



# Restraints in Juvenile Court Discussion

August 6, 2020  
12:00 p.m. - 2:00 p.m.



Disclaimer: The materials in this tool kit should not be construed as an advisory or ruling by or from the Supreme Court of Texas on specific cases or legal issues. These materials are solely intended to address the improvement of the law, the legal system, and the administration of justice. The information included in this report was published in March 2021.

## Participant List\*

\*Please note, this list reflects the organization and affiliation of participants on the date of the meeting.

### **Facilitator**

– Hon. Gary Coley, Judge, 74th District Court

### **Attendees**

- Laura Angelini, General Administrative Counsel, Bexar County Juvenile District Courts
- Hon. Renee Betancourt, Judge, 449th District Court
- Amy Bruno, Chief of Staff for Representative Gene Wu, Texas House of Representatives
- Hon. Darlene Byrne, Judge, 126th Civil District Court
- William Carter, Chief Juvenile Probation Officer, Lubbock County Juvenile Probation
- Louis Castillo, Director of Detention, El Paso Probation Department
- Cathy Cockerham, Liaison for Program Development, Texas Court Appointed Special Advocates
- Molly Davis, Staff Attorney, Judicial Commission on Mental Health
- Hector Gomez, Office of Court Administration, Court Security Director
- Henry Gonzales, Executive Director, Harris County Juvenile Probation Department
- H. Lynn Hadnot, Executive Director, Collin County Juvenile Probation Services
- Durrand Hill, Chief Prosecutor Juvenile Division, Dallas County District Attorney's Office
- Chris Hubner, General Counsel, Travis County Juvenile Probation
- Tarsha Jackson, Parent Advocate, Urban Community Network
- Hon. Lisa Jarrett, Judge, 436th District Court
- Karl Johnson, Deputy Chief, Bexar County Juvenile Probation
- Hon. Cheryll Mabray, Judge, Child Protection Court of the Hill Country
- Bennie Medlin, Director, Tarrant County Juvenile Services
- Brett Merfish, Director of Youth Justice, Texas Appleseed
- Chief Jay Monkerud, Chief Juvenile Probation Officer, Caldwell County Juvenile Probation
- Hon. Valencia Nash, Judge, Justice of the Peace 1-2, Dallas
- Lauren Rose, Director of Public Policy, Texas Network of Youth Services
- Kristina Sandoval, Training & Personnel Coordinator, Brazoria County Juvenile Justice Dept.
- Lou Serrano, Deputy Executive Director, Probation Services, Texas Juvenile Justice Department
- Hon. Leah Shapiro, Judge, 315th District Court
- Hon. Randy Shelton, Judge, 279th Civil District Court
- Dr. Sherri Simmons-Horton, Assistant Professor, University of Texas at San Antonio
- Kaci Singer, Deputy General Counsel for County Matters, Texas Juvenile Justice Department
- Matt Smith, Asst. Executive Director & Director of Mental Health Services, Williamson County Juvenile Services
- Stephanie Stevens, Clinical Professor, St. Mary's University School of Law
- Hon. Cyndi Wheless, Judge, 417th District Court
- Representative James White, State Representative, Texas House of Representatives
- Lynne Wilkerson, Chief Juvenile Probation Officer, Bexar County Juvenile Probation Department
- Representative Gene Wu, State Representative, Texas House of Representatives

### **Children's Commission Staff**

– Jamie Bernstein, Executive Director

## I. Meeting Overview & Legislative Background

This meeting's format changed from in-person in April 2020 to fit an abbreviated, virtual format in August 2020 due to the COVID-19 pandemic.

Judge Gary Coley, Judge of the 74th District Court in McLennan County and Commissioner on the Supreme Court of Texas Children's Commission, facilitated the meeting. Judge Coley provided an overview of the goals for the meeting including:

- Conducting an inventory of practices across Texas regarding the use of restraints in juvenile court to ensure there is an accurate picture of the use of restraints;
- Creating a neutral and common space for dialogue and an opportunity for civil discourse on this complex topic; and
- Laying the foundation for developing workable, consistent statewide guidance on the use of restraints in juvenile court.

