

Policy 302

Handcuffing and Restraints

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

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

DEFINITIONS **Arrestee:** A person in the custody of a police officer who has not been transferred to housing at the Detention Center.

Belly Chains: A metallic or leather device that is secured around the waist above the hips, restricting the torso, and providing an anchor point to attach handcuffs to restrict the movement of arms more than handcuffing alone would permit.

Emergency Restraint Chair: A chair with equipment designed to restrain or limit the movement of arrestees/inmates who require extreme measures of control.

Flex Cuffs: Adjustable, disposable plastic bands that act as temporary restraints, in lieu of handcuffs or leg irons, to restrain an individual.

Handcuff Cover: A plastic and/or metal device that covers the handcuff chain and handcuff keyholes to protect them from tampering.

Handcuffs: A device of metal that encircles the wrists above the hands and links the wrists closely together. Their purpose is to restrict arm and hand movement.

Inmate: A person who is housed at the Detention Center.

Leg Brace: A mechanical device that is applied to the leg of an inmate. If the inmate attempts to run, the brace locks in a straight position, restricting bending the leg at the knee.

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Leg Irons: Metallic devices that encircle the ankle above the feet and link the feet closely together, restricting leg and foot movement and preventing running.

Leg Restraint: A Department-issued or approved nylon strap designed to temporarily secure or restrict the movement of the ankles and/or legs of a handcuffed arrestee.

Prone Position: A position in which a person is lying on a solid surface with the person's chest and abdomen positioned downward even if the person's face is turned to the side or the person has one shoulder lifted.

Prone Restraint: A use of physical force subject to C.R.S. 18-1-707, including, but not limited to, the use of a mechanical restraint, in which the person who is being restrained is in a prone position.

Recovery Position: A position other than a prone position that allows the person to breathe normally.

Restraint: Any device designed to restrict the movement of the limbs or torso. Restraints attach to the limbs or torso in such a way as to prevent their removal by the person being restrained.

Transport: The act of an officer driving an arrestee or inmate in a vehicle from one location to another.

Transport Restraints: A combination of restraints to include double-locked handcuffs with a handcuff cover, double-locked leg irons, and a padlocked belly chain.

WRAP Restraint System: A device designed to temporarily restrict movement of the limbs or torso. WRAP Restraint attaches to the ankles and torso in such a way as to prevent the ability to kick or do harm to oneself and others and allows for upright transport.

SOP

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302.1 USE OF RESTRAINTS

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

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2. Restraints are used when an arrestee/inmate is being transported to or from any location and in order to prevent them from injuring themselves or others, or damaging property.
3. Officers are to use department-approved/issued restraints anytime an individual is taken into custody unless extenuating circumstances exist and with supervisory approval.

302.1.1 RESTRAINT OF DETAINEES

The use of restraints on persons being detained, not arrested, is permitted where an officer can articulate both reasonable suspicion for the stop, and specific, articulable reasons why restraints were needed. Such restraints could be justified in situations involving weapons, serious assaults where there are more suspects than officers, where there is a reasonable belief the suspect could flee, or specific reasons the officer fears for their safety. The use of restraints should continue only for as long as is reasonably necessary to assure the safety of officers and others. Where a subject has been detained in handcuffs but is not arrested, the circumstances necessitating the application of handcuffs will be documented in the officer's report.

302.1.2 RESTRAINT OF PREGNANT PERSONS

Persons known, based on reasonable belief, to be pregnant shall be restrained in the least restrictive manner necessary to ensure safety of the officer or others. The use of leg restraints, leg irons, waist chains, or handcuffs behind the body is strictly prohibited.

Handcuffs: Handcuffs may be used only if applied in front of the body, and only when necessary for safety and security. Handcuffs must not be used behind the body.

Leg / WRAP Restraints: The use of leg / WRAP restraints, including those secured by "belly chain" in front of the body, is prohibited for known-to-be pregnant individuals under all circumstances.

Actively Combative: If a known-to-be pregnant arrestee is combative, they should be transported via ambulance rather than being restrained with handcuffs. Under exigent circumstances when a known-to-be pregnant arrestee is actively combative, and no other alternative exists, one arm may be secured to an ambulance stretcher / gurney, or to a hospital bed, in order to prevent their escape, or to prevent / reduce the risk of assault of any person involved in the care and custody of the pregnant person. If the known-to-be pregnant person ceases to be combative, and all indications are that they will remain cooperative, any restraint applied, should be removed.

