



Policy Name:	HANDCUFFING A PERSON		
Policy #:	OP 3.1.1	Last Updated:	2022-03-03
Issued By:	COMMUNITY POLICING BUREAU	Approved By:	SURREY POLICE BOARD
		Review Frequency:	AS REQUIRED

RELATED POLICIES

AD 7.1 Training Standards – Use of Force

OP 2.1 Use of Force

OP 3.1 Arrest and Detention

OP 7.5 Responsibility for Prisoners

1. PURPOSE

1.1. To ensure the safety of the public, the safety of Surrey Police Service (SPS) Members, and the safety of persons in custody.

1.2. To provide direction to Members with respect to handcuffing persons in custody.

2. SCOPE

2.1. This policy applies to all SPS Members.

3. POLICY

3.1. The use of handcuffs or other restraints to restrain a person is a use of force (see OP 2.1 *Use of Force*).

3.2. A Member who uses force in the course of their duties is legally responsible for the force that is applied.

3.3. The arrest or detention of a person by itself does not always provide grounds to handcuff or restrain.

3.4. The use of handcuffs to restrain a person must be:

- i. objectively reasonable in the circumstances;
- ii. proportionate to the potential risk or harm the Member seeks to prevent; and
- iii. necessary to fulfill a legitimate policing objective.

3.5. Members must, where practicable, maintain the dignity of the arrested, detained, or apprehended person, and take such steps as are reasonable in the circumstances.

4. PROCEDURE

4.1. To carry and use handcuffs, Members must have received instructional training approved by the Operational Skills Unit. Members must have successfully qualified in the use of handcuffs every three years as required by the BC *Provincial Policing Standards* (see AD 7.1 *Training Standards – Use of Force*).

4.2. Members must conduct a risk assessment and be able to articulate the specific circumstances that require the use of handcuffs to restrain a person. Taking into account all of the circumstances, Members must have reasonable grounds to believe that the use of handcuffs or restraints is necessary to:

- i. protect the public, the Member(s), and the person from harm;
- ii. prevent the person from attempting to leave;
- iii. locate and preserve evidence related to the reason for the person's arrest; and
- iv. where the law permits, facilitate the search of a detained or apprehended person.

4.3. When deciding to handcuff an arrested, detained, or apprehended person, Members must consider the following relevant factors:

- i. the seriousness of the offence or reason for the detention;
- ii. factors unique to the person including:
 - a. age (e.g., older adults or young persons);
 - b. disabilities (physical or mental);
 - c. medical conditions (e.g., pregnancy, recent surgery);
 - d. injuries; and
 - e. size (e.g., severe obesity).
- iii. all of circumstances including any other consideration the Member believes is objectively reasonable to their handcuffing decision (e.g., such as a decision to handcuff the person with their hands in front instead of behind their back).

4.4. Members must not handcuff a child who is apparently under the age of 12 years unless:

- i. all other options have been exhausted or assessed by the Member as inappropriate (e.g., Crisis Intervention and De-Escalation (CID) techniques); and
 - ii. the Member has reasonable grounds to believe that the child must be restrained to prevent immediate harm to the child or others.
- 4.5. Members are responsible for an ongoing assessment of whether it is necessary or appropriate to continue a person's restraint with handcuffs.
- 4.6. Unless is it unsafe to do so, the Member applying handcuffs to a person must ensure:
 - i. there is sufficient space between the handcuffs and the person's wrists;
 - ii. that the handcuffs are double locked; and
 - iii. that they respond promptly to a complaint about the tightness of handcuffs with a physical and visual inspection.
- 4.7. Members shall only use SPS-approved handcuffs unless exigent circumstances (e.g., an unplanned mass arrest) require alternative restraints such as SPS-approved Disposable Restraint Devices. When Disposable Restraint Devices are used, at least one Member who is present must have a tool suitable for cutting and removing the Disposable Restraint Device.
- 4.8. If there are no exigent circumstances (e.g., mass arrests), Members must not handcuff a person to a fixed object or another person.
- 4.9. Members are responsible for the well-being and protection of persons in their custody (see OP 7.5 *Responsibility for Prisoners*). Accordingly, the arresting Member must:
 - i. maintain visual continuity over the person they have handcuffed until they are released or the Member has relinquished care of the person to the safekeeping of another Member; and
 - ii. be aware of the length of time the person remains in handcuffs and be responsive to the potential need to remove the handcuffs as soon as practicable.
- 4.10. Members must record the use of handcuffs to restrain a person in a General Occurrence (GO) Report or their issued notebook.
- 4.11. Members are responsible for handcuffs in their possession and must ensure that prior to each use, the handcuffs are:
 - i. clean and lubricated as necessary (using department issued supplies only);
 - ii. inspected visually for damage; and
 - iii. functioning properly (in accordance with training provided by the Operational Skills Unit).

APPENDIX A: DEFINITIONS

“Crisis Intervention and De-Escalation (CID) techniques” are verbal and non-verbal communication techniques applied to seek to prevent the requirement to use force.

“Disposable Restraint Device” is designed to be back-up Handcuffs and a fast means of securing prisoners in a mass arrest situation. These one-time use Handcuffs can be made from various materials and are disposable after one use as they must be cut from the subject’s wrists using an appropriate cutting tool.

“Handcuffs” are restraint devices designed to secure an individual's wrists in proximity to each other. They are comprised of two ring-shaped cuffs, linked together by a short chain. Each cuff has a rotating arm which engages with a ratchet that prevents it from being opened once closed around a person’s wrist. Once applied, the cuff can only be removed by key.

“Member” means a sworn Police Officer appointed by the Surrey Police Board.

“Restraint” means any mechanical device or system that when used in its ordinary and intended manner partially or completely restricts the normal physical activity or range of motion of an individual.

APPENDIX B: REFERENCES

British Columbia *Provincial Policing Standards 1.2.3 - Restraints*