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		USE of TOBACCO PRODUCTS by EMPLOYEES, INMATES and VISITORS	

This Administrative Regulation is to be made available in law libraries or other inmate resource centers.

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SUMMARY of REVISION/REVIEW

No Changes.

APPROVED:



Scott R. Frakes, Director
Nebraska Department of Correctional Services

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PURPOSE

This Administrative Regulation establishes policy regarding tobacco, tobacco-related products, or tobacco substitutes in the workplace, and in vehicles under the authority of the Nebraska Department of Correctional Services (NDCS).

GENERAL

It is NDCS Policy to prohibit the possession, use, selling, trading or bartering of tobacco, tobacco-related products, or tobacco substitutes in the workplace and in state vehicles.

DEFINITIONS

- A. Tobacco Products: Includes cigarettes, e-cigarettes, pipes, pipe tobacco, tobacco substitutes, chewing tobacco, cigars, matches, cigarette lighters, smoking paraphernalia, and all other items developed or processed for the primary purpose of facilitating the use or possession of tobacco or tobacco-related products. These materials are considered contraband.
- B. Tobacco Substitutes: Any product that can be construed as tobacco (i.e., mint chew, herbal chew, leaf-based substance).
- C. Workplace: Includes, but is not limited to, NDCS owned or leased facilities and NDCS controlled property, and Work Ethic Camp (WEC) work detail crew worksites.

PROCEDURES

- I. Inmates assigned to the Community Corrections Center – Omaha (CCC-O) and the Community Corrections Center – Lincoln (CCC-L) are permitted to use and possess one carton of commercially manufactured cigarettes or cigars and one Bic style lighter. Visitors to the community centers may possess one pack of commercially manufactured cigarettes or cigars and one Bic style lighter for personal use. All other tobacco products and tobacco-related products are prohibited.
- II. All staff are prohibited from using or possessing tobacco, tobacco-related products, or tobacco substitutes in the workplace or in state vehicles unless authorized to either handle as part of their job or have a smoking cessation product validated by a doctor's note.
- III. Facilities/Programs properly post notices instructing no tobacco use or possession is permitted at their worksite.
- IV. Any tobacco, tobacco-related products, or tobacco substitutes must be left and secured in personal vehicles.
- V. Each institution/program has materials available to aid staff and inmates in their smoking cessation efforts.
- VI. All visitors are instructed to leave all tobacco, tobacco-related products, or tobacco substitutes in their personal vehicles when visiting a NDCS facility. For CCC-O and CCC-L Visitors, please see Section I.

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VII. For religious ceremonies involving the use of tobacco, refer to Administrative Regulation 208.01, *Religious Services*.

VIII. ENFORCEMENT

- A. Any inmate violating this Administrative Regulation is subject to discipline under Title 68, Chapter 5 - Code of Offenses.
- B. Visitors who violate this Administrative Regulation will be directed to leave NDCS property.

REFERENCES

- I. ADMINISTRATIVE REGULATIONS - AR 208.01, *Religious Services*
- II. NDCS Inmate Rule Book - Title 68 Chapter 5 - Code of Offenses
- III. ATTACHMENTS - None.
- IV. AMERICAN CORRECTIONAL ASSOCIATION (ACA) STANDARDS – None noted.