



**U.S. Department of Justice**  
**Federal Bureau of Prisons**

**P R O G R A M   S T A T E M E N T**

OPI:           HSD/OEH

NUMBER:    1640.06

DATE:        November 09, 2017

## **Electronic Cigarettes**

A handwritten signature in black ink, appearing to read "Mark S. Inch", is positioned above the approval text.

*Approved:* Mark S. Inch  
Director, Federal Bureau of Prisons

### **1. PURPOSE AND SCOPE**

This policy controls staff use of electronic cigarettes (E-cigarettes). An E-cigarette is defined as any electronic device capable of being a nicotine delivery system.

Management has a responsibility under Occupational Safety and Health Administration (OSHA) regulations to provide a safe and healthful workplace for all workers. Caution should be exercised in the use of these devices in the workplace due to the relative sparseness of health and safety information that is currently available.

a. **Program Objectives.** The expected results of this program are:

Staff will follow these procedures when using E-cigarettes at BOP facilities.

b. **Institution Supplement.** None required. Should local facilities make any changes outside the required changes in the national policy or establish any additional local procedures to implement the national policy, the local Union may invoke to negotiate procedures or appropriate arrangements.

### **2. GUIDELINES FOR E-CIGARETTE USE**

E-Cigarettes may be used within the secure confines of a BOP facility, but may not be used inside a building.

Indoor use of E-cigarettes shall not be permitted in BOP facilities except in perimeter towers and perimeter patrol vehicles when occupied by one person.

The use of the device will be limited to outdoor areas that are reasonably accessible to employees and provide a measure of protection from the elements. These areas may only be used by employees, but must be separate from the areas presently designated as “Smoking Areas” for use of tobacco products (see the Program Statement **Smoking/No Smoking Areas**). These locations should also be in compliance with DOJ order 2400.2, Subpart 128-20.105-3(e), with respect to points of ingress or egress into the workplace.

The device that is allowed within the secure perimeter cannot have any extra electronic purpose (Bluetooth, radio, etc.). No device charger or refilling liquid is allowed within the secure perimeter, and no electronic nicotine delivery system device will be connected to BOP computers.

## **REFERENCES**

### *Program Statements*

1640.05      Smoking/No Smoking Areas (1/7/2015)

### *ACA Standards*

- American Correctional Association Standards for Adult Correctional Institutions, 4th Edition: 4-4214M; 4-4226; 4-4227; 4-4228; 4-4361
- American Correctional Association Performance Based Standards for Adult Local Detention Facilities, 4th Edition: 4-ALDF-3A-01; 4-ALDF-4C-21

### *Records Retention Requirements*

Requirements and retention guidance for records and information applicable to this program are available in the Records and Information Disposition Schedule (RIDS) on Sallyport.