

Physical Restraints of In-Custody Youth Appearing in Court

953.1 PURPOSE AND SCOPE

The purpose is to establish and implement written policy and procedures regarding the application and removal of physical restraints of in-custody youth who are appearing before the court and held in a court holding area. This policy applies to all juvenile facility staff and field deputies assigned to transport in-custody youth and/or supervise them at court.

953.1.1 DEFINITION

Definition related to this policy includes:

Physical Restraints - Restraint devices include any devices which immobilize a youth's extremities and/or prevent the youth from being ambulatory. Department authorized restraint devices include handcuffs, shackles, and waist chains. These devices are designed to be attached to the human body to limit mobility and/or restrict movement.

Court Holding Area – An area constructed within a court building used for the confinement of youth or youth and adults for the purpose of a court appearance, for a period not to exceed 12 hours.

953.2 AUTHORITY AND REFERENCES

- Board of State and Community Corrections Title 15 §§ 1302, 1326, 1358.5, 1362;
- California Penal Code § 4532 (b)(1);
- Juvenile Facility Services Policies: Security Review, Reporting of Incidents and Other Information;
- Riverside Superior Juvenile Court Blanket Order No. 30: Order Concerning Contact Visits Between Counsel and Detained Minors at the Southwest Juvenile Court and the Riverside Juvenile Court;
- Welfare and Institutions Code §§ 210.6 & 707 (b);
- *Tiffany A. v. Los Angeles Superior Court* (2007) 150 Cal App. 4th 1344.

953.3 POLICY

In-custody youth being held in court holding may be restrained in the least restrictive manner if indicated by the Use of Physical Restraints for Transportation Assessment.

The Court must make the assessment when determining whether restraints should be used inside the courtroom during the proceeding. The district attorney is ultimately responsible for establishing legal cause for the use of restraints in the courtroom (*Tiffany A. v. Los Angeles Superior Ct.* (2007) 150 Cal App. 4th 1344).

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953.4 USE OF PHYSICAL RESTRAINTS FOR COURT PROCEEDINGS

All in-custody youth appearing before the court shall do so without restraints (*Tiffany A. v Los Angeles County Superior Ct.*) unless an order is made by the court. The duty officer (DO) may provide a recommendation to the judicial officer regarding maintaining restraints. After the youth's matter is heard and the youth is removed from the courtroom, officers shall reapply restraints if necessary. The removal and reapplication of physical restraints shall be unobservable from the courtroom.

953.5 USE OF PHYSICAL RESTRAINTS FOR COURT HOLDING

Prior to youth being transported to the court holding area, staff shall complete the Use of Physical Restraints for Transportation Assessment (Attached). While in the court holding area, youth shall be monitored by officers assigned to court.

In the event a youth is in physical restraints in court holding, for contact consultations in the youth/ attorney interview room(s), and in the absence of a specific security concern, staff shall remove a restraint from one hand of the youth to allow them to comfortably converse with counsel.

953.6 STAFF RESPONSIBILITIES

The detention control officer shall complete the Use of Physical Restraints for Transportation Assessment and/or the Recommendation for Youth to Remain Restrained in Court form (Attached). The DO shall review the form(s) for approval. If mechanical restraints are recommended during court proceedings, staff shall deliver the documentation to the courtroom deputy, who in turn will notify the court.

953.6.1 STAFF RESPONSE

In the event a youth's negative behavior disrupts court or the youth becomes physically combative with the courtroom deputy:

- [REDACTED]
- [REDACTED]
- [REDACTED]
- [REDACTED]

In the event of an escape or attempted escape in court:

- [REDACTED]
- [REDACTED]
- [REDACTED]

Redacted pursuant to GC 6254(f)

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- [REDACTED]
- [REDACTED]
- [REDACTED]

953.6.2 DOCUMENTATION

[Redacted pursuant to GC 6254\(f\)](#)

All staff shall complete an incident report if they witness or are involved in a use of force, escape attempt, escape or any other incidents in court holding or the courtroom; refer to Juvenile Facility Services Policy: Reporting of Incidents and Other Information.

Court staff shall update the client management system regarding the youth's court information. Staff will maintain data of all requests/approvals for use of restraints in the courtroom. Additionally, staff shall enter a detention contact in the client management system referencing the request and disposition of the request. Data for these requests for restraints shall be forwarded to the division manager or designee and submitted annually for the Security Review.

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Attachment(s):

1. [Recommendation for Youth to Remain Restrained in Court](#)
2. [Use of Physical Restraints for Transportation Assessment](#)