

2945.2510 DETAINEES; DISCIPLINE; RESTRAINT.

Subpart 1. **Information to detainees.** Rules for detainee behavior must be posted in a conspicuous place or provided to the detainee.

Subp. 2. **Official charge, legal basis for detention.** Every detainee admitted to a facility must be advised of the official charge or legal basis for detention and confinement, information gathered, and to whom disseminated.

Subp. 3. **Limitations on disciplinary actions.** The delegation of authority to a detainee or group of detainees to exercise the right of punishment over another detainee or group of detainees shall be prohibited.

No detainee may be deprived of the use of materials necessary to maintain an acceptable level of personal hygiene. Items such as toilet paper and soap and water must be made available and provided upon request.

Subp. 4. **Instruments of restraint.** Instruments of restraint must not be used as punishment.

A. Instruments of restraint must not be used except in the following circumstances:

- (1) as a precaution against escape during a transfer;
- (2) on medical grounds by direction of a consulting or attending physician or licensed psychologist; or
- (3) by order of the facility administrator or person in charge in order to prevent a detainee from injuring himself or herself, others, or from damaging property.

B. The facility administrator shall develop written policies and procedures to govern the use of restraints.

C. When reasons for restraint under item A no longer exist, the restraints must be removed.

D. Each incident involving the use of restraints consistent with item A, subitem (2) or (3), must be documented and on file.

Subp. 5. [Repealed, 39 SR 1203]

Statutory Authority: *MS s 241.021*

History: *17 SR 711; 39 SR 1203*

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