

**SUPERIOR COURT OF THE DISTRICT OF COLUMBIA
ADMINISTRATIVE ORDER 16-09**

**Individual Determinations for the Use of Restraints on Respondents
(Supersedes Administrative Order 15-07)**

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 all hearings for cases brought under Title 16, Chapter 23, of the D.C. Code, in which a person is transported from a secure facility in restraints. It is further,

ORDERED, that respondents will remain in restraints while they are transported in the courthouse. 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 raise the issue before every hearing in which restraints may be involved and 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,

