

**NEVADA DEPARTMENT OF CORRECTIONS
ADMINISTRATIVE REGULATION
115**

**DEPARTMENTAL TOBACCO/ELECTRONIC CIGARATTE
PRODUCT PROHIBITIONS**

Supersedes: AR 115 (Temporary, 06/21/12); 10/15/12; 04/24/17 (Temporary)
Effective Date: 05/16/17

AUTHORITY: NRS 209.131; NRS 202.2491; NRS 212.140

PURPOSE

To provide a safe and secure working and living environment, an environment that is clean and sanitary, and environment that promotes good health and an environment in which resources are efficiently utilized. As a means of achieving such an environment, all department facilities and aground are, and shall remain, tobacco-free.

RESPONSIBILITY

Deputy Directors are responsible to ensure the administration of this regulation at all facilities.

Wardens are responsible for the implementation of this regulation at all facilities.

Supervisors are responsible for enforcing the requirements of this regulation.

All persons, including, but not limited to staff, volunteers, guests, visitors and vendors are responsible to have knowledge of, and comply with this regulation.

115.01 USE AND POSSESSION OF TOBACCO PRODUCTS

1. The use and/or possession of any tobacco products, including electronic smoking devices, is prohibited on Department grounds, buildings, or state vehicles. The possession, but not use, in personal vehicles on Department owned or leased property will be allowed.
2. Sales of any tobacco products are prohibited.
3. Inmates working at outside facilities or for other public agencies must comply with Nevada Revised Statutes (NRS) 202.2491, which restricts the smoking of tobacco, in any form, in public buildings. Inmates shall also comply with NDOC regulations which makes the possession, introduction, or sales of any tobacco product, or possession of materials/items suitable for such manufacture and/or use a Class "B" violation.

4. Violation of the Department's tobacco products prohibition may result in disciplinary action.

- A. Inmates are subject to AR 707, Inmate Disciplinary Process.
- B. Department staff are subject to discipline pursuant to AR 339.
- C. Guests or visitors are subject to restricted access to institutions and facilities.
- D. Other agencies are subject to restricted access to inmate labor.

115.02 ELECTRONIC SMOKING DEVICES

1. The use and/or possession of any non-tobacco electronic smoking device (i.e., electronic cigarettes, etc.) is prohibited on Department grounds, buildings, or state vehicles. The possession, but not use, in personal vehicles on Department owned or leased property will be allowed.

2. Sales of any electronic smoking device(s) are prohibited.

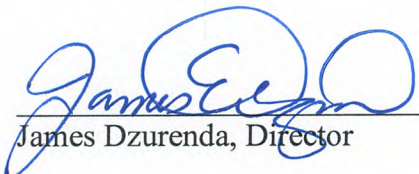
3. Inmates working at outside facilities or for other public agencies must comply with Nevada Revised Statutes (NRS) 202.2491, which restricts the smoking of tobacco, in any form in public buildings. Inmates shall comply with the NDOC regulation which makes the possession, introduction, or sales of any tobacco product(s) or possession of materials or items suitable for such manufacture, and or use, a Class "B" Violation. This includes electronic smoking products.

4. Violation of the Department's electronic smoking products prohibition may result in disciplinary action.

- A. Inmates are subject to AR 707, Inmate Disciplinary Process.
- B. Department staff are subject to discipline pursuant to AR 339.
- C. Guests or visitors are subject to restricted access to institutions and facilities.
- D. Other agencies are subject to restricted access to inmate labor.

APPLICABILITY

- 1. This regulation requires an operational procedure.
- 2. This Administrative Regulation does not require an audit.


James Dzurenda, Director

5/25/17
Date