

Report Reveals a Record Number of Children Taken into Custody for Involuntary Psychiatric Examinations

Over 37,000 involuntary examinations, called a Baker Act, were initiated on children in Florida during 2018/2019.

CLEARWATER, FLORIDA, UNITED STATES, December 16, 2020 /EINPresswire.com/ -- According to a report released this week by the [Baker Act](#) Reporting Center, there were over 210,000 involuntary psychiatric examinations initiated during 2018/2019 in Florida and more than 37,000 of these initiations were on children. [1]



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 mental health law in Florida, commonly known as the Baker Act, allows for individuals of all ages 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.

This law was never intended to be used on children yet as reported by WFSU, each day "about 100 kids are involuntarily committed for psychiatric exams under the state's Baker Act." [2]

“

The fundamental right of a parent to help their child is being ignored despite the fact that there is an existing provision for the parent to be given this opportunity.”

*Diane Stein, President CCHR
Florida*

The number of children Baker Acted has been steadily climbing for the past 17 years, and the trauma suffered and the resultant harm to children and their families has become the subject of extensive media coverage on local, national and international news. [3,4,5,6]

This dramatic increase is indicative of abuse says the [Citizens Commission on Human Rights](#) (CCHR), a mental health watchdog that investigates and exposes human rights violations in the mental health industry.

The story of a 6-year-old girl sent for an involuntary psychiatric examination in Jacksonville earlier this year, for what was allegedly a temper tantrum, highlights the abusive use of this law. [7]

“Unfortunately, what happened to this little girl is not an isolated incident,” stated Diane Stein, President of CCHR Florida. “Improper Baker Acting of children in Florida has been going on for decades.”

This increased news coverage may be one reason why, for the last 3 years, bills have come before Florida legislators to protect children from Baker Act abuse. These bills, meant to give parents the right to protect their children from the trauma of a Baker Act incident, among other protections, have never made it through to become law.

As the law currently stands, a parent does not have to be notified before their child is taken from school, often in a police vehicle, and at times in handcuffs, for an involuntary psychiatric examination. However, the law does allow for a person in crisis to be helped by “willing family members or friends”. Unfortunately, this common sense approach to reducing the number of unnecessary child Baker Acts has repeatedly been ignored and left out of legislative solutions to the problem. [8]

The solution according to CCHR is to bring parents, guardians and caregivers into the process. CCHR believes that parents should be given the opportunity to help their child before the initiation of a Baker Act and that less restrictive alternatives should be ruled out as a first course of action.

However, this is not happening. Instead children are being taken into custody and transported to psychiatric facilities without the parent, guardian or caregiver even knowing the child has been



As reported by the Baker Act Reporting Center, an astounding 37,882 involuntary psychiatric examinations were initiated on children across the state.



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

removed from school grounds.

“Giving parents the opportunity to help their child would not prevent emergency care from occurring in those instances where it is needed,” said Stein. “Just as in the case of a child being injured and needing immediate medical care, a child in crisis would receive the same help.”

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.

Misconceptions surrounding the Baker Act are common place and spurred CCHR to launch an educational campaign to inform families of their rights under the mental health law. Through the use of free workshops, seminars and mailings CCHR has educated hundreds of thousands of families across Florida and vows to continue pressing legislators to amend the law to require parental notification prior to the initiation of a Baker Act on a child. For more information on the Baker Act, your rights as a parent or to [report abuse](#) please call 800-782-2878.



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



The mental health law currently allows for individuals of all ages, including children, to be taken into custody and sent for an involuntary psychiatric examination.

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. For more information please visit www.cchrflorida.org.

Sources:

[1] Baker Act Report

https://www.usf.edu/cbcs/baker-act/documents/ba_usf_annual_report_2018_2019.pdf

[2] Committed: Florida's Children Victims Of Dysfunctional Baker Act System

<https://wusfnews.wusf.usf.edu/health-news-florida/2020-12-14/committed-floridas-children-caught-up-in-dysfunctional-baker-act-system>

[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

[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

<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] Jacksonville mom upset over her 6-year-old being taken to mental facility

<https://www.actionnewsjax.com/news/local/jacksonville-mom-special-needs-child-put-handcuffs-taken-mental-facility/KKBSVFTZEREALNSVWJMPI5VB7E/?fbclid=IwAR1YF8505cNTl6LJL7AgulwmOJlyseCav5xUc6t4-o2uNqQgHECeTCbEkFg>

Mother wants answers after she says 6-year-old in Duval school ordered to mental health facility

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Mother wants answers after 6-year-old daughter was involuntarily committed at school

<https://www.news4jax.com/news/local/2020/02/10/mother-wants-answers-after-6-year-old-daughter-was-involuntarily-committed-at-school/>

Jacksonville girl taken to mental health center, mother wants answers

<https://www.newsbreak.com/florida/jacksonville/news/1506842208264/jacksonville-girl-taken-to-mental-health-center-mother-wants-answers>

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Florida mother wants answers after she says 6-year-old ordered to mental health facility following 'temper tantrum'

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<https://www.medpagetoday.com/infectiousdisease/publichealth/84814>

[8] Florida Involuntary Examination Criteria

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

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