




**WINCHESTER POLICE DEPARTMENT OPERATION ORDER**

**NOTE: This directive is for internal use only, and does not enlarge an employee’s civil liability in any way. It should not be construed as the creation of a higher standard of safety or case in an evidentiary sense, with respect to third party claims. Violation of this directive, if proven, can only form the basis of a complaint by this department, and then only in a non-judicial administrative setting.**

<b>Number</b> 2-10		<b>Effective Date</b> February 01, 2008	<b>Review Date</b> March 6, 2019	<b>Reviewing Division</b> Administration
<b>Subject</b> <b>IN CUSTODY RESTRAINTS</b>	<input type="checkbox"/> New Directive  <input type="checkbox"/> Amends  <input checked="" type="checkbox"/> Replaces: Prisoner Restraints		This directive shall apply to personnel assigned to the following divisions:  <input type="checkbox"/> All Personnel <input checked="" type="checkbox"/> Patrol Division <input checked="" type="checkbox"/> Administration Division <input checked="" type="checkbox"/> Investigation Division	
<b>References</b>  VLEPSC: OPR.08.01, OPR.09.01  CALEA				
 _____ Chief of Police or Designee		_____ March 23, 2023 Date		

**I. PURPOSE**

The purpose of this directive is to establish guidelines for the use of handcuffs and restraining devices.

**II. POLICY**

The officer's responsibility for the safe custody of prisoners permits some discretion in the use of handcuffs and restraining devices. The department requires officers to observe their own safety and that of the people they transport by carefully restraining most prisoners (except children) who must be taken to a detention center or other location. See also GO 2-11, Prisoner Transportation.

**III. PROCEDURES - ARRESTED PERSONS**

A. General Procedures

1. Officers will handcuff or restrain all arrested adults unless circumstances, such as medical ailments or injury, prevent the use of handcuffs.
2. The nature of the restraint chosen to subdue a suspect and the related method of transporting a suspect to a detention center or to court depends on the level of threat against the officer. A minimal threat may require restraint through metal or plastic handcuffs. A threat of property damage or injury

posed by the suspect may require restraint through a body belt, leg or ankle restraints, or a vehicle cage.

3. Generally, juveniles who have committed a criminal offense will be handcuffed during transportation. The arresting officer will evaluate the handcuffing of juveniles on a case by case basis. Determining factors should include, but not be limited to, the age of the juvenile offender, the physical size of the juvenile offender in relation to the arresting officer, and the totality of the circumstances or the reasons why an officer had to make contact with the juvenile.

B. Handcuffs

1. Officers will handcuff a person with the hands in back, but may choose to handcuff hands in front if the prisoner meets any of the following conditions:
  - a. Is obviously pregnant;
  - b. Has a physical handicap; or
  - c. Has injuries that may be aggravated by standard handcuffing procedures.
2. Officers will not handcuff a person to the transport vehicle or any part of the vehicle, or to any other fixed object such as a door or pipe.
3. Officers shall double-lock handcuffs and leg or ankle restraints to help ensure prisoner and officer safety. Double locking reduces the chance of picking the lock or of the bracelet accidentally closing, restricting circulation.

C. Body Belt

The body belt allows the officer, when trained, to handcuff the prisoner in front, yet restricts the movement of the prisoner's arms and hands. Normally, this device will be used when transporting prisoners considerable distances.

D. Leg Irons

Leg Irons will be used by officers when transporting any prisoner they have reason to believe may be an escape risk or to prevent a prisoner from damaging property.

E. Plastic Handcuffs

Plastic handcuffs may be used when officers take into custody several prisoners. Plastic handcuffs are more commonly used by the Civil Disturbance Unit and SWAT in accordance with their training.

#### IV. PROCEDURES - PERSONS NOT ARRESTED

##### A. Suspected Violent Offenses

If officers have a reasonable suspicion that a suspect has been involved in a violent offense, then handcuffs may be applied while officers investigate the possibility that criminal conduct occurred.

##### B. Investigative Detention

Persons not arrested, but who are subject to investigative detention, may be restrained under the following circumstances.

1. Only as long as necessary to accomplish the investigative goal;
2. With minimal discomfort to the suspect; and
3. Officers will limit the number and type of restraints used on the suspect to what is reasonably necessary to accomplish the investigation.

##### C. Mentally Ill Persons

See General Order 2-60.

#### V. SPECIAL CIRCUMSTANCES

##### A. Positional Asphyxia

Officers will not “hog-tie” suspects by placing them in a prone position with the hands and ankles bound from behind with handcuffs, belts, or other devices. As soon as any suspect who is lying on their stomach has been handcuffed, officers will roll the suspect onto their side, or place the suspect in a sitting position.

1. Positional asphyxia occurs when the position of the body interferes with respiration. A prone or “hog-tied” suspect may suffocate. Intoxication, presence of a head injury, obesity, and physical disability are all circumstances that can increase the possibility of suffocation.
2. Officers will determine if the suspect has used either alcohol or drugs recently or suffers from any cardiac or respiratory problem. Officers ~~shall~~ *will* monitor the suspect and obtain medical treatment if necessary.