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SUBJECT: USE OF RESTRAINING DEVICES

APPROVED:

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6.03.01 PURPOSE

Police officers frequently need to adequately and properly restrain persons taken into custody. This directive establishes the departmental policy and recommended procedures for the application of various restraining devices and techniques.

6.03.02 POLICY

- A. Citizens are taken into police custody for a variety of reasons, and under a variety of circumstances. Custody is generally thought of as arrest; however, custody may also be protective in nature. Examples of protective custody may include persons who are mentally or physically ill; juveniles who require protection; or who have committed a status offense unique to their juvenile status.
- B. Oftentimes, those taken into custody require the application of restraining devices. Such restraining devices authorized for use by the department, in accordance with nationally recognized standards of application, shall be used for such restraint.
- C. Under most circumstances, persons in custody should be placed in handcuffs with their hands secured behind their backs.
- D. Officers may use their discretion in the use of restraining devices after considering the circumstances of the detention. Officers shall evaluate the physical limitations of their prisoners to determine whether it is appropriate to secure hands behind the back or in front. There may be other special considerations influencing this decision, including the age, size, and physical condition of the person to be restrained.
- E. The decisions involving handcuffing may also vary based on the location of the custody or at various stages of transport and processing.

6.03.03 TYPES OF RESTRAINING DEVICES – AUTHORIZED

- A. Handcuffs
 - 1. The police department shall issue standard handcuffs of a make, model, and design, which meet the intended purpose and safety features necessary to provide protection.
 - a. All handcuffs used by officers in the field shall be keyed alike.
 - 2. The police department shall allow any officer to purchase additional sets of handcuffs, which meet the minimum standards and conform to the above requirements. Such purchase shall be at the expense of individual officers.

3. Handcuffs may be of the "hinged" variety and/or the "chain" type of design.
4. All handcuffs must have a "double locking" feature that prevents the closing device from moving beyond the selected degree of closure.

B. Flex-cuffs

1. Flexible straps are made available as restraining devices for use when standard, metal handcuffs are not available in sufficient quantity for the situation encountered; or when standard metal handcuffs are inappropriate due to unique circumstances.
2. Flexible handcuffs shall only be used in accordance with current training standards and current arrest/control techniques as authorized by the department.

C. Ankle Cuffs

1. Occasionally the feet, legs or ankles of a person in custody must be shackled or restrained. Several sets of metal ankle cuffs are available when the situation arises, that a person presents a risk to themselves or others unless the ankles are properly restrained.
2. Flexible cuffs may be used as ankle cuffs or along with metal ankle cuffs when the situation requires/dictates such use.
3. Officers shall not restrain prisoners in a manner where the prisoner's hands are secured behind their back and their feet are then secured to their hands.
4. To prevent prisoners from kicking, they may be secured with ankle cuffs or nylon mesh hobbles which can be secured to bolts within the police vehicles.

D. Other Devices

1. As the need presents itself, there may be occasion to use other restraining devices. These may include, but are not limited to, belts, chains, and waist belts, straight jackets, spit hoods, etc., that provide safe, humane restraint.

6.03.04 PURPOSE OF RESTRAINT

- A. The purpose of using any restraining device is to ensure the safety to the public, the officer, the person in custody, and to decrease the chance for injury and escape.
- B. Restraining devices must be applied to persons using techniques that provide safety for the officer, yet do not present undue discomfort to the person in custody.
- C. Restraining devices are not weapons and should not be used as a weapon. They will not be used to intentionally cause injury to a person in custody, or to intentionally humiliate a person.

6.03.05 SPECIAL CONSIDERATIONS

- A. There are several factors that are used for consideration in determining the type of restraining device utilized and the degree of restraint required. Many of these involve officer expertise and training. These decisions do not significantly vary from other discretionary decisions do not significantly which police make on a daily basis.

- B. The safety of the officer, the detainee, and the general public shall be primary consideration in making these determinations. Factors including the nature of the detention and the setting shall be considered. Use of physical restraining devices and techniques against vulnerable populations in this section can undermine public trust and the necessity should be evaluated carefully by the arresting officer.
- C. Age
 - 1. Officers may evaluate the reasonableness of using a restraining device on an elderly person or children, depending on the circumstances. Generally speaking, restraining devices should only be used on the very young or the very old for articulable reasons.
 - a. Juvenile Status Offenders: technically, juveniles taken into custody for their protection, as runaways, or other status offenses/conditions should not be physically restrained. However, circumstances, conditions and demeanor of the juvenile may dictate that restraining devices are necessary for their protection, the safety of the public or the officer.
- D. Physical Condition
 - 1. Persons taken into custody may be in a physical condition or have a physical disability that precludes the appropriate application of a restraining device or necessity of such a device. The necessity of their use should be evaluated by the officer and only used for articulable reasons.
 - 2. The use of restraining devices on women who are pregnant and persons with mental disabilities should only be evaluated by the officer and used in a manner which takes into account the condition of the arrestee.
 - 3. When possible, care should be used to avoid injury to the person being restrained. To avoid aggravation of an obvious injury and/or physical condition, officers may deviate from required restraint techniques.
- E. Language Proficiency
 - 1. Officers should evaluate a person's ability to understand English proficiency when taking a person into custody and using restraining devices. The stand-alone fact that a person does not speak or understand English should not preclude the use of restraining devices for officer safety reasons. However, if possible, additional consideration and time should be taken with the understanding that the person may not understand what is going on or what the officer is directing them to do.
- F. In situations where officers have conflicts in making determinations on restraint, they may seek the advice of supervisors. Supervisors may also overrule officers' decisions on the degree of restraint.

6.03.06

HANDCUFFING TECHNIQUES

- A. Officers shall be aware that improperly restraining a detainee may cause criminal and civil repercussions. Improper use of restraining devices may be considered excessive or

even deadly force. Officers shall use appropriate techniques when applying and locking handcuffs and other restraining devices.

1. Once handcuffs are applied to a person, they will be double locked to prevent the wrist bars from closing or tightening around the subject's wrists.
2. Once handcuffs are applied, the officer will check to ensure a suitable space exists between the metal (wrist bars) of the cuffs and the subject's skin.
3. Officers shall avoid leaving restrained subject seated on their hands for an extended period of time.
4. Officers shall be cognizant of the fact that handcuffs are uncomfortable. In addition, officers shall check the tightness of the handcuffs if the subject complains of pain. Officers shall confirm that the handcuffs have not tightened and document this in their report.