
The Arc of New Jersey

Position on the Use of Personal Control Techniques and Mechanical Restraints

Issue

All individuals with mental retardation and other related developmental disabilities should be offered the opportunity to live, learn, work and play in an environment that is the least restrictive of their personal liberties and free from harm and abuse. In addition, this environment should be positive and fostering. It should provide adequate and appropriate supports, stimulation and services. We recognize, however, that even in the most supportive environment some individuals may exhibit behaviors which present a clear, significant physical threat to the individual or another person. In these situations, steps need to be taken to protect individuals from harm.

Position

The Arc of New Jersey believes that individuals with mental retardation and other related developmental disabilities who exhibit significant behavioral challenges can live in community settings, when there are appropriate services to successfully address their needs.

The Arc of New Jersey believes that the use of personal control techniques or mechanical restraints must only be used in an emergency, as a last resort crisis intervention to protect the individual, other individuals in the immediate environment and/or staff when there is a clear, significant physical threat to an individual.

Personal control techniques or mechanical restraints must never be used for punishment, convenience of staff or as a substitute for adequate and appropriate supports, stimulation and services. The use of personal control techniques or mechanical restraints must terminate immediately upon the end of the imminent threat to the physical safety of the individual or other persons.

The use of personal control techniques or mechanical restraints must be closely monitored, documented, assessed and evaluated on an ongoing basis by staff, the provider agency, and Interdisciplinary Teams (IDT), as well as Behavior Support Committees and Human Rights Committees.

Staff who provide services to individuals with developmental disabilities must be trained in the areas of emergency procedures, crisis intervention, personal control techniques, mechanical restraints, and informed consent.

Families and/or guardians must be informed of an agency's policies regarding the use of personal control techniques and mechanical restraints upon admission to the service or support system, and again if the need for intervention is necessary. Families and/or guardians must be notified when an emergency occurs requiring the use of personal control techniques or mechanical restraints.

The Arc of New Jersey believes that any and all abuse of personal control techniques or mechanical restraints must be acted upon immediately with severe consequences for the persons and agencies involved in the abuse.

Any use of personal control techniques or mechanical restraints must be reported to the NJ Division of Developmental Disabilities in accordance with NJ 10:42, Regulations on the Use of Restraints.

Definitions

Emergency is defined as a situation in which an individual engages in behavior or is in a position that will likely result in harm to him/herself or others.

Mechanical restraint means the application of any device attached or adjacent to an individual's body which restricts freedom of movement either partially or totally. If a device can be released voluntarily by the individual, it is not a restraint.

Personal control technique means any manual method, utilized by staff in an emergency situation to control a dangerous behavior, which restricts the individual's freedom of movement either partially or totally.

Adopted November 12, 2003 by
The Arc of New Jersey Board of Directors