

STATE LEVEL

CRIMINAL JUSTICE REFORM

BIPARTISAN POLICIES WITH
SUPPORT AND MOMENTUM

January 2025 Report



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ABOUT US

Justice Action Network Foundation (JANF) is a national bipartisan 501(c)(3) organization dedicated to improving our criminal justice system and public safety outcomes at the state and federal levels. Our focus is building durable movements for continued reform.

We identify viable, bipartisan policy reform opportunities by seeking input from lawmakers on both sides of the aisle, local advocacy groups, policy experts, system practitioners, law enforcement, business groups and associations, and other individuals directly affected. We provide education on best practices and coordinate relevant voices to bring about impactful reform.

Through this work, we provide the educational foundation and infrastructure for meaningful, sustainable criminal justice policy change to occur in states and in Congress year after year.

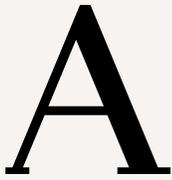
Justice Action Network (JAN), founded in 2015, is an independent but aligned 501(c)(4) organization of Justice Action Network Foundation 501(c)(3). At JAN, we harness the power of advocacy, political strategy, and lobbying to pass impactful, bipartisan bills that lead to long-lasting criminal justice reforms.

ACKNOWLEDGEMENTS

This report was prepared by Senior State Policy Manager Jenny Catchings and edited by Executive Director Lauren Krisai.

This report would not have been possible without the support of the Justice Action Network and Justice Action Network Foundation staff, lawmakers, state and national partners, and JAN consultants who worked tirelessly toward getting many of these bills over the finish line. We also extend our gratitude to Donelle Harder and her team at Pinkston for their communications support.

INTRODUCTION



report highlighting bipartisan wins and opportunities in justice reform may draw an important question in today's political climate: ***is bipartisan reform still possible?*** Our answer is yes—and we have practical reasons behind this belief.

Since 2019, the combined efforts of Justice Action Network Foundation's educational campaigns and Justice Action Network's direct lobbying and advocacy have resulted in **120 criminal justice reform-related laws signed in 20 states.**

Over the last five years, amidst political shifts big and small, state legislatures have passed bills on drug sentencing reform, criminal record expungement, earned credits for parole, driver's license suspension reform, civil asset forfeiture reform, and more. These bills were sponsored by Republicans and Democrats in states of every political leaning—**red, blue, and purple.**

In our experience, the message may evolve, but the core reasons lawmakers support these policies remain constant. Underlying these policies are widely-supported aims, including addressing workforce shortages, removing barriers to economic mobility, and improving correctional outcomes. There will always be room for justice reform as long as there are lawmakers committed to doing what is best for their state's public safety and economy in these and other essential ways.

Does this mean *any* justice reform has the possibility of bipartisan support? Not at all. This report highlights *what kinds* of changes have been both broadly and immediately achievable within specific states, political climates, and moments in time. It also demonstrates the factors that made these reforms—and will continue to make these reforms—so politically viable.

Some legislation presented in this report have an obvious and immediate impact, while others lay the groundwork for broader and buildable reforms in the future. Even when the provisions of a specific bill feel small, the impact can still be significant.

Sometimes, a bill can persuade lawmakers to look at other issues differently, build support for reform with nontraditional legislative allies, or create fresh momentum in the justice reform space. Patience and a long-term perspective are key.

INTRODUCTION

Still, bipartisanship can be messy. While not all of the legislation in this report received unanimous votes across party lines—though there are happily a few examples of that—every piece of legislation highlighted required cross-party agreement and cooperation on a justice reform issue through bill sponsorship, votes, or advocacy support, in some capacity, in a way that transcends expected roles.

Bipartisan reform is best when it is the foundation of a policy change and woven throughout every step of the process.

The door for reform is wide open, and we hope that this report serves as a resource for identifying policies that are actionable, have bipartisan support, and can pass in state legislatures today.

OVERVIEW

In this report, we focus on **six key criminal justice reform policy areas** in which we've had the most legislative success between 2019 and 2024. By narrowing the scope of this report to laws signed over the last five years, we seek to capture information and themes that are relevant today and present the greatest opportunities for continued bipartisan cooperation in 2025 and beyond.

Certain themes have emerged from our work during the last five years. We have seen some policy areas within criminal justice reform gain more traction, foster stronger bipartisan cooperation, and translate into more laws signed. While the policy changes we highlight are rooted in evidence-based best practices, this report specifically focuses on those that have attracted support in multiple states and across the political spectrum.

This report does not represent a comprehensive national survey, but rather a reflection on the success we have seen first hand. There may be additional bills that have passed in these states during this timeframe, but for the purpose of this report, we only highlight those in which we were directly involved, either independently or as part of a coalition.



