

No. 2012-56

AN ACT

SB 817

Amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, in juvenile matters, providing for the use of restraints on children during court proceedings.

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows:

Section 1. Title 42 of the Pennsylvania Consolidated Statutes is amended by adding a section to read:

**§ 6336.2. Use of restraints on children during court proceedings.**

**(a) Use of restraints.—Except as provided for in subsection (b), restraints such as handcuffs, chains, shackles, irons or straitjackets shall be removed prior to the commencement of a court proceeding.**

**(b) Exception.—Restraints may be used during a court proceeding if the court determines on the record, after providing the child with an opportunity to be heard, that they are necessary:**

**(1) to prevent physical harm to the child or another person;**

**(2) to prevent disruptive courtroom behavior, evidenced by a history of behavior that created potentially harmful situations or presented substantial risk of physical harm; or**

**(3) to prevent the child, evidenced by an escape history or other relevant factors, from fleeing the courtroom.**

Section 2. This act shall take effect in 60 days.

APPROVED—The 29th day of May, A.D. 2012

TOM CORBETT