

SAN DIEGO POLICE DEPARTMENT PROCEDURE

DATE: 04/18/2014
NUMBER: 5.05 – PERSONNEL
SUBJECT: USE OF TOBACCO PRODUCTS
RELATED POLICY: 5.05
ORIGINATING DIVISION: OPERATIONAL SUPPORT
NEW PROCEDURE:
PROCEDURAL CHANGE:
SUPERSEDES: DP 5.05 –10/11/2011

I. PURPOSE

This Department procedure establishes the rules and regulations regarding the use of tobacco products within police facilities or while on duty.

II. SCOPE

This procedure applies to all members of the Department.

III. BACKGROUND

California Government Code 7597(a) states, “No public employee or member of the public shall smoke any tobacco product inside a public building, or in an outdoor area within 20 feet of a main exit, entrance, or operable window of a public building, or in a passenger vehicle, as defined by Section 465 of the Vehicle Code, owned by the state.” This section shall not preempt the authority of any county, city, city and county, California Community College campus, campus of the California State University, or campus of the University of California to adopt and enforce additional smoking and tobacco control ordinances, regulations, or policies that are more restrictive than the applicable standards required by this chapter. The intent of this law is to protect the health of non-smoking employees and ensure that they are provided with a smoke-free environment when possible.

IV. DEFINITIONS

- A. Police Facility – any building or structure solely or jointly operated by the Department.
- B. Smoking Prohibited Area – encompasses the following areas in and around police facilities:
 - 1. Outside concrete and landscaped areas within 20 feet of building entrances and exits;
 - 2. Covered areas;
 - 3. Stairwells, inside or outside;
 - 4. Roof of the Headquarters Building; and,
 - 5. Any other area posted “No Smoking.”

V. PROCEDURES

- A. The use of smokeless tobacco presents an unprofessional appearance and is prohibited under the same conditions as is smoking.
- B. Members are prohibited from smoking or using smokeless tobacco under the following conditions:
 - 1. Inside any police facility;
 - 2. In or around any Smoking Prohibited Area;
 - 3. In police vehicles;
 - 4. While dealing with the public;
 - 5. When conducting an investigation or interview; or,
 - 6. When it would be offensive to other individuals.