

(b) In situations under sub. (3) (a), by the senior staff member present at the time and place; and

(c) In all situations under sub. (4), by the superintendent or deputy superintendent, or, if neither is present at the institution, the security director or, if that person is not available, the assistant superintendent on call or in charge of the institution.

(10) APPLICATION. Chemical agents may be employed only by a trained supervisor or staff member. When a chemical agent is used in a situation under sub. (4), the use shall be under the immediate supervision of a supervisor. Each institution shall ensure that every staff member authorized to use chemical agents is properly trained in their use.

(11) MEDICAL ATTENTION AND CLEAN-UP. As soon as possible after a chemical agent has been used, all inmates who have been exposed to the chemical shall be examined by the medical staff. These inmates shall have their eyes cleaned with water and be provided with a change of clothing. Exposed living quarters shall have bedding and mattresses changed and shall be thoroughly cleaned. Whenever CS is used, exposed inmates shall be offered an opportunity to shower.

(12) INCIDENT REPORT. As soon as possible following the use of a chemical agent, an incident report shall be submitted to the director of the division's bureau of adult institutions. The incident report shall be as thorough as possible, describing:

- (a) The problem leading to the use of the chemical agent;
- (b) The steps taken prior to the use of the chemical agent;
- (c) Why those steps were inadequate; and
- (d) Measures taken following the use of the chemical agent.

History: Cr. Register, August, 1980, No. 296, eff. 9-1-80; r. and recr. October, 1984, No. 346, eff. 11-1-84.

HSS 306.09 Mechanical restraints for transportation of inmates. Mechanical restraints, including handcuffs, handcuffs with restraining belt or chain, restraining chain, leg restraints, leather and plastic restraints may be used in transporting an inmate within an institution or outside an institution, in accordance with ch. HSS 302. Only commercially manufactured restraining devices may be used.

History: Cr. Register, August, 1980, No. 296, eff. 9-1-80.

HSS 306.10 Use of mechanical restraints to immobilize inmates. (1) Mechanical restraints to confine inmates to their beds may be used only in the following circumstances:

(a) To protect correctional staff and inmates from an inmate who poses an immediate risk of physical injury to others unless restrained; and

(b) To protect an inmate who poses an immediate threat of physical injury to himself or herself unless restrained. An inmate may be placed in restraints only with the express authorization of the shift supervisor.

(2) Mechanical restraints shall never be used:

- (a) As a method of punishment;

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(b) About the head or neck of the inmate;

(c) In a way that causes undue physical discomfort, inflicts physical pain, or restricts the blood circulation or breathing of the inmate.

(3) When an inmate is placed in restraints, the following procedure shall be followed:

(a) The shift supervisor shall so notify the clinical services unit supervisor, the crisis intervention worker, or the licensed clinician on call, and a member of the medical staff. They shall interview the inmate and arrange for a physical and mental examination as soon as possible. They shall recommend to the superintendent, based on their interview and the examinations, whether the inmate should remain in restraints. If the superintendent approves the recommendation, it shall be followed. If not, he shall, as soon as possible, refer the issue to the directors of the bureaus of institutions and clinical services, who shall decide whether the inmate shall remain in restraints.

(b) A correctional staff member shall observe any inmate in restraints every 15 minutes.

(c) If possible, inmates should be released from restraints to perform bodily functions and for meals. Three staff members, one of whom shall be a security supervisor, must be present before such release may occur.

(d) A record must be kept of persons placed in restraints and it shall include:

1. The inmate's full name, number, and date;
2. The names of the staff members and supervisor present when the inmate was placed in restraints;
3. The reasons for placing the person in restraints;
4. The times that the inmate was checked, the name of the person making the check, and comments on the individual's behavior while in restraints;
5. The times the inmate was placed in restraints and removed;
6. Medication given; and
7. The names of staff visitors, the times of their visits, and any written comments they make.

(e) No inmate shall remain in restraints for longer than 12 hours, unless the inmate is examined by a licensed psychologist or psychiatrist or the crisis intervention worker, who shall make a recommendation to the superintendent as to whether the person should remain in restraints. Such an examination shall occur at least every 12 hours an inmate is in restraints.

(4) Institutions shall maintain a supply of restraining devices which shall be periodically examined. Any excessively worn or defective restraint devices shall be removed from the supply. Only commercially manufactured restraining devices may be used.

History: Cr. Register, August, 1980, No. 296, eff. 9-1-80; correction in (3)(a) made under s. 13.93 (2m) (b) 6, Stats, Register, April, 1985, No. 352.

Register, April, 1985, No. 352