

RHODE ISLAND DEPARTMENT OF CORRECTIONS POLICY AND PROCEDURE

	POLICY NUMBER: 8.08-2 DOC	EFFECTIVE DATE: 04/28/14	PAGE 1 OF 4
	SUPERCEDES: 8.08-1 DOC	DIRECTOR: Please use BLUE ink. 	
SECTION: PHYSICAL PLANT ENVIRONMENTAL CONDITIONS		SUBJECT: SMOKING AND TOBACCO REGULATIONS	
AUTHORITY: Rhode Island General Laws (RIGL) § 42-56-10(22), Powers of the director; § 23-20.10-1 et seq., Public Health and Workplace Safety Act; Executive Order 91-40			
REFERENCES: U.S. Department of Health and Human Services. <i>How Tobacco Smoke Causes Disease: The Biology and Behavioral Basis for Smoking-Attributable Disease</i> , Public Health Service, Office of the Surgeon General, 2010; Fire Safety in Correctional Facilities (NFPA study); NCCHC standards J-48, Use of Tobacco Products; P-50, Smoke-Free Environment; RIDOC policy 9.14-6 DOC, Detecting and Confiscating Contraband on or in the Possession of Inmates/Detainees (Including Frisk, Strip and Body Cavity Searches) or in Inmate Transport Vehicles; 9.18-4 DOC, Introduction of Unauthorized Items into the Adult Correctional Institutions; 11.01-6DOC, Code of Inmate Discipline; 24.03-4 DOC, Visits			
INMATE/PUBLIC ACCESS?		X YES	
AVAILABLE IN SPANISH?		X YES	

I. **PURPOSE:**

Tobacco use, particularly smoking, remains the number one cause of preventable disease and death in the United States. Involuntary exposure to environmental tobacco smoke (ETS) remains a common, serious public health hazard that is entirely preventable by adopting and enforcing policies. Smoking bans are the most effective method for reducing ETS exposure and are the only way to completely eliminate ETS exposure. Beyond eliminating ETS exposure among nonsmokers, smoking bans have additional benefits, including improved fire safety, reduced smoking intensity, potential cost savings to employers by way of lower healthcare and building

maintenance costs and higher employee productivity due to reduced absenteeism. In addition, all tobacco products (including chewing tobacco) have an adverse effect on health, sanitation, and the condition of the physical plant. Optimal protection of nonsmokers and smokers, therefore, requires a smoke-free environment.

Given correctional facilities' unique settings, the national trend of correctional jurisdictions adopting total smoking bans within their prison systems and that ETS exposure remains a common public health hazard that is entirely preventable, the Rhode Island Department of Corrections (RIDOC) intends to eliminate the problems and risks associated with exposure to tobacco and ETS to staff, inmates, visitors, contractors, and property under the control of RIDOC by implementing a total ban on the use of tobacco products within its facilities.

II POLICY:

All possession and use of tobacco products and their accessories, including but not limited to pipes, cigarettes, cigarette papers, chewing tobacco, cigars, matches and lighters, is prohibited within any and all buildings, vehicles, and property under the control of the RIDOC. (See, 9.18-4 DOC, Introduction of Unauthorized Items into the Adult Correctional Institutions, or a successive policy.)

In addition, electronic cigarettes (e-cigarettes) are also prohibited within any and all RIDOC buildings, vehicles and property.

III. PROCEDURES:

A. Applicability

This policy applies to, but is not necessarily limited to, RIDOC administrators, medical professionals, correctional and superior officers, non-uniformed personnel, contract employees, contractors, volunteers, students, and interns.

B. RIDOC Staff

1. The USE of tobacco products and/or accessories, e-cigarettes and their components is prohibited within any building, vehicle, and/or property under the control of the RIDOC.

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2. In addition, RIDOC employees as defined in item III.A. are prohibited from having tobacco products and/or accessories, e-cigarettes and their components in their POSSESSION when they are supervising or have custody of inmates.
 - a. Staff who work in any prison facility or “out building” (e.g., Industry shop) must deposit any/all tobacco products and/or accessories, e-cigarettes and their components in their lockers PRIOR TO assuming their posts.
 - b. Staff who enter/visit any prison facility or “out building” (e.g., to tour the facility, to attend a meeting, to conduct an audit, etc.) may not have any tobacco products, accessories, e-cigarettes and their components in their possession.
 3. Smoking by RIDOC employees shall only be permitted during authorized breaks in designated “outside smoking areas” at least fifty (50) feet away from building entrances and windows.
 4. Facility and building administrators or their designees will designate one outside smoking area per building.

NOTE: Inmate recreational areas shall not be considered outside smoking areas.
 5. Facility and building administrators or their designees shall also ensure that adequate refuse containers are available to smokers in close proximity to outdoor smoking areas. Facility and building administrators ensure that such containers shall be emptied on a regular basis. Smokers shall destroy or render unusable their discarded tobacco products and accessories prior to discarding them.
 6. RIDOC employees having custody of or supervising inmates (e.g., off-grounds work crews) shall not smoke, use tobacco-related products, or e-cigarettes and their components while on duty in the presence of inmates.
 7. Violations of this policy may result in disciplinary action up to and including termination.

C. Inmates

1. No tobacco products, e-cigarettes and their components shall be stocked or sold by the Inmate Commissary.
2. Smoking, the use/possession of tobacco-related products, or e-cigarettes and their components by inmates is prohibited.
3. Passing, receiving and/or possessing tobacco, tobacco-related products, or e-cigarettes and their components (Category 1 contraband) is a Class 2 offense. Discipline shall be administered consistent with policy 11.01-6 DOC, Code of Inmate Discipline, or a successive policy.
4. Upon commitment to the Intake Service Center (ISC) (men) or the Gloria DiSandro McDonald building (women), RIDOC staff shall search for and dispose of any tobacco, tobacco-related products, or e-cigarettes and their components. These items shall be destroyed.

NOTE: Information regarding the “Smoking and Tobacco Regulations” policy will be included in inmate handbooks and outlined during inmate orientation.

D. Visitors

1. Wardens or designees will ensure that signs in English and Spanish are posted outside each facility stating that visitors are prohibited from bringing any tobacco-related items into the facility. Visitors shall secure all tobacco-related items in lockers located in facility lobbies.
2. Any visitor refusing to comply with the “Smoking and Tobacco Regulations” policy shall be denied visiting privileges. (See policy 24.03-4 DOC, Visits, or a successive policy.)