



# OKLAHOMA

## Misdemeanor Diversion

### Fact Sheet

#### What is Misdemeanor Diversion?

Misdemeanor diversion partners criminal justice accountability with evidence-based substance abuse and mental health treatment services to decrease future involvement with the criminal justice system.

Misdemeanor Diversion has several models:

- **Pretrial Diversion** programs occur after arrest but prior to a formal charge being filed. Provides structure and services as the participant awaits further case processing. Successful participation may lead to the DA declining to file the charge.



- **Deferred Adjudication Treatment** programs provide diversion strategies, such as deferred prosecution agreements, as the legal mechanism for participation. The participant receives individualized treatment services provided by certified treatment agencies with or without the supervision of the court. Treatment providers report to a designated Court Liaison when a participant is non-compliant with services.



- **Misdemeanor Treatment Court** programs are highly structured programs. They include, but are not limited to, regular court appearances, case management, supervision and individualized treatment services by certified treatment agencies.



All diversion models provide legal incentives for participation such as dismissal of charges or avoidance of county jail sentences when successful.

Fundamental priorities for all models include early identification of eligible defendants; quick access to individualized evidence-based services; incentives for participation and data collection.

#### Does Oklahoma Currently Have Misdemeanor Diversion?

**Yes,** The Oklahoma Department of Mental Health and Substance Abuse Services (ODMHSAS) has developed misdemeanor diversion models that give individual jurisdictions the flexibility to divert defendants charged with misdemeanors into treatment services.

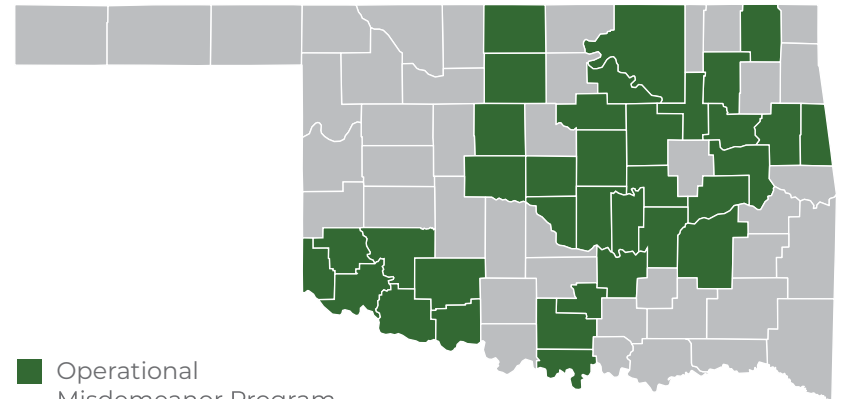
- **Misdemeanor Treatment Court** programs take approximately 12 months (or less) to complete with an annual participant cost of \$5,000.

**\$5,000** (~12 Months)

- **Deferred Adjudication Treatment** programs take approximately 6-9 months to complete with an annual participant cost of \$4,100.

**\$4,100** (6-9 Months)

#### Early Diversion in Oklahoma



Misdemeanor diversion programs are operational in 35 counties.

Over 1,500 participants are receiving treatment and/or case management services to date.