

	JUSTICE AND PUBLIC SAFETY CABINET DEPARTMENT OF JUVENILE JUSTICE POLICY AND PROCEDURES	REFERENCES: REFERENCES: 505 KAR 1:110 3-JTS-3A-16-18, 26, 27, 29, 31 3-JCRF-3A-02, 05; 4C-17 1-JDTP-3E-02 1-JBC-3A-15, 18-21, 27, 28 4-JFC-2A-09, 15, 17, 27, 29 NCCHC Y-66
SERIES: Program Services	AUTHORITY: KRS 15A.0652	
SUBJECT: Restraints		
POLICY NUMBER: DJJPP 324		
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APPROVAL: Vicki R. Reed , COMMISSIONER		

I. POLICY

Staff shall utilize appropriate behavior management methods and techniques to promote a safe and secure program. Staff shall be permitted to use approved methods of restraint for youth in instances of justifiable self-defense, protection of youth or others, protection of property, prevention of escape, to maintain or regain control. 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 each Department of Juvenile Justice (DJJ) Group Home and Youth Development Center (YDC).

III. DEFINITIONS

- A. Refer to Chapter 300.
- 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.

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IV. PROCEDURES

The following shall apply to Group Homes:

- A. Restraints and restraint equipment shall be used only as a control measure to protect the youth, staff, and other youth and only when all other appropriate actions to the situation have been ruled out.
- B. Youth shall not be permitted, expected, or directed to physically manage other youth.
- C. Three (3) types of restraints approved by the Department for Group Homes shall be:
 1. Physical Restraint
 - a. Staff shall utilize only agency approved and trained skills in the physical management of aggressive youth.
 - b. Staff shall not use physical restraint as punishment.
 - c. Staff shall use only the level of physical restraint necessary to control aggressive behavior, until the youth is able to demonstrate self-control. The use of physical restraint shall end as soon as:
 - i. The youth's behavior no longer poses an imminent danger of serious physical harm to self or others; or
 - ii. A medical condition occurs putting the student at risk of harm.
 - d. DJJ staff, who have the responsibility, or potential responsibility, for the direct care, supervision, and treatment of youth, shall be required to hold certification from the Division of Professional Development in approved methods of restraint.
 - e. Staff shall complete an incident report documenting the use of physical restraint in compliance with DJJ policy. Each specific physical restraint technique used shall be noted in the incident report.
 2. Mechanical Restraint
 - a. Staff shall utilize agency approved and trained techniques and equipment in the use of a mechanical restraint.
 - b. Staff shall not use mechanical restraint as punishment.
 - c. The Facility Manager or Administrative Duty Officer (ADO) shall approve use of mechanical restraints.
 - d. Minimum force shall be used in the application of mechanical restraints to reduce the possibility of injury to the youth and staff.
 - e. Use of mechanical restraints:
 - i. shall be authorized when staff determine that physical restraint is no longer an effective method of managing aggressive youth;
 - ii. as a precaution against escape or assault during transport; or
 - iii. may be utilized as a prevention against serious self-injury, injury to others, or property damage.

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- f. Staff shall document the use of mechanical restraints in an incident report, except when mechanical restraints are used in the transportation of a youth by the DJJ Transportation Division.
 - i. The incident report shall be completed in compliance with DJJ policy.
 - ii. The specific mechanical restraint equipment used shall be noted in the incident report and authorization.
 - iii. The report shall be reviewed by the Facility Manager for compliance with policy and procedure.
 - iv. The use of mechanical restraints shall be documented on the mechanical restraint usage log and in the youth's progress notes.
 - g. Staff shall check youth every fifteen (15) minutes during the mechanical restraint episode to ensure the youth is not in physical distress.
 - i. Documentation shall be made on the youth observation log.
 - ii. For mechanical restraint use during transportation, staff shall adhere to DJJ policy.
 - h. Staff shall be prohibited from placing and maintaining youth in an unusual position after the mechanical restraints have been applied.
 - i. Youth shall not be affixed to a stationary object in any manner that would constitute a fixed restraint. Four-point and five-point restraints shall be prohibited.
- D. When mechanical restraints are used for the management of behavior:
- 1. Restraints shall be removed when there is positive change in a youth's behavior or, it is believed that the youth can be controlled without them, and it is safe to do so; and
 - 2. If no positive change in the youth's behavior occurs within the first thirty (30) minutes, the Facility Manager or ADO shall begin the evaluation of the youth for other alternatives.
- E. Post-restraint protocol shall include:
- 1. once the youth regains control of his behavior, it shall be the responsibility of the staff to assist the youth in the reintegration into the facility population and to identify follow-up services, if needed;
 - 2. prompt medical attention shall be required for all injuries;
 - 3. the Facility Manager shall conduct a thorough review of incidents involving injury during restraint to determine if such incidents may be avoided in the future; and

