

THE TWENTY-SECOND JUDICIAL DISTRICT: DOLORES AND MONTEZUMA COUNTIES

ADMINISTRATIVE ORDER 2015-01

CONCERNING JUVENILE RESTRAINTS IN THE COURTROOM

Whereas, in-custody juvenile delinquency defendants frequently appear in court wearing physical restraints; and

Whereas, said physical restraints may be contrary to the restorative and rehabilitative purposes of the juvenile justice system; and

Whereas, the safety of the juvenile, other participants, or the public may call for a particular juvenile to be physically restrained while in the courtroom; and

Whereas, the Court has the inherent power and obligation to maintain a safe and orderly courtroom,

Therefore, the undersigned Chief Judge sets forth the following policy of the Twenty-Second Judicial District, effective immediately:

The judicial officer handling an in-custody juvenile delinquency case shall decide whether the juvenile is to appear in court wearing physical restraints. The judicial officer's decision shall be made on a case-by-case basis for each in-custody juvenile. The judicial officer may base his/her decision on screening assessments and reports provided by the DeNier Youth Services Center and/or the local Senate Bill 94 Coordinator, the charges and allegations of the juvenile's pending case(s), and the juvenile's history, if any. The judicial officer's decision is not subject to argument by counsel or respondent(s) and shall be relayed to the law enforcement agency

transporting the juvenile. It is presumed that most juveniles will not require the use of physical restraints while in the courtroom.

This Order is limited to whether the juvenile must wear physical restraints when entering the courtroom and while in the courtroom. The law enforcement agency transporting the juvenile maintains full discretion in determining the physical restraints necessary to safely transport the juvenile to and from the courthouses in the district.

SO ORDERED on this 10th day of March, 2015,



Douglas S. Walker
Chief Judge, 22nd Judicial District