

31.19 Use of Mechanical Restraints for Youth

Application: Department of Children's Services employees who work with youth in the custody of DCS.

Authority: TCA: 37-5-105 (3), 37-5-106; Tennessee Rules of Juvenile Practice and Procedure, Rule 204

Standards: COA: PA-BSM 1; PA-BSM 2; PA-BSM 3; PA-BSM 4; PA-BSM 5; PA-JJCM 3
ACA: 4-JCF-2A-15; 4-JCF-2A-16; 4-JCF-2A-17; 4-JCF-2A-19

Commissioner:

Date:

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Glossary:

- ◆ Mechanical Restraints:
 - A mechanical device designed to restrict the movement of an individual. Mechanical restraints include handcuffs/wristlets, belly chains, anklets, ankle cuffs, or any other DCS approved or authorized device.
- ◆ High Risk Youth
 - Youth who present a high risk of absconding during a transport. Includes youth who have recent assaultive behaviors, have absconded during a prior transport, had a serious incident within the past three (3) months during previous transports, are experiencing a mental health crisis, or have had previous suicide attempts.
- ◆ Black Box
 - A cover designed to protect the security of mechanical restraints and prevents tampering with the locking mechanism. A metal clip allows a security chain to restrict movement of the hands.

Policy Statement:

DCS employees may use mechanical restraints on youth to maintain custody and/or control and to ensure safety. DCS is committed to preventing and reducing the use of mechanical restraint of the children/youth it serves. Mechanical restraint will not be used as a means of punishment, discipline, coercion, convenience, retaliation, or for lack of staff presence or competency.

Purpose:

To provide clear guidelines and set standards for the use of mechanical restraints on youth in the custody of DCS.

Procedures:**A. Mechanical Restraint, Intake Assessment and Authorization**

1. When a delinquent youth enters DCS custody, the youth and parent/legal custodian are notified of the possibility of the use of mechanical restraints. This notification also takes place upon entrance to custody for unruly, dependent and neglected and/or pre-adjudicated youth if the youth's behavior or history indicates the use of mechanical restraints is a possibility.
2. During the intake process, the youth and parent/legal custodian are interviewed to obtain information that may be helpful in managing a youth's behavior. This should include psychological information mental health information, trauma history, physical concerns that may interfere with the ability to restrain the youth, and interventions that have been successful in managing the youth's behavior in the past. This information is considered along with information collected using the prompts available on form **CS-4244, Behavior Management Assessment and Crisis Plan** to formalize a plan to use when necessary.
3. DCS staff who are specifically trained and authorized to apply mechanical restraints to a youth assess each youth and situation to determine whether or not it is necessary to use mechanical restraints (with the exception of the use of mechanical restraints for delinquent youth in routine transports).
4. The assessment should consider the following:
 - a) Precursors of behavior that put the youth or others at risk of harm;
 - b) Any techniques, methods or tools that may help the youth control their behavior to prevent use of restraints;
 - c) If the youth has any pre-existing medical or psychiatric conditions or physical disabilities and limitations that would place the youth at greater risk if mechanical restraints were applied; and
 - d) Any history of sexual or physical abuse or trauma that would place the youth at greater psychological risk if mechanical restraints were applied.
5. After the initial assessment of the youth's behavior/history, permission to maintain the use of restraints must be secured each time from:
 - a) The Regional Director for dependent and neglected, unruly, and/or pre-adjudicated youth;
 - b) The Juvenile Justice worker's immediate supervisor/designee for delinquent youth.

Note: Mechanical restraints may be used only to the degree required and for the minimum amount of time necessary. See [Work Aid- Use of Mechanical Restraints: Monitoring and Documentation Requirements](#).

6. All directives in this section are documented in the Incident Report. See Policy [1.4, Incident Reporting](#).

B. Use of Mechanical Restraints

Mechanical restraints are applied in a manner that is not injurious to the youth and may be used in the following instances:

