

	JUSTICE CABINET DEPARTMENT OF JUVENILE JUSTICE POLICY AND PROCEDURES	REFERENCES: 505 KAR 1:140 3-JDF-3A-16, 3A-17, 3A-18, 3A-26, 3A-27, 3A-28, 3A-30
CHAPTER: Detention Services		AUTHORITY: KRS 15A.065
SUBJECT: Restraints		
POLICY NUMBER: DJJ 713		
TOTAL PAGES: 3		
EFFECTIVE DATE: October 5, 2018		
APPROVAL: Carey D. Cockerell , COMMISSIONER		

I. POLICY

DJJ staff shall be permitted to use approved methods of defense-oriented physical and mechanical restraints on juveniles that become aggressive toward self, staff, or peers. Use of mechanical restraints shall be permitted only to ensure the safety of the juvenile or others when the juvenile presents an imminent risk of serious injury to self, staff, or other juveniles .

The use of fixed restraints is prohibited. The use of chemical agents is prohibited. The use of chemical restraints is prohibited.

II. APPLICABILITY

This policy shall apply to all state-operated detention centers.

III. DEFINITIONS

Refer to Chapter 700.

IV. PROCEDURES

A. Level I Use of Force: Physical Restraint

1. In the management of an aggressive juvenile, who presents an imminent risk of physical harm to self or others, only those skills that are non-punitive in nature and are approved by DJJ shall be used. DJJ shall be responsible for delivering ongoing training to program staff to ensure staff has the skills necessary to de-escalate situations and to reduce the need for physical intervention.
2. Facility staff, as designated by the Superintendent, who are required to use physical restraint shall hold current DJJ certification in approved methods of restraint before being allowed to restrain a juvenile without assistance of another certified staff.
3. Physical restraint shall not be used as punishment and shall be applied with the least amount of force possible.

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4. The incident report documenting the use of physical management shall be completed within the timeframes specified in DJJPP Chapter 7 (Incident Report) and filed in the juvenile's record. The specific physical restraint technique(s) used shall be noted in the incident report.
5. If an injury occurs in the course of a restraint, prompt medical attention to all injured parties shall be required. Injuries shall be documented in the incident report or First Report of Injury (WC1A-1) Form. The Superintendent shall conduct a thorough review of all incidents involving injury during restraint to determine if such incidents may be avoided in the future.
6. Health trained or medical staff shall assess the juvenile for injuries after a restraint and complete the required documentation.

B. Level II Use of Force: Mechanical Restraints

1. Mechanical restraint equipment is intended to be used only as a control measure and only when all other actions appropriate to the situation have been exhausted. Mechanical Restraints shall not be used as a means of discipline or punishment, to retaliate, or for the convenience of staff. The mechanical restraint shall end as soon as the juvenile's behavior no longer poses an imminent danger or physical harm to self or others or a medical condition occurs putting the juvenile at risk of harm .
2. Use of mechanical restraints shall be restricted to:
 - a. Gaining control of out-of-control juveniles as a prevention against serious self-injury, injury to others, or property damage.
 - b. As a precaution against escape or assault during transport.
3. Minimum force shall be used in their application to reduce the possibility of injury to the juvenile and staff. Cuffs and leg shackles shall be double locked. The use of any type of restraint system other than mechanical restraints shall require the prior approval of the Office of the Commissioner.
4. A DJJ certification from the Division of Professional Development shall be required prior to applying mechanical restraints on a juvenile without assistance of another certified staff.
5. DJJ shall not use any type of restraint on female youth during active labor and the delivery of a child. Any exception requires 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 pregnant youth prior to active labor and delivery.
6. The availability, control, and use of mechanical restraints shall be the responsibility of the Superintendent or designee.

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7. The Superintendent or designee may grant authorization for the use of mechanical restraints for the purpose of regaining control. Designated staff shall notify the Superintendent on the use of mechanical restraints for regaining control. Staff applying the restraints shall justify that action in a detailed incident report.
8. Mechanical Restraint Inventory Documentation
 - a. Mechanical restraints shall be maintained in a secure location accessible only by supervisory staff. Documentation shall be maintained for accountability of current location and use of mechanical restraints.
 - b. An inventory of restraint equipment shall be maintained which notes:
 - 1) Number and type of handcuff, leg shackles, restraining belts;
 - 2) Location of handcuffs, leg shackles, restraining belts.
 - c. The Superintendent or designee shall review the mechanical restraint inventory records monthly, ensure listed equipment is secured and in proper working condition.
 - d. A mechanical restraint use log is to be maintained which notes:
 - 1) Name of the staff authorizing the use of the restraint;
 - 2) Number and type(s) of restraint equipment issued;
 - 3) Date and time restraint equipment issued;
 - 4) Name of the staff applying restraint; and,
 - 5) Date and time restraint equipment was returned.
 - e. The Superintendent or designee shall review the mechanical restraint use log and corresponding reports monthly.
 - f. Reusable restraint equipment shall not be used on another person until it is properly cleaned and disinfected. Commercial products shall be available for disinfecting.

V. MONITORING MECHANISM

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