

 Good Life. Great Mission. DEPT OF CORRECTIONAL SERVICES	POLICY <b>USE OF TOBACCO PRODUCTS BY TEAM MEMBERS,          INCARCERATED INDIVIDUALS, &amp; VISITORS</b>		
	REVISED DATE <b>June 30, 2024</b>	NUMBER <b>111.05</b>	PAGE <b>1 of 3</b>
	STATEMENT OF AVAILABILITY <b>Law Library Access</b>		

EFFECTIVE: August 8, 1987  
 REVIEWED: November 24, 2014  
 REVISED: September 30, 2015  
 REVIEWED: September 30, 2016  
 REVIEWED: September 30, 2017  
 REVISED: August 31, 2018  
 REVISED: December 31, 2019  
 REVISED: July 31, 2020  
 REVISED: September 1, 2021  
 REVISED: December 31, 2022  
 REVISED: June 30, 2023  
 REVISED: June 30, 2024

#### SUMMARY OF REVISION/REVIEW

PROCESS – I.D. – Section deleted. II.B. – New section.
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APPROVED:

  
Rob Jeffreys (Apr 22, 2024 17:42 CDT)  
 Rob Jeffreys, Director  
 Nebraska Department of Correctional Services

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PURPOSE

This policy establishes regulations regarding tobacco products and tobacco substitutes in the workplace under the authority of the Nebraska Department of Correctional Services (NDCS).

NDCS strives to provide a healthy environment for team members, visitors, and the incarcerated population by prohibiting and/or significantly limiting the use of tobacco products.

DEFINITIONS

- I. **TOBACCO PRODUCTS** - Includes cigarettes, e-cigarettes, pipes, pipe tobacco, 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.
- II. **TOBACCO SUBSTITUTES** - Any product that can be construed as tobacco (i.e., mint chew, herbal chew, leaf-based substance). These materials are considered contraband.
- III. **WORKPLACE** - Includes, but is not limited to, NDCS owned or leased facilities and NDCS controlled property, and the Work Ethic Camp (WEC) work detail crew worksites.

PROCESS

I. PRACTICES

- A. Tobacco products and tobacco substitutes are not permitted on the grounds or inside any NDCS facility.
- B. All team members are prohibited from using or possessing tobacco 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 and pre-approved by their respective warden or for agency decisions the applicable deputy director/designee.
- C. Facilities/NDCS buildings must properly post notices instructing no tobacco use or possession is permitted at their worksite.
- D. Any tobacco products and tobacco substitutes must be left and secured in personal vehicles.
- E. All visitors must leave all tobacco products and tobacco substitutes in their personal vehicles when visiting a NDCS facility.
- F. For religious ceremonies involving the use of tobacco, refer to Policy 208.01, *Religious Services*.

II. ENFORCEMENT

- A. Any incarcerated individual violating this policy is subject to discipline under Title 68, Chapter 5 - Code of Offenses.

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- B. Team members violating this policy may be subject to corrective and/or disciplinary action.
- C. Visitors who violate this policy will be directed to leave NDCS property.

**REFERENCES**

- I. STATUTORY REFERENCE AND OTHER AUTHORITY
  - A. Title 68 Chapter 5 - Code of Offenses
- II. NDCS POLICIES
  - A. Policy 208.01, *Religious Services*
- III. ATTACHMENTS – None noted
- IV. AMERICAN CORRECTIONAL ASSOCIATION (ACA) – None noted