HB 2737 (86<sup>th</sup> Leg. Session) added the following provisions in Texas Government Code Section 22.0135 related to restraints in juvenile court (included in relevant part below):

- *The Supreme Court, in conjunction with the Supreme Court of Texas Permanent Judicial Commission for Children, Youth and Families, annually shall provide guidance to judges who preside over child protective services cases or juvenile cases to establish greater uniformity across the state for:*
  - *(2) in juvenile cases, issues related to:*
  - *(D) a child's appearance before a court in a judicial proceeding, including the use of a restraint on the child and the clothing worn by the child during the proceeding; and*
- *The supreme court shall adopt the rules necessary to accomplish the purposes of this section.*

Representative Gene Wu authored HB 2737 and noted at the meeting that the bill was intended to provide courts with the opportunity to provide guidance on this issue rather than mandating a uniform solution statewide. Representative James White added that it is important to focus on constitutional considerations and ensure fairness for the youth impacted. Representative White cited the case of *Lainey v. State*, 117 S.W.3d 854 (2003), and urged participants to extend the presumption against shackling to apply to youth.

## II. Scope of the Discussion

The purpose of the meeting was to discuss the use of restraints in juvenile court. There are several fundamental terms and concepts that informed the scope of the discussion during the meeting. **Restraints** refer to both handcuffs that restrain a youth's wrists and hands, ankle restraints that limit leg movement, and body chains that connect hand and leg restraints. Another term sometimes used to describe the use of restraints is shackling. **Court** generally refers to in-person hearings and a physical appearance in the courtroom. Participants discussed virtual hearings required in response to COVID-19, however, the focus of the meeting was on the use of restraints during in-person proceedings. Although HB 2737 referenced above also contemplates guidance about the clothing worn in court, the discussion centered on the use of restraints as a threshold issue.

## III. Reducing Restraints: A Local Example

Judge Leah Shapiro of the 315<sup>th</sup> District Court shared the background and history on the use of restraints in her court in Harris County. She noted that historically, juveniles in Houston were shackled indiscriminately regardless of history, offense, or age. For example, an eleven-year-old youth arrested for cell phone theft would appear in court in "all fours" meaning hands and feet in restraint connected by a chain, the same restraints used for transport.

Judge Shapiro noted that a youth's experience in restraints, or a parent's experience seeing their child in restraints, can be traumatic and it was a priority to change this practice when she took the bench in 2018. The first step was to assemble all the stakeholders involved so that the practice change would be effective. This included each of the three law enforcement entities impacted: Harris County Precinct 1, the Sheriff's Office, and the Juvenile Probation Department.

In May 2019, the court initiated an effort to stop indiscriminate shackling, which Judge Shapiro defined as the use of shackling in every case without criteria to determine whether it is appropriate under the circumstances. Rather than a standing order, Judge Shapiro began conducting individual assessments for each youth that would appear in the court every day. The court considers the following factors to make the determination about whether the youth will appear in court in restraints:

- Whether the youth is likely to escape or there is a risk of flight;
- Whether there is a danger to the youth or other individuals; or
- Whether there is a prior courtroom behavior that presents a safety concern.

The decision about whether to restrain the youth in the 315<sup>th</sup> District Court does not take into account the seriousness of the offense because there are youth in detention and youth in the community who are accused of the same offenses. As a result, the offense itself provides little insight to the judge about the need to restrain the youth in court. For example, in certification hearings, determinate stipulations, and pleas for cases as serious as murder and capital murders, youth may appear in court without restraints if the factors above are not present.

Other considerations include whether wearing the restraint would impair the mental capacity of the youth, the ability to communicate with counsel, and whether the restraint would detract from the dignity or decorum of the courtroom.

Initially, there were formal, individual findings for each youth including whether a restraint was used, what type of restraint was used (wrist, ankle, or both), and the grounds or basis for that decision. The defense bar expressed concern that those findings could be used against the youth at a later date. The Sheriff's Department, the entity responsible for courtroom safety in the 315<sup>th</sup> District Court, expressed concerns about accountability if there were to be an incident in court when the youth was not restrained. To balance these concerns, the Probation Department generates and provides a form about each detained youth to the Sheriff's Department and the Court. Judge Shapiro reviews the form and makes a determination about whether restraints are needed. The form notes any behavioral incidents including the date of the incident, the behavior presented (e.g., contraband, assaulting staff, etc.), and the consequence for the behavior. The Sheriff's Department takes that information and creates a different form with the name of the youth, the attorney for the youth, an option to circle whether or not to use restraints, a column for the type of restraint (wrist, ankle, or both), and a notes section. The form is then shared with detention staff, the attorneys, and the Bailiff.

