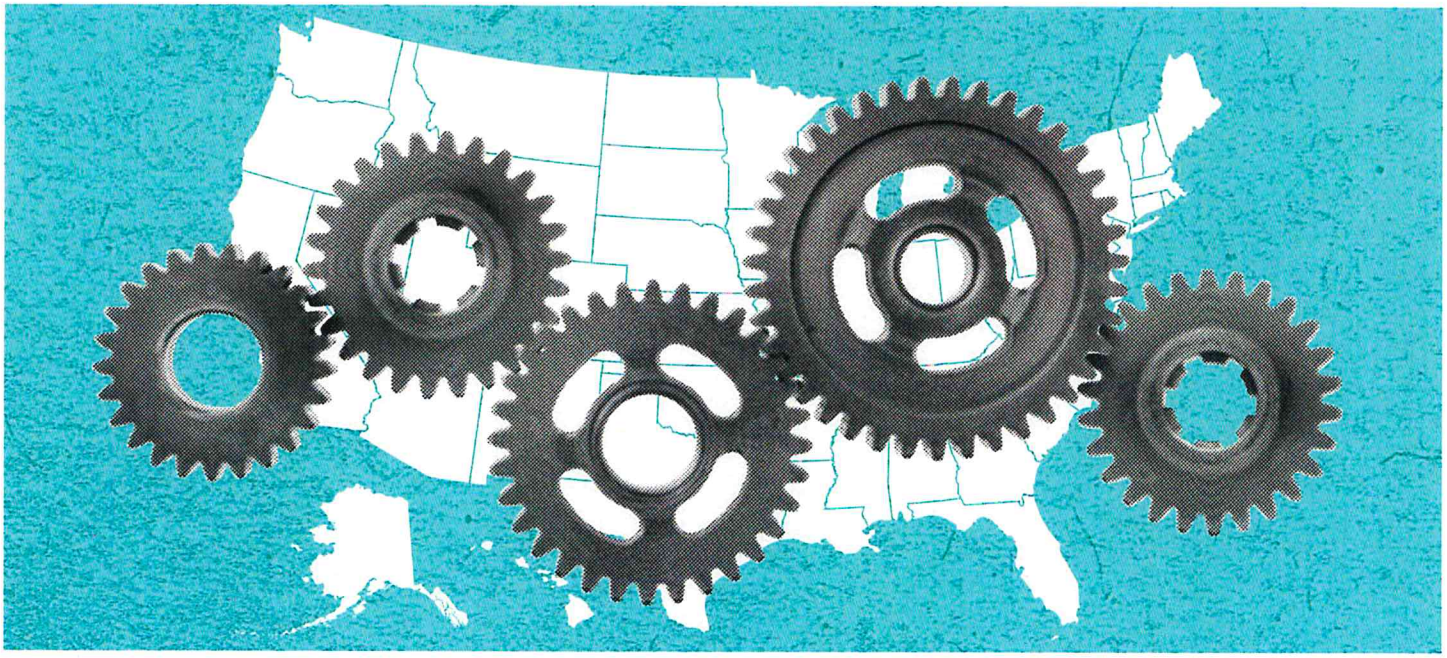


Five Evidence-Based Policies Can Improve Community Supervision

Key reforms can prioritize resources for higher-risk individuals, reduce returns to prison, and protect public safety

Overview

Community supervision, most commonly probation and parole, is a key component of correctional systems in every state and involves more people than are serving prison or jail sentences. At the end of 2020, almost 3.9 million Americans—or 1 in 66 adults—were on probation or parole in the U.S., compared with nearly 1.8 million in jails and state and federal prisons.[1]

Community supervision also presents a different set of challenges for policymakers and for the people affected by it than does incarceration. Individuals on probation and parole must earn a living, pay for housing, and care for their families, all while also attending to their own behavioral health needs. And, often, they must manage these responsibilities within the constraints of restrictive supervision rules. Failure to comply with these requirements can mean a return to incarceration, a process that in many states is a leading driver of prison admissions.[2]

To address the unique challenges of supervision systems, policymakers and other stakeholders need a greater understanding of policies that effectively support behavior change and manage probation populations. The Pew Charitable Trusts set out to help meet that need by reviewing state statutes affecting probation systems in all 50 states—which collectively supervise roughly four times as many people as do parole systems—and identified the extent to which states have adopted five key policies to help strengthen and shrink those systems.[3]

This review can provide a path for states and agencies seeking to improve their systems; offer better returns on public safety investments; and help lawmakers, practitioners, and advocates move their states toward a more evidence-based approach to community supervision. For each policy, Pew's team established criteria—generally ranging from no adoption to the most efficient approach as demonstrated by research and current practices in the field—and used those to show each state's existing strategy for addressing critical probation issues. For more information, see the policy descriptions, methodology (Appendix A), and list of state statutes (Appendix B).

The five policies are part of a larger, comprehensive menu of supervision reforms that Pew and Arnold Ventures released in 2020, "Policy Reforms Can Strengthen Community Supervision: A Framework to Improve Probation and Parole."[4] That framework sought to be broad enough to account for the many differences in probation and parole systems throughout the country, such as that they may operate at a local, county, or state level, and, from state to state, can fall under the authority of the executive or judicial branch.[5] But regardless of how a system operates, research suggests that these five policies can help states achieve key community supervision reform goals, including cutting the supervision population so that resources can be prioritized for higher-risk individuals, reducing instances of incarceration for technical revocations, and enabling mobility and employment.

