



Administrative Policies and Procedures: 13.4

Subject:	Use of Mechanical Restraints for Youth Committed Delinquent
Authority:	TCA: 37-5-105 (3), 37-5-106; Tennessee Rules of Juvenile Practice and Procedure, Rule 204
Standards:	COA: BSM 1, BSM 2, BSM 3, BSM 4, JJCM 3 ACA: 4-JCF-2A-15; 4-JCF-2A-16; 4-JCF-2A-17; 4-JCF-2A-19
Application:	Department of Children's Services employees working in the regional offices who work with delinquent youth in the custody of DCS.
Policy Statement:	
DCS employees may use mechanical restraints on delinquent youth to maintain custody and control and to assure safety. The use of mechanical restraints is strictly prohibited for youth adjudicated unruly or placed into custody due to dependency or neglect. Mechanical restraints are never used on youth as a means of punishment, discipline, coercion, convenience, or retaliation.	
Purpose:	
To provide clear guidelines and set standards for the use of mechanical restraints on delinquent youth.	
Procedures:	
A. Mechanical Restraint, Intake Assessment and Authorization	<ol style="list-style-type: none">1. When a delinquent youth enters DCS custody, the youth and parent/legal custodian are notified of the possibility of the use of mechanical restraints.2. During the intake process the youth, parent/legal custodian are interviewed to discover positive behavior management tools to use in the event of a behavior crisis. A plan is developed that also includes past history and precautions to be aware of if restraints are used. See DCS form CS-4244, Juvenile Justice Behavior Management Assessment and Crisis Plan.3. DCS staff that are specifically trained and authorized to apply mechanical restraints to a delinquent youth assess each youth and situation to determine whether or not it is necessary to use mechanical restraints (with the exception of the use of mechanical restraints for delinquent youth in routine transports).4. During the intake interview or the initial contact with family, staff asks parents/legal custodian if the youth have any psychological, trauma history or physical concerns to using restraints as well as what interventions have been beneficial in the past to manage behavior.5. When assessing youth for use of restraints, DCS staff consider the following:<ul style="list-style-type: none">◆ Precursors of behavior that put the youth or others at risk of harm;

	<ul style="list-style-type: none"> ◆ Any techniques, methods or tools that may help the youth control their behavior to prevent use of restraints; ◆ If the youth have any pre-existing medical or psychiatric conditions or physical disabilities and limitations that would place the youth at greater risk if mechanical restraints were applied; and ◆ Any history of sexual or physical abuse or trauma that would place the youth at greater psychological risk if mechanical restraints were applied. <p>6. After the initial assessment of the youth's behavior/history, permission to maintain the use restraints must be secured from the immediate supervisor or designee.</p> <p>Note: Mechanical restraints may be used only to the degree required and for the minimum amount of time necessary.</p> <p>Note: For youth who are pregnant or verbalize that they may be pregnant, see <u>Protocol: Best Practice in the Use of Restraints with Pregnant Youth</u>, during the assessment process.</p> <ul style="list-style-type: none"> ◆ All directives in this section are documented in the Incident Report.
<p>B. Use of Mechanical Restraints</p>	<p>Mechanical restraints are applied in a manner which is not injurious to the youth and used, only in the following instances:</p> <ol style="list-style-type: none"> 1. Mechanical restraints are used when transporting delinquent youth. This does not apply to youth being released to home or starting a trial home visit. See DCS Policies, <u>31.16, Transporting Delinquent Youth</u> and <u>31.15 Guidelines for Transportation of Child/Youth by Regional Employees</u> for specific details regarding transportation. <ol style="list-style-type: none"> a) If the youth being transported is identified as high risk (see definition below), two (2) transportation officers (if available) or at a minimum one (1) transportation officer and a co-rider are assigned to transport. The youth is placed in mechanical restraints to include belly chains with black boxes. b) Prior to departure the transporter checks restraint devices to make sure they are applied correctly and are not affecting the youth's circulation or causing discomfort. Restraints remain on youth during the entire transport. 2. Delinquent youth in custody awaiting placement in DCS offices or other locations may be restrained immediately after being placed in DCS custody; however, an assessment of the youth's behavior must be completed, and authorization obtained (as outlined in Section A) as soon as possible, if restraints are necessary. 3. A delinquent youth in custody who poses a runaway risk, has a documented history of running away, or a history of recent assault behavior may be mechanically restrained. 4. A youth who is threatening to run away or who is returning from a runaway/escape episode is restrained. Youth apprehended and/or brought to the office after being apprehended, are placed in mechanical restraints while a

