

**SUPERIOR COURT OF THE DISTRICT OF COLUMBIA
ADMINISTRATIVE ORDER 15-07**

Individual Determinations for the Use of Restraints on Respondents

WHEREAS, pursuant to D.C. Code § 16-2301.02, the purpose of the delinquency system is to deal with the problem of juvenile delinquency while treating children as children in all phases of their involvement, to place a premium on their rehabilitation, and to provide for the safety of the public;

WHEREAS, the decision of whether to restrain respondents during juvenile court proceedings impacts courtroom security, personnel resources, and judicial administration;

WHEREAS, the vast majority of jurisdictions have abandoned the indiscriminate use of restraints in juvenile cases through changes to court rules, amendments to institutional policies, or through statutory reform;

WHEREAS, no court rule, institutional policy or statute in the District of Columbia addresses the use of restraints on respondents during juvenile court proceedings; and it is most appropriate that decisions on the use of restraints depend on individual determinations; and

WHEREAS, the term “restraints” means any device used to control or bind the movement of a person’s body or limbs.

NOW, THEREFORE, it is by the Court,

ORDERED, that the Family Court will make an individualized determination on the use of restraints at initial hearings for cases brought under Title 16, Chapter 23, of the D.C. Code. It is further,

ORDERED, that respondents will remain in restraints while they are transported in the courthouse through secure corridors. It is further,

ORDERED, that respondents will remain in restraints when they enter the courtroom before the Family Court makes an individualized determination on the use of restraints. It is further,

ORDERED, that the Family Court will provide respondents with an opportunity to contest the use of restraints when making an individualized determination. It is further,

ORDERED, that counsel may waive the appearance of a respondent who does not wish to enter the courtroom in restraints until after an individualized determination has been made. It is further,

ORDERED, that the Family Court may receive information relevant to the determination of the use of restraints from the agency, or agencies, charged with supervision or custody of the child. It is further,

ORDERED, that the Family Court will make an independent and individualized determination on the use of restraints. It is further,

ORDERED, that the Family Court will order the removal of restraints, unless the Family Court finds that there is reason to believe that the use of restraints is necessary for the safety of the respondent or others, or to prevent flight. It is further,

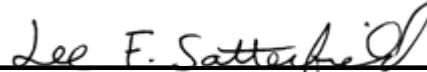
ORDERED, that when the use of restraints is ordered, the Family Court will make written findings of fact in support of the order. It is further,

ORDERED, that this Administrative Order shall take effect on April 6, 2015.

SO ORDERED.

BY THE COURT:

DATE: April 3, 2015



Lee F. Satterfield
Chief Judge

Copies to:

Judges
Magistrate Judges
Executive Officer of the Court
Clerk of the Court
Division Directors
Defender Services Branch Chief
Council of the District of Columbia, Chairman of the Committee on the Judiciary
Council of the District of Columbia, Chairman of the Committee on Education
Attorney General of the District of Columbia
Director of the Public Defender Service
Director of the Department of Youth Rehabilitation Services
United States Marshals
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