

## **Policy 306 Handcuffing and Restraints**

### **306.1 PURPOSE AND SCOPE**

This policy provides guidelines for the use of handcuffs and other restraints during detentions and arrests.

Because restraint devices are designed to compel, control, constrain, or restrain a person's movement, use of these devices is physical force and all considerations governing uses of physical force detailed in this policy and the Use of Force Policy apply to their use (Washington State Office of the Attorney General Model Use of Force Policy). However, physical force does not include compliant handcuffing where there is no complaint of physical pain or injury (RCW 10.120.010).

#### **306.1.1 DEFINITIONS**

Definitions related to this policy include (Washington State Office of the Attorney General Model Use of Force Policy):

**Compression asphyxia** - An inadequate oxygen level in the blood and/or an excessive increase of carbon dioxide in the blood causing unconsciousness or death brought on by mechanically limiting expansion of the lungs through compressing of the chest and/or abdomen, interfering with breathing.

**Positional asphyxia** - An inadequate oxygen level in the blood and/or an excessive increase of carbon dioxide in the blood causing unconsciousness or death brought on by a person being placed in a body position which compresses the person's airway and does not allow the person to breathe freely.

### **306.2 POLICY**

The Mountlake Terrace Police Department authorizes the use of restraint devices in accordance with this policy, the Use of Force Policy, the Transporting Persons in Custody Policy, and department training. Restraint devices shall not be used to punish, to display authority, or as a show of force.

### **306.3 USE OF RESTRAINTS**

Only members who have successfully completed Mountlake Terrace Police Department-approved training on the use of restraint devices described in this policy are authorized to use these devices.

When deciding whether to use any restraint, officers should carefully balance officer safety concerns with factors that include but are not limited to:

- The circumstances or crime leading to the arrest.
- The demeanor and behavior of the arrested person.
- The age and health of the person.
- Whether the person is known to be pregnant.

- Whether the person has a hearing or speaking disability. In such cases, consideration should be given, safety permitting, to handcuffing to the front in order to allow the person to sign or write notes.
- Whether the person has any other apparent disability.

Restrained persons shall be monitored while in law enforcement custody (Washington State Office of the Attorney General Model Use of Force Policy).

### 306.3.1 RESTRAINT OF DETAINEES

Situations may arise where it may be reasonable to restrain a person who may, after brief investigation, be released without arrest. Unless arrested, the use of restraints on detainees should continue only for as long as is reasonably necessary to ensure the safety of officers and others. When deciding whether to remove restraints from a detainee, officers should continuously weigh the safety interests at hand against the continuing intrusion upon the detainee.

### 306.3.2 RESTRAINT OF PREGNANT PERSONS

Persons who are known to be pregnant should be restrained in the least restrictive manner that is effective for officer safety. Leg restraints, waist chains, or handcuffs behind the body should not be used unless the officer has a reasonable suspicion that the person may resist, attempt escape, injure themselves or others, or damage property.

No person who is in labor, delivery, or recovery after delivery shall be handcuffed or restrained except in extraordinary circumstances, and only when a supervisor makes an individualized determination that such restraints are necessary for the safety of the detainee, officers, or others. See the Transporting Persons in Custody Policy for guidelines relating to transporting pregnant persons.

### 306.3.3 RESTRAINT OF JUVENILES

A juvenile under 14 years of age should not be restrained unless suspected of committing a dangerous felony or when the officer has a reasonable suspicion that the juvenile may resist, attempt escape, injure themselves, injure the officer, or damage property.

Members who are school resource officers should only use restraints on a student participating in school-sponsored instruction or activity when there is an imminent likelihood of serious harm and pursuant to the school policy for students and staff (RCW 28A.600.485).

## 306.4 APPLICATION OF HANDCUFFS OR PLASTIC CUFFS

Handcuffs, including temporary nylon or plastic cuffs, may be used only to restrain a person's hands to ensure officer safety.

Although recommended for most arrest situations, handcuffing is discretionary and not an absolute requirement of the Department. Officers should consider handcuffing any person they reasonably

believe warrants that degree of restraint. However, officers should not conclude that in order to avoid risk every person should be handcuffed regardless of the circumstances.

In most situations handcuffs should be applied with the hands behind the person's back. When feasible, handcuffs should be double-locked to prevent tightening, which may cause undue discomfort or injury to the hands or wrists.

In situations where one pair of handcuffs does not appear sufficient to restrain the person or may cause unreasonable discomfort due to the person's size, officers should consider alternatives, such as using an additional set of handcuffs or multiple plastic cuffs.

Handcuffs should be removed as soon as it is reasonable or after the person has been searched and is safely confined within a detention facility.

### **306.5 APPLICATION OF SPIT GUARDS**

A spit guard (sometimes referred to as spit hood, spit mask, or spit sock) is a woven mesh device which can be placed over a person's head and face with the intent of preventing or reducing the transmission of infectious disease through saliva, mucous, and blood. Officers shall only use department-issued spit guards (Washington State Office of the Attorney General Model Use of Force Policy).