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4. The youth's counselor, ADO, or a designee shall notify the juvenile service worker (JSW) and the youth's parents or caregiver within 24 hours of any of the following:
 - a. the use of mechanical restraints, other than shackling for transportation purposes; or
 - b. the use of a physical restraint resulting in an injury to the child, except where the injury consists only of minor cuts, scratches, bruises, or red marks.
- F. Documentation shall include:
1. youth observation logs of fifteen (15) minute checks for mechanical restraints;
 2. post-restraint body identification (ID), including injuries and other medical documentation; and
 3. incident reporting including photographs and any other relevant information;
 4. the Facility Manager or designee shall review the mechanical restraint inventory and use records monthly, to ascertain that equipment listed is secured in the locations noted.
- G. Mechanical Restraint Equipment Inventory
1. The availability, control, and use of mechanical restraint equipment shall be the responsibility of the Facility Manager or designee.
 2. Mechanical restraints shall be marked in a way to identify them as DJJ property and shall be secured.
 3. Documentation shall be maintained in the form of an inventory and usage log to provide accountability for their location and use.
 4. The Facility Manager or designee shall review the mechanical restraint inventory and usage records monthly, to ascertain that equipment listed is secured in the locations noted.
- H. Reusable restraint equipment shall not be used on another youth until it is properly cleaned, disinfected, and noted on the mechanical restraint usage log. Commercial products, in accordance with DJJ policy, shall be available for disinfecting.
- I. A youth who is known to be pregnant shall be restrained solely with handcuffs in front of her body unless further restraint is required to protect herself or others. Staff shall not utilize a prone restraint on pregnant youth. Except in an extraordinary circumstance, no youth who is known to be pregnant shall be restrained during labor, during transport to a medical facility or birthing center for delivery, or during postpartum recovery. The Director of Medical Services

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shall provide guidance on the use of restraints on pregnant youth prior to active labor and delivery.

- J. DJJ staff shall not use any type of restraint on youth while in a public school setting.

The following shall apply to YDC facilities only:

K. 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 restraint or control action applied in a situation shall comply with this policy and the degree of severity of the particular situation encountered.
3. All Youth Workers 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.
5. Staff shall not use any force-related equipment other than what is authorized.

L. 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.

M. 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.

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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.

N. 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.

O. 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 a chemical agent.
 - a. A planned use of a chemical agent shall require authorization from the Facility Manager 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:
 - i. Medical problem that may be adversely affected by the chemical agent; and
 - ii. History of psychotic behavior and whether the individual may react significantly different than anticipated chemical agents.
4. A juvenile shall receive a medical evaluation after being exposed to a chemical agent.

P. 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

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the Facility Manager 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.

Q. 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 Facility Manager or designee shall review the mechanical restraint inventory records monthly and ensure listed equipment is secured.
2. Chemical Agents Inventory and Documentation
 1. If not in use, chemical agents shall be stored in a secure location.
 2. A chemical agent usage log shall be maintained.
 3. A supervisor shall review the chemical agent usage log daily.
 4. The Facility Manager or designee shall review the chemical agent usage log and corresponding reports monthly.
 5. An inventory of chemical agents shall be maintained.
 6. The Facility Manager or designee shall review the chemical agent inventory records monthly and ensure listed equipment is secured.
3. Conductive Energy Devices Inventory and Documentation
 - 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.

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- d. The Facility Manager 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 Facility Manager or designee shall review the conductive energy devices inventory records monthly and ensure listed equipment is secured.

R. Reporting

- 1. An incident report shall be completed in compliance with DJJPP 321 and 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 DJJPP 321 and 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 Facility Manager, Regional Facilities Administrator, Quality Assurance, and the Ombudsman shall monitor compliance with this policy.