Labor, Delivery, and Post-Delivery: No person who is in labor, delivery, or recovery after delivery shall be restrained except in extraordinary circumstances. Restraints may only be used with the approval of a supervisor, who must assess that such restraints are necessary to prevent escape or injury. Even with supervisor approval, leg restraints are not permitted.

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If any restraints are used on a pregnant individual during labor or delivery, the officer must document the following in an appropriate report: the type of restraint used, the specific circumstances necessitating its use, and the duration of the restraint. This documentation must be retained for a minimum of five years.

302.1.3 RESTRAINT OF PUBLIC SCHOOL STUDENTS

A school resource officer or a law enforcement officer acting in the officer's official capacity on school grounds, in a school vehicle, or at a school sanctioned event shall not use handcuffs on any student, unless there is a danger to themselves or others or handcuffs are used during a custodial arrest that requires transport. (CRS § 26-20-111(1)(b))

302.1.4 PRONE RESTRAINTS

Prone restraints involve the use of physical force, including the use of a mechanical restraint, where the person being restrained is in a prone position. A prone restraint is considered a use of force under CRS § 18-1-707, and is therefore "reviewable force" subject to Policy / SOP 300. Prone restraints which are excessive could subject officers to criminal prosecution under CRS 18-8-803. Officers shall regularly demonstrate in annual training, their proficiency in the safe and compliant use of prone restraints.

All officers will be familiar with and receive training on the following items related to the use of prone restraints, and any time a prone restraint is used officers shall:

1. Continuously monitor the individual's condition and promptly respond to signs of distress by requesting and providing medical aid as soon as it is safe to do so.
2. Summon / provide medical aid, without unnecessary delay, to address any emergent medical needs that may arise during or after the restraint when signs of distress are observed, perceived, or suspected, or when they are expressed by the individual being restrained.
3. Seek medical evaluation and clearance whenever visible injuries or complaints of injuries occur during a prone restraint.
4. Provide basic medical aid during and immediately after a prone restraint, if needed.
5. Promptly transition any person placed in a prone position into a recovery position that allows normal breathing and reduces the risk of positional asphyxia. This transition should prioritize the person's respiratory function and be conducted with minimal delay once the threat of harm has been mitigated and safety allows.

The department's policies and procedures regarding prone restraints must undergo regular review, at least every five years, to incorporate evolving best practices and any legislative updates.

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These policies and procedures regarding prone restraints are designed to ensure compliance with Colorado State Law, promote officer safety, and safeguard the well-being of individuals subjected to prone restraints. By integrating best practices, the department strives to maintain professionalism, accountability, and proactive risk management in using prone restraint(s).

302.1.5 CHEMICAL RESTRAINTS

In compliance with CRS § 18-8-805, Officers shall not compel, direct, or unduly influence an emergency medical service provider to administer ketamine or any other chemical restraint on another person. Officers must not retaliate against an EMS provider for reporting such violations. An officer shall not unduly influence an EMS provider's medical decision or diagnosis; however, officers may provide critical medical information or other pertinent information about the individual or the scene to assist in the assessment of the need to administer ketamine or other chemical restraints.

Officers are required to intervene, without regard to the chain of command, to prevent or stop another officer from using or directing the use of ketamine or other chemical restraints to effect an arrest, detention, restraint, transport, or punishment. Any officer who witnesses another officer use or direct the use of ketamine or other chemical restraints must report such use to the P.O.S.T. Board and their immediate supervisor without delay. Failure to report in writing to the P.O.S.T. Board within ten days of the occurrence constitutes a class 1 misdemeanor.

Any officer found in violation of CRS § 18-8-805 or this policy is subject to discipline up to and including termination, revocation of P.O.S.T. certification, criminal charges, and civil liability. An officer who knowingly makes a false statement in any report related to the use of ketamine or other chemical restraints commits false reporting to authorities.

The term "unduly influence" refers to the improper use of power or trust that deprives a person of their free will.

302.2 APPLICATION OF HANDCUFFS OR FLEX CUFFS

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

Flex cuffs are used in emergency situations; during routine situations, regular handcuffs should be used to secure inmates/arrestees.

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.

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In most situations, handcuffs should be applied with the hands behind the person's back. 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 or medical condition, officers should consider alternatives, such as using an additional set of handcuffs or multiple flex 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.

