



Center for Children, Youth, & Families Department

Juvenile Justice Services (JJS) Policies and Procedures (P&P)

Title JJS Facilities – Clean Indoor Air Act

Category General Provisions

Procedure # P.01.18

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1 Overview Statement

- 1.1 Smoking of any kind, tobacco use in any form, and vaping are prohibited in the presence of JJS clients and inside all CYFD offices, facilities, and vehicles. This prohibition applies to all who enter.

- 1.2 “Juvenile justice services buildings, offices, and work areas comply with the Dee Johnson Clean Indoor Air Act....” (NMAC 8.14.1.18)

2 Purpose

This procedure protects clients from exposure to secondhand smoke, tobacco, nicotine, and aerosolized emissions from e-cigarettes and requires JJS facilities to establish designated smoking areas for employees, contractors, volunteers, and interns. Designated smoking areas only allow for smoking tobacco, using tobacco, and vaping.

3 Smoke- and Tobacco-Free Environment

- 3.1 At the entrance of each facility, there is a sign indicating that the facility is a smoke- and tobacco-free facility.

- 3.2 All who enter the facilities are required to secure tobacco, tobacco products, tobacco paraphernalia, and vaping products in their vehicles before entering.

4 Designated Smoking Areas

Designated smoking areas meet the following guidelines:

- Are at least 50 feet away from any entrances, ventilating systems, or operable windows;
- Have noncombustible receptacles, separate from regular trashcans, specifically designed for the safe and sanitary disposal of cigarette butts and other tobacco products;
- Have a cleaning schedule so that the area and receptacles are regularly and properly cleaned/maintained; and
- Have signs indicating the area is designated for smoking tobacco, using tobacco, and vaping.

5 Client Programming

Programming is available to clients needing cessation support. Programming may include group discussions, educational curricula, and written materials on smoking cessation and abatement and tobacco-related diseases.

6 Client Discipline

Clients may be subject to disciplinary action for possession of unauthorized cessation supports, tobacco, tobacco products, tobacco paraphernalia, and vaping products.

7 Exceptions for the “Indian Child”

- 7.1 The Superintendent, in collaboration with the client’s MDT, facility leadership, and CYFD’s Office of Tribal Affairs may make an exception for a client who identifies as an “Indian Child”.
- 7.2 This exception allows for the “Indian Child” to participate in customs and traditions including attending and participating in traditional ceremonies centered around the “Indian Child” and the “Indian Child’s” family/tribe.

8 Exceptions for Cessation Supports

- 8.1 The Health Services Administrator (HSA) may prescribe appropriate pharmaceutical support to clients for withdrawal when medically indicated.
- 8.2 Employees may use patches (worn inconspicuously), consume lozenges (in limited quantity), and chew nicotine gum (in staff-only areas).

9 Consequences of Noncompliance

An employee who fails to follow this Procedure may be subject to disciplinary action in accordance with the CYFD Code of Conduct and the Collective Bargaining Agreement (CBA) between AFSCME and the State of New Mexico.

10 Additional Forms and Documents

None

11 Issue Date

October 1, 2022

12 Effective Date

November 1, 2022

13 Replaced Procedure

P.1.18 Clean Indoor Air Act, issued 06/15/2010

14 Applicable Policies (Rules)

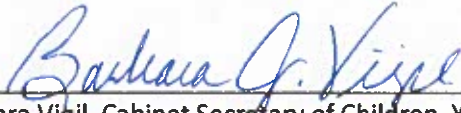
NMAC 8.14.1 Social Services, Juvenile Justice, General Provisions

NMAC 1.5.17 General Government Administration, Public Property Management,
Clean Indoor Air Regulation: Use of Property Control Division, Real Property

NMAC 1.5.24.18 General Government Administration, Public Property Management,
Conduct On and Use of State Property

15 Authorizing Signatures

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