

## Handcuffing and Restraints

### 633.1 PURPOSE AND SCOPE

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

### 633.2 AUTHORITY AND REFERENCES

- California Penal Code §§ 832, 3407 & 6030;
- California Government Code § 7285.6;
- California Welfare & Institutions Code § 222.

### 633.3 POLICY

The Riverside County Probation Department authorizes the use of restraint devices in accordance with this policy, the Use of Force policy, the Seat Belts and Transportation policy and department training. Restraint devices shall not be used to punish, to display authority or as a show of force.

### 633.4 USE OF RESTRAINTS

Only members who have successfully completed Riverside County Probation Department approved training on the use of restraint devices described in this policy and PC 832 are authorized to use these devices. Personnel are prohibited from using any method of restraint that presents a substantial risk of asphyxiation.

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/detained/transported person.
- The age and health of the person.
- Whether the person is known to be pregnant.
- Whether the person has any known or apparent disability.
- Whether the person has a history of resisting arrest, escapes and mental health issues.

When carrying restraints, the officer shall be in possession of a key necessary to lock and unlock the restraints. Officers are responsible for retrieving and/or securing department-issued restraints including handcuffs, shackles, and waist chains when appropriate for use.

Persons who have been placed in any form of restraints shall be under continuous direct visual supervision until the restraints are removed and shall not be left unattended. Officers must also protect restrained persons from abuse by others.

## *Handcuffing and Restraints*

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The transportation of restrained persons shall be conducted in a manner consistent with the Seat Belts and Transportation policy.

### **633.4.1 RESTRAINT OF DETAINEES**

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

### **633.4.2 RESTRAINT OF PREGNANT PERSONS**

Persons who are known to be pregnant shall 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 shackles, 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, officers or others (Penal Code § 3407; Penal Code § 6030; WIC 222).

### **633.4.3 NOTIFICATIONS**

Whenever an officer transports a person with the use of a spit hood/mask/sock, the officer shall inform the jail/juvenile hall staff upon arrival at the jail/juvenile hall that restraints were used. This notification shall include information regarding any other circumstances the officer 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/juvenile hall.

### **633.5 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.

Handcuffs shall be used when a person is taken into custody, lawfully detained, or being transported while in custody.

In most situations handcuffs shall be applied with the hands behind the person's back. Handcuffs shall be checked for proper fit and double-locked to prevent tightening, which may cause undue discomfort or injury to the hands or wrists. Handcuffs shall be periodically checked to ensure they are secure and not causing injury. The subject shall be monitored at all times. Subjects shall not be restrained to the arresting officer or to a vehicle or any other object not specifically designed for such purpose.

## *Handcuffing and Restraints*

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

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

### **633.6 APPLICATION OF SPIT HOODS/MASKS/SOCKS**

Spit hoods/masks/socks are temporary protective devices designed to prevent the wearer from biting and/or transferring or transmitting fluids (saliva and mucous) to others. Each office shall ensure spit hoods/masks/socks are available for use.

Spit hoods 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.

Officers utilizing spit hoods shall ensure that the spit hood is fastened properly to allow for adequate ventilation and that the restrained person can breathe normally. Officers shall provide assistance during the movement of restrained individuals due to the potential for impaired or distorted vision on the part of the individual. Officers shall avoid comingling individuals wearing spit hoods with other detainees.

Spit hoods shall 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, such as difficulty breathing or vomiting. In such cases, prompt medical care shall be obtained. If the person vomits while wearing a spit hood, the spit hood shall be promptly removed and discarded. Persons who have been sprayed with oleoresin capsicum (OC) spray shall be thoroughly decontaminated including hair, head and clothing prior to application of a spit hood.

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

### **633.7 APPLICATION OF AUXILIARY RESTRAINT DEVICES**

Auxiliary restraint devices include transport belts, 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 department-authorized devices may be used. Prior to using a department-authorized device, the officer must be trained in the use of such device. Auxiliary restraints shall be periodically checked to ensure the restraints are not causing injury.

Any person in auxiliary restraints shall be monitored as it reasonably appears necessary.

## *Handcuffing and Restraints*

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### **633.8 REQUIRED DOCUMENTATION**

In any arrest or detention where restraints are used, circumstances surrounding their use and application shall be documented in the related incident report if applicable, a client management system contact, and/or court report.

If restraints other than handcuffs, waist chains or shackles are utilized, or if spit hoods/masks/socks are utilized, their use shall be documented in an incident report.

When reporting the use of restraints, the officer shall include, as appropriate:

- (a) The amount of time the client was restrained.
- (b) How the client was transported and the position of the suspect.
- (c) Observations of the client's behavior and any signs of physiological problems.
- (d) Any known or suspected drug use or other medical problems related to the use of restraints.

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