

## **354 - Handcuff Policy**

### 1. PURPOSE AND SCOPE

### 2. HANDCUFFING POLICY

#### **354.1 PURPOSE AND SCOPE**

This procedure provides guidelines for handling situations involving handcuffing during detentions and arrests. This policy is also applicable to Flexcuffs which will be considered synonymous with handcuffs for purposes of this policy.

#### **354.2 HANDCUFFING POLICY**

- A. It is not the intent of the Sheriff's Office to dissuade Deputies from handcuffing all persons they feel warrant that degree of restraint, nor is it the intent of this policy to create the atmosphere that in order to avoid risk, a Deputy should handcuff all persons regardless of the circumstances. In most situations handcuffs should be applied with the hands behind the person.
- B. Although recommended for most arrest situations, handcuffing is a discretionary procedure and not an absolute rule of the Office.
- C. When deciding whether to handcuff an arrestee, Deputies should carefully balance officer safety concerns with factors including, but not limited to the following:
  - 1. The circumstances leading to the arrest.
  - 2. The attitude and behavior of the arrested person.
  - 3. The age, sex and health of the person.
  - 4. Whether the person has a hearing or speaking disability. In such cases consideration should be given, safety permitting, to handcuffing to the front in order to allow the person to sign or write notes.
  - 5. Whether the person has any other apparent disability.
  - 6. No arrestee who is in labor shall be handcuffed or restrained by the wrists, ankles or both unless it is reasonably necessary for the safety of the arrestee, Deputies, or others (Penal Code §6030).
  - 7. Pregnant inmates temporarily taken to a hospital outside the Detention Facility for the purposes of childbirth, shall be transported in the least restrictive way possible, consistent with the legitimate security needs of each inmate. Upon arrival at the hospital, once the inmate has been declared by the attending physician to be in active labor, the inmate shall not be shackled by the wrists, ankles or both unless deemed necessary for the safety and security of the inmate, the staff, and the public (Penal Code §5007.7).
- D. Handcuffs should be removed by the Detention Division staff as soon as the arrested person is safely confined within the jail.

#### **354.21 IMPROPER USE OF HANDCUFFS**

Handcuffing is never done to punish, to display authority, or as a show of force. Persons are handcuffed only to restrain their hands to ensure officer safety, the safety of the public, and the safety of the restrained person.

restrain their hands to ensure officer safety, the safety of the public, and the safety of the restrained person. When practical, handcuffs shall be double locked to prevent tightening which may cause undue discomfort or injury to the hands or wrists.

### **354.22 HANDCUFFING OF DETAINEES**

- A. Situations may arise where it may be reasonable to handcuff an individual who may, after subsequent investigation, be released prior to arrest.
- B. The use of handcuffs on detainees should continue for only as long as is reasonably necessary to assure the safety of Deputies and others. Deputies should continuously weigh the safety interests at hand against the intrusion upon the detainee when deciding to remove handcuffs from a detainee.

### **REVISION HISTORY**

11/04/2005

2/17/2010

12/10/2010