

CHAPTER 980, WISCONSIN STATUTES, PATIENT RIGHTS EXCEPTIONS SUPPLEMENT

This information supplements the pamphlet entitled, “Your Rights and the Grievance Resolution Process” (P-20377), that is given to each patient on admission to a state mental health facility. As a patient placed at a facility under Chapter 980, Wisconsin Statutes, the following statutory exceptions apply to your rights:

MAIL

- Delivery of your incoming mail may be **delayed** for as long as is **reasonably necessary** to contact the person who sent it to determine if it is legitimate mail.
- An officer or staff member may, **outside of your presence**, open and **physically examine** the mail for **contraband** materials.
- If it **cannot be determined** whether there is contraband in the mail, the facility **may return** the envelope and its contents to the sender.
- If there is reason to believe that the mail could create a **security problem** or **seriously interfere with the treatment, rights or safety** of others, authorized staff may **read** the mail. The **rights limitation process** in Section 51.61(2), Wisconsin Statutes, must be followed.

RESTRAINTS DURING TRANSPORT

- You may be restrained during **transport**.
- You may be placed in **isolation** at a hospital.

NIGHT LOCK

- Patients in **wet cells** can be locked in their rooms during the **night shift**.
- Patients in **dry cells** may be locked in their rooms during the **night shift**
 - **When** the number of patients who are out of their rooms is equal to the number of toilets on the unit.
 - Patients can use the toilet at least **once every hour**, or more often for medical reasons.
- **Emergency lock downs** can be allowed for as long as **necessary**.
 - Patients must be checked on at least every 30 minutes.
 - Patients in **dry cells** can use the toilet at least once per hour, or more often for medical reasons.

TAPING FOR SECURITY PURPOSES

- You can be **filmed or taped** for **security** purposes and your treatment sessions may be taped for quality assurance purposes **without your consent**.
- You **cannot** be filmed or taped in **bedrooms** or **bathrooms** unless you are engaged in dangerous or disruptive behavior.

RESIDENCE FOR VOTING

- Your residence for **voting** purposes will be your place of residence **at the time** that you committed the offense that Chapter 980 applied to your detention or commitment. (In other words, where you lived when you committed the offense which led to the Chapter 980 petition.)
- If you can show you were **not planning on returning** to that place upon your release, you can argue that you have a different residence. [See your Social Worker.]

LIE DETECTOR TESTING

- **Lie detector testing** may be used during your treatment or as part of **community placement**.
- **Refusal** to take a lie detector test **does not mean** you refuse treatment.
- The **results** of the lie detector testing can be used only for care, treatment or assessment.
- The **results** may only be **disclosed** to staff treating you, the committing court, your attorney, or the attorney for the state.

ESCORTED LEAVES

The facility Director may allow you to **leave the grounds under escort** in certain circumstances. DHS 95, Wisconsin Administrative Code, applies to such leaves. If you think you qualify for such a leave, discuss it with your treatment team.