Justice Action Network's Executive Director Lauren Krisai speaking at a press conference honoring the passage of the Clean Slate Act in Minnesota (2023)

OVERVIEW

The bipartisan policy highlights section is organized into the following six key policy areas:

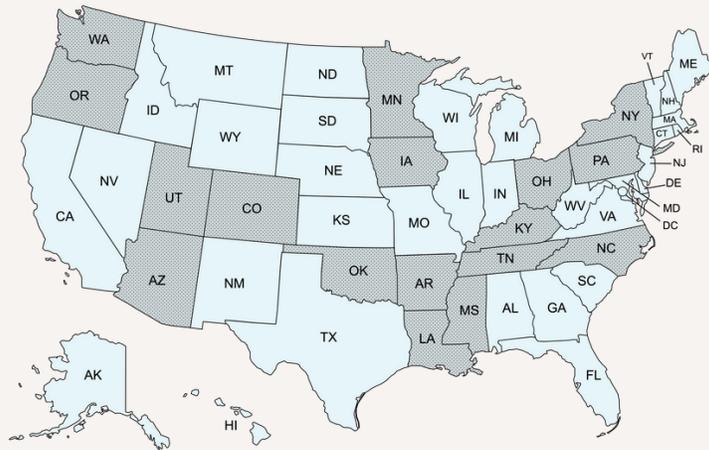
- 1 Re-entry reform — 45 laws in 17 states**
Policies that ease bureaucratic barriers to employment, expand expungement or Clean Slate automatic expungement opportunities, and equip individuals with crucial documents they need for re-entry.
- 2 Community supervision reform — 15 laws in 10 states**
Policies that expand earned credits, cap supervision sentence length, allow for modifications of sentences, and establish graduated sanctions for technical violations.
- 3 Fines and fees reform — 27 laws in 13 states**
Policies that reduce or eliminate unnecessary fines and fees in the justice system for juveniles and adults, and eliminate the use of driver's license suspensions or towing as a result of unpaid debt.
- 4 Modernizing sentencing — 13 laws in 9 states**
Policies that reduce sentencing enhancements, allow for more judicial discretion in sentencing, establish task forces to examine sentencing codes, and allow for "prosecutor-initiated resentencing."
- 5 Civil asset forfeiture reform — 4 laws in 4 states**
Policies that tighten up parameters around the seizure and forfeiture of property by police officers, strengthen due process protections for individuals who have their property seized and forfeited by law enforcement, or require a criminal conviction before police can forfeit a person's property.
- 6 Corrections and oversight — 6 laws in 5 states**
Policies that create more transparency and reporting requirements in state departments of corrections, or improve conditions of confinement for pregnant and postpartum women.

BIPARTISAN

POLICY HIGHLIGHTS

RE-ENTRY REFORM

Since 2019, the combined efforts of Justice Action Network Foundation’s educational campaigns and Justice Action Network’s direct lobbying and advocacy have resulted in the enactment of **45 re-entry reform laws in 17 states**: Arizona, Arkansas, Colorado, Iowa, Kentucky, Louisiana, Minnesota, Mississippi, New Mexico, North Carolina, Ohio, Oklahoma, Oregon, Pennsylvania, Tennessee, Utah, and Washington.



The 17 states in which Justice Action Network has successfully advocated for re-entry reforms since 2019

We broadly define re-entry reform as policies that aim to reduce recidivism and increase chances of a successful and long-term reintegration into society for individuals with criminal records or who are leaving incarceration or correctional control.

Some examples of this include policies that ease bureaucratic barriers to employment, create better longterm economic prospects for those with criminal records, expand petition-based expungement or “Clean Slate” automatic expungement opportunities, and equip individuals nearing their incarceration release date with crucial documents they need for employment, housing, and transportation.

RE-ENTRY REFORM

MESSAGING THAT WORKS

Lawmakers across the political spectrum have rallied around policies that improve access to employment, recognizing the many positive effects on both re-entering individuals and community businesses.

Workforce

Framing a bill as a “workforce” bill—or as a policy that will benefit employers and their community or state’s workforce—has allowed us to build a stronger coalition of support and bring nontraditional allies into the fold, including local businesses and trade associations. Broadening the base of support for these policies has helped us lay the groundwork for broader criminal justice reforms in future legislative sessions.

Further, “workforce” legislation has allowed us to expand the range of lawmakers willing to engage with criminal justice reforms, particularly those who do not typically engage with or sponsor criminal justice legislation. We have had success approaching a broader range of lawmakers for sponsorship or support of this “workforce” related criminal justice reform legislation, including those who have focused more on economic issues but have not expressed an interest in criminal justice reform legislation previously, as a tactical strategy.

Second Chances

The concept of second chances is also extremely salient—specifically the idea that when someone has paid their debt to society, we owe it to them and our broader community to support them in building their success.

