

## Handcuffing and Restraints

### 1101.1 PURPOSE AND SCOPE

This policy provides guidelines for the use of handcuffs and other restraints during detentions and arrests. For use of restraints during involuntary commitments refer to the Involuntary Commitments Policy.

### 1101.2 POLICY

The Montgomery County Sheriff's Office authorizes the use of restraint devices in accordance with this policy, the Use of Force Policy and office training. Restraint devices shall not be used to punish, to display authority or as a show of force.

### 1101.3 USE OF RESTRAINTS

Only members who have successfully completed Montgomery County Sheriff's Office-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, deputies should carefully balance officer safety concerns with factors that include, but are not limited to:

- The circumstances or crime leading to the arrest/detention.
- The demeanor, past history and behavior of the arrested/detained person.
- The age and health of the person.
- 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.

#### 1101.3.1 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 assure the safety of deputies and others. When deciding whether to remove restraints from a detainee, deputies should continuously weigh the safety interests at hand against the continuing intrusion upon the detainee.

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#### 1101.3.2 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 and in no event shall these persons be restrained by the use of leg irons, waist chains or handcuffs behind the body.

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 arrestee, deputies or others. If deputies identify that placing handcuffs to the front may create an officer-safety hazard, the assistance of an adequate number of additional officers should be obtained.

#### 1101.3.3 RESTRAINT OF JUVENILES

If possible, a juvenile under 14 years of age should not be restrained unless he/she is suspected of a dangerous crime or when the deputy has a reasonable suspicion that the juvenile may resist, attempt escape, injure him/herself, injure the deputy or damage property.

#### 1101.3.4 NOTIFICATIONS

Whenever a deputy transports a person with the use of restraints other than handcuffs, the deputy shall inform the jail staff upon arrival at the jail that restraints were used. This notification should include information regarding any other circumstances the deputy reasonably believes would be potential safety concerns or medical risks to the person (e.g., prolonged struggle, extreme agitation, impaired respiration) that may have occurred prior to, or during, transportation to the jail.

#### **1101.4 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 Office. Deputies should consider handcuffing any person they reasonably believe warrants that degree of restraint.

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, deputies 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.

#### **1101.5 APPLICATION OF SPIT HOODS**

Spit hoods are temporary protective devices designed to prevent the wearer from biting and/or transferring or transmitting fluids (saliva and mucous) to others.

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Spit hoods may be placed upon persons in custody when the deputy 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.

Deputies utilizing spit hoods should ensure that the spit hood is fastened properly to allow for adequate ventilation and that the restrained person can breathe normally. Deputies should provide assistance during the movement of a restrained person due to the potential for impairing or distorting that person's vision. Deputies should avoid comingling those wearing spit hoods with other detainees.

Spit hoods should not be used in situations where the restrained person is bleeding profusely from the area around the head, mouth or nose, or if there are indications that the person has a medical condition, such as difficulty breathing or vomiting. In such cases, prompt medical care should be obtained. If the person vomits while wearing a spit hood, the spit hood 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 hood.

Those who have been placed in a spit hood should be continually monitored and shall not be left unattended until the spit hood is removed. Spit hoods shall be discarded after each use.

### **1101.6 APPLICATION OF AUXILIARY RESTRAINT DEVICES**

Auxiliary restraint devices include transport belts, restraint chair, waist or belly chains, transportation chains, leg irons 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 office-authorized devices may be used. Any person in auxiliary restraints should be monitored as reasonably appears necessary.

### **1101.7 APPLICATION OF LEG RESTRAINT DEVICES**

Leg restraints may be used to restrain the legs of a violent, potentially violent person, escape risk or when it is reasonable to do so during the course of detention, arrest or transportation. Only restraint devices approved by the Office shall be used.

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

- (a) Whether the deputy 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 deputy while handcuffed, kicking at objects or deputies).
- (c) Whether it is reasonably necessary to avoid damage to property (e.g., kicking at windows of the patrol vehicle).

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#### 1101.7.1 GUIDELINES FOR USE OF LEG RESTRAINTS

When applying leg restraints the following guidelines should be followed:

- (a) Once applied, absent a medical or other emergency, restraints should remain in place until the deputy arrives at the jail or other facility or the person no longer reasonably appears to pose a threat
- (b) Once secured, as soon as reasonably possible, the person should be placed in a seated or upright position, secured with a seat belt, and shall not be placed on his/her stomach for an extended period, as this could reduce the person's ability to breathe.
- (c) The restrained person should be continually monitored by a deputy while in the leg restraint. The deputy should ensure that the person does not roll onto and remain on his/her stomach.
- (d) The deputy should look for signs of labored breathing and take appropriate steps to relieve and minimize any obvious factors contributing to this condition.
- (e) When transported by emergency medical services, the restrained person shall be accompanied by a deputy. The transporting deputy should describe to medical personnel any unusual behaviors or other circumstances the deputy reasonably believes would be potential safety or medical risks to the person (e.g., prolonged struggle, extreme agitation, impaired respiration).