	<p>determination is being made regarding an appropriate placement.</p> <ol style="list-style-type: none"> For guidelines regarding the psychiatric use of mechanical restraints for delinquent and non-delinquent children/youth, refer to DCS Policy 19.9 Psychiatric Emergency Use of Mechanical Restraints. Youth who are pregnant may be only be restrained using wrist restraints placed in front of the body during internal escort or at any time outside of the facility absent extraordinary circumstances see Protocol: Best Practice in the Use of Restraints with Pregnant Youth for additional information. <p>Note: Youth appearing in court are not restrained unless the court determines that the youth poses a threat to their own safety or the safety of others, if behavior presents a flight risk or if there are no less restrictive alternatives to restraints that will prevent flight or risk of harm.</p>
<p>C. Monitoring During the Period of Restraint</p>	<ol style="list-style-type: none"> During the period of restraint, the staff member supervising the youth must maintain continual visual observation and verbally check with the youth at least every fifteen (15) minutes to determine if the mechanical restraints are presenting any harmful health or psychological reactions. (See Work Aid- Use of Mechanical Restraints: Monitoring and Documentation Requirements and Protocol: Best Practice in the Use of Restraints with Pregnant Youth, if applicable). Use of restraints is limited to no more than: <ul style="list-style-type: none"> Fifteen (15) minutes for youth aged nine (9) or younger; Thirty (30) minutes for youth aged ten (10) and older. For the use of mechanical restraints in excess of fifteen (15) and thirty (30) minutes, to maintain safety, security and order, the Team Coordinator, or designee, assigned to the case approves the extended use of mechanical restraints (with the exception of the use of mechanical restraints for delinquent youth in routine transports or youth at high risk of runaway). Restraints are removed as soon as possible. If there is a reported or noted hampering of circulation or undue discomfort, the restraints are adjusted immediately. Staff assesses the youth's need for food, water and use of bathroom facilities and provides access when safe and appropriate. When transporting delinquent youth employees abide by the following restrictions: <ol style="list-style-type: none"> Meals (fast food) may only be purchased from the drive through window; and Bathroom breaks are only permissible at local police departments, Tennessee Highway Patrol, Sheriff's offices, or secure government facilities. <u>Public bathroom stops are prohibited.</u> In the event of an emergency or evacuation while a youth is in mechanical restraints, DCS or provider staff will escort the youth to a safe space or location. DCS or provider staff will remain with the youth and continue visual observation and verbal periodic checks to ensure mechanical restraints are not causing harm.