1. Mechanical restraints are used when transporting delinquent youth. This does not apply to youth being released to home or starting a trial home visit. See DCS Policy [31.16, Transporting Delinquent Youth](#)
2. Mechanical restraints may be used on unruly, dependent and neglected, and/or pre-adjudicated youth when transporting if approved by a Regional Director and the circumstances meet the criteria outlined for unruly, dependent and neglected, and/or pre-adjudicated youth below. See Policy [31.15 Guidelines for Transportation of Child/Youth by Regional Employees](#) for specific details regarding transportation.
3. If any youth, regardless of adjudication status, being transported is identified as high risk (see definition below), two (2) transportation officers (if available) or at a minimum one (1) transportation officer and a co-rider are assigned to transport. The youth is placed in mechanical restraints which may include belly chains with black boxes. Prior to departure, the transporter checks restraint devices to make sure they are applied correctly and are not affecting the youth's circulation or causing discomfort. Restraints remain on youth during the entire transport.
4. A delinquent youth in custody awaiting placement in DCS offices or other locations may be restrained once an assessment of the youth's behaviors/history has been completed and current behaviors indicate restraints are appropriate. (See Section A).
5. A delinquent youth in custody who poses a runaway risk, has a documented history of running away, or a history of recent assault behavior may be mechanically restrained. A delinquent youth who is threatening to run away or who is returning from a runaway/escape episode is restrained. Delinquent youth apprehended and/or brought to the office after being apprehended, are placed in mechanical restraints while a determination is being made regarding an appropriate placement.
6. An unruly, dependent and neglected, and/or pre-adjudicated youth who poses as a runaway risk, who is threatening to run away, or who is returning from a runaway/escape episode may be restrained. This decision is based on individualized circumstances for each youth, including but not limited to when the youth's form **CS-4244, Behavior Management Assessment and Crisis Plan** appears to be ineffective at keeping the youth and staff safe without the use of mechanical restraints.

7. The use of mechanical restraints by DCS staff is permitted in the case of an emergency when the child/youth, regardless of adjudication status, is at imminent danger of self-harm or harming others and no other option exists to protect the safety of the child/youth, staff members, and/or others.
8. The use of mechanical restraints within a Youth Development Center (YDC) must also comply with DCS Policy [27.35 DOE, Use of Mechanical Restraints](#) and Directives.
9. In circumstances when the youth, regardless of adjudication status, requires restraints for medical or psychiatric reasons. For guidelines regarding the psychiatric use of mechanical restraints, refer to DCS Policy [19.9 Psychiatric Emergency Use of Mechanical Restraints](#).
10. Youth, regardless of adjudication status, who are pregnant may only be restrained using wrist restraints placed in front of the body during internal escort or at any time outside of the facility absent extraordinary circumstances. See [Protocol: Best Practice in the Use of Restraints with Pregnant Youth](#) for additional information.
11. Mechanical restraints are used for youth, regardless of adjudication status, when court ordered.

Note: Youth appearing in court are not restrained unless the court determines that the youth poses a threat to their own safety or the safety of others, if behavior presents a flight risk, or if there are no less restrictive alternatives to restraints that will prevent flight or risk of harm.

C. Monitoring During the Period of Restraint

1. During the period of restraint, the staff member supervising the youth must maintain continual visual observation and verbally check with the youth at least every fifteen (15) minutes (to be documented on **CS-4249, Mechanical Restraint Log**) to determine if the mechanical restraints are presenting any harmful health or psychological reactions. (See [Work Aid-Use of Mechanical Restraints: Monitoring and Documentation Requirements](#) and [Protocol: Best Practice in the Use of Restraints with Pregnant Youth](#), if applicable).
2. Use of restraints is limited to no more than:
 - ◆ Fifteen (15) minutes for youth aged nine (9) or younger;
 - ◆ Thirty (30) minutes for youth aged ten (10) and older.
3. For the use of mechanical restraints in excess of fifteen (15) and thirty (30) minutes, to maintain safety, security, and order, additional approval must be sought by the Team Coordinator, or designee, assigned to the case for delinquent youth, and by the Regional Director for the unruly, dependent and neglected, and/or pre-adjudicated youth (with the exception of the use of mechanical restraints during

transports or youth at high risk of runaway). Restraints are removed as soon as possible.

4. If there is a reported or noted hampering of circulation or undue discomfort, the restraints are adjusted immediately.
5. Staff assesses the youth's need for food, water, and use of bathroom facilities and provides access when safe and appropriate. When transporting delinquent youth, employees abide by the following restrictions:
 - a) Meals (fast food) may only be purchased from the drive-through window; and
 - b) Bathroom breaks are only permissible at local police departments, Tennessee Highway Patrol, Sheriff's offices, or secure government facilities (to include DCS offices). **Public bathroom stops are prohibited.**
6. In the event of an emergency or evacuation while a youth is in mechanical restraints, DCS or provider staff will escort the youth to a safe space or location. DCS or provider staff will remain with the youth and continue visual observation and verbal periodic checks to ensure mechanical restraints are not causing harm.

D. Reporting

1. An Incident Report is required each time mechanical restraints are applied (with the exception of use during routine transports). The Incident Report is documented in TFACTS in the Incident Report module. Refer to DCS policy [**1.4, Incident Reporting**](#) for additional information and requirements on incident reporting and debriefing.
2. The staff member applying restraints should follow the guidelines in the [**Work Aid- Use of Mechanical Restraint: Monitoring and Documentation Requirements**](#) when entering the incident in TFACTS.

