

## 3-14/020.05 - Handcuffing

One of the most important tools the bailiff or lockup personnel uses frequently in court are handcuffs. They are the most common restraint used for short trips to court and to the lockup. Handcuffs are only as secure as the bailiff makes them. They are a restraining device to give the bailiff greater control of an inmate. They do not immobilize custodies; they merely limit their activities and act as a reminder that they are in custody. No two persons react in the same manner when confronted with the fact that they have been placed under arrest and are about to be taken to jail. Every person taken into custody must be considered dangerous until placed in a cell, and generally all persons shall be handcuffed regardless of age, size or sex.

Handcuffing custodies is a "routine" exercise but improper procedures could lead to serious injury to the bailiff or another person. To assure safety, it is an advantage to handcuff and search an inmate as soon as possible.

Procedures and Precautions for Handcuffing:

- After placing handcuffs on an inmate's wrist, the bailiff should inspect the ratchets to make sure they are secure. Always double-lock handcuffs.
- Handcuffs should never be carried double-locked. They will be useless if needed in an urgent situation.
- Particular care should be taken when searching custodies for objects that may be used to disengage handcuffs, never assume that the custody's arms are secured by the handcuffs. Be alert for such items as a secreted handcuff key, a paper clip, a thin piece of metal etc. All of these items can be used to disengage the ratchet on handcuffs.
- Unless physical impairment prevents it, handcuff all single custodies behind their back.
- Pursuant to California Penal Code section 3407, the following policies and procedures shall be adhered to:
  - All pregnant inmates shall only be handcuffed with their hands in front of their body; no waist chains shall be used. In addition, leg irons or any other leg restraint device such as the "Ripp Hobble", shall not be used on pregnant inmates at any time;
  - A pregnant inmate in labor, during delivery, or in recovery after delivery, shall not be restrained by the waist, ankles, or both, unless deemed necessary for the safety and security of the inmate, the staff, or the public;
  - Restraints shall be removed when a medical professional who is currently responsible for the medical care of a pregnant inmate during a medical emergency, labor, delivery, or recovery after delivery determines that the removal of restraints is medically necessary;
  - This section shall not be interpreted to require restraints in a case where restraints are not required pursuant to a statute, regulation, or correctional facility policy;
  - Upon confirmation of an inmate's pregnancy by medical staff, the inmate shall be advised, orally or in writing, of the standards and policies governing pregnant inmates, including, but not limited to: the provisions of this section, P.C. 3407, the relevant regulations, and the correctional facility policies;
  - For the purposes of this section, 3407 PC, "inmate" means an adult or juvenile who is incarcerated in a state or local correctional facility.
- Lone deputy or custody assistant shall use the available safety options to handcuff an inmate housed in a cell prior to opening the door.

Refer to CSDM, 1-04/060.00 – Handcuffing Port Use and Tactical Deployment of All Safety Equipment.

- Two custodies may be handcuffed with one set of handcuffs.

Alternate restraints, are devices which may be used on an inmate in the courtroom depending on several factors, including the type of hearing or trial, whether the inmate is dressed in jail or civilian attire, and the policies of the individual judge. Each situation must be individually evaluated, and procedures implemented accordingly. The bailiffs should always be aware of the judge's policies. It is the bailiff's responsibility to communicate to the judge what the Department's policies are regarding restraint devices. It will be difficult to use restraints on some custodies due to a cast, crutches, slings, etc. The bailiff will have to determine the extent of the restriction of movement of the inmate and use discretion as to whether restraints can or should be used.

### **Flex Cuffs**

Flex cuffs are a sturdy nylon strap with a metal clip on one end. This device is not as secure as handcuffs, and should only be used when handcuffs are unavailable or unusable. Flex cuffs are a temporary measure to be used for the immediate and short-term on a custody that will be in constant view of a bailiff. The cuff is applied snugly to a custody's wrists, behind his back. Care should be taken to avoid applying it too tightly as it cannot be loosened and should only be removed with heavy duty cutters. The device is not reusable.

### **Leg Chains**

Leg chains are merely a length of chain with a padlock on each end. When applied to the inmate, they only allow him to take a step of approximately 12 inches. They can walk slowly but cannot run. These are also a psychological restraint and constant

reminder to the inmate that they are in custody and escape is unlikely. The proper method of applying leg chains is to have the inmate stand in an off-balance position, or on their knees, facing away from the bailiff. The bailiff wraps an end of the chain around each leg and padlocks them snugly into place.

### **Waist Chains**

Waist chains are restraints made from a length of chain that encircles the waist. Handcuffs are attached to this chain by short lengths of chain in such a manner that the custody's hands are held closely at their sides. The waist chain is locked snugly around the waist with a handcuff. This type of restraint is used when the possibility of escape is greatest or on long trips.

### **Leg Irons**

Leg irons are merely a set of handcuffs designed for the ankle. When applied to an inmate they only allow them to take a small step, thus they cannot run. The application of leg irons is the same as leg chains.

### **Leg Braces**

Leg braces are a medical device that fits over a custody's leg and knee. It is normally worn under clothing so it can be used discreetly on an inmate during a jury trial and cannot be viewed by jurors. Custodies should never

be left unattended when wearing a leg brace.

The use of any other type of restraint device, at the request of the judge, i.e. gags, medical restraints, Stealth Belt or REACT Belt, shall only be used with approval of the Branch Supervisor. Branch Supervisors may contact the Custody Division Watch Commander for advice or concurrence on the use of any other types of restraints. (Custodies should never be left unattended when wearing the REACT Belt.)

Bailiffs should keep in mind the custodies can conceivably free themselves from any type of equipment.

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