The five policies

Limit probation terms. Many people spend years, even decades, under supervision, but some states have established caps on the amount of time a person can be sentenced to probation. Although many states have statutory limits, or caps, on the length of probation terms, many also allow extensions. Research shows that the highest rate of reoffending occurs within the first few months of supervision.[6] And, when terms are too long for an individual's circumstances, they can have diminishing returns, create needless financial burdens for people on supervision, and waste resources.[7]

Provide earned compliance credits. The ability to earn time off of their probation sentences is a substantial motivator for people on supervision: Research shows that incentives are more effective at encouraging compliance than the threat of sanctions.[8] Earned compliance credits are a highly effective incentive that awards time off of probation for adhering to the rules. By enabling lower-risk, compliant individuals to end supervision sooner, probation agencies can prioritize their limited resources on the smaller number of people who are higher-risk or noncompliant.

Limit incarceration before a violation hearing. Individuals charged with violating the rules of their probation may be held in prison or jail pending a hearing, often for days or weeks. Many states have reduced the circumstances under which they confine individuals accused of technical violations—noncompliance with one or more supervision rules, generally noncriminal acts (e.g., missing an appointment or having a positive drug test)—opting instead for less harsh penalties that allow people to remain in the community or minimize the time spent incarcerated while their case is being resolved.

Limit incarceration for revocations based on technical violations. Revocation is a sanction for violations of supervision and can include prison or jail time. States are increasingly recognizing that incarcerating individuals for technical violations provides little public safety benefit and negatively affects people, regardless of the length of the incarceration.[9]

Prohibit driver's license suspension for inability to pay fines and fees. Research shows that using license suspension as punishment for failure to pay fines and fees disproportionately affects poor people and people of color and can interfere with people's ability to comply with the terms of supervision, such as maintaining employment.[10] This restriction has been shown to negatively affect successful completion of probation terms, leading to increased recidivism and other negative consequences.[11]

Since 2018, Pew, in partnership with Arnold Ventures, has worked to bring attention to the community supervision system, its substantial size and dramatic growth between 1980 and 2008, and the overall effectiveness of probation and parole systems in supporting efforts to reintegrate people back into the community and to promote public safety. The 2020 policy framework is a key part of those efforts, outlining policies to make supervision more efficient and effective. It was developed by a diverse group of representatives from probation and parole agencies, the courts, law enforcement, affected communities, the behavioral health field, and academia. Three broad goals drove the framework policies, and those same goals serve as the criteria for the five policies examined here: a smaller system with fewer people on supervision; less use of incarceration as a sanction for supervision violations, particularly technical violations; and improved outcomes for people on supervision, which in turn leads to better public safety.

Goal 1: Fewer people on supervision, allowing resources to be targeted toward higher-risk people

To achieve the goal of having fewer people on supervision, policies must affect either admissions to probation or the length of time people can serve on probation. Relevant practices span the criminal legal system, from initial contact with law enforcement to sentencing. They include diversion—an alternative to arrest, prosecution, or criminal sentence that is designed to encourage participation in a community-based treatment or other program—and deferred prosecution, an agreement in lieu of trial that a defendant will adhere to specified requirements or may face prosecution later. Any review of admissions and sentencing policies would also entail cataloging the offenses that can preclude or allow for the possibility of probation in each state.

However, reducing admissions to probation could also have the unintended consequence of increasing incarceration because in the absence of an alternative to incarceration, prosecutors often seek sentences that maintain some form of court-ordered control over the individual. To address that concern, states must take a comprehensive look at their criminal justice systems and understand its policy levers. To see more policy ideas that address admissions and alternative community options, please see "Enact alternatives to arrest, incarceration, and supervision" in the framework.[12]

A recent Pew report, "States Can Shorten Probation and Protect Public Safety," explains how lengthy supervision terms often extend beyond the point of serving rehabilitative or public safety objectives, leading to larger probation populations and caseloads, and challenging officers' ability to focus on people most at risk for reoffending.[13] However, to deliver better public safety results, evidence indicates that probation systems should prioritize resources for individuals with the highest risk of recidivism and during the first few months to one year of supervision, when reoffending is most likely.[14] Further, lengthy terms do not yield lower rates of reoffending and are more likely than shorter terms to result in technical violations, which are a considerable driver of state prison admission rates.[15]

Research also shows that positive reinforcement is more effective than punishment in incentivizing compliance with probation and parole rules, which helps yield successful outcomes. And a recent study found that allowing people to earn time off their sentences is the most highly valued incentive among individuals on supervision.[16]

These and other findings have led many researchers and stakeholders to conclude that probation sentences are often longer than necessary to protect public safety, possibly wasting limited resources.[17] Minimizing people's time on supervision can also help reduce caseload size, which can facilitate supervision officers' ability to apply techniques and tools that evidence shows can reduce recidivism.[18]

