

Baker Act Reform is Needed in Order to Protect Parental Rights

Earlier this year media on the Baker Acting of children spurred calls for reformation yet the most obvious solution of notifying parents was ignored.

CLEARWATER, FLORIDA, UNITED STATES, June 2, 2020

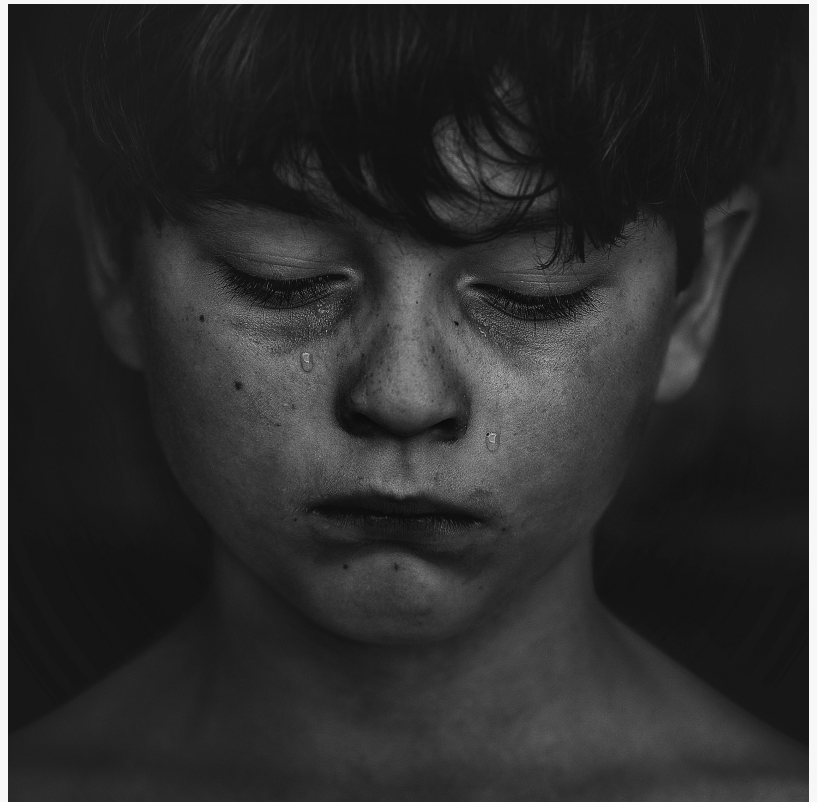
/EINPresswire.com/ -- The number of children being taken into custody for an involuntary psychiatric examination, called a [Baker Act](#), has been steadily climbing across Florida for the past 17 years. And in February of this year, the trauma suffered during a Baker Act and the resultant harm to children and their families, became the subject of extensive media coverage on local, national and international news.

[1,2,3,4]

The increased news coverage may be one reason why, for the last 3 years, bills have come before Florida

legislators to protect children from illegal Baker Acting. These bills, meant to clearly define the rights parents have to protect their child from the trauma of a Baker Act. Unfortunately, none of these bills made it through to become law.

Once again multiple bills filed during the 2020 Florida Legislative session attempted to address this situation by requiring parental notification prior to the initiation of a Baker Act. As currently written, the law does allow for a person in crisis to be helped by "willing family members or friends" however, parents are not being brought into the process before a child is taken from school, usually in handcuffs and by law enforcement. Contacting the parents and giving them an opportunity to help their child seems logical yet this common sense approach to reducing the number of unnecessary child Baker Acts is being ignored and left out of legislative solutions. [5]



It was reported during the Baker Act Task Force that an estimated 30% of the children being Baker Acted in Pinellas County alone did not meet the criteria.

The Florida chapter of the [Citizens Commission on Human Rights](#) (CCHR), believes that while the current law, if executed correctly, would allow for a parent to be brought into the process before a Baker Act, it needs to be amended to specifically state that a parent, legal guardian or caregiver should be notified as a first course of action.