Spit guards may be placed upon persons in custody when the officer reasonably believes the person will bite or spit, either on a person or in an inappropriate place. They are generally used during application of a physical restraint, while the person is restrained, or during or after transport.

Prior to application of a spit guard, an officer shall warn the individual and provide a reasonable time for the person to comply with the officer's commands. If applied, the officer shall remove the spit guard as soon as the threat of spitting or biting has ended, or the officer observes that the spit guard is no longer necessary.

Officers utilizing spit guards should ensure that the spit guard is fastened properly according to the manufacturer's instructions to allow for adequate ventilation and that the restrained person can breathe normally. After application of a spit guard and when safe to do so, officers shall move the individual into a seated or side recovery position. Officers shall provide assistance during the movement of a restrained person due to the potential for impairing or distorting that person's vision. For individuals in mental health crisis, application of a spit guard may provoke an elevated level of distress. Officers should provide verbal reassurance and dynamically assess the situation to remove the spit guard as soon as appropriate. Officers should avoid commingling those wearing spit guards with others and detainees.

Spit guards should not be used in situations where the restrained person is bleeding profusely from the area around the mouth or nose, or if there are indications that the person has a medical condition that affects their breathing, or the person demonstrates symptoms of labored or distressed breathing. In such cases, prompt medical care should be obtained. If the person vomits while wearing a spit guard, the spit guard should be promptly removed and discarded. Persons who

have been sprayed with oleoresin capsicum (OC) spray should be thoroughly decontaminated including hair, head, and clothing, prior to application of a spit guard.

Those who have been placed in a spit guard shall be continually monitored and shall not be left unattended until the spit guard is removed. In the event of a medical emergency, spit guards should be removed immediately. Spit guards shall be discarded after each use.

### **306.6 APPLICATION OF AUXILIARY RESTRAINT DEVICES**

Auxiliary restraint devices include transport belts, waist or belly chains, transportation chains, leg restraints, and other similar devices. Auxiliary restraint devices are intended for use during long-term restraint or transportation. They provide additional security and safety without impeding breathing, while permitting adequate movement, comfort, and mobility.

Only department-authorized devices may be used. Any person in auxiliary restraints should be monitored as reasonably appears necessary.

### **306.7 APPLICATION OF LEG RESTRAINT DEVICES**

Leg restraints (e.g., hobble restraints) may be used to restrain the legs of a violent or potentially violent person when it is reasonable to do so during the course of detention, arrest, or transportation. Only restraint devices approved by the department shall be used.

The WRAP by Safe Restraints Inc., is a temporary restraining device, which when properly used can increase officer safety and minimize the potential for injury and in-custody deaths. The WRAP immobilizes the lower torso of the body and restricts a person's ability to kick and cause harm to his/herself and others. The WRAP should be used after a violent or potentially violent person is controlled using approved departmental procedures. The WRAP should be applied when the person has been restrained in handcuffs and is lying face down. The WRAP shall not be used on an obviously pregnant person or a person claiming to be pregnant. Officers are discouraged from using the device on children under 12 years of age. Officers should minimize the amount of time the person is lying face down in order to apply the WRAP.

The safety of officers involved and the person being restrained will be the primary consideration in applying the WRAP. The device is not escape-proof and once applied the person shall not be left unattended. Once the person is restrained by the WRAP, he/she shall be placed in a seated position or on their side to increase the oxygen recovery rate and thus reducing the incidence of respiratory fatigue associated with a person being restrained in the prone position. The person shall be constantly monitored for symptoms of respiratory distress (shortness of breath, coughing, gagging, shortness of breath, complaints of pain or respiratory distress), sudden calmness, chest pain, a change in facial color, elevated body temperature (sweating profusely), vomiting, symptoms of drug use, emotional distress, or a verbal complaint indicating a need for medical attention.

In determining whether to use the leg restraint, officers should consider:

- a. Whether the officer or others could be exposed to injury due to the assaultive or resistant behavior of a person.

- b. Whether it is reasonably necessary to protect the person from his/her own actions (e.g., hitting his/her head against the interior of the patrol vehicle, running away from the arresting officer while handcuffed, kicking at objects or officers).
- c. Whether it is reasonably necessary to avoid damage to property (e.g., kicking at windows of the patrol vehicle).

### 306.7.1 GUIDELINES FOR USE OF LEG RESTRAINTS

When applying leg restraints, the following guidelines should be followed:

