

# CCHR: Florida's Emergency Psychiatric Hold is a Human Rights Violation

*A staggering 36,078 involuntary psychiatric examinations were initiated on children across the state and over 4,000 of these involved children 10 and younger.*

CLEARWATER, FLORIDA, UNITED STATES, June 24, 2020 /EINPresswire.com/ -- Once again Florida made headlines when Reason, the nation's leading libertarian magazine, published an investigative report on police in schools. While the story was mostly focused on School Resource Officers it also covered the abusive use of Florida's short-term emergency commitment law, called the [Baker Act](#). [1]

Ann Siegel, an attorney with Disability Rights Florida, was quoted in the story stating that not only are they "getting a lot more calls from families of children who've been Baker Acted at school" but that "If you look at the Baker Act statute, there's a provision in there where you're supposed to see if family intervention is a possibility." [2]

This is a viewpoint shared by the Florida chapter of the [Citizens Commission on Human Rights](#) (CCHR), a watchdog organization that investigates and exposes abuse in the mental health industry. CCHR believes that the current law, if executed correctly, would allow for a parent to be brought into the process before a Baker Act, and that this law needs to be amended to specifically state that a parent, legal guardian or caregiver should be notified as a first course of action.

"The [fundamental right of a parent](#) to help their child is being disregarded when it comes to taking a child into custody for a Baker Act," stated Diane Stein, President of CCHR Florida.



The interest of parents in the care, custody, and control of their children is recognized as a fundamental liberty protected by the Due Process Clause of the Fourteenth Amendment to the United States Constitution.

The number of children Baker Acted has been steadily climbing across Florida for almost two decades and earlier this year became the subject of extensive media coverage on local, national and international news when 6-year-old Nadia King was taken into custody. The police body cam recording of this calm and well-mannered child being sent to a psychiatric facility shocked viewers across the United States. [3,4]

According to CCHR Florida what happened to Nadia King is an all too common occurrence, one which has been covered regularly by the news. [5,6]

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. [7]



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.

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Taking a child into custody for an involuntary psychiatric examination without giving the parent a chance to help their child is a violation of parental rights.”

*Diane Stein, President CCHR  
Florida*

Multiple bills filed during the Florida Legislative session in 2020 attempted to address this abuse by requiring parental notification prior to the initiation of a Baker Act. However, a barrier to this common sense approach appears to be the mistaken idea that the existing law already covers parental notification. While there is a provision for parental notification, this notification is only required after a Baker Act is initiated and the child has been taken into custody.

Misconceptions surrounding the Baker Act as it applies to children as well as uncertainty on what rights a parent has in the care of their child spurred 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](http://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] Florida's Schools Have Become a High-Stakes Experiment in Classroom Policing  
<https://reason.com/2020/06/08/florida-s-school-resource-officers-police-reform-protests/#comments>

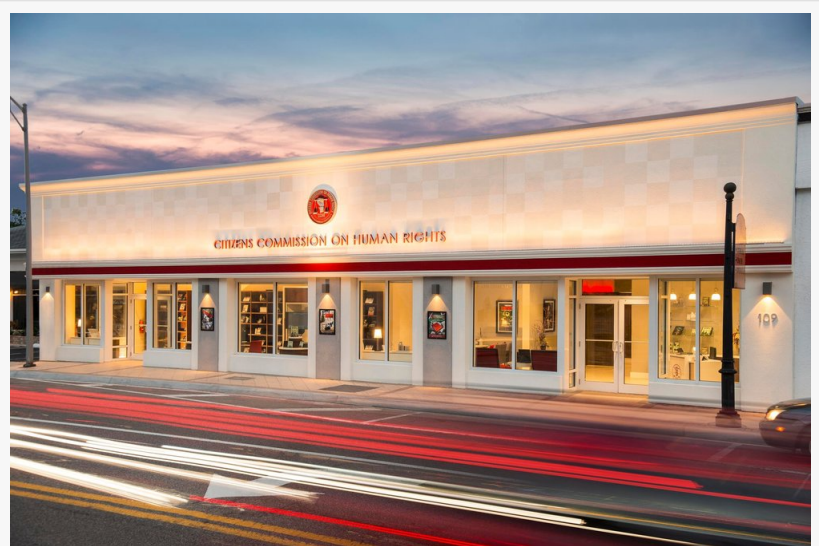
[2] Ibid. Florida's Schools Have Become a High-Stakes Experiment in Classroom Policing

[3] 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](https://www.usf.edu/cbcs/baker-act/documents/ba_usf_annual_report_2017_2018.pdf)

[4] 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/>

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



The headquarters for CCHR Florida are located in downtown Clearwater.



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

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

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

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

[7] Ibid. The Baker Act, The Florida Mental Health Act Fiscal Year 2016/2017 Annual Report

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

This press release can be viewed online at: <https://www.einpresswire.com/article/520156481>

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