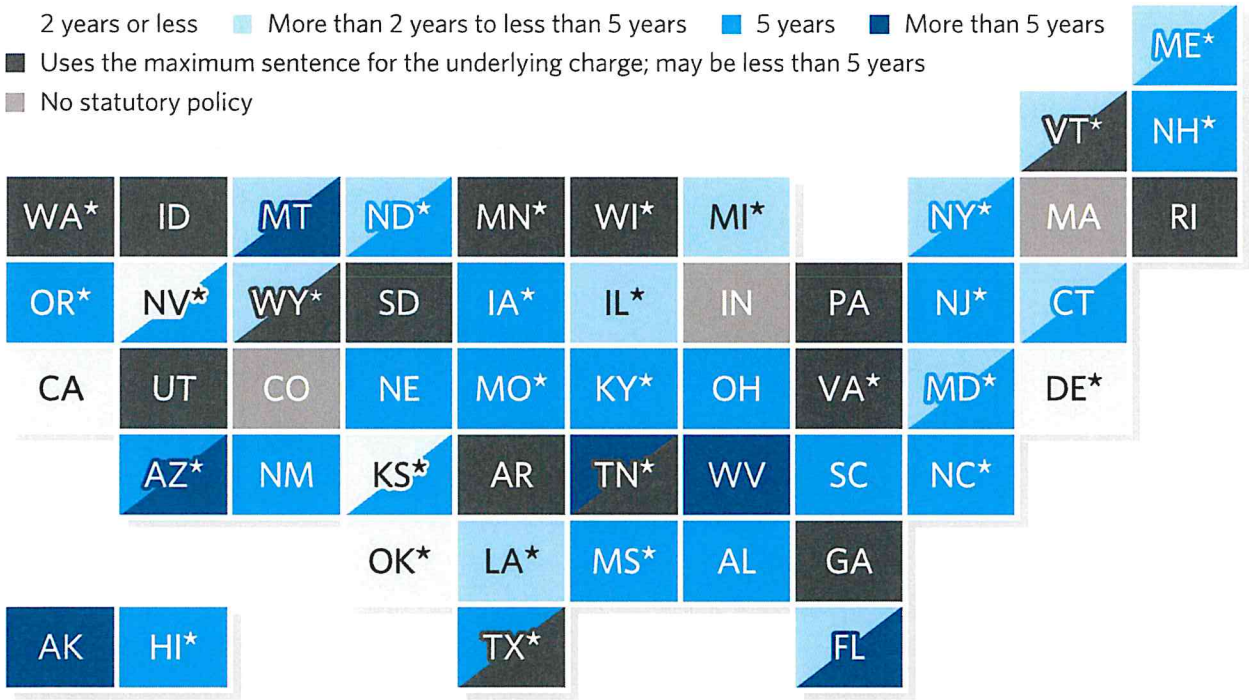
The first two of the five featured policies, probation term limits and earned compliance credits, support the goal of fewer people on supervision by enabling agencies to move low-risk individuals off probation more quickly and target resources where they can be most effective: toward higher-risk individuals and the early months of supervision terms.

For probation term limits, this analysis found that as of fall 2021, 47 states have a policy related to probation length. (See Figure 1.) The review shows that three limit felony probation to two years or less; another three have caps of more than two to less than five years; 14 states allow probation terms of five years; two states have caps longer than five years; 11 use the maximum sentence for the offense charged, which may be more or less than five years; and the remaining 14 states use a combination of these caps, depending on the underlying offense. Additionally, 29 of these 47 states allow probation caps to be extended under certain conditions.

Figure 1

Most States Cap Probation Sentences at 5 Years or Less

Probation term limits, by state



*Probation caps can be extended

Note: Split states use different probation caps depending on the class of the offense. For certain crimes, typically sexual or violent offenses, many states establish probation for most or all of the person's life. Those offenses are not part of this analysis.

Source: Pew analysis of state statutes, as of 2021

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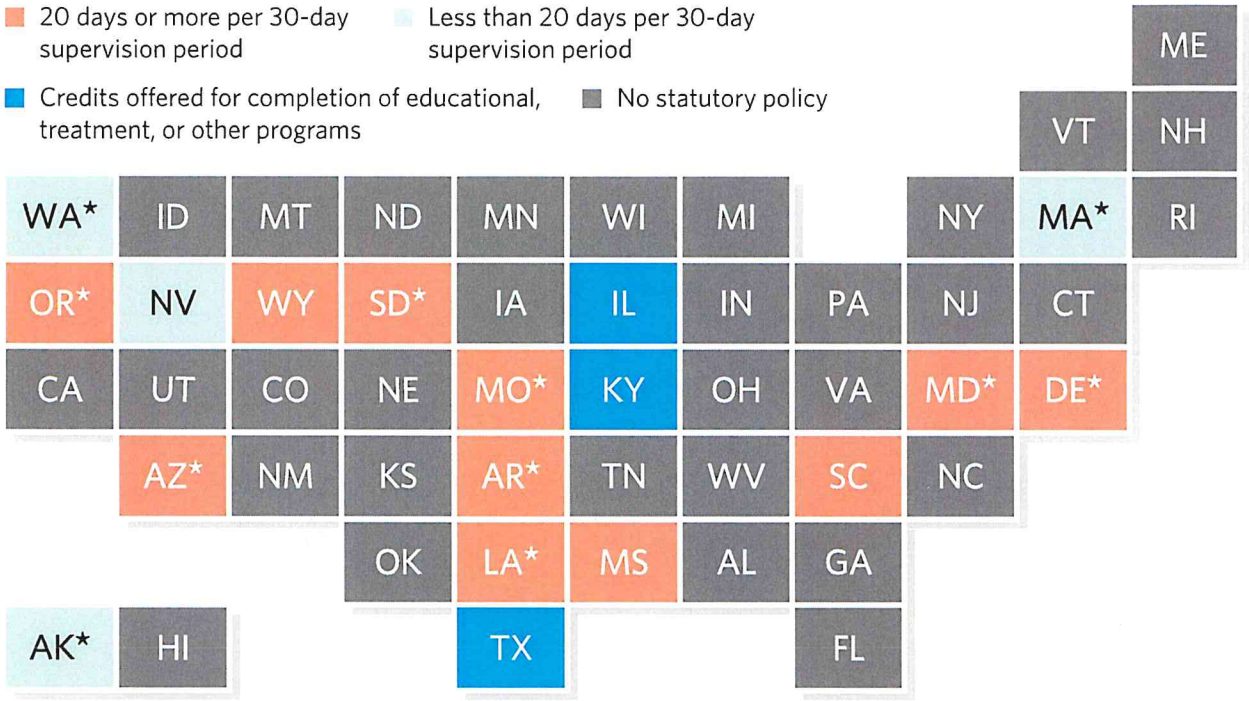
Regarding earned compliance credits, 11 states offer the potential to earn 20 days or more of credits per 30 days under supervision without a violation; four states provide credits of up to 20 days; and three award credits for the completion of specific programs, such as substance treatment, but the vast majority, 32 states, do not have a statutory policy for earned compliance credits. (See Figure 2.)

