

Handcuffing and Restraints

302.1 PURPOSE AND SCOPE

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

302.2 POLICY

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

302.3 USE OF RESTRAINTS

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

When deciding whether to use any restraint, 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 to the front in order to allow the person to sign or write notes.
- Whether the person has any other apparent disability.

Further, officers have the option to request that an uncooperative party in custody be restrained and transported via ambulance in non-medical situations when it is determined that it would be safer for the officers and the party in custody.

302.3.1 RESTRAINT OF DETAINEES

Situations may arise where it may be reasonable to restrain an individual 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 assure the safety of officers and others. When deciding whether to remove restraints from a detainee, officers should continuously weigh the safety interests at hand against the continuing intrusion upon the detainee.

302.3.2 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 restraints, waist chains, or handcuffs behind the body should not be used

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unless the officer has a reasonable suspicion that the person may resist, attempt escape, injure themselves 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 detainee, officers, or others. See the Transporting Persons in Custody Policy for guidelines relating to transporting pregnant persons.

302.3.3 RESTRAINT OF JUVENILES

A juvenile under 14 years of age should not be restrained unless the juvenile is suspected of a dangerous felony or when the officer has a reasonable suspicion that the juvenile may resist, attempt escape, injure themselves, injure the officer, or damage property.

An officer working as a school resource officer or responding to a public or charter school or its property, vehicles, or school-sanctioned events shall not restrain a juvenile unless allowed by law and only for the following reasons (CRS § 22-15.5-103):

- a. The juvenile openly displays a deadly weapon.
- b. The juvenile poses a danger to themselves or others during an arrest that requires transport.
- c. There is an emergency, and less restrictive measures either would be ineffective or have failed (CRS § 22-15.5-102).

302.4 APPLICATION OF HANDCUFFS, NYLON OR PLASTIC CUFFS

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

Although recommended for most arrest situations, handcuffing is discretionary and not an absolute requirement of the Department. Officers should consider handcuffing any person they reasonably believe warrants that degree of restraint. However, officers should not conclude that in order to avoid risk every person should be handcuffed, regardless of the circumstances.

In most situations handcuffs should be applied with the hands behind the person's back. When feasible, handcuffs should be double-locked to prevent tightening, which may cause undue discomfort or injury to the hands or wrists.

In situations where one pair of handcuffs does not appear sufficient to restrain the individual or may cause unreasonable discomfort due to the person's size, 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.

302.5 APPLICATION OF SPIT HOODS/MASKS/SOCKS

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Spit hoods/masks/socks 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 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.

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. Officers should provide assistance during the movement of restrained individuals due to the potential for impaired or distorted vision on the part of the individual. Officers should avoid comingling individuals wearing spit hoods with other detainees.

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.

302.6 APPLICATION OF AUXILIARY RESTRAINT DEVICES

Auxiliary restraint devices include transport belts, waist or belly chains, transportation chains, leg restraints 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.

302.7 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 the Department shall be used.

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

- a. Whether the officer or others could be exposed to injury due to the assaultive or resistant behavior of a suspect.

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- b. Whether it is reasonably necessary to protect the suspect from his/her own actions (e.g., hitting his /her head against the interior of the patrol unit, running away from the arresting officer while handcuffed, kicking at objects or officers).
- c. Whether it is reasonably necessary to avoid damage to property (e.g., kicking at windows of the patrol unit).

302.7.1 GUIDELINES FOR USE OF LEG RESTRAINTS

When applying leg restraints the following guidelines should be followed:

- a. If practicable, 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 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 seat belt, and shall not be placed on their stomach for an extended period, as this could reduce the person's ability to breathe.
- d. The restrained person should be continually monitored by an officer while in the leg restraint. The officer should ensure that the person does not roll onto and remain on their stomach.
- e. The officer should look for signs of labored breathing and take appropriate steps to relieve and minimize any obvious factors contributing to this condition.

302.8 REQUIRED DOCUMENTATION

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

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

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

302.9 TRAINING

The Deputy Chief should ensure that officers receive periodic training on the proper use of handcuffs and other restraints, including:

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- 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 restraints, 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.
- e. Proper placement of safely secured persons into an upright or seated position to avoid placement on the stomach for an extended period, as this could reduce the person's ability to breathe.

302.10 USE OF PRONE RESTRAINT

Consistent with training, to reduce the risk of asphyxiation while restraining an individual in a prone position, (CRS § 18-1-707):

- a. Officers should, as soon as safe and feasible after handcuffing or otherwise restraining a person in the prone position, roll the person to the side and move the person to an upright position that does not impede the mechanism of normal breathing, unless the person is unconscious.
- b. Officers should use a stepped process to move a person to standing (i.e., moving the person gradually from the prone position by transitioning through side, sitting, and kneeling positions before assisting them to stand).
- c. Officers should not put prolonged pressure on the individual's chest, neck, head, or back, including by sitting, kneeling, or standing. Application of such force shall end as soon as the person is restrained. Other control tactics may be employed to counter ongoing resistance.
- d. Officers should continuously monitor the person's condition while in prone restraint. Monitoring includes but is not limited to assessing the adequacy of the individual's breathing, color, and any impairment as verbalized by the individual.
- e. The ranking officer shall, whenever possible, designate a safety officer during team restraint. If the safety officer becomes aware of an issue with the person's breathing or color or of any impairment, the safety officer shall inform the ranking officer. The safety officer shall monitor the health and welfare of the person until either:
 - 1. Responsibility is transferred to a health care professional (e.g., emergency medical technician (EMT), paramedic).
 - 2. The person is placed in a seated position in a transport vehicle and verbalizes to the safety officer that the person feels well, and the person appears to the safety officer to be well and speaking normally.

Once it is reasonably safe to do so, medical assistance shall be provided or obtained for any person who exhibits signs of physical distress, has sustained visible injury, expresses a complaint of injury or continuing pain, or was rendered unconscious. Any individual exhibiting signs of physical distress after an encounter should be continuously monitored until the individual can be medically assessed. See the Medical Aid and Response Policy for additional guidance.

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Members shall not transport a person while they are restrained in the prone position.

