

Policy on Use of Restraints for Involuntary Transport of Individuals in the Care and Custody of the Commissioner of the Department of Mental Health

Effective:

Policy Statement

The transport and escort for individuals in the custody of the Commissioner of Mental Health ("Commissioner") shall be done in a manner which prevents physical and psychological trauma, respects the privacy of the individual, and represents the least restrictive means necessary for the safety of the individual while ensuring the safety and security of deputies, transport specialists, healthcare staff, and the public

Individuals under the care and custody of the Commissioner need specialized treatment for mental illness or trauma. As such, they should be treated as individuals and not as criminals. Even if an individual has a criminal charge or conviction, the Contractor can keep everyone safe, including themselves, while transporting in a way that is consistent with a medical/patient approach. However, DMH recognizes there may be times under very specific circumstances it will be necessary to utilize restraint techniques and equipment which are restrictive and controlling.

Adult Involuntary Transportation

It is the policy of the Department of Mental Health that the primary and default restraints for transporting mental health crisis patients will be **SOFT/NYLON RESTRAINTS**.

The Contractor shall also make it a priority to utilize an unmarked vehicle, wearing civilian clothing, when conducting mental health transports.

Please refer to the Department of Mental Health's Involuntary Transportation Manual and Standards for more detailed information.

Children and Youth Transportation

It is the policy of the Department of Mental Health that all involuntary transports of children and youth are to be done whenever possible by parents, guardians, ambulance teams, mental health transport staff in safe vehicles, or specially designated-sheriff alternative vans in plain clothes.

Should a restraint be necessary by Contractor, it is the policy of the Department of Mental Health that the primary and default restraints for transporting mental health crisis patients will be **SOFT/NYLON RESTRAINTS**.

When a child under the age of ten (10) in the custody of the Commissioner of Mental Health (Involuntary Status) is transported by sheriffs and it is proposed that this child will be transported with any restraint, approval from the Commissioner of Mental Health or his/her designee is required. Contractor must call the Vermont Psychiatric Care Hospital (VPCH) Admissions Department to request Commissioner/designee approval. VPCH Admissions is available 24-hours a day at 802-828-2799.

Please refer to the Department of Mental Health's Involuntary Transportation Manual and

Standards for more detailed information.

EXCEPTIONS

On a case-by-case basis, the sheriff can make exceptions to the soft restraint restriction. The authority to waive the soft restraint requirement and allow the use of metal/hard restraints shall be retained only by the sheriff and shall not be delegated.

The sheriff shall only waive the soft/nylon restraint requirement under very limited circumstances which must be documented in writing. If a transport team determines that metal/hard restraints are indicated, they shall call the sheriff and articulate in detail why the transport should be conducted in metal restraints. Exemption requests must be based on a recent and/or demonstrated history or known propensity for violence, reporting or information from a clinical staff risk analysis, or other credible sources.

A waiver will not be granted because soft-restraints are not immediately available.