

Handcuffing and Restraints

303.1 PURPOSE AND SCOPE

This policy provides guidelines for the use of handcuffs and other restraints during detentions and arrests.

303.2 POLICY

The Kalamazoo Department of Public Safety authorizes the use of restraint devices in accordance with this policy, the Use of Force Policy and department training. Restraint devices shall not be used to punish, to display authority or as a show of force.

303.3 APPROVED RESTRAINTS

Only departmental issued restraints shall be carried and/or utilized by officers. EXCEPTION: Officers may elect to purchase at their own expense a second pair of handcuffs to carry. If officers elect to carry a second pair of handcuffs they must be of similar make and model as what is issued by the department or an equivalent approved by the officers Divisional Commander. Officers wishing to carry a second pair of handcuffs while on-duty may do so with the following restrictions:

- (a) The handcuffs should be of similar make and model of those issued by the department (i.e. Smith & Wesson or Peerless).
- (b) The handcuffs shall be a neutral color, either silver or black. Handcuffs displaying any other colors are prohibited from use.

Supervisors shall ensure compliance with these requirements when conducting annual evaluations and inspections of equipment.

303.4 USE OF RESTRAINTS

Only members who have successfully completed KDPS-approved training on the use of restraint devices described in this policy are authorized to use these devices.

Arrestees or prisoners must be secured in handcuffs or other approved restraining device during transportation with exceptions noted below. When determining restraint use, public safety officers should carefully balance officer safety concerns with factors that include, but are not limited to:

- The circumstances or crime leading to the arrest.
- The demeanor and behavior of the arrested person.
- The age and health of the person.
- Whether the person is known to be pregnant.
- Whether the person has a hearing or speaking disability. In such cases, consideration should be given, safety permitting, to handcuffing the prisoner in the front in order to allow the person to sign or write notes.
- Whether the person has any other apparent disability.

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303.4.1 RESTRAINT OF DETAINEES

Situations may arise where it may be reasonable to restrain a person who may, after brief investigation, be released without arrest. Unless arrested, the use of restraints on detainees should continue only for as long as is reasonably necessary to ensure the safety of public safety officers and others. When deciding whether to remove restraints from a detainee, public safety officers should continuously weigh the safety interests at hand against the continuing intrusion upon the detainee.

303.4.2 RESTRAINT OF PREGNANT PERSONS

Persons who are known to be pregnant should be restrained in the least restrictive manner that is effective for officer safety. Leg irons, waist chains, or handcuffs behind the body should not be used unless the public safety officer has a reasonable suspicion that the person may resist, attempt escape, injure herself or others or damage property.

No person who is in labor, delivery, or recovery after delivery shall be handcuffed or restrained except in extraordinary circumstances and only when a supervisor makes an individualized determination that such restraints are necessary for the safety of the arrestee, public safety officers, or others.

303.4.3 RESTRAINT OF JUVENILES

When safe, under the totality of the circumstances, officers will consider a juveniles age, whether known or objectively apparent to a reasonable officer, when determining whether or not to apply restraints. Restraints shall only be used for as long as reasonably necessary. Officers shall remove restraints as soon as reasonable to do so.

A juvenile under 14 years of age should not be restrained unless he/she is suspected of a dangerous felony or when the public safety officer has a reasonable suspicion that the juvenile may attempt escape, injure him/herself, injure the public safety officer or damage property.

If a Juvenile under the age of 14 is restrained, the officers shall notify their supervisor as soon as reasonably to do so. The supervisor shall note the detention in the DAR.

Use or restraints on juveniles who have been detained on a status offense (See Policy 901) will not be used unless they are not compliant with the officer's directions.

303.4.4 NOTIFICATIONS

Whenever a public safety officer transports a person with the use of restraints other than handcuffs, the public safety officer shall inform the jail staff upon arrival at the jail that restraints were used. This notification should include information regarding any other circumstances the public safety officer reasonably believes would be potential safety concerns or medical risks to the person (e.g., prolonged struggle, extreme agitation, impaired respiration) that may have occurred prior to, or during, transportation to the jail.

