

## Handcuff Policy

### 354.1 PURPOSE AND SCOPE

This procedure provides guidelines for handling situations involving handcuffing during detentions and arrests. This policy is also applicable to Flexcuffs, which will be considered synonymous with handcuffs for purposes of this policy.

### 354.2 HANDCUFFING POLICY

Generally speaking, it shall be the policy of the Barstow Police Department that ALL arrestees are to be handcuffed behind their backs when an arrest has been made and the suspect is to be transported to the jail facility, Barstow Police Station, or other location dictated by the investigation. It is understood that certain situations develop which would make handcuffing behind one's back, or even handcuffing at all, unreasonable. Possible exceptions are:

- Elderly or infirm suspects.
- The age of the minor suspect.
- 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.

Officers are expected to use good judgement when evaluating whether or not to handcuff a prisoner. Officers shall take into consideration their own safety, as well as control of the suspect, when making the decision not to handcuff a prisoner.

Officers should endeavor to use a different set of handcuffs for each suspect; but if additional handcuffs are unavailable, one set may be used on two suspects. Remember to use proper handcuffing procedures when handcuffing two persons together (right hand to right hand). There are three exceptions to this rule:

- Do not handcuff a minor to an adult.
- Do not handcuff a female to a male.
- Do not handcuff a violent suspect or a suspect believed to be under the influence of PCP to another.

#### 354.2.1 IMPROPER USE OF HANDCUFFS

Handcuffing is never done to punish, to display authority, or as a show of force. Persons are handcuffed only to restrain their hands to ensure officer safety. When practical, handcuffs shall be double locked to prevent tightening which may cause undue discomfort or injury to the hands or wrists.

# Barstow Police Department

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### 354.2.2 JUVENILES

Juveniles 14-years of age or older may be handcuffed when the act committed is of a felonious nature or when their acts have amounted to crimes where the officer has a reasonable suspicion the suspect may have a desire to escape, injure themselves, injure the officer, or destroy property.

Juveniles under 14-years of age generally will not be handcuffed unless their acts have amounted to a dangerous felony or when they are of a state of mind which suggests a reasonable probability of their desire to escape, injure themselves, the officer, or to destroy property.

### 354.2.3 HANDCUFFING OF DETAINEES

Situations may arise where it may be reasonable to handcuff an individual who may, after subsequent investigation, be released prior to arrest. Such a situation is considered a detention, rather than an actual arrest. Unless arrested, the use of handcuffs on detainees should continue for only as long as is reasonably necessary to assure the safety of officers and others. Officers should continuously weigh the safety interests at hand against the intrusion upon the detainee when deciding to remove handcuffs from a detainee.

When an individual is handcuffed and released without an arrest, and a report has been generated as a result of the incident, the officer shall document the details of the detention and need for use of handcuffs within the report. When an individual is handcuffed and released without an arrest, and a report is not required, the officer shall document in the Computer Aided Dispatch (CAD) report that the suspect was detained in handcuffs.

### 354.2.4 HANDCUFFING OF PREGNANT ARRESTEES

No arrestee who is in labor shall be handcuffed or restrained by the wrists, ankles or both unless it is reasonably necessary for the safety of the arrestee, officers or others (Penal Code § 6030).