2-06/045.10 Court Restraint Device Record Form

A “Court Security Restraint Device” is any device that is used to prevent or restrict the inmate/defendant’s ability to verbally or physically disrupt the trial proceedings inside the courtroom.

The use of any control restraint device (i.e., waist or leg chains, handcuffs or other devices) outside the courtroom or in the courtroom during non-trial procedures does not need to be reported in this manner.

The simple deployment of any “Court Restraint Device” is not considered force. However, if force is used during the installation or removal of any device, the force shall be reported as required per Department policy.

A restrained inmate must always be under the direct supervision of Department personnel and at no time is the inmate to be left unattended while wearing any “restraint device.”

Court Approval:

Prior to deploying any “Court Restraint Device” during a court session, Department personnel shall obtain a written court order from the bench officer. The original court order shall be placed in the court files and a copy will be attached to the “Court Restraint Device Record.”

Note: Only one court order needs to be issued for the defendant(s) and it will remain in effect for as long as the defendant(s) appears in front of the bench officer who issued the order

Refer to CSDM, 3-14/020.15 - Court Restraint Device Form for further detailed court information.

Supervisor Notification and Approval:

When the court order (original or copy) is presented to the bailiff, notification and approval of the Branch Supervisor is needed each time prior to the device being used. The notification process will be recorded on the “Court Restraint Device” form by printing the supervisor’s name in the appropriate box.

Procedures for Using the Form:

Each time a “restraining device” is deployed in the courtroom, it shall be documented by using the Court Services Division “Court Restraint Device Record” which provides the following information: Defendant’s name, booking number, the court, bench officer’s name Branch Supervisor’s name, reason for using the device and the name of the Deputy who installed and removed the device.

Each Branch will retain the original “Court Restraint Device” form (along with a copy of the signed court order) filed by defendant’s last name, in a notebook designated specifically for that purpose. Reports can be purged from the notebook after three years from the last date listed on the form.

Supervisor Responsibility:

Branch Supervisors shall be accountable for routinely ensuring that the use of any device in a courtroom session is properly documented. The recorded information will be subject to Annual Command Inspection to verify compliance.