



# AMERICAN NONSMOKERS' RIGHTS FOUNDATION

## 100% Smokefree and Tobacco-Free Correctional Facilities

July 1, 2019

### Federal

Effective January 2015, the Federal [Bureau of Prisons](#) prohibits smoking of tobacco in any form in and on the grounds of Bureau institutions and offices, except as part of authorized inmate religious activity. Bureau staff and visitors may only smoke in designated outdoor areas. The [American Jail Association](#), the American Correctional Association, and the National Commission on Correctional Health (NCCHC) have adopted smokefree resolutions that promote smokefree policies in jails and prisons – these are recommendations not mandates. For additional information on health services in the nation's correctional facilities, visit the NCCHC website at <http://www.ncchc.org/>.

### States and Commonwealths

Correctional facilities are **100% smokefree and tobacco-free indoors and outdoors** on all grounds:

- |                                       |   |                                |
|---------------------------------------|---|--------------------------------|
| <a href="#">Arkansas</a>              | <a href="#">Minnesota</a>                   | <a href="#">Oklahoma</a>       |
| <a href="#">Colorado</a>              | Mississippi                                 | Oregon                         |
| Georgia                               | Missouri                                    | <a href="#">South Carolina</a> |
| <a href="#">Idaho</a>                 | <a href="#">Nebraska</a> <sup>i</sup>       | South Dakota <sup>ii</sup>     |
| <a href="#">Kansas</a> <sup>^</sup>   | Nevada <sup>^</sup>                         | Vermont                        |
| <a href="#">Massachusetts</a>         | <a href="#">North Carolina</a> <sup>^</sup> | Virginia                       |
| <a href="#">Michigan</a> <sup>^</sup> | <a href="#">Ohio</a>                        | <a href="#">Wyoming</a>        |

Correctional facilities are **100% smokefree indoors and outdoors** on all grounds:

- |             |      |
|-------------|------|
| Puerto Rico | Utah |
|-------------|------|

Correctional facilities are **100% smokefree and tobacco-free indoors**:

- |   |   |   |
|---|---|---|
| <a href="#">Alaska</a>                                | Kentucky <sup>iii</sup>                 | <a href="#">Rhode Island</a>            |
| <a href="#">California</a> <sup>iv</sup> <sup>^</sup> | Louisiana                               | Texas                                   |
| Delaware  | <a href="#">Montana</a> <sup>^</sup>    | <a href="#">Washington</a> <sup>^</sup> |
| <a href="#">Florida</a>                               | <a href="#">New Hampshire</a>           | West Virginia                           |
| <a href="#">Hawaii</a>                                | <a href="#">New Mexico</a> <sup>v</sup> |   |
| Iowa  |   |   |

Correctional facilities are **100% smokefree indoors**:

- |                         |            |              |
|-------------------------|------------|--------------|
| Alabama                 | Indiana    | New York     |
| <a href="#">Arizona</a> | Maine      | Pennsylvania |
| Connecticut             | Maryland   | Tennessee    |
| Illinois                | New Jersey | Wisconsin    |

## Other State Correctional Facility Laws

**West Virginia:** State law requires that inmates not use or possess tobacco products. Facilities run by the West Virginia Regional Jail and Correctional Facility Authority are tobacco-free. Facilities run by the West Virginia Division of Corrections are not smokefree.

## Local Correctional Facility Policies

**Louisiana:** Rayburn Correctional Center is 100% smokefree indoors and outdoors as of January 15, 2015.

**New Mexico:** Metropolitan Detention Center in Bernalillo County and Sandoval County Detention Center are 100% smokefree *and* tobacco-free indoors.

**New York:** Bradford County Correctional Facility decided in January 2014 to become 100% smokefree *and* tobacco-free indoors and outdoors on all grounds.

Sources: Based on correspondence with representatives from states' departments of correctional facilities, analysis of state laws, department policies available online, and news clips, 2008-2019.

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<sup>i</sup> Nebraska policy does not apply to Community Corrections Centers in Omaha and Lincoln, which have their own policies.

<sup>ii</sup> In 2009, South Dakota's Department of Corrections eliminated an exemption for tobacco use in Native American religious ceremonies. In April 2014, the 8th Circuit Court of Appeals ruled that the removal of the religious exemption violates the constitutional rights of Native American inmates. The Department of Corrections may appeal the decision.

<sup>iii</sup> All Kentucky correctional facilities are 100% smokefree *and* tobacco-free indoors except for Eddyville State Penitentiary.

<sup>iv</sup> All California correctional facilities are 100% smokefree *and* tobacco-free indoors except for employee housing.

<sup>v</sup> At New Mexico correctional facilities, smoking and tobacco-use is permitted by employees in private residences and personal vehicles on facility property.

<sup>^</sup> Tobacco for ritual tribal or other religious use is permitted.