

	<b>DEPARTMENT OF JUVENILE JUSTICE POLICY AND PROCEDURES</b>	<b>REFERENCES: 505 KAR 1:140 3-JDF-3A-16, 3A-17, 3A-18, 3A-26, 3A-27, 3A-28, 3A-30</b>
<b>CHAPTER: Detention Services</b>		<b>AUTHORITY: KRS 15A.065</b>
<b>SUBJECT: Restraints and Control</b>		
<b>POLICY NUMBER: DJJ 713</b>		
<b>TOTAL PAGES: 7</b>		
<b>EFFECTIVE DATE: April 11, 2023</b>		
<b>APPROVAL: Vicki Reed, COMMISSIONER</b>		

## **I. POLICY**

DJJ staff may use approved methods of physical restraints, mechanical restraints, chemical agents, and conductive energy devices as necessary for the protection of the juvenile, other juveniles, or staff as stated in this policy. Only the minimum force necessary shall be used to accomplish the purpose for which the use of force was required.

## **II. APPLICABILITY**

This policy shall apply to all state-operated juvenile detention centers and level four youth development centers.

## **III. DEFINITIONS**

- A. Refer to DJJPP 700.
- B. "Planned use" means the prearranged use of a control action or restraint to prevent loss of life, serious injury to staff or juveniles, serious damage to state property, or escape, or to maintain the secure orderly running of the facility.
- C. "Reactive use" means the emergency use of a control action or restraint employed in response to a specific act. Reactive use is employed to prevent the loss of life, serious injury to staff or juveniles, serious damage to state property, or escape.

## **IV. PROCEDURES**

### **A. Restraint or Control Actions**

1. In addition to verbal commands and de-escalation, the restraint or control actions allowed shall include physical restraints, mechanical restraints, chemical agents, and conductive energy devices.
2. The degree of control action or restraint applied in a situation shall comply with this policy and the degree of severity of the particular situation encountered.
3. All correctional officers shall be trained in the use of physical restraints, mechanical restraints, chemical agents, and conductive energy devices.
4. The restraint or control action shall not be used as punishment.

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5. Staff shall not use any force-related equipment other than what is authorized.

**B. Physical Restraint**

1. Staff shall use a sufficient number of personnel and the least amount of force necessary to control the juvenile.
2. If an injury occurs during a restraint, prompt medical attention shall be provided or obtained for all injured parties.

**C. Mechanical Restraints**

1. Authorized mechanical restraints shall include:
  - a. Handcuffs;
  - b. Flex-cuffs;
  - c. Leg shackles;
  - d. Waist chains.
2. Mechanical restraints shall be applied with the least amount of force necessary to reduce the possibility of injury to the juvenile and staff.
3. DJJ shall not use any type of mechanical restraint on a female juvenile during active labor and the delivery of a child. Any exception shall require approval by and guidance on methodology from the Director of Medical Services and shall be based on documented serious security risks. The Director of Medical Services shall provide guidance on the use of restraints on a pregnant juvenile prior to active labor and delivery.

**D. Show of Force**

1. If possible, when lesser avenues of persuasion have been applied and failed, a show of force may be employed, if it is deemed practical and appropriate to the situation. A show of force may include maneuvering by the emergency squad or display of forces and equipment available for use if the necessity arises; however, it does not mean that all available means are displayed.
2. A show of force shall not be initiated unless ready to apply such force as and if needed.

**E. Chemical Agents**

1. The only chemical agent authorized for use on a juvenile shall be Oleoresin Capsicum (OC).
2. Reactive use of a chemical agent shall be authorized by the staff being issued the chemical agent canister.
3. Planned Use of Chemical Agent
  - a. A planned use of a chemical agent shall require authorization from the Superintendent or designee;
  - b. If time and circumstances permit, the juvenile's individual client record and medical file, if available, shall be examined by appropriate staff to determine if the juvenile has a significant:

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- 1) Medical problem that may be adversely affected by the chemical agent; and
  - 2) History of psychotic behavior and whether the individual may react significantly different than anticipated to chemical agents.
4. A juvenile shall receive a medical evaluation after being exposed to a chemical agent.

**F. Conductive Energy Devices**

1. Conductive energy devices shall be used only after all lesser degrees of force have been tried or given due deliberate consideration.
2. Use of a conductive energy device shall require authorization from the Superintendent or designee.
3. If time and circumstances permit, the juvenile's individual client record and medical file, if available, shall be examined by appropriate staff to determine if the juvenile has a significant:
  - a. Medical problem that may be adversely affected by the conductive energy device; and
  - b. History of psychotic behavior and whether the individual may react significantly different than anticipated to conductive energy device.
4. A juvenile shall receive a medical evaluation after the use of a conductive energy device.

**G. Storage and Inventory**

1. Mechanical Restraint Inventory and Documentation
  - a. If not in use, mechanical restraints shall be maintained in a secure location accessible only by supervisory staff.
  - b. An inventory of restraint equipment shall be maintained.
  - c. The Superintendent or designee shall review the mechanical restraint inventory records monthly and ensure listed equipment is secured.
2. Chemical Agents Inventory and Documentation
  - a. If not in use, chemical agents shall be stored in a secure location.
  - b. A chemical agent usage log shall be maintained.
  - c. A supervisor shall review the chemical agent usage log daily.
  - d. The Superintendent or designee shall review the chemical agent usage log and corresponding reports monthly.
  - e. An inventory of chemical agents shall be maintained.
  - f. The Superintendent or designee shall review the chemical agent inventory records monthly and ensure listed equipment is secured.
3. Conductive Energy Devices Inventory and Documentation

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- a. If not in use, conductive energy devices shall be stored in a secure location.
- b. A conductive energy device usage log shall be maintained.
- c. A supervisor shall review the conductive energy usage log daily.
- d. The Superintendent or designee shall review the conductive energy device usage log and corresponding reports monthly.
- e. An inventory of conductive energy devices shall be maintained.
- f. The Superintendent or designee shall review the conductive energy devices inventory records monthly and ensure listed equipment is secured.

#### H. Reporting

1. An incident report shall be completed in compliance with DJJ 715 any time a physical restraint, chemical agent, or conductive energy device is used on a juvenile outside of authorized training. An incident report shall be completed in compliance with DJJ 715 any time a mechanical restraint is used on a juvenile outside of transport.
2. The use of a chemical agent or conductive energy device on a juvenile shall be documented in the juvenile's individual client record.

#### V. MONITORING MECHANISM

The Superintendent, Regional Facilities Administrator, and the Ombudsman shall monitor compliance with this policy.