

Resolution

ENROLLED HOUSE
CONCURRENT
RESOLUTION NO. 1004

By: Hilbert and Lowe (Jason) of
the House

and

Paxton of the Senate

A Concurrent Resolution relating to the consent decree entered into with the Oklahoma Department of Mental Health and Substance Abuse Services, the Oklahoma Forensic Center, and the putative class.

WHEREAS, the Oklahoma Department of Mental Health and Substance Abuse Services is obligated to provide competency evaluations and restoration treatment for persons found incompetent to stand trial in Oklahoma state court criminal proceedings; and

WHEREAS, when an Oklahoma state court determines that a person is incompetent to stand trial because he or she is a "person requiring treatment", but capable of achieving competency with treatment within a reasonable period of time, the state court must suspend the criminal proceedings and order the Department, or its designee, to provide treatment, therapy, or training calculated to allow the person to achieve competency; and

WHEREAS, the Oklahoma Forensic Center is currently the only Department-operated hospital that provides secure, in-patient competency restoration treatment in Oklahoma; and

WHEREAS, on March 1, 2023, the putative class filed a class action lawsuit pursuant to 42 U.S.C., Section 1983 against the Commissioner of the Department of Mental Health and Substance Abuse

Services and the Executive Director of the Oklahoma Forensic Center;
and

WHEREAS, the parties have entered into a consent decree pursuant to case number 23-cv-81-GKF-JFJ filed in the United States District Court for the Northern District of Oklahoma; and

WHEREAS, the parties acknowledge that plaintiffs' claims and allegations are serious and credible and the consent decree resolves plaintiffs' claims while avoiding the costs, uncertainties, and risks of protracted litigation, likely saving the Department millions of dollars in legal fees and expenses if the case were litigated to a conclusion.

NOW, THEREFORE, BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF THE 1ST SESSION OF THE 60TH OKLAHOMA LEGISLATURE, THE SENATE CONCURRING THEREIN:

THAT pursuant to the provisions of the consent decree the Oklahoma Legislature is required to approve the consent decree pursuant to Section 200 of Title 51 of the Oklahoma Statutes.

THAT the Oklahoma House of Representatives and the Oklahoma State Senate hereby approve of the consent decree entered into by the parties.

Adopted by the House of Representatives the 19th day of February, 2025.

Presiding Officer of the House
of Representatives

Adopted by the Senate the 4th day of March, 2025.

Presiding Officer of the Senate

OFFICE OF THE SECRETARY OF STATE

Received by the Office of the Secretary of State this _____
day of _____, 20_____, at _____ o'clock _____ M.
By: _____