



Virginia Department of Corrections

General Services

Operating Procedure 320.6

Tobacco Products and Smoking

Authority:

Directive 320, *General Services*

Effective Date: October 1, 2019

Amended:

Supersedes:

Operating Procedure 320.6 (5/1/19)

Access: Public Restricted

Incarcerated Offender

ACA/PREA Standards:

None

Content Owner:	Douglas Black General Services Manager	<i>Signature Copy on File</i>	8/8/19
		Signature	Date
Reviewer:	Lisa Hernandez Corrections Administration Manager	<i>Signature Copy on File</i>	8/9/19
		Signature	Date
Signatory:	Joseph W. Walters Deputy Director for Administration	<i>Signature Copy on File</i>	8/17/19
		Signature	Date

REVIEW

The Content Owner will review this operating procedure annually and re-write it no later than three years after the effective date.

The content owner reviewed this operating procedure in October 2020 and determined that no changes are needed.

The content owner reviewed this operating procedure in September 2021 and determined that no changes are needed.

COMPLIANCE

This operating procedure applies to all units operated by the Virginia Department of Corrections. Practices and procedures must comply with applicable State and Federal laws and regulations, ACA standards, PREA standards, and DOC directives and operating procedures.

Table of Contents

PURPOSE	3
PROCEDURE.....	3
I. All DOC Facilities and Offices Are Tobacco Free.	3
II. Smoking Cessation.....	3
DEFINITIONS OF TERMS USED IN THIS OPERATING PROCEDURE.....	4
REFERENCES.....	4
ATTACHMENTS	4
FORM CITATIONS	4



PURPOSE

This operating procedure provides guidance for Department of Corrections compliance with COV §15.2-2820 et seq., *Virginia Indoor Clean Air Act* and [Executive Order 41 \(2006\)](#), *Banning Smoking in State Offices and Vehicles*.

PROCEDURE

- I. All DOC facilities and offices are tobacco free.
 - A. Smoking and use of other tobacco products (i.e., chewing tobacco) including electronic smoking devices are prohibited on all Department of Corrections owned or leased properties, including building interior spaces, parking lots, and other exterior spaces.
 1. Any and all tobacco and smoking related products in DOC owned or leased buildings/facilities, or being used on DOC owned or leased property will be considered contraband, subject to confiscation and action under applicable disciplinary procedures, including sanctions appropriate to the status of the individual (i.e. visitor suspension).
 2. Information related to tobacco free facilities/offices will be provided in employee and offender orientation materials.
 3. Staff, visitors, volunteers, and contractors may keep tobacco products locked in personal vehicles on DOC property for use commuting to and from work; however, tobacco may not be used in any vehicles on DOC facility/office grounds.
 - B. State Vehicles
 1. Smoking and the use of other tobacco products are prohibited in any state-owned or leased vehicle. (See Operating Procedure 323.1, *Vehicle Acquisition, Operations, and Maintenance*.)
 2. Tobacco products shall not be possessed or transported in institutional offender transport vehicles.
 - C. Institutional staff working with offenders off facility grounds (such as road crews, warehouse, transportation) will not use or possess tobacco products while on duty.
 - D. When DOC Administrative Offices are located within or share a building with non-DOC agencies or businesses, this smoking/tobacco use prohibition will apply to the DOC leased space.
 1. Other areas of the building or office complex will be subject to the tobacco use rules established by the leaseholder or owner.
 2. DOC staff must not smoke within 25 feet of any entrance and exit doors leading to DOC leased spaces.
 - E. Violations of this operating procedure will be handled within the scope of Operating Procedure 135.1, *Standards of Conduct*, or other applicable sanctions.
 - F. If DOC staff uses tobacco on properties adjacent to DOC owned or leased properties, they must:
 1. Obtain written permission from any private property owner; Unit Head will keep approval on file
 2. Remove all trash and keep the property clean
 3. Utilize the area only during authorized break and meal times
 4. Not interfere with vehicular or pedestrian traffic
 5. Return all tobacco products and smoking devices to their personal vehicle before returning to their DOC office or work area.
- II. Smoking Cessation
 - A. Employees may obtain nicotine replacement therapies at no cost by enrolling in CommonHealth's Quit for Life program. For further information, see <http://commonhealth.virginia.gov/tlc/quitforlife.htm> or the



unit's Human Resource office.

- B. Nicotine patches and lozenges are authorized for staff. Staff will be allowed to bring tobacco cessation gum (products such as Nicorette) into facilities/offices for personal use.

DEFINITIONS OF TERMS USED IN THIS OPERATING PROCEDURE

Facility - Any institution or Community Corrections facility

Tobacco Free - Possession or use of tobacco or tobacco related products will not be allowed on Department of Corrections property; however tobacco products may be kept locked in an employee's, contractor's, or visitor's secured personal vehicle. This applies to all employees, contractors and volunteers on duty, regardless of work location. Facility staff working off facility grounds (such as road crews, warehouse, transportation, etc.) must not use or possess tobacco products while on duty.

Tobacco Related Products - Items, including but not limited to cigarettes, cigars, tobacco (chewing or smoking type), electronic smoking devices, lighters, matches, pipes, rolling papers, tobacco pouches, ash trays, cigarette rolling machines, and cigarette cases.

REFERENCES

COV §15.2-2820 et seq., *Virginia Clean Air Act*

[Executive Order 41 \(2006\)](#), *Banning Smoking in State Offices and Vehicles*

Operating Procedure 135.1, *Standards of Conduct*

Operating Procedure 323.1, *Vehicle Acquisition, Operations, and Maintenance*

ATTACHMENTS

None

FORM CITATIONS

None