- a. If practicable, officers should notify a supervisor of the intent to apply a leg restraint device. In all cases, a supervisor shall be notified as soon as practicable after the application of a leg restraint device.
  - 1. The officer will also notify jail personnel, aid personnel, hospital personnel, or any other person, organization, or agency receiving the person.
  - 2. Only qualified personnel who have received Department approved training in the use of the WRAP shall use the device.
  - 3. The WRAP shall be applied with a minimum of (2) officers present.
  - 4. The chest/shoulder harness of the WRAP shall not be tightened to the point it may interfere with the person's ability to breathe.
- b. The WRAP may be used in the following situations:
  - 1. To immobilize a violent/combative person.
  - 2. To limit a persons ability to cause injury to themselves or others.
  - 3. To prevent violent/combative persons from causing property damage by kicking.
  - 4. To restrain persons after a chemical spray or an EMD device is used.
  - 5. Where conventional methods of restraint are not effective or likely to be ineffective.
  - 6. During transportation of violent/combative persons.
  - 7. To assist with cell extraction of violent/combative persons.
- c. Once applied, absent a medical or other emergency, leg restraints should remain in place until the officer arrives at the jail or other facility or the person no longer reasonably appears to pose a threat.
- d. Once secured, the person should be placed in a seated or upright position, secured with a seat belt, and shall not be placed on the person's stomach for an extended period, as this could reduce the person's ability to breathe.
- e. The restrained person shall be continually monitored by an officer while in the leg restraint (Washington State Office of the Attorney General Model Use of Force Policy). The officer should ensure that the person does not roll onto and remain on the person's stomach.
- f. The officer should look for signs of labored breathing and take appropriate steps to relieve and minimize any obvious factors contributing to this condition.
- g. When transported by emergency medical services, the restrained person should be accompanied by an officer when requested by medical personnel. The transporting officer should describe to medical personnel any unusual behaviors or other circumstances the officer reasonably believes would be potential safety or medical risks to the person (e.g., prolonged struggle, extreme agitation, impaired respiration).
- h. The WRAP shall be sanitized between uses with a disinfectant spray and allowed to dry before being returned to the deployment bag for use. In the event of a bio-hazard exposure the WRAP shall be placed in a bio hazard bag and sealed. The Special Services Sergeant shall

be notified of the exposure and arrange cleaning with a professional hazardous materials cleaning company.

Officers shall not connect a leg restraint to handcuffs or other types of restraints (i.e., hog tie an individual) (Washington State Office of the Attorney General Model Use of Force Policy).

### **306.8 REQUIRED DOCUMENTATION**

If a person is restrained and released without an arrest, the officer shall document the details of the detention and the need for handcuffs or other restraints.

If a person is arrested, the use of handcuffs or other restraints shall be documented in the related report.

Officers shall document the following information in reports, as appropriate, when restraints other than handcuffs are used on a person (Washington State Office of the Attorney General Model Use of Force Policy):

- a. The factors that led to the decision to use restraints.
- b. Supervisor notification and approval of restraint use.
- c. The types of restraint used.
- d. The amount of time the person was restrained.
- e. How the person was transported and the position of the person during transport.
- f. Observations of the person's behavior and any signs of physiological problems.
- g. Any known or suspected drug use or other medical problems.

#### **306.8.1 SCHOOL RESOURCE OFFICERS**

Members working as school resource officers shall prepare a report pursuant to RCW 28A.600.485 and provide a copy to the school administrator whenever a student is restrained in a room or other enclosure or restrained by handcuffs or other restraint devices during school-sponsored instructions or activities.

### **306.9 TRAINING**

The Special Services Sergeant should ensure that officers receive periodic training on the proper use of handcuffs and other restraints, including:

- a. Proper placement and fit of handcuffs and other restraint devices approved for use by the Department.
- b. Response to complaints of pain by restrained persons.
- c. Options for restraining those who may be pregnant without the use of leg restraints, waist chains, or handcuffs behind the body.
- d. Options for restraining amputees or those with medical conditions or other physical conditions that may be aggravated by being restrained.

- e. Proper placement of safely secured persons into an upright or seated position to avoid placement on the stomach for an extended period, as this could reduce the person's ability to breathe.

### **306.10 POSITIONAL ASPHYXIATION AND COMPRESSION ASPHYXIATION**

Officers shall take the following actions to reduce the risk of positional asphyxiation and compression asphyxiation (Washington State Office of the Attorney General Model Use of Force Policy):

- a. As soon as safe and feasible after handcuffing or otherwise restraining a person taken to the ground, move the person to a position that does not impede the mechanism of normal breathing. This requirement is especially important when the person is handcuffed in the prone position.
  - 1. An exception is if the person is conscious and expresses a desire to be placed in a different position, the officers shall place the person in that position unless doing so poses a substantial risk of safety to the individual, officers, or others.
- b. Do not put prolonged pressure on the chest, neck, or back, including by sitting, kneeling, or standing.
- c. Continuously monitor the person's condition while being restrained, as death can occur suddenly and develop beyond the point of viable resuscitation within seconds. Monitoring includes but is not limited to assessing the adequacy of the individual's breathing, color, and any impairment as verbalized by the individual.
- d. Whenever possible during team restraint when manpower limitations allow, the ranking officer shall designate a safety officer. The safety officer shall monitor the health and welfare of the person until:
  - 1. Responsibility is transferred to a health care professional (e.g., emergency medical technician (EMT), paramedic); or
  - 2. The person is placed in a seated position in a transport vehicle and verbalizes to the safety officer that the person feels okay, and the person appears to the safety officer to be well and speaking normally.
- e. If the safety officer becomes aware of an issue with the person's breathing, color, or any impairment, the safety officer shall inform the ranking officer.
- f. Do not transport a restrained person in the prone position.