

WEBER COUNTY CORRECTIONAL FACILITY

Volume

INMATE MANAGEMENT

Chapter

JD 10 - KIESEL FACILITY OFFENDER SMOKING

Effective Date:

07-01-02

Review Date:

06-01-04

Pages

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Approved

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JD 10/01.00 **GENERAL**

JD 10/01.01 **Purpose**

The purpose for this policy is to provide procedure and requirements regarding the WCCF control and management of smoking and the use of tobacco by offenders at the Kiesel Facility.

JD 10/01.02 **Cross Reference**

JG 03 - Inmate Funds and Accounting

Utah Indoor Clean Air Act (26-38-3, UCA).

JD 10/01.03 **Definitions**

Accountant employee responsible for the accounting of inmate funds, purchases and charges, as well as the Inmate Trust Account

Inmate Trust Account the checking account in which arrestee/inmate money is deposited and held until used by the inmate for approved purchases

OFC Offender Financial Clerk

offender an inmate, whether Contract or County, who is housed at the Kiesel Bureau of the WCCF

Offender Financial Clerk a WCCF staff member responsible for tracking and accounting offender funds received at the Kiesel jail facility

WCCF Weber County Correctional Facility

WCSO Weber County Sheriff's Office

JD 10/02.00 **OFFENDER SMOKING**

JD 10/02.01 **Policy**

It is the policy of the WCCF that:

- A. offenders housed at the WCCF Kiesel facility may be allowed to smoke in designated areas and at designated times within the secure perimeter of the Kiesel facility;
- B. pipes, cigars and smokeless tobacco products shall not be allowed as a part of this policy;
- C. offenders allowed to smoke shall be 19 years of age or older;
- D. cigarettes in the possession of offenders at the Kiesel facility shall be as defined in this policy;
- E. offenders shall not bring matches, lighters, etc., into the facility, as the WCCF shall provide and control matches, lighters or other cigarette lighting materials as approved by the Facility Commander;
- F. the WCCF shall not be responsible for lost or stolen cigarettes;
- G. offenders who choose to smoke and do not abide by the rules as outlined in this policy may be subject to disciplinary action and may be restricted from participating in smoking as described in this policy;
- H. smoking is a privilege which may be suspended or revoked at the sole discretion of the WCCF administration; and
- I. offenders are encouraged not to smoke, but may do so of their own choosing, within the limits of this policy.

JD 10/02.02 **Rationale**

- A. It is preferable to the WCCF that offenders do not smoke; however, the WCCF recognizes that many offenders have a long history of tobacco use and are addicted to tobacco.
- B. Offenders housed at the Kiesel facility participate in Community Release programs that allow frequent contact with the outside community where cigarettes are present and smoking takes place. It is unrealistic to expect that offenders who may be addicted to tobacco would be able to participate in Community Release programs and resist the temptation to use tobacco while in the community.

- C. Offenders frequently attempt to obtain tobacco from a variety of unknown sources. Offenders attempting to obtain tobacco through unauthorized means increase the potential for serious management concerns.
- D. By authorizing, controlling and managing tobacco, the facility should reduce incidents of offenders arranging to have friends or family visit work sites and provide contraband to offenders.
- E. Providing an authorized and designated area to smoke and store tobacco enhances offender management.

JD 10/02.03 **Procedure: General**

- A. All offenders at the Kiesel Facility allowed to participate in the smoking privilege shall sign an agreement acknowledging and agreeing when and where smoking is permitted for offenders.
- B. A limited number of packs per offender per week will be allowed for purchase by offenders.
- C. Cigarettes taken outside the facility by either Work Release or Community Service offenders shall not be authorized back into the facility beyond the work release locker room.
- D. The WCCF accepts no responsibility for lost or stolen cigarettes.
- E. Cigarettes shall not be used to barter, sell, trade or gamble, etc.
- F. Cigarettes used in a manner that is not consistent with this policy may be seized as contraband and may be disposed of consistent with WCCF policy.

JD 10/02.04 **Procedure: Purchasing Cigarettes**

The purchase and sale of cigarettes to offenders housed in the Kiesel facility shall be managed through the inmate commissary.

