

	CLAY COUNTY DETENTION CENTER		Policy F17
	SUBJECT: USE OF RESTRAINTS		Approved by: Sheriff Will Akin 04/09/2025
	ISSUED: 09/19/2023	REVISED: 04/09/2025	CANCELS:
	NIJO References: F05.03.01, F05.03.02, F05.03.03, F05.03.04, F05.03.05, F05.03.06, F05.03.07, F05.03.08, F05.04.01, F05.04.02		

1. PURPOSE AND SCOPE

- (a) The purpose of this policy is to provide staff members with guidance on when and how to use restraints properly in a jail setting, to ensure the safety of staff and inmates, and to provide sufficient security and control to prevent inmates from escaping, self-harm, or injury to others. To secure inmates who are violent and require greater control than could be provided without the use of restraints.

1.1 DEFINITIONS

- (a) **Emergency Restraint Chair (ERC)** - a specially designed chair with straps that hold down the torso, arms, and legs of an inmate.
- (b) **Eyebolt Restraint** - a bolt that is secured to the floor to serve as a way to hinder the movement of an inmate. The leg chains are run through the eyebolt and secured to the legs of the inmate.
- (c) **Hard Restraints** - handcuffs, flex cuffs, leg brace, leg irons and waist chains.
- (d) **Soft Restraints** - restraints made from pliable material such as: Emergency Restraint Chair, soft helmet, spit mask, an Emergency Restraint Belt (ERB), or The Wrap System.
- (e) **Wrap System** - a safe restraint system, designed to protect inmates, officers and staff by reducing the possibility of injury and death.

2. POLICY

- (a) Clay County Detention Center staff (CCDC staff) will only use restraints as a control measure to prevent escapes, self-inflicted injury and injury to others, and the destruction of property when less restrictive measures are inadequate.
- (b) Restraints provide a practical and humane option for handling inmates with a reduced risk of physical or psychological trauma.

3. RESTRAINT DEVICES

- (a) Only trained staff members may use approved restraints for which they have been trained. Officers may apply restraint devices to the inmates following jail policies and manufacturer guidelines. Officers may only use restraints for their intended purpose and only for as long as necessary to serve the purpose. The following are approved restraints for use in the detention setting:
1. Handcuffs (link, flex, or hinged)
 2. Leg restraints

3. Waist chains
4. Emergency Restraint Chair (ERC)
5. Anti-spit device (spit mask)
6. Soft helmet (for use with ERC or eyebolt restraint)
7. Transport leg brace

(b) Detention Officers/Deputies will use restraints to secure inmates:

1. To protect an inmate from self-inflicted injury
2. To prevent an inmate from harming others or destroying property
3. Outside of the facility
4. During court proceedings
5. Who are in custody outside the confines of the jail. Exceptions: inmates pre-approved for the inmates worker program
6. During the pre-admission phase of the booking process
7. Who, due to classification level, need to be moved safely within the confines of the detention center.

4. TYPES OF RESTRAINTS

- (a) **Handcuffs:** Will be used to restrain the inmate's hands. Under most circumstances, the inmate will be handcuffed behind their back. If exigent circumstances or the inmate's physical characteristics do not permit handcuffing behind the back, the inmate will be temporarily handcuffed with their hands in the front. When time permits the employee will either: remove the handcuffs; reposition the handcuffs to behind the inmate's back; or place a waist chain around the inmate and attach the handcuffs to the waist chain. In all circumstances, the handcuffs will be double locked once the employee can perform such task.
- (b) **Flex-cuffs:** Disposable nylon temporary restraints. Flexcuffs will be used in emergencies and when regular handcuffs are not available. Staff will ensure that the Flexcuffs are not too tight to restrict circulation to the inmate's hands. Flexcuffs will need to be cut off using wire cutters, once it has been determined that the inmate can be removed from restraints.
- (c) **Handcuff Cover (Optional):** The handcuff cover may be used in conjunction with the waist chain. Once the inmate has a set of handcuffs applied and double locked, the officer will then place the handcuff cover over the small chain adjoining the two separate handcuffs. The employee then attaches the waist chain to the handcuff cover and secures it with a padlock.
- (d) **Waist Chain:** Waist chains will be used in conjunction with a set of handcuffs. The officer will first apply the waist chain around the inmate; then pass the handcuffs through the waist chain D ring and secure the handcuffs. After both hands are secure, the officer will double lock the handcuffs.
- (e) **Leg Restraints:** Leg irons will be used during transports and a time in which staff is compelled to restrict the inmate's leg movement for safety and security. Leg restraints will be placed on the inmate after the inmate's hands have been restrained. Leg restraints will be removed before any hand restraints will be taken off. After securing both leg restraints, the officer will check for fit and double lock the restraints.