There are also mechanisms in place for the parties to review any emerging circumstances on the day of court. If there are concerns, the attorneys can request additional review from the judge. Sample Orders as well as opportunities to go on the record are available, if necessary. If an issue escalates in court and the youth is not restrained, there will be a recess to maintain courtroom security.

Typically, there is only one Bailiff present and Probation provides an additional officer to monitor the youth in court. Also, there is no movement allowed by the youth once the hearing begins. There is only one youth present in court at a time.

Judge Shapiro indicated that safety is paramount but that to date the only restraints used were wrist restraints. One initial practical issue was that the Probation Department only had “all fours” restraints and had to acquire handcuffs.

In August 2019, the Probation Department also provided a polo and khaki pants for all youth in detention for their court appearance. Representative Wu noted that in his capacity as an attorney for youth, he noted a significant change in demeanor and experience for youth appearing in court without restraints and jumpsuits. Judge Shapiro added that there are very serious and important issues discussed in court and that it has been beneficial for youth and families to appear without restraints and in plain clothes.

#### **IV. Identifying a Baseline**

Judge Coley asked participants for feedback about current practices to create a baseline understanding about different perspectives from around the state. He noted the COVID-19 impacts on day-to-day functioning for all Texas courts and the children and families served. With that in mind, participants discussed several questions aimed at developing a baseline that documents current practices and contemplates future opportunities for improvement.

Note: the information included below is only accurate as of the date of the meeting, August 6, 2020.

1. *Does your county have a written policy regarding the use of restraints on children appearing before the court in hearings under Texas Family Code Chapter 54 Judicial Proceedings?*

Judge Wheless stated that there is no such formal policy in Collin County. She noted that juveniles appear in plain clothes and without shackles before juries. In consultation with Chief Hadnot, Judge Wheless defers to Probation about which youth need to be shackled in court in non-jury cases. Judge Wheless added that the county is working toward securing clothing for all detained youth to wear in court. Chief Hadnot further explained that Collin County historically used restraints for judicial proceedings in the District Court building for security reasons. In the secure facility courtroom, juveniles appear for detention hearings before a juvenile referee normally and no restraints are used. In the facility, there is more personnel support and the flight risk is very minimal. In both the secure facility and district court settings, the default is now a presumption not to use restraints of any kind unless there is a substantiated risk or justification.

Chief Medlin noted that in Tarrant County there has been a policy for at least 15 years that allows for restraints on a discretionary basis but generally youth are not restrained unless they pose a security threat. Chief Medlin recalled only one incident of using restraints within the past 12 months. In Tarrant County, if there is a security threat, Probation relays

the information to the court and the judge makes a determination about whether to restrain the youth in court.

Judge Nash shared that there is no written policy on restraints in Dallas County. Mr. Hill indicated that in Dallas County it is very infrequent for a youth to appear in court in restraints.

Judge Byrne noted that there is no written policy in Travis County, but that the presumption is not to use restraints in court. If restraints are requested, attorneys approach the bench and explain why a restraint is needed and what the safety concerns are.

Judge Shapiro added that there is no written policy on restraints in Harris County.

Judge Betancourt indicated that in Hidalgo County although there is no written policy, youth are restrained at every appearance, but the county is considering a change in practice. Judge Betancourt further noted that criteria to make decisions about the use of restraints will be important.

In Jefferson County, Judge Shelton indicated that youth are not restrained on a regular basis unless certain circumstances exist. However, Judge Shelton also noted that detention staff have limited tools available to maintain their own safety.

Chief Wilkerson stated that Bexar County does not have a written policy concerning use of restraints in the courtrooms. The courts establish their own courtroom rules.

Mr. Castillo stated that in El Paso County all youth are restrained in court per written policy.

Mr. Smith stated that in Williamson County, juvenile court hearings occur in two locations. In the court next to the detention center, youth are not restrained unless there is a concern, and the judge will ultimately make that determination. The criteria for restraining youth are risk of flight and danger to the youth or other individuals. In the downtown courthouse, youth are transported across a parking lot and into the building and the leg restraints which are used for transport are not removed for court. Williamson County is contemplating the possibility of plain clothes for juveniles and using restraints for transport only. One concern about using plain clothing is the need for changing clothes, including the need for pat down searches. He added that these are local practices, not written policy.