Figure 2

Many States Have Not Adopted Earned Compliance Credits, Which Let People Shorten Their Time on Probation

Credit policies, by state



*Excludes people convicted of certain offenses from earning credits

Source: Pew analysis of state statutes, as of 2021

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Given these figures, lawmakers and stakeholders in most states have considerable room to review the nature and effectiveness of their probation cap and earned compliance credit policies and look for opportunities to reduce their supervision populations using these key strategies.

Goal 2: Reduce incarceration as a sanction for supervision violations

Criminal justice professionals and other stakeholders often consider supervision an alternative to prison or jail time. Yet, revocations are a significant driver of incarceration, accounting for 45% of all prison admissions nationally in 2017, more than half of which involved technical violations. As a result, on any given day, an estimated 280,000 Americans, or nearly 1 in 4 people in state prisons, were imprisoned for a supervision violation in 2017.[19]

Initially, incarcerating people for technical violations was intended to encourage compliance. However, in practice, it has contributed to high state incarceration rates; is often disproportionate to the seriousness of the violation; does little to enhance public safety, especially as a response to noncriminal behavior; and, because prison and jail

are the most expensive form of government punishment, drives up corrections costs.[20] Additionally, research has shown that incarceration is no more effective at reducing recidivism than noncustodial sanctions and can deepen illegal involvement for some people, inducing the negative behaviors it is intended to change.[21]

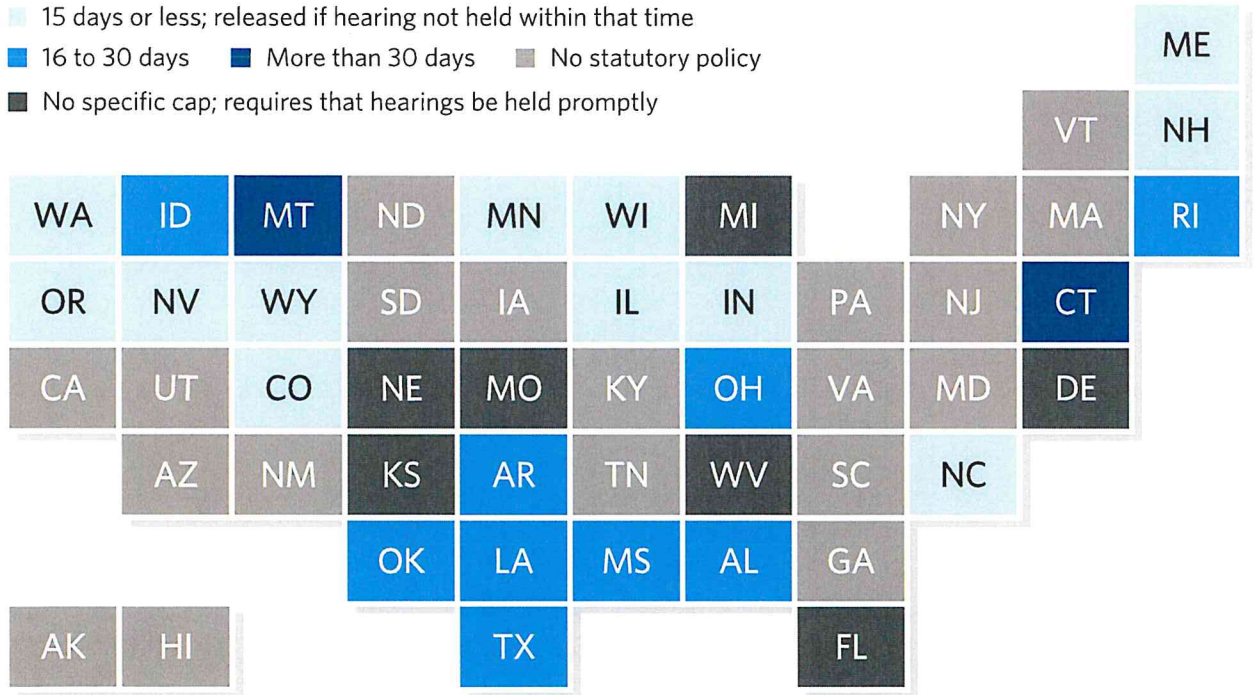
A systematic review of existing studies found that, compared with community-based alternatives such as responsive programming or community service, incarceration either has no significant impact on reducing rearrests or is associated with an increase in criminal behavior.[22] This may be, in part, because incarceration can lead to employment instability, social destabilization, and a higher incidence of health problems for the people sent to prison or jail.[23]

To reduce the time that people spend incarcerated because of a violation, some states have established limits on incarceration pending a revocation hearing and on revocations to prison or jail for technical violations, the third and fourth featured policies. As of this writing, less than half of states have a statutory time frame to limit the amount of time people can be incarcerated while awaiting a revocation hearing: Twelve states restrict these stays to 15 days, another nine limit them to 30 days, two states have a statutory limit of more than 30 days, and seven states do not specify a time frame but do indicate that the hearing will be expedited if the individual is held. However, 20 states do not have any statutory limitation. (See Figure 3.)