5. PROHIBITED RESTRAINT PRACTICES

(a) The following restraint practices are prohibited:

1. Use of restraints as punishment.
2. Restraining an inmate in a position that requires the inmate to lie face down with the arms and legs joined behind the back with restraints.
3. Placing an object in or over the inmate mouth to stop them from screaming or spitting. If an inmate is spitting or threatening to spit, an approved protective spit hood may be used. The spit hood will be removed as soon as the inmate stops spitting.
4. Allowing an inmate to lie or sit in their own bodily waste for an unreasonable length of time.
5. Officers will not leave restraints on inmates placed in a holding cell or living area for extended periods of time without shift supervisor's approval. The officer will document the reason for restraint, and any subsequent behavior in an incident report.
6. No inmate shall remain in any type of restraints for more than four consecutive hours without documented medical approval.

6. FUNCTION OF RESTRAINTS

(a) Members will put restraints on inmates before taking the inmates out of the secure perimeter of the jail or court holding area. The restraint should be the least restrictive one available. When in doubt, officers will choose the more secure restraint. Officers will consider these factors in deciding which restraint to apply:

1. Classification of the inmate
2. Physical and behavioral health.
3. The inmate's demonstrated behavior, including pregnant females
4. Purpose and destination of the transport
5. Current charges, bond amount and potential sentence
6. Expected contact with the public
7. Escape risk

(b) When putting restraints on a combative inmate, the first responding officer will apply the restraint that best addresses immediate safety and security concerns. Once the inmate is controlled, the restraint will be adjusted so it does not restrict blood flow or breathing. Officers will avoid prolonged pressure on the inmate's torso or airway while applying restraints. Once under control, the shift leader, or Officer in Charge (O.I.C.) may decide the need for additional or different restraints.

(c) The use of intermediate weapons shall cease upon placement and securement of the detainee in the restraint chair. Pressure points, chemical agents, conducted energy devices, etc. shall not be utilized once the detainee is placed in the restraint chair and fully secured. This policy should not prohibit the use of intermediate weapons in order to gain compliance while attempting to place the detainee into the restraint chair. If chemical agents are used, then the detainee should be decontaminated as soon as reasonably safe to do so.

(d) When putting a restraint on a non-combative inmate, officers will use care to have the restraint fit snugly, but not so tight that it restricts blood flow.

- (e) Except on transports, at least once every two hours, officers will offer restrained inmates the chance to use a toilet and drink fluids, depending on the inmate's behavior. At other times, officers will honor good faith inmate requests to use a toilet. Officers will allow an inmate to wash hands after use of a toilet. If restrained, meals may be delayed because of the inmate's behavior.
- (f) An officer will remove restraints upon return to the Clay County Detention Center or as soon as the reason for restraints is no longer valid. Officers may not remove or adjust a restraint if the inmate is outside the secure perimeter of the jail or a court holding area, unless ordered by the court.

7. DOCUMENTATION REQUIREMENTS

- (a) Any time an officer uses restraints for a non-routine purpose, the officer will submit an Incident Report before going off duty unless a shift leader authorizes delay.
- (b) Officers will utilize the ERC Log to record the time the inmate was placed in restraints, the reason, officers present, restraint adjustments and any injuries. Staff actions, concerns, and behaviors witnessed while the inmate is restrained will be recorded. Staff will also record the time the inmate was released from restraints and the officers involved.
- (c) At any time the ERC is used, a Use of Force report shall be completed. (See [Use of Force Policy](#).)

8. SUPERVISION OF INMATES IN RESTRAINTS

- (a) An officer supervising an inmate in restraints for a routine purpose will check the restraint if the officer suspects tampering or when the restraint has been applied for an extended period.
- (b) When an inmate is in a restraint for non-routine purposes, an officer will check the welfare of the inmate and the restraint at least every fifteen minutes. The restraint must be secure and not be restricting blood flow. The officer shall record each fifteen-minute check in the Emergency Restraint Chair (ERC) Log. Officers will note inmate activity, condition, or behavior. Upon completion of the incident, the ERC Log is given to the Booking Sgt.
- (c) The officer applying a restraint on an inmate must inspect it for fit and proper operation once it is applied. Once tactically safe, the officer will double lock the restraint to prevent unnecessary tightening.

9. RESTRAINT AND SUPERVISION OF PREGNANT INMATES

- (a) A pregnant inmate requiring transport should be restrained in the least restrictive way possible, consistent with legitimate needs and based upon risk and other factors unique to each inmate.
- (b) Restraints should not be used on a pregnant inmate during a medical emergency, while in labor, during delivery, or in postpartum recovery; except under exigent circumstances.
- (c) Under no circumstances shall leg irons or waist chains be used on a pregnant inmate in their 3rd trimester of pregnancy. An inmate in the 3rd trimester of pregnancy will be restrained with only a set of handcuffs; placed in front of their body.
- (d) A risk assessment and transport plan will be developed for an inmate in the 3rd trimester of their pregnancy, prior to transport.
- (e) Circumstances related to the medical procedures may require removal of restraints to allow the medical provider to adequately examine, assess, or treat the inmate.

