

Stowe Police Department

<p>General Order: 2.04</p> <p>Use of Handcuffs</p>	<p>Related General Orders:</p> <p>2.01 Use of Force/Response to Resistance</p> <p>2.02 Response To Resistance Reporting</p>
<p>This policy is for internal use only and does not enlarge an employee’s civil liability in any way. The policy should not be construed as creating a higher duty of care, in an evidentiary sense, with respect to third party civil claims against employees. A violation of this policy, if proven, can only form the basis of a complaint by this department for non-judicial administrative action in accordance with the laws governing employee discipline.</p>	
<p>Applicable Vermont Statutes:</p>	
<p>Date Implemented: 09/12/2012</p>	<p>Date Revised: 05/22/2014, 03/08/2016</p>

I. PURPOSE:

1. To provide for the security and welfare of prisoners.
2. To ensure the safety of police personnel and prevent escape.

II. POLICY:

1. Whenever an adult is placed under arrest, that person will be handcuffed or other restraint device used and will remain so until confined at the station, unless conditions or circumstances change. Juveniles when placed under arrest will be handcuffed with special consideration given to the age and size of the juvenile, the offense committed, the potential for escape, and the physical safety of the officer, public and juvenile.
2. Officers may also use handcuffs or restraint device when a person has been taken into protective custody, for investigative detention or for officer safety.

III. PROCEDURE:

1. Handcuffs or flexcuffs will be applied with the prisoner's hands behind the back. Apply cuffs only as tightly as needed to restrain and not so tightly as to cause injury. When it is safe to do so officers shall check the handcuffs for fit and double lock the handcuffs.

2. Handcuffs may be applied to the wrists with the hands positioned in the front in some circumstances. The use of handcuffs attached to belly-chains or transport belts should be used when available. These circumstances are, but not limited to:
 - A. The prisoner is physically incapable of placing his hands behind his back;
 - B. The prisoner is handicapped to the extent that placing his hands behind his back is unwarranted; or,
 - C. The prisoner is sick or injured to the extent that placing the hands behind the back would be impractical, exacerbate the illness or cause additional injury.
3. Officers shall have discretion should he/she decide not to handcuff an individual due to, but not limited to, age, physical limitations, offense committed and cooperation.
4. Only when absolutely necessary will two prisoners be handcuffed together.
 - A. Male prisoners will not be handcuffed to female prisoners except when immediate movement from the scene is of primary importance.
 - B. Adults will not be handcuffed to juveniles.
5. Mentally ill persons will be handcuffed when behavior is unpredictable or past contact indicates a potential for violence. Use of handcuffs should be tactfully explained to the person and/or family member where feasible.
6. Prisoners will not be handcuffed to any part of the transporting vehicle or any immovable object, unless it is designed and intended for such use.
7. In all instances in which a subject has been handcuffed the officer's report will so indicate. All injuries resulting or claimed to be caused by the handcuffs will be clearly explained in the officer's report and a supervisor will be notified. All Use of Force-Response to Resistance procedures and reporting forms must be completed as out-lined in General Order 2.02 Use of Force-Response to Resistance Reporting
8. All prisoners claiming handcuff injuries will be afforded medical attention. Photograph(s) of the area of the reported injury should be taken.
9. Prisoners being transported for an extended period of time or if circumstances warrant it, the officer may use handcuffs attached to belly-chains or transport belts. The use of ankle cuffs may also be used if needed.

IV. DISCIPLINE:

1. Any violation of this policy may be grounds for disciplinary action consistent with any applicable collective bargaining agreement, statute, Department policy or Town policy.

Issued by: _____

Donald Hull
Chief of Police