

SECOND REGULAR SESSION

# HOUSE BILL NO. 2262

98TH GENERAL ASSEMBLY

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INTRODUCED BY REPRESENTATIVE JONES.

5719H.011

D. ADAM CRUMBLISS, Chief Clerk

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## AN ACT

To amend chapter 211, RSMo, by adding thereto one new section relating to use of restraints on juveniles.

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*Be it enacted by the General Assembly of the state of Missouri, as follows:*

Section A. Chapter 211, RSMo, is amended by adding thereto one new section, to be  
2 known as section 211.436, to read as follows:

211.436. 1. **When a court of jurisdiction in juvenile cases has a local court rule or  
2 otherwise mandates that a juvenile shall be restrained during court proceedings using  
3 either handcuffs, chains, irons, or a straitjacket, the juvenile's attorney or public defender  
4 shall have the right to be heard on the issue of the necessity of restraints on the juvenile  
5 and request that the restraints on the juvenile not be used. The juvenile's attorney may  
6 present evidence that the juvenile is not a flight risk, poses no safety risk to himself or  
7 herself or others, or has no history of disruptive courtroom behavior.**

8 2. **If the court orders that restraints shall be used on the juvenile, the court shall  
9 make findings of fact in support of such use.**

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EXPLANATION — Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted from the law. Matter in **bold-face** type in the above bill is proposed language.