



RHODE ISLAND DEPARTMENT OF CORRECTIONS POLICY AND PROCEDURE

	POLICY NUMBER: 8.08-3 DOC	EFFECTIVE DATE: 01/04/22	PAGE 1 OF 2
	SUPERCEDES: 8.08-2 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; the most recent version of RIDOC policies 9.14 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 DOC, Introduction of Unauthorized Items into the Adult Correctional Institutions ; 11.01 DOC, Code of Inmate Discipline ; 24.03 DOC, Visits (240-RICR-20-00-1)			
INMATE/PUBLIC ACCESS?		X YES	
AVAILABLE IN SPANISH?		X YES	

I. **PURPOSE:**

- A. To ensure rules and guidelines for the use and possession of tobacco products and their accessories, and all electronic nicotine delivery systems (ENDS) are enforced at The Rhode Island Department of Corrections (RIDOC).
- B. To help prevent the continued exposure to environmental tobacco smoke (ETS), which remains a common, serious public health hazard.

II **POLICY:**

- A. RIDOC prohibits the use and possession of tobacco products and their accessories, or any ENDS by staff, visitors, and inmates in all RIDOC facilities, buildings, property, and vehicles.
- B. Staff violations of this policy may result in disciplinary action up to and including termination. Any visitor refusing to comply with this policy shall be denied visiting privileges [For more information, please see the most recent version of RIDOC Policy 24.03 DOC, [Visits \(240-RICR-20-00-1\)](#)].

NOTE: Wardens and/or their designee shall 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 may secure all tobacco-related items in lockers located in facility lobbies or return them to their vehicle.

- C. Inmates caught passing, receiving and/or possessing tobacco products or accessories, or any ENDS, which are considered Category 1 contraband, shall be disciplined for a Class 2 offense. Discipline shall be administered consistent with the most recent version of RIDOC Policy 11.01 DOC, [Code of Inmate Discipline](#).

III. **DEFINITIONS:**

- A. **Electronic Nicotine Delivery Systems (ENDS)** - these include, but are not necessarily limited to, vaporizers, e-cigarettes, and any other non-nicotine smoking alternative(s) and their components.
- B. **Staff** - for the purposes of this policy, staff includes but is not necessarily limited to, full- and part-time employees, uniform and non-uniform staff, contract employees, contractors, vendors, volunteers, students and/or interns.
- C. **Tobacco Products and Accessories** - these include, but are not necessarily limited to, pipes, cigarettes, cigarette papers, chewing tobacco, cigars, matches, lighters, snuff, and “dip” of any kind.

IV. PROCEDURES:

- A. Smoking and/or vaping is only permitted in designated “outside smoking areas” at least fifty (50) feet away from building entrances and windows.

NOTE: Smoking and/or vaping by RIDOC staff is only permitted during authorized breaks.

1. Facility and building administrators or their designees will designate one outside smoking area per building.
 - a. Inmate recreational areas shall not be considered outside smoking areas.
 - b. 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 and that such containers are emptied on a regular basis.
 - c. Smokers shall destroy or render unusable their discarded tobacco products and accessories prior to discarding them in the appropriate designated refuse container.
 2. Staff having custody of and/or supervising inmates (e.g., industries buildings, off-grounds work crews, etc.) shall not use tobacco-related products, or any ENDS while on duty in the presence of inmates.
- B. Inmates

1. No tobacco products and their accessories, or any ENDS shall be stocked or sold by the inmate commissary.
2. Upon commitment, RIDOC staff shall search for and dispose of any tobacco products and their accessories, and ENDS. These items shall be destroyed.
3. Information regarding the “Smoking and Tobacco Regulations” policy shall be included in inmate handbooks and outlined during inmate orientation.