Figure 3

Most States Do Not Limit Incarceration Before a Revocation Hearing

Maximum time allowed in jail or prison, by state



Source: Pew analysis of state statutes, as of 2021

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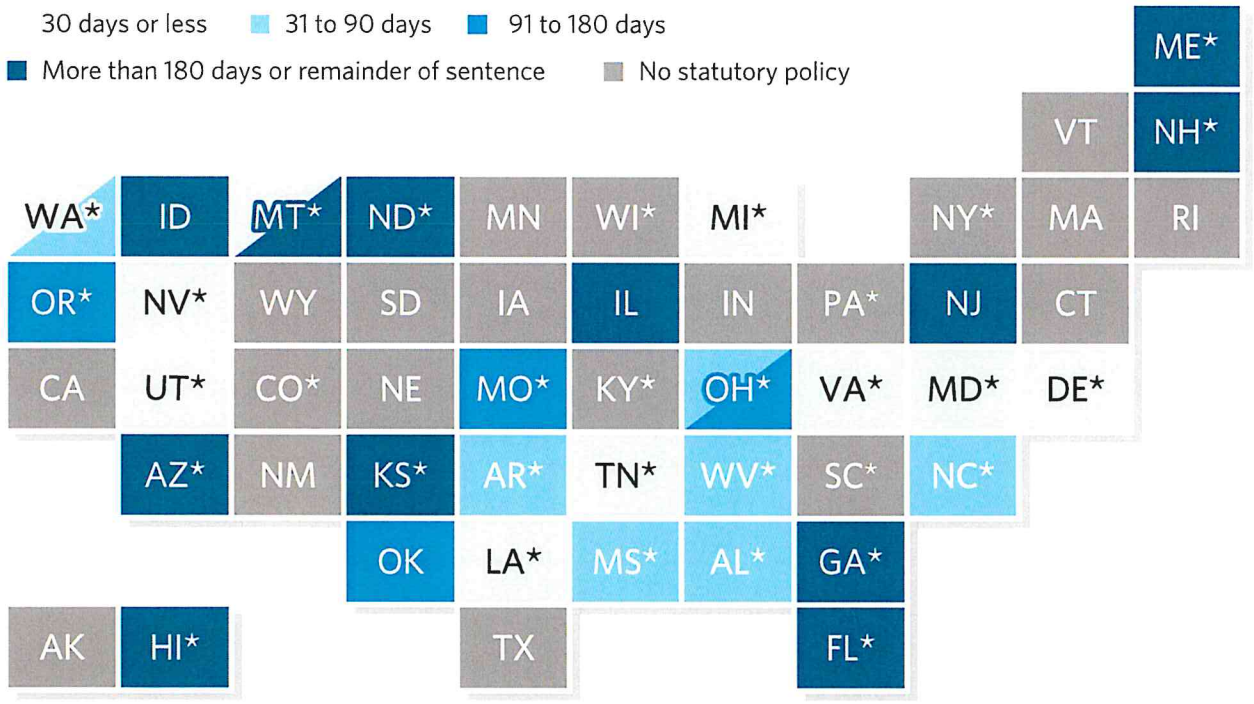
Further, a handful of states limit incarceration resulting from revocations specifically for technical violations. For a first such revocation, 10 states have policies that limit time spent to 30 days or less, six states have caps between 31 and 90 days, three have limits between 91 and 180 days, 11 have caps of longer than six months up to the remainder of the underlying sentence, and the remaining 20 states have no statutory limit on technical revocations. (See Figure 4.) Although this policy is sometimes conflated with graduated sanctions—a system of increasing consequences, such as an earlier curfew or short stays in jail or prison, which states often use to address minor noncompliance issues—revocation limits are different in that they are specifically focused on reducing incarceration related to technical violations.

Again, state leaders have an opportunity to reconsider their current practices regarding the use of incarceration as a sanction for supervision violations and to explore the best ways to spend scarce corrections resources.

Figure 4

Only a Fifth of States Limit Incarceration for Technical Probation Violations to No More Than 30 Days

Revocation caps, by state



* State has a graduated sanctions system that limits incarcerated time for technical violations.

Note: Split states assess a revocation term based on the underlying offense.

Source: Pew analysis of state statutes, as of 2021

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Goal 3: Remove obstacles to mobility and employment

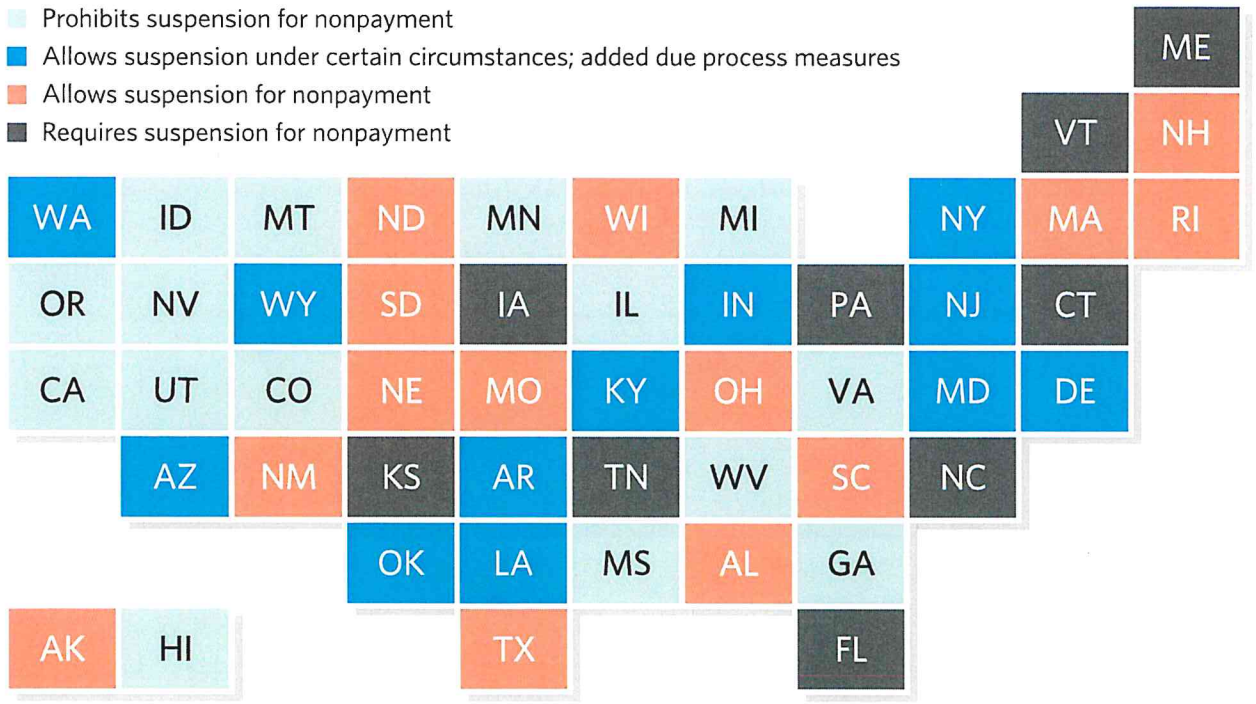
Successful supervision outcomes can include higher rates of probation completion; fewer rearrests during or after supervision; and more stable or better employment, housing, and behavioral health treatment. However, many jurisdictions allow or require driver license suspension for nonpayment of fines and fees. Leaving aside that these fees are often unaffordable, license suspension interferes with people's transportation and employment. Like incarceration for technical violations, suspension is supposed to forcefully encourage compliance with supervision terms, but research shows that the practice serves little public safety purpose and often exacerbates indigence by limiting a person's ability to earn a living.[24]

