

## SECLUSION AND RESTRAINT STATUTES, REGULATIONS, POLICIES AND GUIDANCE

### Louisiana

No state statute or regulations addressing seclusion and restraint.

No policies or guidance addressing seclusion and restraint.

Considering developing legislation or policy, or both.

### **When a child wants to inflict bodily harm upon themselves it should always be taken seriously**

Suicide: Death caused by self-directed injurious behavior with any intent to die as a result of the behavior.

Suicide attempt: A non-fatal self-directed potentially injurious behavior (may or may not result in injury) with any intent to die as result of the behavior.

Suicidal ideation: Thoughts of suicide that can range in severity from a vague wish to be dead to active suicidal ideation with a specific plan and intent.

### **School Safety and Security Goal**

**Our goal is ensure the safety of all students, staff and visitors and to preserve life.**

# Use of Force Continuum



## Force Continuum

The concept of a force continuum has been around for years and is still taught at most police academies. The force continuum is broken down into six broad levels. Each level is designed to have an elastic factor as the need for force changes as the situation evolves. It is common for the level of force to go from level two, to level three, and back again in a matter of seconds.

### Level One

**Officer Presence.** The mere presence of a highly visible uniform security officer or marked vehicle is often enough to stop a crime in progress or prevent future crime. Included in officer presence are standing, walking, running, and use of vehicle lights, horn, or speaker. Without saying a word, an alert officer can deter crime or direct criminals away from a property by use of body language and gestures. At this level gestures should be non-threatening and professional.

### Level Two

**Verbal Communication.** Used in combination with a visible presence, the use of the voice can usually achieve the desired results. Words can be whispered, used normally, or shouted to be effective. The content of the message is as important as your demeanor. It's always best to start out calm but firm and non-threatening. Choice of words and intensity can be increased as necessary or used in short commands in serious situations. The right combination of words in combination with officer presence can de-escalate a tense situation and prevent the need for a physical altercation. Training and experience improves the ability of a security officer to communicate effectively with everyone including the police.

### Level Three

**Control Holds & Restraints.** Certain situations may arise where words alone does not reduce the aggression. Sometimes Security officers will need to get involved physically. At this level, minimal force would involve the use of bare hands to guide, hold, and restrain. This does not include offensive moves such as punching, tackling, and choking. Pain compliance holds could apply here, but only after ordinary holds fail to control an aggressive suspect.

A baton or PR-24 can only be used at this level as a self-defense mechanism to block blows or temporarily restrain a suspect. Handcuffs can be used a restraint devise only if the security officer has been trained to do so. Not every person needs to be handcuffed. They should only be used on a person who exhibits aggression, poses a real threat or where flight is a real possibility. Handcuffs should not be applied too tightly and should be double-locked when safe to do so. Once a person is handcuffed the security officer is responsible to see that they don't trip or fall. It is also important not to pile on top or place the handcuffed suspect face down on the ground to avoid "positional asphyxiation". Hog-ties "rope" should **not** be used by security officers.

### Level Four

**Chemical Agents.** Sometimes when the suspect is violent or threatening, more extreme, but non-deadly measures must be used in defense to bring the suspect under control or affect an arrest. Before moving to level four, it is assumed that other less physical measures had been tried or was deemed inappropriate. When used by surprise, pepper spray and tear gas is an excellent distraction, allowing the security officer time to get away, call the police, or subdue the suspect. Contrary to

media advertising, pepper spray does not have stopping power or cause paralysis. An assailant can still grab you, punch you, stab you, or shoot you and will definitely be angrier after being sprayed. Also, tear gas may not be effective on the insane, addicts, intoxicated or hysterical persons. See my web page on Tear Gases (CN, CS, OC), which can be hand-held, hand-thrown, or propelled. Security officer's usually only get involved with hand-held canisters containing pepper spray. Pepper spray should not be used to protect property or to enforce business rules. Remember it's a defensive weapon. Pepper sprays need to be directed in the suspect's face for maximum result and not sprayed wildly at groups of people. Even though considered non-deadly, chemical sprays can cause severe reaction and even death to a suspect with medical or allergic conditions. Also, pepper sprays have a blinding effect and care must be used that spray victims do not fall down stairs or walk into traffic or operate motor vehicles.

## Level Five

**Temporary Incapacitation.** To use force under level five means that the situation was so extreme, violent, and immediate that it was necessary to temporarily incapacitate a suspect prior to arrival of the police. This includes the use of all methods of non-deadly force beginning with the empty hand up through and including impact tools. At level five, properly used defensive and offensive moves are allowed under the right circumstances. Choke holds and carotid neck holds can be used, but at great risk. Although still taught at many police academies, neck compressions are very risky and used only in extreme situations. Baton blows to the suspect's head or throat can be deadly and inconsistent with professional training standards. Temporary incapacitation is used to stop a suspect from injuring you or others long enough to handcuff and restrain them. Baton blows to soft tissue and certain joint areas are all consistent with professional security training standards and POST.

Stun guns are part of level five, but should not be used by security officers except on special posts and only by those authorized and trained in the use and effects of the device. Stun guns are held-held devices and some like the Air-Taser propel charged darts on leads at a suspect.

**Deadly Force.** When you are in immediate fear of death or great bodily injury at the hands of a perpetrator you are authorized to use deadly force in most states. Check your state laws to be sure. Deadly force can be applied by your hands, impact tools, or with a firearm. There are no rules, other than negligence, for applying deadly force when it's justified. However, deadly force is the highest standard and must be justified. This force continuum will be considered in the aftermath as a test to see if other alternatives were used first or were more appropriate. For security officers, use of the firearm is the most troublesome because of the range of the bullet. You may be justified in shooting a suspect standing in front of you, but not justified for wounding innocent bystanders two blocks away. Similarly, you may have been justified in shooting a suspect charging at you with a knife, but not justified after he turns to run away. Handguns should never be pulled and brandished as a deterrent or be used as a control tool under level three.