Emergency Commitment of Young Children

Presentation Overview

- Emergency Commitment
- Emergency Commitments of Young Children
- Future Research and Policy Issues

Involuntary Examination Criteria

- Reason to believe the person has a mental illness and because of mental illness person has refused or is unable to determine if examination is necessary
  - And either:
  - Self Neglect: Without care or treatment, is likely to suffer from neglect or refuse to care for self, and such neglect or refusal poses a real and present threat of substantial harm to one’s well-being and it is not apparent that such harm may be avoided through the help of willing family members, friends, or the provision of other services; or
  - Harm: There is substantial likelihood that without treatment persons will cause in the near future serious bodily harm to self or others, as evidenced by recent behavior

Mental Illness Means...

- Impairment of the mental or emotional processes that exercise conscious control of one’s actions or of the ability to perceive or understand reality
- Impairment substantially interferes with a person’s ability to meet the ordinary demands of living, regardless of etiology
- Does not include retardation or developmental disability as defined in chapter 393, intoxication, or conditions manifested only by antisocial behaviors or substance abuse impairment
Initiating Involuntary Examinations

Upon determination that person appears to meet criteria for involuntary examination, the exam may be initiated by any one of the following three means:

- Court order – the circuit court may enter an ex-parte order; or
- A law enforcement officer shall take into custody a person who appears to meet the criteria describing circumstances; or
- A mental health professional may execute a certificate stating that s/he has examined the person within the preceding 48 hours and found the person met the criteria and stating the observations upon which that conclusion is based.

Receiving Facilities for Children

- There are ~105 receiving facilities in Florida
- 30 units have some/all beds designated for children
  - 11 Children's Crisis Stabilization Units
  - 4 Hospital based receiving facilities with beds designated for children
  - 15 Private receiving facilities with beds designated for children
- These units are located in 19 of Florida’s 67 Counties
- 32 of Florida’s 67 Counties have NO receiving facility

Baker Act Data

- BAS2 forms from law enforcement and mental health professionals, as well as ex-parte orders
- Received since 1997
- Over 125,000 Baker Act exams annually
- Baker Act Reporting Center
  - http://bakeract.fmhi.usf.edu

Baker Act Exams of Young Children

Emergency Commitments for Three Years
July 2005 through June 2008

- 366,585 total emergency commitments in the three years (all ages)
- 6,437 (1.76%) for children between 5 and 10

<table>
<thead>
<tr>
<th>Age</th>
<th>n</th>
<th>%</th>
</tr>
</thead>
<tbody>
<tr>
<td>5</td>
<td>237</td>
<td>4%</td>
</tr>
<tr>
<td>6</td>
<td>551</td>
<td>9%</td>
</tr>
<tr>
<td>7</td>
<td>883</td>
<td>14%</td>
</tr>
<tr>
<td>8</td>
<td>1,254</td>
<td>19%</td>
</tr>
<tr>
<td>9</td>
<td>1,561</td>
<td>24%</td>
</tr>
<tr>
<td>10</td>
<td>1,951</td>
<td>30%</td>
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</tbody>
</table>

Gender and Race

This is likely that Hispanic Origin is under reported such that the data for this variable should be interpreted with caution.
Race and Gender

<table>
<thead>
<tr>
<th>Gender</th>
<th>Race</th>
<th>% of Emergency Commitments</th>
<th>% of Population</th>
</tr>
</thead>
<tbody>
<tr>
<td>Boys</td>
<td>African-American</td>
<td>25%</td>
<td>11%</td>
</tr>
<tr>
<td></td>
<td>Caucasian</td>
<td>42%</td>
<td>38%</td>
</tr>
<tr>
<td>Girls</td>
<td>African-American</td>
<td>7%</td>
<td>11%</td>
</tr>
<tr>
<td></td>
<td>Caucasian</td>
<td>13%</td>
<td>15%</td>
</tr>
</tbody>
</table>

Type of Initiator

- Law Enforcement
- Mental Health Professional
- Judge

Type of Evidence

- Harm
- Harm & Neglect
- Neglect

Harm Type
(for those with harm as an evidence type)

- Self & Others
- Self Only
- Others Only

Location Prior to Emergency Commitment

- School
- DCF Custody
- DJJ Custody

Emergency Commitments in Three Years

- There were 3,492 children with 6,437 emergency commitments.
- The count of children (and repeated emergency commitments) is an understatement because social security numbers were not reported for 18% of emergency commitments of 5 to 10 year olds.

<table>
<thead>
<tr>
<th># Emergency Commitments</th>
<th>Children 5-10 Years Old</th>
<th>n</th>
<th>%</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>2,673</td>
<td>74%</td>
<td></td>
</tr>
<tr>
<td>2</td>
<td>510</td>
<td>14%</td>
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<tr>
<td>3</td>
<td>186</td>
<td>5%</td>
<td></td>
</tr>
<tr>
<td>4</td>
<td>78</td>
<td>2%</td>
<td></td>
</tr>
<tr>
<td>5</td>
<td>40</td>
<td>1%</td>
<td></td>
</tr>
<tr>
<td>6</td>
<td>30</td>
<td>1%</td>
<td></td>
</tr>
<tr>
<td>7</td>
<td>17</td>
<td>&lt;1%</td>
<td></td>
</tr>
<tr>
<td>8</td>
<td>6</td>
<td>&lt;1%</td>
<td></td>
</tr>
<tr>
<td>9</td>
<td>4</td>
<td>&lt;1%</td>
<td></td>
</tr>
<tr>
<td>10</td>
<td>2</td>
<td>&lt;1%</td>
<td></td>
</tr>
<tr>
<td>11</td>
<td>1</td>
<td>&lt;1%</td>
<td></td>
</tr>
<tr>
<td>12</td>
<td>0</td>
<td>&lt;1%</td>
<td></td>
</tr>
<tr>
<td>13</td>
<td>2</td>
<td>&lt;1%</td>
<td></td>
</tr>
<tr>
<td>14</td>
<td>1</td>
<td>&lt;1%</td>
<td></td>
</tr>
</tbody>
</table>
Repeated Emergency Commitments Over 8 Years

- 149 5-10 year old children with at least one emergency commitment in one year (July 1999 through June 2000)
- Counted emergency commitments for the following 8 years (July 2000 through June 2008)
- 42% had at least one more, with a range of 0 to 27.

Example of Repeated Emergency Commitments

Example of Repeated Emergency Commitments

Policy Issues and Future Research

- Five to ten year old children are a very small percentage of the total emergency commitments, but their numbers are large enough that addressing issues related to their commitment is meaningful.
- Future research needs to focus on:
  - Events for and circumstances surrounding emergency commitment of these children, especially African American boys
  - Role of schools
  - Role of law enforcement (especially school resource officers)
  - Diagnosis and behaviors
  - Impact of availability (or lack thereof) of mental health and other social services
  - Role of social support and social capital
  - The role of geography
  - Availability of and use of alternatives to emergency commitment
- Children who have emergency commitments at a young age and continue to have emergency commitments are a small group, but one that is likely in need of future research and policy attention — may have implications throughout adolescence and into adulthood.