D. Reporting	<ol style="list-style-type: none"> 1. An Incident Report is required each time mechanical restraints are applied (with the exception of use during routine transports). The Incident Report is documented in TFACTS in the Incident Report module. Refer to DCS policy <u>1.4, Incident Reporting</u> for additional information and requirements on incident reporting and debriefing. 2. The staff member applying restraints should follow the guidelines in the <u>Work Aid-Use of Mechanical Restraint: Monitoring and Documentation Requirements</u> when entering the incident in TFACTS.
E. Parent Notification	<p>DCS is required to notify the parent/legal custodian when mechanical restraints are applied to a youth in DCS custody (with the exception of use during routine transports). Notification is documented in the incident report.</p>
F. Debriefing	<ol style="list-style-type: none"> 1. DCS Staff must debrief with each youth who was placed in mechanical restraints (except for use during routine transports) within 24-hours, in a confidential setting, to discuss the reason for the use of mechanical restraints, any type of discomfort and find strategies to preempt the use of mechanical restraints. Debriefing is documents on CS-0165, Youth Behavioral Management Debriefing and upload into TFACTS. 2. Debriefing includes the youth, all staff involved in the restraint incident and the parents/legal custodian. Debriefing: <ul style="list-style-type: none"> ◆ Evaluates the physical and emotional well-being of the youth; ◆ Identifies antecedent behavior the need for counseling, medical care or other services due to the incident, and the need to modify the service plan; and ◆ Addresses when the youth is ready to reenter routine activities. 3. Staff involved in the incident are debriefed to assess: <ul style="list-style-type: none"> ◆ Their current physical and emotional status; ◆ Precipitating events; and ◆ How the incident was handled and if procedural changes are needed to avoid future incidents. 4. If any other person(s) witnessed the incident, they are also debriefed to assess their current physical and emotional status.
G. Storage and Maintenance of Mechanical Restraints	<ol style="list-style-type: none"> 1. Restraints are checked and disinfected before and after each use to ensure they are clean, functioning properly and are safe to use. Any damage or issues with restraints are reported to the transportation supervisor or transportation coordinator. 2. Mechanical restraint checks are conducted, by the transportation supervisor or assigned supervisor/ designee, at least monthly to ensure restraints are being maintained appropriately. Verification of these checks is documented on a log kept with the restraints.

	<ol style="list-style-type: none">When not in use, mechanical restraints are stored in a safe, secure area in the region or in a state vehicle.If restraints are stored in a state vehicle they are maintained in a secure manner, such as locked in the glove compartment or concealed in a location that will not pose a threat in the event of an emergency.
H. Training in the Use of Mechanical Restraints	<ol style="list-style-type: none">Staff members are trained, and deemed competent, <u>before</u> applying restraints to a youth.Training occurs during pre-service training and annually thereafter. A supervisor can request additional training if a previous restraint resulted in injury, due to the repeated failure to follow established protocol, or as needed.Annual training includes recognizing and assessing:<ul style="list-style-type: none">◆ The youth's physical and mental status while in restraints, including signs of physical distress;◆ Nutritional and hydration needs;◆ Readiness to discontinue use of the intervention; and◆ When medical or other emergency personnel are needed.Training includes appropriate monitoring, documenting, and reporting procedure for each occurrence of mechanical restraint and proper storage of restraints.At the end of the training session staff are required to take a post-test and demonstrate competency in the safe use of mechanical restraints and the associated reporting requirements.The DCS Training Coordinator maintains records of staff who have completed training and those who need to be scheduled for training.
I. Internal Review	<ol style="list-style-type: none">TL/TCs report the use of non-routine mechanical restraints, within 24 hours of the incident, to the assigned JJ Regional Director/designee, via email.The JJ Regional Directors and senior leadership conduct quarterly reviews of the specified uses of mechanical restraints.

Forms:	<u>CS-0165, Youth Behavior Management Debriefing</u> <u>CS-4244, Juvenile Justice Behavior Management Assessment and Crisis Plan</u>
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Collateral Documents:	<u>Protocol: Best Practice in the Use of Restraints with Pregnant Youth</u> <u>Work Aid-Use of Mechanical Restraint: Monitoring and Documentation Requirements</u> <u>31.16 Transporting Delinquent Youth</u> <u>1.4 Incident Reporting</u>
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Glossary:	
Term	Definition
Mechanical restraints:	A mechanical device designed to restrict the movement of an individual. Mechanical restraints include handcuffs/wristlets, belly chains, anklets, ankle cuffs, or any other DCS approved or authorized device.
High Risk Youth	Youth who present a high risk of absconding during a transport. Included are youth who have recent assaultive behaviors, have absconded during a prior transport, or had a serious incident within the past three (3) months during previous transports, those in a mental health crisis, or have had previous suicide attempts.
Black Box	A cover designed to protect the security of mechanical restraints and prevents tampering with the locking mechanism. A metal clip allows a security chain to restrict movement of the hands.