



Know Your Rights – If You Are Removed and Hospitalized

Q: What is happening?

A: Individuals who are currently displaced/ reside in public areas/ considered as “homeless” within D.C. are being detained and removed from residing in a public space.

Q: Where are they going to take me?

A: If police think you need mental health treatment, you may be taken to the Comprehensive Psychiatric Emergency Program (CPEP) or a local emergency room.

Q: What happens there?

A: If the hospital believes you need a mental health evaluation, they will evaluate you and make recommendations for your treatment and care.

Q: Is this legal? Do I even have a say in what happens to me?

A: Unfortunately, under the Ervin Act, an individual is allowed to be hospitalized against their will if there is an apparent mental illness and danger to self or others. The hospital may refer to it as an FD-12. However, you do have rights!

Know Your Rights:

If you are taken to CPEP or an emergency room, you have the right to...

- Know whether you are a **voluntary** OR **involuntary** patient.
- Know which psychiatrist is treating you.
- Speak to a psychiatrist (doctor) at least once a day.
- Be told what medicine you are taking and what it's for.
- Refuse medication, except under certain circumstances.
- Be free from restraint or seclusion, unless a doctor decides you are about to injure yourself or someone else.
- Have a copy of the “Consumer Rights Statement.”
- Use the phone, with permission from staff.



If you are an Involuntary Patient:

- You have the right to know why you are being held as an involuntary patient.
- You have the right to a lawyer if you are held longer than 48 hours, not including weekends and holidays. You will be assigned one by the court.
- Once you are assigned a lawyer, that lawyer will come visit you.
- You have a right to request a court hearing to ask for your release

If you are a Voluntary Patient:

- You can ask to be released. You must do so in writing.
- If you ask to be released in writing, you should be allowed to leave within 48 hours, not including weekends and holidays.

If you think your rights have been violated call Disability Rights DC at Univeristy of Legal Services (202) 547-0198
If you want to know if you have a lawyer or who your lawyer is, call the Public Defender Services at (202) 824-2860
If you have already been committed, call your lawyer