- A. Offenders are allowed to purchase a limited number of packs per commissary order.
- B. Offenders will be limited to the number of packs they can possess at any one time.

JD 10/02.05 **Procedure: Designated Offender Smoking Locations**

A. **In-Facility Designated Locations**

Smoking within the secure portion of the facility shall be restricted to specified, approved outdoor smoking recreation areas and be in compliance with the Utah Indoor Clean Air Act (26-38-3, UCA).

B. **Community Service Work Details**

1. While on Community Service work details, smoking shall not be allowed in any Weber County vehicle. Authorized smoking shall be managed by the Community Service work detail supervisor.
2. Smoking privileges should be suspended by the work detail supervisor when smoking is believed to interfere with the work project.
3. Smoking may occur at authorized break times for work detail members. Smoking may occur at designated places or outdoors as approved areas designated by the work detail supervisor.

JD 10/02.06 **Procedure: Designated Offender Smoking Times**

- A. Notice shall be posted allowing for smoking and non-smoking times in designated Kiesel facility outdoor smoking areas.
- B. Smoking may be authorized on the hour and end at the half hour, between the hours of 0600 and 2200 hrs each day. These times are subject to modification at the discretion of the facility Commander/ designee.
- C. Although all offenders may have access to selected outdoor break areas during all authorized hours, smoking will not be allowed during the last half of each hour to accommodate equal time for offenders who choose not to smoke, but still desire to access the approved outdoor break areas.

JD 10/02.07 **Procedure: Securing Offender Cigarettes**

A. **Work Release Offenders**

1. Work release offenders may secure cigarettes in their assigned work release lockers and may take cigarettes out of the facility when being released for work.
2. Work Release offenders may secure cigarettes in their assigned housing unit locker for use in designated areas and times allowed at the Kiesel facility.

B. Community Service Offenders

1. Community Service offenders may secure their cigarettes in work detail vehicles or in an authorized area in the Kiesel facility garage.
2. Storage will be available to store offenders' cigarettes inside the fenced area of the garage. Offenders will be required to label their cigarettes with their name and name number and place them on designated shelves.
3. Community Service offenders may access their cigarettes when being released for assigned work details. Kiesel facility staff (e.g., Community Service officers) are the only individuals authorized to open the fence gate to allow the removal of stored cigarettes.

Weber County Correctional Facility

Kiesel Facility

Smoking Agreement and Offender Cigarette Tracking Sheet

Offender Name: _____ Age: _____
(Printed Name)

Smoking at the Kiesel facility is a privilege that may be suspended or revoked without notice at the sole discretion of the WCCF administration. Offender smoking requirements include the following:

- 1- The WCCF shall not be responsible for lost or stolen cigarettes. Offenders choosing to smoke do so at their own risk, including health risks.
- 2- Cigars, smokeless tobacco, and pipes shall not be authorized as part of this privilege.
- 3- Offenders choosing to smoke must be at least 19 years of age.
- 4- Cigarettes in possession of offenders within the secure portion of the facility shall be purchased from the WCCF Commissary. Community Service offenders may only possess cigarettes purchased from the WCCF Commissary. Work Release offenders, while out of the facility, may possess cigarettes purchased outside of the Kiesel facility.
- 5- Cigarettes removed from the secure perimeter of the facility or purchased by work release offenders outside the facility shall not be allowed back into the facility. The facility will provide designated areas to store cigarettes that have been removed or allowed to be purchased outside of the facility.
- 6- Smoking within the Kiesel facility perimeter shall be restricted to outdoor smoking areas at designated times. Smoking in unauthorized areas or at unauthorized times shall subject the offender to disciplinary action.
- 7- The facility will provide appropriate cigarette lighting materials. Offenders may not possess or introduce unauthorized lighters, matches, etc., into the facility.
- 8- Community Service work detail supervisors shall authorize smoking times and places while on projects. Smoking shall not interfere with the work detail. Smoking is not allowed in any County Vehicle.

I understand and agree to the above and further understand and agree that, if I violate the terms of this agreement, I may be subject to disciplinary action up to removal from WCCF Community Release Programs and may be returned to the WCCF 12th Street facility.

Offender signature: _____ Date: _____