Chief Monkerud emphasized that there are only 45 detention centers covering 254 counties in Texas. He noted that some courthouses are not secure and do not connect to detention centers. For example, in the past court was conducted on the second floor of a building and it would pose a great security risk to youth and other individuals in court if the youth were

not restrained. He stated that transport becomes a big challenge in smaller jurisdictions. Chief Monkerud indicated that most youth in Caldwell County remain in the same leg restraints used for transport. This is not a written policy but local practice that applies only to those youth who are detained. He further underscored that having adequate staff to maintain courtroom safety is another key consideration. Judge Mabray agreed that many rural jurisdictions do not have the facilities or personnel to adequately monitor youth without restraints.

Chief Carter added that in Lubbock County there is no written policy, and the judge sets the courtroom protocol. He further noted that if the disposition hearing is for an out-of-home placement then restraints are used. Chief Carter shared that in Lubbock, Juvenile Probation personnel utilize a restraint technique referred to as “Handle with Care.” However, law enforcement personnel are trained in a different technique. If a juvenile becomes aggressive towards the judge in a threatening manner, the Bailiff can use any method at their disposal to protect the judge.

Representative White expressed concern that individuals appearing before court in death penalty cases are not shackled in the courtroom, but youth are shackled in juvenile justice cases. Represented White underscored that juveniles should not receive harsher treatment than adults and that juveniles should have the opportunity to participate in court without restraints.

2. *When youth are restrained, what type of restraints are used? Leg/Ankle, Arm/Wrist, or both?*

In addition to the comments included above, there were other practices regarding the use of restraints discussed at the meeting.

Ms. Sandoval added that in Brazoria County Probation transports all detained juveniles in ankle and wrist restraints. The detention facility is located 5 miles from the courthouse where the hearings are held. The juveniles remain in restraints at all times while outside of the detention facility.

In Caldwell and El Paso Counties, both ankle and wrist restraints are used. In the past, Collin County used both. In Lubbock, leg restraints are only used in rare circumstances.

3. *If juveniles are in detention, do they appear before the court at detention adjudication/disposition/modification hearings? In person? By video technology?*

At the time of the meeting, most Texas jurisdictions utilized virtual hearings to maintain health and safety with regard to COVID-19. Participants generally agreed that holding court

in person is preferred, but there was a desire to continue the positive aspects of utilizing technology including increased efficiencies in court proceedings and increased visitation and family engagement.

Chief Monkerud indicated that in central Texas during the COVID-19 pandemic many youth appear in person, and that the only hearings held remotely are detention hearings. He cited Texas Family Code Section 54.012 that states interactive video detention hearings are only allowed if the youth and their attorney agree. As a result, many hearings have occurred in person. One challenge for rural jurisdictions is that detention facilities refuse to accept the youth back after they appear before the court in person due to concerns related to COVID-19. In the past, detention centers did not have the technology to conduct virtual hearings, but all are equipped to do so now.

Judge Shelton indicated that access to updated technology would make it possible to utilize remote hearings moving forward. Judge Byrne responded that there may be federal emergency COVID-19 funds available to assist with the technology needed for remote hearings.

In Lubbock County, most detention hearings occur by Zoom in response to COVID-19. Juveniles appear in person during adjudication, disposition, and modification hearings.

At the time of the meeting, hearings in El Paso, Dallas, Williamson, Houston, Jefferson, and Travis Counties were all virtual. In Brazoria and Lubbock Counties, detention hearings were virtual but other hearings were conducted in person. Most of these counties utilized Zoom and this is likely to continue in the future, at least as a supplemental hearing option when in-person proceedings resume.

4. *How do virtual hearings impact decisions related to restraints in court?*

Judge Shelton shared that Zoom has diffused tension in many hearings and when youth appear they are less combative. Judge Coley added that the virtual hearings lend themselves to a more comfortable and conversational climate.

Chief Carter noted that there is a regional detention center in Lubbock that houses youth from 38 counties. As a result, some youth must be detained for transit to the non-secure area of the building where virtual court hearings are conducted. For the hearings, youth are not restrained. Chief Carter suggested that going forward, virtual hearings will assist with appearing in court without restraints for courts around the state.