Prohibiting suspension of a driver's license for inability to pay, the final policy in this brief, can support individuals on supervision in stabilizing their lives by enabling them to maintain employment and manage basic needs. Over the past few years, many states have begun to prohibit driver's license suspension for inability to pay fines and fees (notably, this does not preclude suspending a license for violations related to driving safety). As of September 2021, 15 states had banned suspension of driver's licenses for failure to pay fines and fees, and another 12 allow suspension under specific circumstances and established due process measures, such as a hearing to show willful nonpayment. Only nine states require suspension for unpaid fines and fees, and 14 allow it as an option with no procedural safeguards. (See Figure 5.)

Figure 5

9 States Still Require a Person's Driver's License Be Suspended for Failure to Pay Fines or Fees

License suspension policies, by state



Note: Washington's policy was enacted in 2021 but will not take effect until 2023.

Source: Pew analysis of state statutes, as of 2021

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This shift in state policy reflects the growing understanding that suspending driver's licenses for financial obligations disproportionately affects indigent individuals, has a minimal impact on public safety, and is an ineffective and even counterproductive tool to achieve the goal of collecting payment.[25]

Conclusion

Although the policy conversation on criminal justice reform has historically focused on incarceration, policymakers and advocates have begun to shine a spotlight in recent years on community supervision and the need for more effective, evidence-based policy options. This brief is intended to provide lawmakers and other key stakeholders with information about policy approaches to create more efficient and effective community supervision systems and make better use of limited criminal justice resources. The five policies outlined here can help states cut probation populations, reduce incarceration, and improve outcomes for public safety and people under supervision.

Appendix A: Methodology

The data used in this brief is from state statutes as of 2021 that address probation term limits, earned credits, caps on incarceration pending a revocation hearing, limits to incarcerated time due to revocations for technical violations, and prohibiting suspension of driver's licenses for failure to pay fines and fees. All statutes were verified by officials within the state probation agency or administrative office of the courts, and, in some instances, both.

A variety of factors influence whether laws are enacted and how substantial or limited their impact may be. The criteria for evaluating a state's statutes are based on available evidence and do not consider policy implementation, political dynamics, or regional and jurisdictional differences. Additionally, many probation systems operate on a county or regional rather than state level, and this evaluation does not account for those circumstances or for how strictly or loosely a statute is applied or other jurisdictional nuances. Consequently, the analysis may not fully reflect the lived experiences of people under supervision, or the state's policy as implemented, and stakeholders in a given state may be better positioned to explore these factors in depth.

Although the available research does not identify specifically how long probation sentences or terms of incarceration for revocations should be for maximum effectiveness, it does indicate that lengthy terms do not contribute to lower recidivism rates or public safety. Where no research exists, we established cutpoints based on standard practice. The specific criteria used for this analysis are:

Probation term limits

The most common probation caps were either two or five years, so this analysis used six categories to describe state variation. For certain crimes, typically sexual or violent offenses, many states establish probation for most or all of the person's life. Those offenses are not part of this analysis. This brief identifies felony probation caps of:

- 2 years or less.
- More than 2 years to less than 5 years.
- 5 years.
- More than 5 years.
- Uses maximum sentence for offense charged, which may be more or less than five years.
- No statutory policy.

Earned compliance credits

States that offer earned compliance credits usually offer 20 or 30 credit days per 30 days of compliance. This brief establishes the following break points based on states' current practices:

- 20 days or more of credits per 30-day supervision period.
- Less than 20 days per 30-day supervision period.
- Some states provide earned credits based on completing a program, such as substance misuse treatment, life skills, or high school equivalency, rather than for general compliance. These credits are not necessarily associated with how long it may take to complete the program and are awarded only upon completion.
- No statutory policy.

Limit incarceration pending a violation hearing

When a probation officer seeks a revocation, the individual under supervision either receives a summons or is arrested, usually depending on the violation. Although states do not share a consistent practice on how soon a violation hearing must be held in such instances, many have established limits for how long a person can be incarcerated while awaiting a hearing, ranging from 72 hours to up to 60 days. Because being jailed even for short periods can profoundly affect a person's life, Pew researchers established the following time frames for incarceration pending a hearing:

- 15 days or less; released if no hearing is held within that time.
- 16 to 30 days.
- More than 30 days.
- No statutory limitation.
- No specific cap; requires that hearings be held without unnecessary delays.

