

Citizens Commission on Human Rights Fights Baker Act Abuses in Florida

Averaging almost 80 calls a month from people whose friend or loved one has been Baker Acted, CCHR finds all too often the victim did not meet the criteria.

CLEARWATER, FLORIDA, UNITED STATES, June 20, 2018

/EINPresswire.com/ -- “Every day in Florida someone is held for involuntary psychiatric examination ([Baker Act](#)) for the scariest of reasons.” This is according to Stephen A. Talmadge, PhD and a Diplomate of the American Board of Forensic Psychology.

The Baker Act mental health law allows Florida citizens, including children, to be sent against their will for involuntary examination at psychiatric wards known as Baker Act Receiving Facilities and held for up to 72 hours during which time, they may be drugged without their consent if ordered. [1]

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In the 2015/16 annual period, over 194,000 people were Baker Acted, of which over 32,000 were children. These figures have more than doubled since 2001.”

Diane Stein, President CCHR Florida

[Human Rights \(CCHR\)](#) helped secure the safe release of nearly 300 people being unjustly held for involuntary psychiatric examination.

CCHR is a non-profit mental health watchdog organization established in 1969 jointly by the Church of Scientology and noted psychiatrist Dr. Thomas Szasz to expose and eliminate human rights abuses in the field of mental health.

CCHR maintains a hotline for Baker Act abuses and has helped large numbers of people secure release when unjustly restrained under the Act. An article on Baker Act violations has prompted a stream of intermittent responses over a 5-year period. One such entry stated “I’m covered in bruises,

Florida Children at Risk

INVOLUNTARY COMMITMENT of MINORS

In 2005-2006 the Florida Senate published an Interim Project Report clarifying the Baker Act requirements. The alarming concern was that children were being held in receiving facilities for extended periods of time. It was not until 2017, that the mental health act was amended to expedite the examination of children from 72 hours to 12 hours.

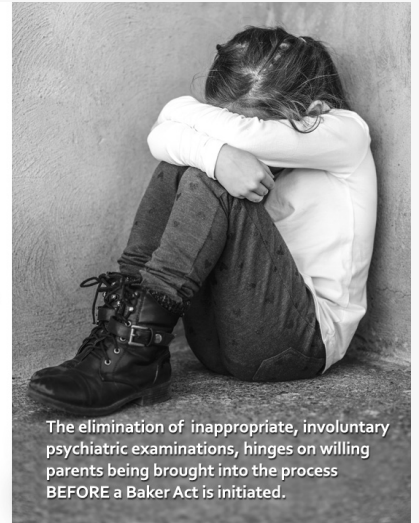
Since publication of the Senate Report, over 295,000 minors, some as young as 5, were sent for involuntary examination – many taken from their school without parental knowledge of the initiation.

A significant percentage did not meet the criteria of the Florida Statute for Baker Acting in the first place, thus, inappropriate involuntary psychiatric commitment.



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The elimination of inappropriate, involuntary psychiatric examinations, hinges on willing parents being brought into the process BEFORE a Baker Act is initiated.

Florida's Children at Risk

In the 2015/16 annual period, over 194,000 people were Baker Acted, of which over 32,000 were children. These figures have more than doubled since 2001.

Furthermore, according to this Act, the Receiving Facility may apply to hold a patient for much longer than 72 hours and bill Medicaid for doing so. [1]

Hospitalizations of children are sometimes used as stop-gaps for school systems or parents unable to care for difficult children. [2]

In 2017 the Florida chapter of the [Citizens Commission on](#)

was given multiple injections without my consent, and all of this to be told that "actually, you don't fit the criteria to be Baker Acted; we're releasing you". [3]

"Our Psychiatric Abuse Hotline averages almost 80 calls a month from people calling about a friend or loved one who has been Baker Acted and unfortunately all too often the victim did not meet the criteria under the law and should not have been taken into custody and sent to a psychiatric facility," said Diane Stein, President of CCHR Florida.

CCHR Florida Hotline help is available at (727) 442-8820.

About CCHR: CCHR's mission is to eradicate abuses committed under the guise of mental health and enact patient and consumer protections. It was L. Ron Hubbard, the founder of Scientology, who brought the terror of psychiatric imprisonment to the notice of the world. In March 1969, he said, "Thousands and thousands are seized without process of law, every week, over the 'free world' tortured, castrated, killed. All in the name of 'mental health.'" For more information visit, www.cchrflorida.org

Sources:

[1] Locked in hospital, woman caught in Baker Act fight www.miamiherald.com/news/local/community/miami-dade/article31483943.html

[2] Florida's Baker Act is overused, inefficient and inadequate <http://www.jacksonville.com/opinion/editorials/2015-11-06/story/floridas-baker-act-overused-inefficient-and-inadequate>

[3] FLORIDA'S BAKER ACT IS A DANGER TO ALL <http://www.cchrflorida.org/floridas-baker-act-is-a-danger-to-all/>

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Normal Childhood Behavior is not a Mental Illness

INVOLUNTARY COMMITMENT of MINORS

Children have tantrums and teenagers have dramatic moments. This behavior can be misinterpreted as signs of mental illness. These specifically are not criteria for Baker Acting a child and are excluded from the definition of mental illness in the state of Florida.

Protect Children's Rights and Ensure Parental Involvement

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"My child was placed in a police car and taken to a Center in Orlando. Before I could arrive to the school, my daughter was sent to the mental hospital. The facility finally agreed that her involuntary examination was not in compliance with the Baker Act and they released her to our care...terrible and frightening."

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Normal Childhood Behavior is not a Mental Illness

Who Speaks for the Child?

INVOLUNTARY COMMITMENT of MINORS

Parents or legal guardians should be given the opportunity to take full responsibility for their child, as stated in the Baker Act criteria, for the purpose of obtaining consent for a voluntary examination prior to Baker Acting. The Baker Act Criteria clearly allows for a person to be assisted through the help of willing family members or friends or the provision of other services instead of being Baker Acted. It's the parent's right to be a voice for their child. This is NOT being done. The parent finds out AFTER their child has been Baker Acted.

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Who Speaks for the Child?