#### **1101.8 APPLICATION OF THE EMERGENCY RESTRAINT CHAIR**

**POLICY STATEMENT:** The purpose of this administrative directive is to establish guidelines for Detention Officers on the use of the Emergency Restraint Chair.

**DEFINITIONS:** Emergency Restraint Chair: A chair with larger wheels that has restraint capabilities, requiring that handcuffs and leg irons are removed from the inmate while they are restrained in the chair. Use of the Emergency Restraint Chair does not constitute 4-point restraint.

**PURPOSE :**It is the policy of the Montgomery County Sheriff's Office that the restraint chair may be used by Detention Officers to provide safe containment of an inmate exhibiting violent or uncontrollable behavior, to prevent self-injury, injury to others or property damage and when other control techniques are not effective.

1. The restraint chair will never be authorized as a form of punishment. Staff may use the restraint chair for emergencies in any or all of the following situations:

- a. When an inmate has demonstrated violent or uncontrollable behavior;
- b. To prevent inmate self-injury, injury to others or property damage when other techniques have been ineffective in assisting the inmate to regain control;
- c. Upon recommendation by a psychiatrist, physician, or qualified health care professional;
- d. Upon request of an inmate who indicates that they are having self-injurious thoughts;

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- e. As a means of moving a combative inmate safely from one section of the facility.
  - g. Only Detention Officers trained in the use of the restraint chair will be authorized to restrain an inmate in the restraint chair.
2. At least two (2) Detention Officers or Deputy Sheriff's will be present to assist in the placement of an inmate in the restraint chair.
3. Application Guidelines

After it has been determined that the restraint chair is necessary, application will conform to the following guidelines:

1. Detention staff will:
  - a) Visually inspect the chair to ensure that all equipment and accessories are in proper working order.
  - b) Place the inmate in the restraint chair following the procedures outlined below.
  - c) Place the inmate under direct and constant observation while in the restraint chair.
  - d) Remove inmate from the Emergency Restraint Chair a minimum of fifteen (15) minutes every two (2) hours and document in the Internal Incident Report (supplement).
  - e) Offer the inmate the opportunity to eat meals at the proper times and document on shift log.
  - f) Offer the inmate water to maintain hydration at least every hour and document in the Internal Incident Report (supplement).
  - g) Offer the inmate the opportunity to use the restroom whenever appropriate, but at least once every two (2) hours and document in the Internal Incident Report (supplement).
  - h) If any Detention Officer observes the use of the restraint chair which would jeopardize the health of an inmate, they will immediately communicate their concerns to their immediate Sergeant.
  - i) For inmates with a serious mental illness, notify the on-call nurse to obtain any orders necessary for appropriate medical or mental health care of the inmate in the restraint chair.

4. Placement in the Restraint Chair:

A. Before Placing an Inmate in the Restraint Chair

- 1) Always use the chair in an upright position. Never lay it on its back while occupied.

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- 2) Decontaminate any inmate who has been subjected to the use of foreign agents prior to placement in the chair.
- 3) Ensure that the inmate has already been restrained with leg irons and handcuffs behind their back.
- 4) Ensure that at least two (2) officers secure an inmate in the restraint chair.

#### B. While Placing an Inmate in the Restraint Chair

- 1) Position the inmate in front of the chair with their back toward the seat, with an officer on each side maintaining positive control of the inmate.
- 2) Staff will assist the inmate while being placed into the chair.
- 3) Follow the training and guideline set forth in instructions manual.
- 4) CAUTION – Staff will not, at any time, wrap any of the belts or straps around the head or neck.
- 5) Be aware, at all times, of staff's position in relation to the inmate's head, to reduce the chance of being bitten or spat on. A spit hood will be applied if the inmate engages in this kind of behavior. The spit hood will be removed as soon as the behavior subsides.

#### C. After Placing an Inmate in the Restraint Chair

- 1) Staff can now transport the inmate to an area in the facility where they will be observed four (4) times per hour or at least every fifteen (15) minutes and continuously monitored by camera.
- 2) For safety and security reasons no other inmates should have any contact with inmates that are placed in the restraint chair.

#### D. Removal from the Restraint Chair

- 1) Staff will remove the inmate from the restraint chair when a shift supervisor or qualified health care professional have determined that there is no longer a threat to self or others, and the inmate can be managed by other means.
- 2) A minimum of two (2) Officers will be present when an inmate is removed from the restraint chair.
- 3) Staff will clean and disinfect the restraint chair prior to storage.

#### E. Restraint Chairs are located in the following areas:

- 1) Booking Area

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F. Staff will complete the Internal Incident Report (supplement) after the inmate is removed from the chair.

#### **1101.9 REQUIRED HANDCUFFING AND RESTRAINTS**

All persons being confined to the Montgomery County Detention Center shall be in full restraints at all times when they are not inside the Detention Center, i.e. court, hearings, appearances, medical treatment and being transferred to other correctional or detention facilities.

The only exception to this rule are inmates assigned to work details at the Detention Center or County owned Property or by a judge's order or direction concerning an inmates presence during their trial by jury.