Limit revocations based on technical violations

Probation revocations usually occur after more than one violation and after some graduated sanctions were applied. Often, subsequent revocations lead to progressively longer periods in jail or prison with, for example, a fourth revocation frequently requiring completion of the original sentence. This analysis looked only at policies related to a first revocation:

- 30 days or less.
- 31 to 90 days.
- 91 to 180 days.
- More than 180 days or remainder of sentence.
- No statutory policy.

Prohibit driver's license suspension for inability to pay fines and fees

States are increasingly recognizing that suspending a person's driver's license for failure to pay fines and fees is counterproductive and undermines the objectives of supervision. Accordingly, this analysis adopted the following policy criteria:

- Prohibits suspension for nonpayment.
- Allows suspension under certain circumstances; added due process measures.
- Allows suspension for nonpayment.
- Requires suspension for nonpayment.

Appendix B: State Statutes Related to the Five Policies Studied

State	Probation term limits	Earned compliance credits	Limit incarceration pending violation hearing	Limit incarceration for technical violations	Prohibit driver's license suspension for inability to pay fines and fees
AL	Code of Ala. §15-22-54	No applicable statute	Code of Ala. § 15-22-54	AL Code §15-22-54	Code of Ala. § 32-7-13 – 15; *see also* Ala. R. Crim. P. Rule 26.11
AK	Alaska Stat. §12.55.090	Alaska Stat. § 33.05.020	No applicable statute	No applicable statute	Alaska Stat. §28.15.181
AZ	A.R.S. §13-902	A.R.S. §13-924	No applicable statute (but see Ariz. R. Crim. P. 27.8)	A.R.S., §13-901, A.R.S. §13-903	SB 1551 (2021)
AR	A.C.A. §5-4-306	A.C.A. §16-90-1301 - 1304	A.C.A. §16-93-307, 309	A.C.A. §16-93-309	A.C.A. §16-13-708, SB 513 (2021)
CA	AB 1950 (2020); Cal. Pen. Code § 1203.1	No applicable statute	No applicable statute	No applicable statute	California AB 103 (2017)
CO	C.R.S. 18-1.3-202	No applicable statute	C.R.S. §16-11-206	No applicable statute	HB 21-1314 (2021)
CT	Conn. Gen. Stat. §53a-29	No applicable statute	Conn. Gen. Stat. §53a-32	No applicable statute	Conn. Gen. Stat. §14-111, §14-111m, §14-140
DE	11 Del. C. §4333	11 Del. C. §4383	11 Del. C. §4334	11 Del. C. §4334	11 Del. C. § 4104, 21 Del. C. § 2731 - 2733
FL	Fla. Stat. §948.04	No applicable statute	Fla. Stat. §948.06	Fla. Stat. §948.06	Fla. Stat. Ann. §§ 318.15, Fla. Stat. §322.245
GA	GA Code Ann. §17-10-1	No applicable statute	No applicable statute	GA Code Ann. §42-8-34.1	Ga. Code Ann. § 40-6-189*; Ga. Code Ann. § 42-8-34 *Law requires a mandatory suspension of a driver's license for failure to pay the "Super Speeder" ticket fee.

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State	Probation term limits	Earned compliance credits	Limit incarceration pending violation hearing	Limit incarceration for technical violations	Prohibit driver's license suspension for inability to pay fines and fees
HI	HRS § 706-623	No applicable statute	HRS §706-626	HRS § 706-625	HRS § 286-109
ID	ID Code §19-2601	No applicable statute	No applicable statute (but see Idaho Criminal Rule 5.3)	Idaho Code § 20-222	HB 599 (2018) Idaho Code § 18-8001
IL	§730 ILCS 5/5-4.5-30	§730 ILCS 5/5-6-2	§730 ILCS 5/5-6-4 (effective until 12/31/2022, individual is subjected to bail hearing; effective 1/1/2023, individual is subjected to pretrial release)	§730 ILCS 5/5-6-4 §730 ILCS 5/5-6-4.1	Public Act 101-0652 (effective 7/1/2021)
IN	Burns Ind. Code Ann. § 35-38-1-7.1	No applicable statute	Burns Ind. Code Ann. § 35-38-2-3	No applicable statute	HB 1199 (2021)
IA	Iowa Code § 907.7	No applicable statute	No applicable statute	No applicable statute	Iowa Code § 321.210A
KS	K.S.A. §21-6608	No applicable statute	K.S.A. §22-3716	K.S.A. §22-3716	K.S.A. §8-2110
KY	KRS §533.020	KRS §439.268	No applicable statute	No applicable statute	KRS § 187.400 - 440
LA	La. Code Crim. Proc. Art. 893	La. Code Crim. Proc. Art. 895.6	La. Code Crim. Proc. Art. 899, 900	La. Code Crim. Proc. Art. 900	La. Code Crim. Proc. Art. 885.1 -
ME	17-A M.R.S. §1804	No applicable statute	17-A M.R.S. §1809	17-A M.R.S. § 1812	29-A M.R.S. §2605, 2608
MD	Md. Code Criminal Procedure Ann. § 6-222	Md. Code Correctional Services Ann. §6-117	No applicable statute	Md. Code Criminal Procedure Ann. § 6-223	MD SB 0234 (2020)
MA	ALM GL ch. 276, § 87	ALM GL ch. 276, §87B	No applicable statute	No applicable statute	e.g., ALM GL ch. 90C, § 3; *see also* 2018 Mass. ALS 69, § 217
MI	MCLS §771.2	No applicable statute	MCLS §771.4b	MCLS §771.4; MCLS §771.4b	HB 5846 / Public Act 376
MN	MN Stat §609.135	No applicable statute	Minn. R. Crim. P. 27.04	No applicable statute	MN Stat §171.16 (effective 1/1/2022) HF 10 (passed 2021)
MS	Miss. Code Ann. §47-7-37	Miss. Code Ann. §47-7-40	Miss. Code Ann. §47-7-37	Miss. Code Ann. §47-7-37	HB 1352 (2019)
MO	§ 559.016 R.S.Mo.	§ 217.703 R.S.Mo.	§ 559.036 R.S.Mo.	§ 559.036 R.S.Mo.	§ 302.341 R.S.Mo.
MT	§46-18-201, MCA (effective 1/1/2022)	No applicable statute	§46-18-203, MCA	MCA. §46-23-1015; §46-18-203, MCA	§46-18-201, MCA

