged them to make changes. Multiple meetings were held between the Park Commission staff and tobacco control program staff. Questions were raised about whether the proposed ordinance, though affecting city-owned property only, may violate the state's strong preemptive language. Momentum began to wane. The local coalition's efforts slowed for many months to allow for proper internal processes and accommodate other business competing for the City Council's attention.

The same coalition member who had contacted SWAT teams then reached out to a nonprofit organization dedicated to improving the image and appearance of the city. Representatives from the nonprofit organization attended the next Park Commission's meeting with a clear, cylindrical container filled with cigarette butts that were collected in 1 hour by students at two parks. Two of the commissioners related their personal stories of picking up litter and of seeing spit tobacco on park grounds. Several park commissioners worked with the

coalition members and staff of the tobacco control program to continue the ordinance process.

Ultimately, the city attorney advised that adoption of an ordinance would be in violation of preemption and suggested that the city may instead want to consider taking action in the form of a resolution. Therefore, the Park Commission and, later, the City Council voted to adopt a resolution declaring all city parks and recreational venues tobacco free. As a resolution, the policy is limited in that it cannot be enforced. Expressing their sincere appreciation for the progress made, the SWAT youth and parents wrote thank-you notes to the Park Commission and City Council members.

Outcomes

The resolution was adopted unanimously in May 2012 and called for the city's Parks and Recreation Department staff to work in coordination with community partners to implement a public education campaign, including signage to notify park visitors of the policy. Four options for the sign designs were developed, with residents of the city helping to select the winning design through the municipal website and social media sites. TSET and the local tobacco control coalition used the winning design to produce 375 signs for placement in outdoor recreational areas. The winning design also was used in a multimedia public awareness campaign conducted by the coalition.

Journalists were present at the Park Commission and City Council meetings when the SWAT youth, nonprofit organization, and coalition members advocated for tobacco-free outdoor recreational areas. Press releases announced the new policy to the public. Additional media on the issue garnered 28 news stories published through TV, print, and online media.

Prompted by this and other activities at the state and community levels, the Oklahoma State Legislature amended the preemptive language in Title 63 to clearly allow county and municipal governments to adopt ordinances banning smoking on all of their properties. The Governor signed the measure into law in April 2013. The coalition continued building alliances with other community organizations to support replacing the resolution with the adoption of a local ordinance.

Lessons Learned

One of the chief factors that helped with the local policy formation and passage was the relationships built with key staff and decision makers on the Park Commission and City Council. Those relationships and the established trust enabled open communication and enhanced ability to provide essential feedback to all stakeholders, including the Oklahoma State Legislature. Additionally, the

partnership between the coalition and nonprofit organization proved to be instrumental and highlighted the environmental or litter aspect of the proposed policy, which gained the buy-in of some of the decision makers who were not as interested in the health aspect. It is important to identify the right mix of partners when promoting change; they can encourage support for the desired policy by helping more decision makers feel a personal connection to the issue. Although the initial policy outcome of a resolution did not precisely match the desired outcome of an ordinance, the coalition learned that patience, flexibility, and sending consistent messages could create meaningful change. Finally, recognizing youths as future leaders and involving them in advocating for policy change from their individual perspectives proved a successful strategy.

Discussion

Policy interventions can create social norm change that curbs tobacco consumption and exposure. However, state-level preemption severely limits local communities from implementing many important policies to improve health and prevent early deaths. The Oklahoma case studies highlighted the unique approaches taken by local coalitions to continuously engage decision makers from businesses, a public school district, and a city in tobacco control policy adoption that can yield further shifts in social norms, despite strong state-level preemption. Local coalitions and their community partners working collaboratively with decision makers are powerful forces and can effectively implement changes within their control and influence to shape a culture where tobacco free is the norm.

Some common themes emerged from the case studies and were consistent with published literature on coalition-led advocacy. Technical assistance was provided to familiarize coalition members with the benefits of local policies as well as the limitations presented by preemption in Oklahoma. Subsequently, opportunities were provided to apply new knowledge and skills acquired by participating in the coalition-led policy advocacy efforts. As noted by others, successful coalition-driven action begins with providing coalition members opportunities to build and use new skills in the development, implementation, and sustainability of policies that improve health.^{20–22} Skill building and opportunities hone those skills and enhance individual participation, which then improves the effectiveness of coalitions.^{11,23,24}

Local coalitions in the case studies engaged decision makers and invested community groups in face-to-face dialogue throughout the process to build relationships and trust. To assuage the decision makers' apprehension, the coalitions provided opportunities to communicate and

learn from others who had implemented similar policies locally. The non-coalition network members (local business owners, PTA, and beautification nonprofit) highlighted in the case studies added credibility for the need for policy change and alleviated concerns about policy adoption and implementation by demonstrating constituency support and sharing their experiences and successes. Successful policy implementation can build a positive reputation, with more decision makers trusting coalition members as change agents. This approach is supported by others that allowing time to build trust, understanding, and commitment among coalition members, decision makers, and invested community groups through face-to-face dialogue and continuous respectful communication is essential to successful collaboration.^{21,25} It is crucial to acknowledge that coalition-led advocacy is most effective when activities are coordinated among those with the same core policy beliefs, sympathetic administration, and a strong group of allies.²⁶

Although preemption hinders social norm change by eliminating opportunities for community residents to come together and participate in local tobacco control ordinance adoption, the case studies presented here illustrated that local coalitions can still successfully unite decision makers, stakeholders, invested community partners, and community residents to discuss and participate in adoption of certain types of policies, including local resolutions. Adopted policies indicated that social norms are changing in Oklahoma.^{4,9,10}

Interestingly, each case study noted additional policy opportunities and successes because of the initial policy change effort, which opened the door for greater collaborative efforts. The synergistic impact demonstrated that local coalitions, network partners, program staff, and decision makers can come together in collaboration to support tobacco-free environments, amplifying social norm changes that reduce the suffering related to tobacco use and exposure despite preemption.

Engaging decision makers in an iterative policy adoption process can help build public support, identify current policies' weaknesses, and strengthen policies to provide greater health protection.⁴ The three case studies depicted in this article show that decision makers, stakeholders, and community residents adopted voluntary policies stronger than state law as a result of coalition-led advocacy and signal that there is public support for strong tobacco control. This suggests that local coalitions' policy advocacy efforts in states with virtually any level of preemption may also help build momentum for stronger statewide policy and repeal of their respective state's preemptive language. Further studies to discover factors and strategies for building such momentum can greatly inform and enhance local tobacco control efforts, especially in pre-empted states.

In summary, local coalitions founded on collaborative partnerships are powerful forces for innovative change. Despite the detrimental tobacco industry tactic of preemption, communities can make progress toward shifting social norms through voluntary adoption of deliberate and meaningful policies that provide stronger protection. The initial policy adoption by the businesses, school district, and city created a domino effect that led to additional health policy changes and increased community awareness. The strategies utilized and lessons learned from the case studies may benefit other local tobacco control efforts, and garner more public support for stronger tobacco control laws and the repeal of state preemptive language.

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