



November 11, 2010

Las Vegas Casinos Are a Last Bastion for Smokers

By ADAM NAGOURNEY

LAS VEGAS — The notice on the door to the hotel-casino was emphatic. “The Westin Casuarina is a Smoke Free Environment. Thank you for not smoking.” Just beyond, four people were hunched over slot machines the other afternoon, wisps of cigarette smoke swirling around them as they happily puffed away.

And it was perfectly legal. “This is good,” said Ray Wan, a flight attendant from Hawaii, lighting up a cigarette as the slot machine beeped and whirled before him.

At a time when much of the rest of the nation — indeed much of the rest of the world — is on a crusade to banish smoking in public, the casinos of Las Vegas have emerged as a smokers’ oasis, perhaps the last place free from the restrictions that have spread from restaurants to bars to malls to cars carrying children. Nevada law trumps Westin policy.

No matter that Nevada voters strongly approved a ban on public smoking four years ago: the powerful gambling industry made certain that it included an exception for casinos. Blackjack dealers and croupiers, alarmed about secondhand smoke, are pressing a \$5 million federal class action lawsuit filed against the Wynn Las Vegas, to force the hotel to protect casino workers who have to sit in smoke-misted rooms. But the most the plaintiff’s lawyers expect from the case is the installation of high-technology air cleansing devices.

Even the ominous warning labels for cigarette packages proposed by health regulators on Wednesday seem unlikely to make a difference here.

This being Las Vegas, a place that has made an industry out of excess and risky behavior, smoking seems here to stay. Civic leaders, who might be uncomfortable enabling a habit that has, shall we say, its demonstrable downsides, point to evidence that a ban would hurt casino business, arguing that smoking is as integral to the Las Vegas experience as free drinks, playing the slots at 7 a.m. and escort services. Atlantic City banned smoking in 2008, and rolled back the ban a month later because of complaints from casinos.

“There’s been a link between smokers and gamblers for years,” said Billy Vassiliadis, an advertising executive who represents the city’s tourism industry. “A lot of people do things here that they don’t do at home. It’s part of the overall appeal of Las Vegas. You have choices here.”

So it is that in an era when smoking has become taboo in the rest of the country, smokers seem downright liberated when they step onto the Las Vegas Strip: Finally, there is someplace where they have nothing to be ashamed of as they romp through their bastion of freedom.

“I mean, where else can you come in from outside smoking a cigarette, walk straight in and keep it lit?” said Andrew Garcia, a Las Vegas native.

The other evening, a uniformed woman brandishing a tray loaded with packs of cigarettes and cigars (yes, a cigarette girl: only in Vegas) roamed the aisles of O’Sheas Las Vegas Casino. At the Bellagio, a gambler rolled her eyes at a seatmate who tried to clear the air with a wave of her hand, while up the street, at the Flamingo, a couple, with almost theatrical defiance, lighted cigarettes and thrust them in the air as they marched under pink neon tube lights down the main hall of the casino.

“A woman sat next to me and started fanning the smoke away with her hands,” said Kelli Lee, 41, of Los Angeles, as she worked her way through a pack of Marlboro Lights while playing the slots at the Imperial Palace Casino. “Can you believe it?”

“If cigarettes were illegal, then I would say not to smoke them,” she added. “But they’re legal. Tobacco is natural. I wouldn’t come here and gamble if I couldn’t smoke.”

Paul Hynes, 36, of Toronto, hoisted a lit cigar as he and three friends, also puffing on thick cigars, walked among the croupier tables at the Bellagio. “This is part and parcel of the environment here,” Mr. Hynes said.

At the same time, a walk through the casinos at any time of day or night is a reminder of the way the world used to be. The air in sections of some casinos — especially the older ones, where the ventilation systems are not exactly state of the art — is a swirl of cigarette smoke, leaving a distinctive odor on the clothes of anyone who happens to stroll through the place.

Stephanie Steinberg, chairwoman of Smoke-Free Gaming — an organization of casino workers and patrons who are pressing casinos to ban smoking — said that while smoking was allowed in other casinos across the country, particularly on Indian reservations, Nevada had proved the most intractable. South Dakota approved a voter initiative this month to ban smoking in commercial casinos, joining Colorado, Delaware, Illinois and Montana in passing complete or partial bans.

“The problem with Nevada — and the reason it stands out as a smoking state — is because of the power and control the gaming industry has in the state,” Ms. Steinberg said.

Smoking is banned in restaurants, shops, public hallways and other nongambling parts of casinos; yet it is hard to tell where the no-smoking area ends and the yes-smoking area begins. “The reality is there’s no enforcement: People just walk around with cigarettes,” Ms. Steinberg said.

The lawsuit filed by casino workers against the Wynn argues that the atmosphere there posed a serious and direct threat to their health. But Jay Edelson, the lawyer for the lead plaintiff, Kanie Kastroll, a dealer for 20 years, said the redress being sought was limited. The workers, he said, are looking for corrective action, like cleaner air, not a full ban on smoking.

Ms. Kastroll said that dealers were often locked at tables for an hour at a time. “We get every kind of direct cigarette smoke, sometimes intentionally blown on us because they are losing,” she said. “You’re not allowed to fan, you can’t blow it back on them. Forget the employee — it’s all about their bottom line.”

A lawyer for Wynn, James J. Pisanelli, declined comment.

The issue has stirred passion among some casino workers. Buffy McKinney, whose mother, Cheryl Rose, a casino executive, died of lung cancer this year at age 62, said she was convinced that her mother had died of secondhand smoke. “Until there is a handful of casinos who are willing to put their foot down and say enough is enough, they are going to continue to fight to keep smoking allowed there,” she said.

Ms. Steinberg, for one, said she was confident that with time, even casino smoking would be banned. Until then, she said, her organization would rely on a tweak of Las Vegas’s famous marketing slogan to try to rally gamblers to their cause, or at least away from cigarette packs: “What happens in a casino stays in your lungs.”

Ana Facio Contreras contributed reporting.