- (f) In the event of conflicts between security needs and medical protocols, transportation officers should contact the jail administrator or Officer in Charge for instructions.F

10. MEDICAL EXAMINATION AND TREATMENT

- (a) Following the use of force, any inmates against whom physical force was employed should be given a medical examination and, if needed, medical treatment in a timely manner.
- (b) When restrained for non-routine purposes, medical staff, upon request, may examine the inmate shortly after being restrained, at two-hour intervals while the inmate remains restrained and after the restraints are removed. Staff will notate that the inmate was seen by medical staff on the ERC Log.F
- (c) Inmates whose actions require the use of restraint devices may be acting out because of mental illness, personality disorders, or other emotional problems that may require mental health intervention. Others may act out to manipulate their environment or staff, because of low impulse control, or a belief they can act out with relatively minor consequences. If it appears the inmate may need immediate mental health assistance, staff will contact the facility mental health provider.
- (d) Restraining for medical reasons will require physician approval and should be limited. A member of the medical staff will evaluate the inmate that is restrained for medical reasons every two hours.
- (e) Medical considerations will need to be made when restraining an inmate. If an inmate has been exposed to the use of oleoresin capsaicin (O.C.) spray, the inmate should be decontaminated to remove the spray from the inmate's eyes. Staff will offer the inmate the opportunity to remove one limb for movement and exercise to facilitate circulation, every fifteen minutes. This allowance will occur provided the inmate is non-combative and compliant with staff requests. During this time, staff will ask the inmate if they can control their behavior to a point that the inmate can be released from restraints.

11. USE OF EMERGENCY RESTRAINT CHAIR (ERC), EMERGENCY RESTRAINT BELT (ERB), WRAP SYSTEM RESTRAINTS

- (a) The intention of the Emergency Restraint Chair (ERC) and the WRAP System is to help contain a combative, self-destructive, or potentially violent inmate. If used properly, it can reduce the risk of physical harm to the inmate and staff. Violent behavior may mask dangerous medical conditions; therefore, the inmate must be monitored and provided medical treatment if needed.
- (b) Inmates should not be left in the ERC for more than two hours total. This time limit allows for the inmate to calm down or begin to sober, and if needed it allows for officers to seek medical or psychological help for the inmate. This two-hour time limit may be extended, but only under direct medical supervision. This extended time must not exceed eight hours and range of motion exercises must be performed regularly.
- (c) The Emergency Restraint Chair will be kept in easily accessible area. Staff shall inspect the ERC daily assuring it is always clean and ready to use.
- (d) Officers should use the ERC when other restraints or methods have been or are likely to be ineffective. If possible, the shift leader will make the determination whether the restraint chair is appropriate for the situation; approve the use of the restraint chair; be present when officers place the inmate in the chair; and ensure proper documentation.
- (e) The ERC is prohibited as a form of punishment.
- (f) Officers may utilize the soft helmet to protect the head of inmates placed into the ERC
- (g) Once all belts and straps are secured, handcuffs and leg irons must be removed to prevent injury.

- (h) The ERC may be used to ensure an inmate's safety for the following reasons:
1. To restrict violent movements
 2. To prevent an inmate from hitting their head on the floor, walls, or other surfaces.
 3. To confine an inmate to a stable fixture
 4. To reduce the potential for serious self-inflicted harm
 5. To allow staff to safely move the inmate with virtually no risk of harm to the officer, inmate, or other person
- (i) Belts and straps may need to be loosened to ensure adequate blood flow. The ERC must always be used in the upright position as leaving the chair on its side or back may cause injury or death to the inmate.
- (j) Staff will record the times and officers participating in the restraint on the ERC Log. Incident Reports will be written by those staff members participating in the restraint.

12. RESTRAINT FOR COURT

- (a) The use and type of restraints for inmates in court may vary depending on if a jury is present. To avoid possible adverse influence, a jury should not see an inmate in restraints.
- (b) Inmates will be transported to and from the courthouse in restraints. Barring a jury being present, inmates shall remain restrained until they are returned to the jail.
- (c) The transport leg brace will be used primarily for jury trials, unless otherwise ordered by a judge. It can be used for other circumstances should the need arise. The transport leg brace is designed to go under the inmate's clothing. A same sex employee should place the leg brace on the inmate prior to leaving the facility. Once a staff member fits the leg brace properly on the inmate, they will instruct the inmate on proper use of the mechanism.
- (d) During all other court proceedings, inmates will be restrained utilizing handcuffs, a waist chain, and leg irons. If the inmate is an escape risk, has a documented history of violent or assaultive behavior, or has a dangerous felony charge, a handcuff cover will be additionally used.

13. TRAINING

- (a) Training for ERC will occur initially and biennially.
- (b) Training for ERB and Wrap occurs initially and annually (DERT Only).

Annotations:

See Whitley, 475 U.S. at 320-325; Hudson, 503 U.S.

According to the U.S. Supreme Court: Not every governmental action affecting the interests or well-being of an inmate is subject to Eighth Amendment scrutiny; however, "[a]fter incarceration, only the 'unnecessary and wanton infliction of pain'...constitutes cruel and unusual punishment forbidden by the Eighth Amendment."; *Ingraham v. Wright*, 430 U.S. 651, 670 (1977) (quoting *Estelle v. Gamble*, 429 U.S. 97, 103 (1976)). To be cruel and unusual punishment, conduct that does not purport to be punishment at all must involve more than ordinary lack of due care for the inmate's interests or safety; *Whitley*, 475 U.S. at 319.