

SECOND REGULAR SESSION

SENATE BILL NO. 918

98TH GENERAL ASSEMBLY

INTRODUCED BY SENATOR WALLINGFORD.

Read 1st time January 13, 2016, and ordered printed.

ADRIANE D. CROUSE, Secretary.

5909S.011

AN ACT

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

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
2 section, to be known as section 211.436, to read as follows:

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

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

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