

WEBER COUNTY SHERIFF'S OFFICE		POLICY AND PROCEDURES	
SUBJECT: Restraints in Court		CHAPTER/SECTION NO.: 49.4	
EFFECTIVE DATE:10/7/03		REVIEW DATE:	
AMENDS/SUPERSEDES: See attached sheet		APPROVED: <b>** See Master File</b> Sheriff	
STANDARD NUMBER: 73.3.2			

#### 49.4 Policy

- 49.4.1 All defendants that are in custody, will be restrained in the courtroom unless otherwise directed by the Judge.
- A. No non-custody defendant of any sex, race, or having committed any offense, will be subjected to any mechanical restraint within the courtroom proper unless otherwise directed by the Judge.
  - B. If the court officer feels restraints are necessary for a non-custody defendant, the deputy must notify the court in advance of the appearance as to why restraint is necessary. The deputy will explain the potential threat, escape risk, method of restraint required, and any other information necessary when making the request.
- 49.4.2 Requests by the Judge for the removal of restraints will be handled on a case by case basis and the Courts Section supervisor should be notified of each such request as soon as possible.
- 49.4.3 All in custody defendants will be restrained with handcuffs while being transported to and from court and while in the courtroom proper. A jury trial defendant who will be accompanied by a plain clothes officer will not be restrained with handcuffs but may be restrained with a concealed restraint that does not cause undue notice by anyone in the courtroom. If the Judge requests restraints

be removed deputies will follow the guidelines described in the Judicial Services Court Security Policy and Procedures Manual.

- 49.4.4 When removing or adjusting the restraints of an inmate in the courts or holding cells of the court building there will be two court officers/deputies in the immediate area, both being aware of an unrestrained prisoner, and all weapons will be secured in a gun locker.
- 49.4.5 Use of restraints by the court officer while in the Weber County Courts, is addressed in the Judicial Services Bureau Court Security policy and procedures manual.