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303.4.5 RESTRAINT USE - COMPLAINT OF PAIN

Whenever an individual who has been restrained with handcuffs complains of pain or that the handcuffs are too tight, officers shall re-check the handcuffs as soon as reasonably possible to ensure proper fit and adjust accordingly. Officers shall document in their report complaints of pain, discomfort or injury and all actions taken in response to such complaints.

Officers should also re-evaluate handcuff tightness and fit whenever a person has been handcuffed for a significant period of time.

303.4.6 RESTRAINT USE - MONITORING OF ARRESTEE

It is the officer's responsibility to maintain control over a subject in custody. An officer who has a subject in a position of helplessness is responsible for continually monitoring the subject's well-being while in that officer's custody.

- (a) The officer shall watch for respiratory distress that may include:
 1. Prisoner complaints of difficult swallowing.
 2. Breathing rate over 24 RPM or less than 10 RPM
 3. Skin becomes pale or blue
 4. Abrupt decrease in mental alertness
- (b) Restraints shall be reconfigured and EMS shall be called if there is any breathing difficulty.
- (c) A prisoner who is persistently combative while in adequate restraints shall be evaluated for possible medical and/or toxicological problems (i.e. hypoglycemia, drug overdose, excited delirium, etc.). EMS shall be called.

303.4.7 RESTRAINT USE AT MEDICAL FACILITY

Prisoners shall remain handcuffed while at a hospital emergency room or other medical facility. When medical treatment requires that handcuffs be removed, officers shall discuss with medical staff alternative ways of securing a prisoner. If a consensus cannot be obtained about an alternative way to secure a prisoner, the officer shall contact his or her supervisor to respond to the hospital to evaluate the situation. At no time is this policy meant to delay or prevent immediate emergency medical care from being administered.

303.5 APPLICATION OF HANDCUFFS OR PLASTIC CUFFS

Handcuffs, including temporary nylon or plastic cuffs, may be used only to restrain a person's hands to ensure officer safety.

Unless circumstances prevent it (i.e. Physical condition or injury to suspect), handcuffs shall be applied with the hands behind the person's back, palms facing outward, and keyholes facing upward. Handcuffs shall be double-locked to prevent tightening, which may cause undue discomfort or injury to the hands or wrists. If double-locking of the handcuffs cannot be done for whatever reason (i.e. Combative suspect), officers shall complete a KDPS Use of Force Report documenting the reason for not double-locking the handcuffs and document it in their incident report.

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In situations where one pair of handcuffs does not appear sufficient to restrain the person or may cause unreasonable discomfort due to the person's size, public safety officers should consider alternatives, such as using an additional set of handcuffs or multiple plastic cuffs.

Handcuffs should be removed as soon as it is reasonable or after the person has been searched and is safely confined within a detention facility.

303.6 APPLICATION OF SPIT HOODS

Spit hoods are temporary protective devices designed to prevent the wearer from biting and/or transferring or transmitting fluids (saliva and mucous) to others.

Spit hoods may be placed upon persons in custody when the public safety officer reasonably believes the person will bite or spit, either on a person or in an inappropriate place. They are generally used during application of a physical restraint, while the person is restrained, or during or after transport.

Public Safety Officers utilizing spit hoods should ensure that the spit hood is fastened properly to allow for adequate ventilation and that the restrained person can breathe normally. Public Safety Officers should provide assistance during the movement of a restrained person due to the potential for impairing or distorting that person's vision.

Spit hoods should not be used in situations where the restrained person is bleeding profusely from the area around the mouth or nose, or if there are indications that the person has a medical condition, such as difficulty breathing or vomiting. In such cases, prompt medical care should be obtained. If the person vomits while wearing a spit hood, the spit hood should be promptly removed and discarded. Persons who have been sprayed with oleoresin capsicum (OC) spray should be thoroughly decontaminated, including hair, head and clothing, prior to application of a spit hood.

