

37 Tex. Admin. Code § 273.6

Section 273.6 - Restraints

Inmates exhibiting behavior indicating that they are a danger to themselves or others shall be managed in such a way as to minimize the threat of injury or harm. If restraints are determined to be necessary, they shall be used in a humane manner, only for the prevention of injury, and not as a punitive measure.

- (1) The decision to apply restraints shall be made by supervisory or medical personnel. Appropriate staff should assess the inmate's medical condition.
- (2) Restraints should restrict movement of an inmate only to the degree necessary to avoid injurious behavior. Soft or padded restraints should be used when feasible. Inmates shall not be restrained in a position or manner that would exacerbate any physical infirmities.
- (3) A documented observation of the inmate shall be conducted every 15 minutes, at a minimum. The observations should include an assessment of the security of the restraints and the circulation to the extremities.
- (4) The inmate should receive medical care a minimum of every 2 hours, to include changing position, exercising extremities, offering nourishment and liquids, offering toilet facilities, checking for medication needs, and taking vital signs. These checks shall be documented.
- (5) Documentation of use of restraints shall include, but not be limited to the following: the events leading up to the need for restraints, the time the restraints were applied, the justification for their use, observations of the inmate's behavior and condition, the 15-minute checks and the time the restraints were removed.
- (6) A jail shall not use restraints on an inmate confirmed to be pregnant or who gave birth in the preceding 12 weeks for the duration of the pregnancy and for a period of not less than 12 weeks after the inmate gives birth:
 - (A) unless supervisory personnel determine that the use of restraints is necessary to prevent an immediate and credible risk that the inmate will attempt to escape; or the inmate poses an immediate and serious threat to the health and safety of the inmate, staff, or any member of the public; or
 - (B) unless a health care professional responsible for the health and safety of the inmate determines that the use of restraints is appropriate for the health and safety of the inmate and, if applicable, the unborn child of the inmate.
- (7) If the determination to utilize restraints in accordance with paragraph (6)(A) or (B) of this section is made, a jail shall use the least restrictive restraints necessary to prevent escape or to ensure health and safety; and at the request of a health care professional responsible for the health and safety of the inmate, jail staff shall refrain from using restraints on the inmate or shall remove the restraints.
- (8) Notwithstanding paragraph (6)(A) of this section, at the request of a health care professional responsible for the health and safety of the inmate, jail staff shall refrain from using restraints on the inmate or shall remove the restraints.
- (9) Use of restraints on pregnant inmates shall be documented and submitted as required by § 269.50 of this title (relating to Restraints on Pregnant Inmates).
- (10) Restraints shall be removed from an inmate at the earliest possible time that the inmate no longer exhibits behavior necessitating restraint. In no case shall an inmate be kept in restraints longer than 24 hours.

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