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State	Probation term limits	Earned compliance credits	Limit incarceration pending violation hearing	Limit incarceration for technical violations	Prohibit driver's license suspension for inability to pay fines and fees
NE	R.R.S. Neb. § 29-2263	No applicable statute	R.R.S. Neb. § 29-2266.03, §29-2267	No applicable statute	R.R.S. Neb. § 60-4,100
NV	Nev. Rev. Stat. §176A.500	Nev. Rev. Stat. §176A.500	Nev. Rev. Stat. §176A.630	Nev. Rev. Stat. §176A.630	Nev. Rev. Stat. §176.064 SB219 (approved by governor, 6/8/21)
NH	NH Rev. Stat. §651:2	No applicable statute	NH Rev. Stat. §504-A:4 & 5	NH Rev. Stat. §651:2	NH Rev. Stat. §263:56-a
NJ	NJ Rev. Stat. §2C:45-2	No applicable statute	NJ Rev. Stat. §2C:45-33; N.J. Court Rules, R. 3:26-1	NJ Rev. Stat. §2C:45-34b	NJ Rev. Stat. §2C:46-2
NM	N.M. Stat. Ann. §31-20-5	No applicable statute	No applicable statute	No applicable statute	N.M. Stat. Ann. § 66-5-30
NY	NY Penal Law §65.00	No applicable statute	No applicable statute	No applicable statute	NY Veh. & Traf. Law 510
NC	NC Gen. Stat. §15A-1342	No applicable statute	NC Gen. Stat. §15A-1345	N.C. Gen. Stat. §15A-1344	N.C. Gen. Stat. §20-24.1 - 24.2
ND	ND Century Code §12.1-32-06.1	No applicable statute	No applicable statute	N.D. Cent. Code, § 12.1-32-07	N.D. Cent. Code, § 39-06-32
OH	ORC §2929.15	No applicable statute	ORC § 2951.08	ORC §2929.15	ORC Ann. 4510.22
OK	22 Okl. Stat. §991a	No applicable statute	22 Okl. Stat. §991b	22 Okl. Stat. §991b	22 Okl. Stat. §983(C)
OR	ORS §137.010	ORS §137.633 (effective 1/1/2022)	ORS §137.545	ORS §137.593	HB 4210 (effective 10/01/20)
PA	42 Pa.C.S. §9754(a)	No applicable statute	No applicable statute	No applicable statute	75 Pa.C.S. § 1533
RI	RI Gen. Laws §12-19-8; §12-19-13	No applicable statute	RI Gen. Laws §12-19-9; §12-19-14	No applicable statute	RI Gen. Laws §12-21-33; §31-11-15
SC	SC Code §24-21-440	SC Code §24-21-280	SC Code §24-21-450	No applicable statute	S.C. Code Ann. § 56-1-285
SD	SD Codified Law §23A-27-12.2; §23A-27-13	SD Codified Law §23A-48-19; §16-22-19	No applicable statute	No applicable statute	S.D. Codified Laws § 32-12-49; S.D. Codified Laws § 1-55-11
TN	TN Code Ann. §40-35-303	No applicable statute	No applicable statute	Tenn. Code Ann. 40-35-311	Tenn. Code Ann. § 40-24-105
TX	Tex. Code Crim. Proc. Art. 42A.053; 42A.753	Tex. Code Crim. Proc. Art. 42A.702	Tex. Code Crim. Proc. Art. 42A.751	No applicable statute	Tex. Transp. Code § 706.004
UT	Utah Code Ann. § 77-18-105	Utah Code Ann. §64-13-21	Utah Code Ann. § 77-18-108	Utah Code Ann. §63M-7-404	HB0143 (2021); (Utah Code Ann. 41-6a-509)

Continued on next page

State	Probation term limits	Earned compliance credits	Limit incarceration pending violation hearing	Limit incarceration for technical violations (revocation caps)	Prohibit driver's license suspension for inability to pay fines and fees
VT	28 VSA §205	No applicable statute	28 VSA §301	No applicable statute	28 VSA §1109
VA	VA Code Ann. § 19.2-303	No applicable statute	VA Code Ann. §19.2-303.3; VA Code Ann. §19.2-306	VA Code Ann. §19.2-306.1	SB 1 (2020)
WA	RCW §9.95.210; §9.94A.750	RCW §9.94a.717	RCW §137-24-030; Rev. Code Wash. § 9.94A.737	RCW §9.94A.633	SB 5226 (2021; effective 2023): RCW § 46.20.289 (effective 1/1/2023); § 46.63.110 (effective 1/1/2023)
WV	W. Va. Code §62-12-11	No applicable statute	W. Va. Code §62-12-10 -	W. Va. Code §62-12-10	HB 4958 (2020) - effective 7/1/2020
WI	Wis. Stat. §973.09	No applicable statute	Wis. Stat. §302.334	Wis. Stat. §973.10	Wis. Stat. §800.095
WY	Wyo. Stat. §7-13-302	Wyo. Stat. §7-16-104	Wyo. Stat. §7-13-408	No applicable statute	Wyo. Stat. §31-9-302, - 305

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