



Chief Justice Maureen O'Connor, Chair • Sara Andrews, Director

INTERSTATE COMMISSION FOR ADULT OFFENDER SUPERVISION

In cooperation with the National Office of the Interstate Commission for Adult Offender Supervision (ICAOS) the Ohio Criminal Sentencing Commission of the Supreme Court of Ohio is pleased to share the following information regarding State Parole and Probation Structures.

PAROLE AND PROBATION STRUCTURES

DISTINGUISHING BETWEEN BIFURCATED AND NON-BIFURCATED

Distinguishing between bifurcated and non-bifurcated states (and U.S. Territories) depends on several variables. The purpose of this document is to clarify the differences and to categorize the states as either bifurcated or non-bifurcated. However, it is important to note that there is the third category consisting of non-bifurcated states that are organized as bifurcated within the Interstate Compact Offender Tracking System (ICOTS). In the following paragraphs the states are divided in three categories: bifurcated, non-bifurcated, and non-bifurcated that are bifurcated in ICOTS.

A. Bifurcated States

In bifurcated states supervision services are divided between two branches of government: the executive branch (parole) and the judicial branch (probation). For example, in Colorado, the Colorado Department of Corrections supervises parolees and the Colorado Supreme Court is responsible for probation services. States that meet this definition of bifurcated include:

1. Arizona
2. Colorado
3. Connecticut
4. Hawaii
5. Illinois
6. Indiana
7. Massachusetts
8. Nebraska
9. New Jersey
10. New York

11. South Dakota
12. Virgin Islands
13. West Virginia

B. Non-Bifurcated States

In non-bifurcated states, one branch of government is responsible for both parole and probation services or the executive branch is responsible for parole and local government is individually responsible for probation services. For example, in Ohio, the Ohio Department of Corrections supervises parolees and the individual counties and cities (misdemeanants) are responsible for probation services. States that meet the definition of non-bifurcated include:

1. Alabama
2. Alaska
3. Arkansas
4. California

B. Non-Bifurcated States - continued

- 5. Delaware
- 6. Florida
- 7. Georgia
- 8. Idaho
- 9. Iowa
- 10. Kansas
- 11. Kentucky
- 12. Louisiana
- 13. Maine
- 14. Maryland
- 15. Michigan
- 16. Minnesota
- 17. Mississippi
- 18. Missouri
- 19. Montana
- 20. Nevada
- 21. New Hampshire
- 22. New Mexico
- 23. North Carolina
- 24. North Dakota
- 25. Ohio
- 26. Oklahoma
- 27. Oregon
- 28. Pennsylvania
- 29. Puerto Rico
- 30. Rhode Island
- 31. South Carolina
- 32. Tennessee

- 33. Texas
- 34. Utah
- 35. Vermont
- 36. Virginia
- 37. Washington
- 38. Washington DC
- 39. Wisconsin
- 40. Wyoming

C. Bifurcated in ICOTS

Because of the differences in workflow and activity processing in ICOTS, the states below are configured as bifurcated in ICOTS. This configuration may or may not represent the state's structure outside of ICOTS.

- 1. Arizona
- 2. Colorado
- 3. Connecticut
- 4. Hawaii
- 5. Indiana
- 6. Illinois
- 7. Massachusetts
- 8. Nebraska
- 9. New Jersey
- 10. New York
- 11. South Dakota

Since 1937, the Interstate Compact for the Supervision of Parolees and Probationers has provided the sole statutory authority for regulating the transfer of adult parole and probation supervision across state boundaries. All 50 states are members of this interstate agreement, as are the District of Columbia, Puerto Rico and the U.S. Virgin Islands.

The mission of Interstate Commission for Adult Offender Supervision is to guide the transfer of offenders in a manner that promotes effective supervision strategies consistent with public safety, offender accountability, and victim's rights. In FY 2015, an average of 118,000 offenders were under compact supervision.

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