

# The Impact of Mental Health Treatment on Civil Rights

## Common Questions Veterans Seeking Mental Health Treatment Ask About Civil Rights

<p><b>Will I still be able to vote if I undergo court ordered evaluation or court ordered treatment?</b></p>	<p>Yes, under Arizona Revised Statute 36-506, patients should not be denied the right to vote, sell property, or sue and be sued if they are undergoing a court-ordered evaluation or court-ordered treatment.</p>
<p><b>What if the court orders me into a psychiatric hold?</b></p>	<p>Your firearms rights will be revoked if you are ordered into a psychiatric hold.</p>
<p><b>Can I get my rights back after they have been revoked?</b></p>	<p>Possibly. You may have an attorney request a "Restoration of Rights" from the court that revoked your rights. You will need to show that you have completed all of your required treatment and have made improvements since your rights were revoked.</p>
<p><b>If I state therapy, will I have my gun rights revoked?</b></p>	<p>Probably not. Most therapies (i.e. marriage counseling, PTSD counseling) will not reach the level of revoking rights. To revoke gun rights, a court would need to be alerted by someone that they believe you are unsafe, then the court would need to determine that you have a disability AND are a danger to yourself or others AND you need treatment that you are refusing. A.R.S. §36-540</p>

### Which laws control my gun rights if I seek mental health help?

There are at least two sets of laws that govern people, in general, federal laws and the laws of the state that they are in. They both apply when it comes to your gun rights.

#### Federal Law

18 U.S.C. §922(d)

#### Arizona State Laws

A.R.S. §13-3101(A)(7)(a)

A.R.S. § 13-3102(A)(4)



### How will seeking mental health help impact my security clearance?

According to the US Southern Command, less than 1% of security clearances are denied or revoked due to psychological concerns. You will be required to report some information to your command.

### Civil Rights Restoration Forms

<https://www.clerkofcourt.maricopa.gov/home/showpublisheddocument/206/637135773272130000>