“When it comes to the Baker Act, the fundamental right of a parent to help their child is being disregarded,” stated Diane Stein, President of CCHR Florida.



The headquarters for CCHR Florida are located in downtown Clearwater.

A barrier to this change appears to be the mistaken belief that the existing law already covers parental notification, but this notification is only after a Baker Act is initiated and the child must be taken into custody and transported to a psychiatric ward. In other words, under current law, notification is too late for the parents to take any effective action to help their child.

“

When it comes to the Baker Act, the fundamental right of a parent to help their child is being disregarded.”

Diane Stein, President of CCHR Florida

Under the Baker Act, a person, no matter their age, can be taken into custody for an involuntary psychiatric examination. This includes children and during 2017-2018

there were a staggering 36,078 involuntary psychiatric examinations initiated on children across the state with over 4,000 of these Baker Acts involved children 10 and younger. [6]

According to CCHR Florida, the police body cam recording of one calm, well-mannered 6-year-old child being sent to a psychiatric facility which shocked viewers across the United States and made international news in February is an all too common occurrence. [7]

“The illegal Baker Acting of children in Florida has been going on for decades and what happened to this little girl is not an isolated incident,” said Diane Stein.

Misconceptions surrounding the Baker Act and uncertainty on what rights a parent has in the care of their child are common place spurring CCHR to launch a campaign to inform families of their rights. Having reached hundreds of thousands with this campaign, CCHR has pledged to continue fighting for an amendment to the Baker Act and for a [Parents Bill of Rights](#) to be

created in Florida statutes. For more information on the Baker Act, your rights as a parent or to report abuse please call 800-782-2878 or visit www.cchrflorida.org.

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 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.

Sources:

[1] The Baker Act, The Florida Mental Health Act Fiscal Year 2016/2017 Annual Report, Released June 2018 – Prepared for the Florida Department of Children and Families by the Baker Act Reporting Center

https://www.usf.edu/cbcs/baker-act/documents/ba_usf_annual_report_2017_2018.pdf

[2] 6-year-old Florida girl "traumatized" after being involuntarily sent to mental health facility

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

[3] Woman upset after officer Baker Acted 9-year-old son

<http://www.wftv.com/news/local/woman-upset-after-officer-baker-acted-9-year-old-s/107160305>

[4] Florida's flawed Baker Act rips thousands of kids from school



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



As reported by the Baker Act Reporting Center, an astounding 36,078 involuntary psychiatric examinations were initiated on children across the state.

<https://www.tampabay.com/news/education/2019/12/10/floridas-flawed-baker-act-rips-thousands-of-kids-from-school/>

[5] Florida Involuntary Examination Criteria

http://www.leg.state.fl.us/statutes/index.cfm?App_mode=Display_Statute&URL=0300-0399/0394/0394.html

[6] The Baker Act, The Florida Mental Health Act Fiscal Year 2016/2017 Annual Report, Released June 2018 – Prepared for the Florida Department of Children and Families by the Baker Act Reporting Center

https://www.usf.edu/cbcs/baker-act/documents/ba_usf_annual_report_2017_2018.pdf

[7] 6-year-old Florida girl "traumatized" after being involuntarily sent to mental health facility
<https://www.cbsnews.com/news/florida-baker-act-6-year-old-girl-sent-to-mental-health-facility-by-school/>



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

Diane Stein

Citizens Commission on Human Rights of Florida

+1 727-422-8820

[email us here](#)

Visit us on social media:

[Facebook](#)

[Twitter](#)

[LinkedIn](#)

This press release can be viewed online at: <https://www.einpresswire.com/article/518496403>

EIN Presswire's priority is source transparency. We do not allow opaque clients, and our editors try to be careful about weeding out false and misleading content. As a user, if you see something we have missed, please do bring it to our attention. Your help is welcome. EIN Presswire, Everyone's Internet News Presswire™, tries to define some of the boundaries that are reasonable in today's world. Please see our Editorial Guidelines for more information.

© 1995-2020 IPD Group, Inc. All Right Reserved.