302.2.1 HANDCUFFING ARRESTEE TO A STATIONARY OBJECT

Officers will not handcuff arrestees to stationary objects except under the following circumstances:

1. In the office at Flatiron Services while being continuously monitored, or in the presence of, officer(s) who are also in the office;
2. In the Detention Center, in Juvenile Holding, handcuffs can only be attached to the bar on the bench designed for this purpose, in accordance with Policy 312 Temporary Custody of Juveniles;
3. To a gurney or hospital bed, provided such restraints do not interfere with medical treatment; or
4. In extreme circumstances where no reasonable alternative exists, to prevent the escape of a violent felon, loss of life, or serious bodily injury to the arrestee or others, including to officer(s). Restraint to a stationary object will not be used as a punishment or to effect compliance with verbal commands under any circumstances where there is no physical threat.

If a subject is handcuffed to a stationary object, the officer will make reasonable efforts to maintain continual personal observation of the subject.

302.3 APPLICATION OF SPIT HOODS/MASKS/SOCKS

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. Only department-issued devices are authorized for use.

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 the application of a physical restraint, while the person is restrained, or during or after transport.

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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 commingling 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.

302.4 APPLICATION OF AUXILIARY RESTRAINT DEVICES

Auxiliary restraint devices include transport belts, waist or belly chains, transportation chains, leg irons, and other similar devices. Auxiliary restraint devices are intended for use during long-term restraint or transportation or when an additional need for increased security is identified. They provide additional security and safety without impeding breathing, while permitting adequate movement, comfort, and mobility.

Only Department-authorized devices may be used, by persons trained to use them. Any person in auxiliary restraints should be monitored as reasonably appears necessary.

302.5 APPLICATION OF LEG RESTRAINT DEVICES

Leg restraint devices, including the WRAP Restraint System, may be used to restrain the legs of a violent or potentially violent person when it is reasonable and necessary to prevent harm to the individual, officers, or others during detention, arrest, or transport. Only Department-approved devices shall be used, and only by officers who have been trained in their application.

When deciding whether to use either the WRAP or a leg restraint, officers should consider:

- The risk of injury to officers or others due to the subject's actions.
- The need to protect the subject from self-harm.

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- The need to prevent property damage (e.g., kicking windows).
- The risks and considerations associated with prone restraints, as outlined in this Policy.

When practicable, the WRAP Restraint System should be used as an alternative to traditional leg restraints. In situations where the WRAP is not available and a leg restraint must be applied, officers should secure the subject's legs safely. If the subject is in a patrol vehicle, the leg restraint may be secured to the vehicle's installed D-ring system to prevent flailing or further resistance.

Once applied, the leg restraint should be replaced with the WRAP prior to transport, when reasonable. However, significantly delaying transport, especially when a subject continues to be combative, should be avoided.

Officers should ensure that when applying leg restraints:

- A minimum of twelve (12) inches separates the arrestee's ankles and wrists, with the greatest possible length allowed for control.
- The leg restraint is not attached directly to the handcuffs except by looping one end around the cuffs, in between the subject's wrists, and securing it to the leg restraint itself.
- Alternatives, such as securing the legs/feet together without connecting them to the handcuffs to prevent kicking, should be considered when possible.

302.5.1 USE OF FORCE REVIEW AND DOCUMENTATION

The use of leg restraint devices, including the WRAP Restraint System, is classified as "reviewable force." Supervisors must complete a thorough Use of Force review, which includes documenting the incident, interviewing involved parties, and photographing any injuries or lack thereof.

302.6 REQUIRED DOCUMENTATION

If an individual is restrained and released without an arrest, such as a brief investigatory detention, the officer shall document the details of the detention and the need for handcuffs or other restraints in CAD notes or an associated case report.

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

1. The factors that led to the decision to use restraints.
2. Supervisor notification/approval of restraint use.
3. The type(s) of restraint used.
4. The amount of time the suspect was restrained.

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5. How the suspect was transported and the position of the suspect.
6. Observations of the suspect's behavior and any signs of physiological problems.
7. Any known or suspected drug use or other medical problems.

302.7 TRAINING

Officers receive periodic training on the proper use of handcuffs and other restraints, including:

1. Proper placement and fit of handcuffs and other restraint devices approved for use by the Department.
2. Response to complaints of pain by restrained persons.
3. Options for restraining those who may be pregnant without the use of a leg restraint, leg irons, waist chains, or handcuffs behind the body.
4. Options for restraining amputees or those with medical conditions or other physical conditions that may be aggravated by being restrained.
5. Proper care and maintenance of handcuffs and restraints including decontamination procedures.

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