

Cherokee Nation Code Annotated

Title 10: Children

Chapter 51: Delinquent, Dependent and Neglected Children

Article III: Area Children's Detention Centers

§ 1403.2. Use of physical force—Mechanical restraints

Cite as: 10 CNCA § 1403.2

A. Use of physical force in institutions and other facilities operated by Cherokee Nation wherein children are housed shall be permitted only under the following circumstances:

1. For self-protection;
2. To separate juveniles who are fighting;
3. To restrain juveniles in danger of inflicting harm to themselves or others; or
4. To restrain juveniles who have escaped or who are in the process of escaping.

B. When use of physical force is authorized, the least force necessary under the circumstances shall be employed.

C. Staff members of residential and nonresidential programs who are assigned to work with juveniles shall receive written guidelines on the use of physical force, and that, in accordance with staff disciplinary procedures, loss of employment may result if unauthorized use of physical force is proven.

D. Use of mechanical restraints in institutions and other facilities operated by Cherokee Nation wherein children are housed shall be minimal and shall be prohibited except as specifically provided for in the regulations of Cherokee Nation.