Those who have been placed in a spit hood should be continually monitored and shall not be left unattended until the spit hood is removed. Spit hoods shall be discarded after each use. A command officer shall be notified anytime a spit hood is utilized by an officer. In addition, officers shall document the use of a spit hood in their report as well as in a KDPS Use of Force Report.

303.7 APPLICATION OF AUXILIARY RESTRAINT DEVICES

Auxiliary restraint devices include transport belts, waist or belly chains, transportation chains, leg irons and other similar devices. Auxiliary restraint devices are intended for use during long-term restraint or transportation. They provide additional security and safety without impeding breathing, while permitting adequate movement, comfort and mobility.

Only department-authorized devices may be used. Any person in auxiliary restraints should be monitored as reasonably appears necessary.

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303.8 APPLICATION OF LEG RESTRAINT DEVICES

Leg restraints may be used to restrain the legs of a violent or potentially violent person when it is reasonable to do so during the course of detention, arrest or transportation. Only restraint devices approved by KDPS shall be used. (I.e. department-issued Hobble Strap or Leg-Irons)

In determining whether to use the leg restraint, public safety officers should consider:

- (a) Whether the public safety officer or others could be exposed to injury due to the assaultive or resistant behavior of a person.
- (b) Whether it is reasonably necessary to protect the person from his/her own actions (e.g., hitting his/her head against the interior of the patrol vehicle, running away from the arresting public safety officer while handcuffed, kicking at objects or public safety officers).
- (c) Whether it is reasonably necessary to avoid damage to property (e.g., kicking at windows of the patrol vehicle).

303.8.1 GUIDELINES FOR USE OF LEG RESTRAINTS

When applying leg restraints, the following guidelines should be followed:

- (a) If practicable, public safety officers should notify a supervisor of the intent to apply the leg restraint device. In all cases, a supervisor shall be notified as soon as practicable after the application of the leg restraint device.
- (b) Once applied, absent a medical or other emergency, restraints should remain in place until the public safety officer arrives at the jail or other facility or the person no longer reasonably appears to pose a threat.
- (c) Once secured, the person should be placed in a seated or upright position, secured with a safety belt, and shall not be placed on his/her stomach for an extended period, as this could reduce the person's ability to breathe.
- (d) The restrained person should be continually monitored by a public safety officer while in the leg restraint. The public safety officer should ensure that the person does not roll onto and remain on his/her stomach.
- (e) The public safety officer should look for signs of labored breathing and take appropriate steps to relieve and minimize any obvious factors contributing to this condition.
- (f) When transported by Emergency Medical Services, the restrained person should be accompanied by a public safety officer when requested by medical personnel. The transporting public safety officer should describe to medical personnel any unusual behaviors or other circumstances the public safety officer reasonably believes would be potential safety or medical risks to the person (e.g., prolonged struggle, extreme agitation, impaired respiration).

303.9 REQUIRED DOCUMENTATION

If a person is restrained and released without an arrest, the public safety officer shall document the details of the detention and the need for handcuffs or other restraints.

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If a person is arrested, the use of restraints other than handcuffs shall be documented in the related report. The public safety officer should include, as appropriate:

- (a) The amount of time the person was restrained.
- (b) How the person was transported and the position of the person during transport.
- (c) Observations of the person's behavior and any signs of physiological problems.
- (d) Any known or suspected drug use or other medical problems.

303.10 TRAINING

Subject to available resources, the Training Division Commander should ensure that public safety officer receive periodic training on the proper use of handcuffs and other restraints, including:

- (a) Proper placement and fit of handcuffs and other restraint devices approved for use by the Department.
- (b) Response to complaints of pain by restrained persons.
- (c) Options for restraining those who may be pregnant without the use of leg irons, waist chains, or handcuffs behind the body.
- (d) Options for restraining amputees or those with medical conditions or other physical conditions that may be aggravated by being restrained.