As awareness of the collateral consequences of a criminal record has grown, we have seen more of a willingness from lawmakers on both sides of the aisle to support policies that limit the collateral consequences of a record as a result. Republicans and Democrats in several states have rallied around expanding expungement or record sealing access in recent years, and have been particularly attracted to the policy as one that provides a true “second chance” and increases employment opportunities simultaneously.

RE-ENTRY REFORM

RE-ENTRY REFORM: KEY BILLS PASSED

Occupational Licensing Reform

Since 2019, the combined efforts of Justice Action Network Foundation's educational campaigns and Justice Action Network's direct lobbying and advocacy have resulted in the enactment of **13 occupational licensing laws in eight states**: Arizona, Colorado, Louisiana, Minnesota, New Mexico, Oklahoma, Pennsylvania, and Washington.

Strict occupational licensing laws and regulations make it harder for people with criminal records to find work in certain fields. In states without protections, it is routine for otherwise qualified individuals to be denied an occupational license to work in their chosen field simply due to their criminal record, even if it is unrelated to the profession for which the license is sought.

In recent years, many states have begun passing legislation aimed at preventing licensing boards from denying an otherwise qualified applicant a license solely due to an unrelated or old criminal history.

Below are two examples of occupational licensing reforms that became law in 2024.

In **Arizona**, occupational licensing was transformed with **House Bill 2308 (2024)**, sponsored by Rep. Travis Grantham (R). The bill codified language preventing the denial of an otherwise qualified applicant a license solely due to an unrelated criminal record and strengthened due process in cases of denials. The bill was messaged as a workforce bill, passed the Senate unanimously, and passed the House with a strong bipartisan majority. Previously, the state established a pre-clearance process with **House Bill 2660 (2019)**, which allows individuals to get provisional decisions on their candidacy for licensure before committing the time and money to occupational training.

RE-ENTRY REFORM

In **Colorado, House Bill 24-1004 (2024)**, sponsored by Rep. Jennifer Bacon (D) and Rep. Shannon Bird (D), was a multifaceted approach to removing barriers to occupational licensing for people with criminal records. Among other provisions, it strengthened the burden of proof on the state to deny a license for a record directly-related to an occupation to “clear and convincing.” Although Colorado has a Democratic trifecta, there is also a wide political spectrum within the party that can necessitate moderation, and House Bill 24-1004 started out with an ambitious element that was eventually cut: a “lookback” limit that would allow people to move on entirely from otherwise applicable nonviolent records after a period of crime-free years. It is worth noting that several red states already have such “lookback” limits, such as Arkansas, Arizona, and Indiana, but this amendment allowed for unanimous votes in both chambers.

“*Really, [HB 24-1004] is about second chances and not allowing government to get in the way of a person to be gainfully employed. Our bill doesn't allow a person's past to permanently prevent their ability to be employed.*¹”

- Colorado Rep. Shannon Bird (D), co-sponsor

Expungement & Record Sealing Reform

Since 2019, the combined efforts of Justice Action Network Foundation's educational campaigns and Justice Action Network's direct lobbying and advocacy have resulted in the enactment of **20 expungement or record sealing laws in 14 states**: Arizona, Arkansas, Colorado, Kentucky, Louisiana, Minnesota, Mississippi, New Mexico, North Carolina, Oklahoma, Oregon, Pennsylvania, Tennessee, and Utah.

Below are two examples of “Clean Slate” automatic record sealing bills that were drafted as a result of JANF educational campaigns and became law following JAN's lobbying and advocacy.

RE-ENTRY REFORM

In **Minnesota**, the passage of the **Clean Slate Act (2023)** represented four years of JAN’s advocacy work, with a coalition spanning the political spectrum; supporters included Faith and Freedom Coalition, Americans for Prosperity, the Minnesota County Attorneys Association, ACLU-MN, and the Second Chance Coalition. Importantly, over these years of collaboration and debate, the bill became stronger and more comprehensive—not only did the bill automatically expunge misdemeanor offenses, but all current felony offenses eligible for expungement under the petition-based system. The bill was sponsored by House Majority Leader Jamie Long (DFL) and Senate President Bobby Joe Champion (DFL). During a committee hearing, House Majority Leader Long stated, “The Clean Slate Act has a really simple premise, which is that we should give those who have paid their debt to society an opportunity for redemption.”²

“*We’re trying to hold people accountable for breaking the law, but we understand that that’s not the end of the story. We believe in redemption and second chances.*”³

- Minnesota Attorney General Keith Ellison

Pennsylvania was the first state in the country to pass “Clean Slate” automatic record sealing legislation in 2018. The bill, carried by the bipartisan pairing of Rep. Sheryl Delozier (R) and Rep. Jordan Harris (D), established a framework to automatically seal low-level misdemeanor records for individuals who had remained crime-free for a set number of years. The bill had the support of the Pennsylvania District Attorney’s Association, the Pennsylvania Chamber, and many others. Building upon the passage of that law, the legislature in 2023 passed “**Clean Slate 3.0**,” which extends eligibility for automated expungement to people with low-level, non-violent drug felonies. Clean Slate 3.0 passed through the Republican-lead Senate and the Democrat-lead House. Sponsored again by Rep. Jordan Harris (D) and Rep. Sheryl Delozier (R), the campaign heavily focused on the potential for increased opportunities in three areas: employment, education, and housing.

