

MARIN COUNTY SHERIFF'S OFFICE
COURT SERVICES DIVISION POLICY AND PROCEDURE MANUAL

CHAPTER 4 – INMATE HANDLING
CRT 04-01
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DATE
3/22/13

USE OF RESTRAINT DEVICES

POLICY

It is the policy of the Marin County Sheriff's Office to create a uniform policy governing the use of restraint devices within the courts. This includes use of restraint devices in holding cells and in the courtroom.

Restraint devices may include one or more of the following:

- * Handcuffs
- * Leg shackles/restraints
- * Soft restraints
- * Security chairs
- * Waist chains
- * The WRAP, manufactured by Safe Restraints, Inc.
- * Spit mask
- * Other court-ordered restraints

PROCEDURES

Restraint devices will be used when required by policy and when they are required for security reasons, and or, classification reasons, such as the total number of prisoners being handled, special security risk, etc. Prisoners are never to be left unattended outside a holding cell even if secured by proper restraint equipment. This includes inmates restrained in wheelchairs.

When applying or removing restraint devices, if necessary additional deputy(s) should be present for the safety and security of the deputy applying or removing the restraint device. Deputies shall be familiar with the use and care of restraint devices that are used on a daily basis. Applying restraints improperly may not only allow a prisoner to escape, but also to use the restraints (such as waist chains) as a weapon.

Handcuffs:

When using handcuffs on a prisoner, the hands should be cuffed behind the back with the palms facing outward (away from each other).

When moving two prisoners with one pair of handcuffs, the prisoners shall be handcuffed together.

Physically disabled prisoners shall be handcuffed unless their physical impairment precludes handcuffing.

When applying handcuffs, the deputy should assure they are placed between the hand and wrist bone and that they are double-locked without pinching or binding the skin.

Handcuffs should be carried in a handcuff case and not placed loosely in the waistband.

Waist chains:

When using a waist chain/handcuff device, ensure the waist chain is secure enough that it cannot be slipped down over the prisoner's hips.

Place the double support of the handcuff on top of the prisoner's wrist with the key hole pointing up the arm or toward the prisoner's body, thus making the locking device difficult for the prisoner to reach.

When applying handcuffs, the deputy should assure they are placed between the hand and wrist bone and that they are double-locked without pinching or binding the skin.

Leg irons/shackles

Apply restraints to the inmate's hands prior to applying the leg irons/shackles.

Have the prisoner kneel, facing away from the deputy while applying leg irons.

If the inmate is unable to kneel, have the inmate sit down with his legs straight out. The deputy should then apply the leg irons while positioning himself to the side of the inmate.

Make sure the keyhole is facing down toward the floor.

Leg irons should be securely applied above the ankles and locked so that they cannot slip down over the ankle or heel. Double-lock all leg irons.

When applying leg irons, the deputy should assure they are placed between the foot and ankle bone and that they are double-locked without pinching or binding the skin.

An inmate who is known to be pregnant or in recovery after delivery shall not be restrained by the use of leg irons, waist chains, or handcuffs behind the body.

Pregnant inmates shall have their wrists handcuffed in the front of their bodies when handcuffs are to be applied.

It is the applying deputy's responsibility to ensure that the correct operation of the restraint equipment is used.

A deputy receiving a restrained prisoner will check for proper application of the restraints.

Broken or inoperative equipment will be tagged for repair and reported to the appropriate supervisor.

Deputies are responsible for periodically inspecting the restraint equipment for proper operation.

Restraint Devices in Court:

The use of physical restraint devices while appearing in court, particularly in front of a jury, must be justified (Ref. People v Duran 1976 16 Cal. 3d 282). Justifications for the use of restraint devices in court include the following:

- Violence
- Threat of violence
- Escape risk
- Non-conforming conduct

Deputies will not apply or remove restraint equipment in the presence of jurors, absent exigent circumstances.

Deputies should be prepared to articulate reasons for the use of restraint devices to the Court. Deputies will immediately inform their supervisor of any unshackling motions being called in their court.

RELATED STANDARDS:

Case Law
Title 15
Penal Code 3407

AFFECTED DIVISIONS:

None

DATE OF REVISIONS:

07/24/09
10/22/10
03/22/13

By order of

DOUG ENDY
BUREAU COMMANDER

CRT 04-01