E. Parent Notification

DCS is required to notify and debrief the parent/legal custodian when mechanical restraints are applied to a youth in DCS custody (with the exception of use for delinquent youth during routine transports). Notification and debriefing is documented in the incident report.

F. Debriefing

1. DCS Staff must debrief in a confidential setting with each youth who was placed in mechanical restraints (except for use during routine transports) within 24 hours to discuss the reason for the use of mechanical restraints, any type of discomfort and find strategies to preempt the use of mechanical restraints. Debriefing is

documented on ***CS-0165, Youth Behavioral Management Debriefing and upload into TFACTS.***

2. Debriefings are conducted with the youth, all staff involved in the restraint incident, and the parents/legal custodian, if available. The debriefing with the youth and parents/legal custodian:
 - a) Evaluates the physical and emotional well-being of the youth;
 - b) Identifies antecedent behavior; the need for counseling, medical care or other services due to the incident; and the need to modify the service plan; and
 - c) Addresses when the youth is ready to reenter routine activities.
3. Staff involved in the incident are debriefed to assess:
 - a) Their current physical and emotional status;
 - b) Precipitating events; and
 - c) How the incident was handled and if procedural changes are needed to avoid future incidents.
4. If any other person(s) witnessed the incident, they are also debriefed to assess their current physical and emotional status.

G. Storage and Maintenance of Mechanical Restraints

1. Restraints are checked and disinfected before and after each use to ensure they are clean, functioning properly and safe to use. Any damage or issues with restraints are reported to the transportation supervisor or transportation coordinator.
2. Mechanical restraint checks are conducted, by the transportation supervisor or assigned supervisor/ designee, at least monthly to ensure restraints are being maintained appropriately. Verification of these checks is documented on a log that is kept with the restraints.
3. When not in use, mechanical restraints are stored in a safe, secure area in the region or in a state vehicle.
4. If restraints are stored in a state vehicle they are maintained in a secure manner, such as locked in the glove compartment or concealed in a location that will not pose a threat in the event of an emergency.

H. Training in the Use of Mechanical Restraints

1. Staff members are trained, and deemed competent, before applying restraints to a youth.
2. Training occurs during pre-service training and annually thereafter. A supervisor can request additional training if a previous restraint resulted in injury, due to the repeated failure to follow established protocol, or as needed.
3. Annual training includes recognizing and assessing:

- ♦ The youth's physical and mental status while in restraints, including signs of physical distress; □ Nutritional and hydration needs;
 - ♦ Readiness to discontinue use of the intervention; and
 - ♦ When medical or other emergency personnel are needed.
4. Training includes appropriate monitoring, documenting, and reporting procedure for each occurrence of mechanical restraint and proper storage of restraints.
 5. At the end of the training session staff are required to take a post-test and demonstrate competency in the safe use of mechanical restraints and the associated reporting requirements.
 6. The DCS Training Coordinator maintains records of staff who have completed training and those who need to be scheduled for training.
 7. The YDC Superintendent shall ensure that all staff members authorized to apply mechanical restraints are properly trained in the use of such restraints.

I. Internal Review

1. For Juvenile Justice, the TL/TCs report the use of non-routine mechanical restraints, within 24 hours of the incident, to the assigned JJ Regional Director/designee, via email.
2. For the YDC, each incident of use of mechanical restraints shall be reported on form ***CS-0311, Facility Incident Report***, by the person applying the restraints. The report will be submitted to the Superintendent for review and a copy placed in the youth's file. Copies of a Facility Incident Report forms shall be forwarded to the Director of the YCD.
3. For unruly, dependent and neglected, and/or pre-adjudicated youth, the Regional Director reports the use of mechanical restraints, within 24 hours of the incident, to the Deputy Commissioner/designee, via email.
4. The Regional Directors, senior leadership, and the Executive Director of Child Mental Health/designee conduct quarterly reviews of the specified uses of mechanical restraints.

Forms:

[*CS-0165, Youth Behavior Management Debriefing*](#)

[*CS-0311, Facility Incident Report*](#)

[*CS-4244, Behavior Management Assessment and Crisis Plan*](#)

[*CS-4249, Mechanical Restraint Log*](#)

Collateral Documents:

Protocol: Best Practice in the Use of Restraints with Pregnant Youth

Work Aid-Use of Mechanical Restraint: Monitoring and Documentation Requirements

27.35 DOE, Use of Mechanical Restraints

Doe Policy 27.35 Directive

Doe Policy 27.35 Directive-2

31.15 Guidelines for Transportation of Child/Youth by Regional Employees

31.16 Transporting Delinquent Youth

1.4 Incident Reporting