5. *If a juvenile only appears before the court in restraints sometimes, what factors contribute to that decision?*

Judge Byrne indicated that in Travis County the presumption is to not use restraints, but anyone involved in the proceeding can raise the issue of the need for restraints. Typically, this decision occurs at a bench conference without the youth present, but this is the process regardless of the stage of the case. The attorneys will voice any concerns and the court will make a ruling, but this only occurs on rare occasions. Judge Byrne further noted that the determination about which restraint to use depends on the circumstances. If a youth poses a risk of flight, leg restraints will be used. If a youth exhibits assaultive behavior, handcuffs will be used. Judge Byrne also explains to each youth why they are restrained so that in the future restraints may not be necessary. Since restraints are only required in about 1% of cases, Judge Byrne noted that there is adequate court time to discuss these issues with the youth.

In El Paso, the decision was made several years ago to use restraints in every hearing when a youth is detained so there are no individual case considerations, but this is something Probation may explore in the future.

In Collin County, Probation makes the determination about whether to utilize restraints, in conjunction with the transport team. Chief Hadnot indicated that these decisions will be made based on substantiated behaviors that can inform the decision. The classification of the offense is not determinative of whether the youth will appear in court in restraints. Chief Hadnot relayed a couple of examples where the offense was serious but the youth did not need to be restrained in court and conversely where the offense was a misdemeanor, but the youth presented a flight risk as well as a safety concern. Judge Wheless added that she prefers to keep the information from being shared *ex parte* and that is why the information flows through Probation.

Dr. Simmons Horton inquired about whether there is information from the jurisdictions as to who is restrained in court, including information broken down by gender, race, offense, CPS involvement, etc. This question was unresolved at the meeting. However, Judge Wheless emphasized that it is imperative to reduce the human decision points and to base decisions on Risk Instruments only.

In Lubbock, the decision about whether to use restraints in court is made by the judge who sets courtroom protocol. Chief Carter added that in Lubbock County, youth with a Child in Need of Supervision (CINS) and misdemeanor offenses are rarely detained so the data would likely suggest that youth who appear in restraints are charged with felony offenses.

In Tarrant County, restraints are rarely used in court. If restraints are requested, the decision to place juveniles in restraints (i.e., handcuffs and leg restraints) is made by the judge, in consultation with the attorneys and Probation staff. The primary driver for these

decisions is the juvenile's behavior at the time of the hearing or juvenile's past behavior in the courtroom.

Ms. Merfish added that other states which have stopped indiscriminate shackling have not included the offense as a factor. Ms. Merfish noted that common factors from other states that have addressed this issue include a history of disruptive courtroom behavior, physical harm to juvenile or another person, and flight risk.

6. *Do you believe your jurisdiction would oppose a presumption of no restraints in court without an individualized/identifiable need on a case-by-case basis?*

Mr. Castillo indicated that it is likely El Paso County would be opposed to this presumption. He said a presumption to use restraints unless there are circumstances to have them removed on an individual basis would be better received.

Chief Monkerud noted that Caldwell County would likely oppose this presumption as well. He suggested that small departments and staff resources may also cause other jurisdictions to be opposed to this presumption.

Chief Wilkerson added that a presumption against leg shackles may be more feasible in other jurisdictions.

Chief Medlin shared his belief that some jurisdictions may oppose a presumption of no restraints due to staffing concerns, location and configuration of court rooms, and the preference of judges and law enforcement assigned to court security.

7. *What are the barriers to creating a presumption against using restraints in juvenile court unless there is a safety or flight risk concern?*

Chief Hadnot noted that lack of resources and personnel in small and medium jurisdictions is an important consideration in determining whether this presumption will be feasible. Further, if a youth gets out of control in court, most restraints require a team intervention, and this will be impactful if there are not additional officers available. Another issue is the presence of multiple law enforcement entities (Sherriff, Probation, etc.) and the various ways they are trained.

Mr. Gomez provided a perspective on court security from the Office of Court Administration. Mr. Gomez noted that he conducts courthouse security audits around the state. He added that court takes place in a wide range of physical locations making court security very inconsistent. Mr. Gomez shared that some important considerations are the design of the courthouse and availability of adequate staff.

Ms. Merfish responded that in other states that have banned indiscriminate shackling, additional staff resources were not needed. She added that judicial oversight controls for the risk of safety and flight risk concerns. Ms. Merfish cited the following examples of jurisdictions that did not increase staff when transitioning away from using restraints.

