



Strengthening court-ordered outpatient treatment as a jail diversion tool

Many people willingly participate in mental health or substance use treatment, but in cases when someone can't or doesn't recognize their need for treatment, it can be helpful for a judge to require them to receive outpatient care through a court order.

HB 3587 clarifies and improves processes and procedures around court-ordered outpatient treatment so that this **diversion tool can be used more consistently and reliably** across Oklahoma — while still protecting individuals' rights. Ultimately, the bill creates a **stronger alternative to incarceration that promotes recovery** in Oklahomans' own communities.

Use of court-ordered outpatient treatment in Oklahoma

- Tulsa and Oklahoma counties are using court-ordered outpatient treatment as a criminal justice diversion tool more often in recent years
- But this strategy is currently used unevenly across Oklahoma — in Healthy Minds' 2025 research, justice system stakeholders reported limited understanding of when court-ordered treatment is appropriate
- People transitioning out of inpatient care — or who would be better served in less restrictive settings — could also benefit from court-ordered outpatient treatment



Court-ordered outpatient treatment is a way to compel someone to participate in treatment for a mental health or substance use condition through a civil court order. This strategy still carries legal weight and promotes accountability but is an alternative to incarceration or inpatient treatment.

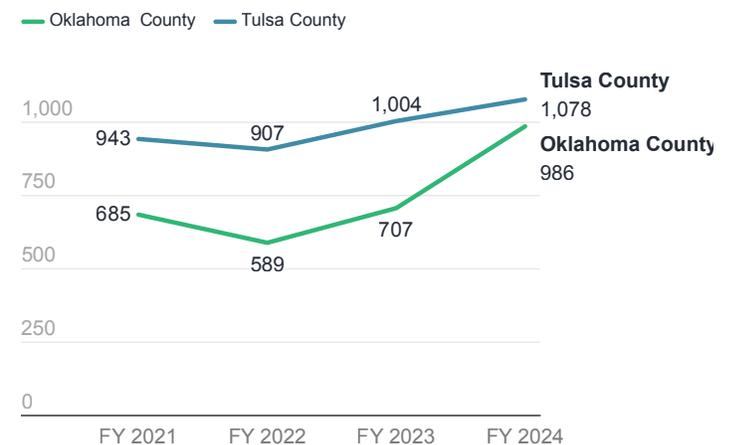
Protecting individual rights and autonomy

- HB 3587 ensures that any treatment plan for court-ordered outpatient treatment is developed with the input of the person under the court order, along with their treatment team and guardians or advocates
- If a person has a mental health advance directive — a document that states preferences for future mental health treatment — the bill requires that it is considered when developing a treatment plan
- The bill **would not permit** forced administration of medication

Treatment alternatives to arrest and incarceration

- Today, county jails too often function as receiving centers for people in mental health crisis, but **treatment in jails is inadequate and expensive**
- With better tools to divert and deflect people in need of behavioral health treatment from the criminal legal system, fewer people in need of treatment would wind up in jails and prisons
- **Outpatient treatment is far less costly than incarceration**, and it reduces recidivism: when people can access the care they need in the community, they are less likely to become involved with the criminal legal system

Civil mental health cases in Oklahoma's largest counties



Source: Oklahoma Administrative Office of the Courts, annual reports for FY 2021 through FY 2024