

CCHR Calls Involuntary Psychiatric Examination of Children in Florida a Human Rights Abuse

CCHR has helped secure the safe release of over 1,200 men, women and children who were being unjustly held under the Baker Act.

CLEARWATER, FLORIDA, UNITED STATES, February 18, 2020 /EINPresswire.com/ -- Over the past two weeks there has been a viral reporting of the tragic [involuntary psychiatric examination](#) of a 6-year-old girl in Jacksonville, Florida. Called a [Baker Act](#), involuntary psychiatric examination is part of the Florida mental health law and it applies to anyone no matter their age. This media storm has focused the attention of the entire country on Florida and the fact that the current mental health law is being abused and used inappropriately.



Involuntary examinations are being initiated on children without parental knowledge. The parent finds out AFTER their child has been Baker Acted.

According to the Florida chapter of the [Citizens Commission on Human Rights](#) (CCHR), a watchdog organization that investigates and exposes abuse in the mental health industry, the Baker Act of this child is a human rights abuse and could have been avoided by simply calling the mother and giving her an opportunity to help her child. As quoted on CBS This Morning, Martina Falk wants to know why her daughter was Baker Acted instead of being given the love and attention she needed. [1]

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Diane Stein, President CCHR Florida

“The law as it is currently written allows for family or friends to help a person in crisis, including a child, yet parents are not being contacted prior to a Baker Act,” said

Diane Stein, President CCHR Florida. “This is why the law needs to be amended to clearly state the role a parent, guardian or caregiver should have in the process.”

That the Baker Act of children is a major situation is known and has been known for decades which is why legislation has been filed year after year to amend the law to bring the parents into the process before a child has been taken into custody. This is also why a task force was created in 2017 and why over a 15 years ago the Florida Senate published an Interim Project Report clarifying the Baker Act requirements as they relate to children. [2] The project in 2005 was created due to concern of how the Baker Act was being applied to children and the perception that the involuntary examination procedures were being used inappropriately for minors. At that

time a main concern was that children were being held in receiving facilities for extended periods of time without sufficient exploration of less intrusive alternatives. It took another 12 years before the mental health act was amended to ensure that receiving facilities expedite the examination of children when during the 2017 legislative session the examination period for minors was reduced from 72 hours to 12 hours. Tragically, during those 12 years over 295,000 children were sent for involuntary examination – many without parental knowledge of the initiation.

Currently there is an involuntary examination of a child every 15 minutes of every day and it is known that a significant percentage of these children do not meet the criteria. This was made clear during the 2017 Task Force when it was made known that an estimated 30% of the children being Baker Acted in Pinellas County did not meet the criteria. [3]

Once a child is Baker Acted, they are at risk of being forcibly treated with psychiatric drugs. This is done through what is called an emergency treatment order. In watching the body cam footage of the little girl in Jacksonville, who was so calm and polite while being transported to the psychiatric ward, Diane Stein said that the question must be asked “why was she injected with psychiatric drugs?” and “what could a 6-year-old child do that would warrant this and why was the mother kept out of the decision to give this child whatever she was injected with?”

While the overall issue of children in crisis is complicated, the simple fact remains that if parents were being brought into the process before the initiation of a Baker Act a large percentage of these situations would be resolved. The vast majority of parents in Florida are good willing people who would do anything to help their child but the fundamental right they have to decide what is in the best interest of their child is being taken away from them.

About CCHR: Initially established by the Church of Scientology and renowned psychiatrist Dr. Thomas Szasz in 1969, CCHR's mission is to eradicate abuses committed under the guise of mental health and enact patient and consumer protections. L. Ron Hubbard, founder of Scientology, first brought psychiatric imprisonment to wide public notice: “Thousands and



The Florida chapter of CCHR is a non-profit mental health watchdog dedicated to the protection of children.



The headquarters for CCHR Florida are located in downtown Clearwater.

thousands are seized without process of law, every week, over the 'free world' tortured, castrated, killed. All in the name of 'mental health,'" he wrote in March 1969. For more information please visit www.cchrflorida.org.

Sources:

[1] <https://www.cbsnews.com/news/florida-baker-act-6-year-old-girl-sent-to-mental-health-facility-by-school/>

[2] http://archive.flsenate.gov/data/Publications/2006/Senate/reports/interim_reports/pdf/2006-103cf.pdf

[3] <https://myflfamilies.com/service-programs/samh/involuntary-examination-minors/docs/20170720/20170720-minutes.pdf>

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Tampa Bay area attorney and former Assistant Public Defender of the Thirteenth Judicial Circuit, Carmen Miller, Esq., holds regular seminars on the Baker Act at CCHR.



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.



Protect Children's Rights and Ensure Parental Involvement

Citizens Commission On Human Rights
Call 800.782.2878, for more information
www.cchrflorida.org

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The Florida mental health law needs to be amended to clearly state the role a parent, guardian or caregiver should have in the process.

This press release can be viewed online at: <http://www.einpresswire.com>

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