- *Miami-Dade County, FL limited juvenile shackling in 2006. Since then, more than 25,000 children have appeared in the county's juvenile court without injury or escape. (Source: Miami-Dade Public Defender)*
- *The Children's Court Division of Albuquerque, NM has limited shackling for 12 years and seen no escapes and only three incidents of children "acting out in court." (Source: Juvenile and Family Court Journal, Spring 2015)*
- *In New Orleans Parish, LA, security staffing was reduced after shackling reform due to budget cuts. The parish conducts roughly 4,000 juvenile hearings a year and has had no incidents. (Source: Louisiana Center for Children's Rights)*
- *Clayton County, GA had no escapes or violence in more than a year of limiting shackling. At times, an additional deputy has been stationed outside the court since the change. However, that deputy has never been called upon to act, as there have been no incidents. (Source: Sheriff Victor Hill & deputies.)*

Chief Monkerud shared an idea raised by another central Texas Probation Chief about Texas Family Code Section 53.02 which outlines reasons for juveniles to be placed and maintained in detention including likelihood to abscond, danger to youth or others, and other criteria. He suggested these criteria could also be used to determine whether to restrain a youth in court. For example, if a youth is in detention because there is not a parent or other custodian to care for the youth, the youth may not need to be restrained in court.

Mr. Castillo underscored the need to be data driven and to only set a presumption if the data reveal the need.

Chief Carter noted that currently, the judge already has the authority to ask for a juvenile to be restrained or not. He opined that there should not be a broad, sweeping rule to tell judges how to conduct their courtroom proceedings.

Ms. Angelini added that in Bexar County, the Sherriff's Office has a written policy that anyone in custody must be restrained. Once the youth is in the courtroom, it seems that the judge's will would prevail. This could potentially create tension if the judge and the Sherriff's Office are not aligned on this issue.

Participants discussed the possible objection of defense counsel and others about judges hearing potentially prejudicial information about a youth's behavior pre-disposition. Judge

Wheless indicated that this is why she defers to Probation and does not hear underlying information about the youth's behavior. Judge Shapiro added that in her court the information is only used to determine whether to restrain the youth and the information is not otherwise used in hearings.

## **V. Recommendations & Conclusion**

Several Texas jurisdictions, generally large to mid-size urban and suburban areas, do not utilize restraints in court during juvenile proceedings. For these jurisdictions, procedures are in place for Probation, law enforcement, attorneys, and judges to determine whether restraints are appropriate on a case-by-case basis depending on the circumstances. Some of the key factors to consider for these jurisdictions are past courtroom behavior, a risk of danger to the youth or others, or a risk of flight; seriousness of the offense has been identified as a factor that is not necessarily indicative of the need for restraints. The jurisdictions that have shifted away from using restraints unless these factors are present have successfully maintained courtroom security and found it to be beneficial to the experience of the youth and family in court.

Some Texas jurisdictions, especially small and rural areas, utilize restraints in every juvenile hearing where the child is detained. Although the issue presented at the meeting centered on the use of restraints in court, many youth are detained during transport from detention facilities that can be far away from court and this presents many logistical challenges when there is no secure area once the youth arrive at court. The physical layout of the court may also make it difficult for Probation staff to ensure the safety of the youth and others or prevent the youth from running away if they are not restrained. Also, the availability of adequate personnel could be another important consideration if youth are not restrained in court and a security issue arises.

Virtual hearings in response to COVID-19 present new opportunities for youth to appear in court without restraints but it is unclear whether this practice will continue when in-person proceedings resume.

Over half the states in the United States have added some limitation on the use of restraints in juvenile court through legislation, rule, or policy. In Texas there is no controlling law, rule, or policy on this issue and each court makes individual determinations about the use of restraints in juvenile court. Although the discussion provided a baseline for current practices throughout Texas, further efforts are needed to examine whether additional training, tools, or court rules are necessary to address the use of restraints in court. The right of a juvenile to appear in court without restraints must be balanced against the need for courtroom safety and security. To strike a balance of these interests, decisions should

be made on an individualized basis, using established criteria, and should factor in whether the particular youth presents a risk of danger or risk of flight. Distinctions can also be drawn on what type of restraints, if any, are needed. The Children's Commission will continue to provide a forum for a multi-disciplinary group that reflects various jurisdictions throughout Texas to further explore the need for court rules and/or to develop guidance on the use of restraints in juvenile court.







SUPREME COURT OF TEXAS PERMANENT JUDICIAL  
COMMISSION FOR CHILDREN, YOUTH AND FAMILIES

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