RE-ENTRY REFORM

Clean Slate in Pennsylvania



Since 2018, 45 million+ records have been automatically sealed after crime-free waiting periods

Streamlining Access to Identification Documents

Since 2019, the combined efforts of Justice Action Network Foundation’s educational campaigns and Justice Action Network’s direct lobbying and advocacy have resulted in the enactment of **five laws aimed at streamlining access to identification documents for re-entry in five states**: Arizona, Ohio, Oklahoma, Tennessee, and Utah.

The bills all, with slight variations, require the state department of corrections to equip individuals nearing their release dates from prison with a state ID or driver’s license—if eligible—as well as their social security card, birth certificate, and certifications or program completion documents earned behind bars. When a person leaves incarceration, they often face barriers in getting the most basic identification documents needed to apply for employment or housing. These bills reduce that barrier and streamline the process for obtaining these documents so those leaving prison are ready to apply for a job on day one.

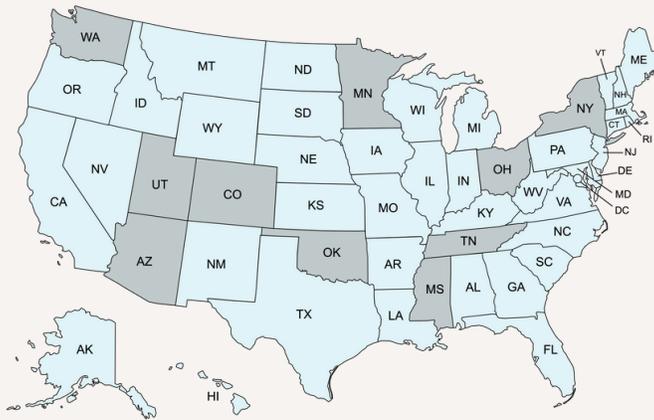
These bills brought non-traditional allies into the fold, as well. For example, in **Arizona**, the Home Builders Association of Central Arizona testified in favor of **Senate Bill 1290 (2023)** in committee, noting that they are unable to process hiring paperwork of individuals who do not have IDs, which causes problems for homebuilders throughout the state. Similarly, in **Tennessee**, the Regional Senior Vice President of American Paper and Twine submitted a letter in support of **House Bill 1366/Senate Bill 814 (2023)** stating that the bill would make it easier for them to hire qualified workers who are ready to work.

“*I’ve seen first-hand the transformational impact employment can have for someone who has dedicated themselves to a second chance. In some cases, they represent some of my best and most loyal employees. But I’ve also seen the barrier people coming out of prison face when they don’t have the most basic documents necessary to process their paperwork.*”

- **Karen Doochin Vingelen, RSVP, American Paper and Twine**

COMMUNITY SUPERVISION REFORM

Since 2019, the combined efforts of Justice Action Network Foundation’s educational campaigns and Justice Action Network’s direct lobbying and advocacy have resulted in the enactment of **15 community supervision reform laws in 10 states:** Arizona, Colorado, Minnesota, Mississippi, New York, Ohio, Oklahoma, Tennessee, Utah, and Washington.



The 10 states in which Justice Action Network has successfully advocated for community supervision reforms since 2019

We broadly define community supervision as a criminal sentence that is being served in the community, such as probation or parole. The types of community supervision reform bills we have seen pass in states over the last five years include those that expand earned credit opportunities for those serving a community supervision sentence, establish graduated sanctions for technical violations, cap probation sentence lengths, allow for modification of sentences after a certain period and if certain requirements have been met, and reduce barriers to employment for individuals serving community supervision sentences.

COMMUNITY SUPERVISION REFORM

MESSAGING THAT WORKS

Lawmakers across the political spectrum have coalesced around policies that incentivize rehabilitation and employment, reduce bureaucratic barriers to success, and reduce or eliminate lengthy terms of supervision once evidence shows they no longer benefit public safety. There seems to be a growing recognition that if a person is deemed “safe” enough to serve their sentence in the community, those sentences and terms should not make it difficult for a person to comply or keep themselves on the right path.

Incentivizing Success

Overall, the most salient point for community supervision reform, broadly speaking, is that the framework and terms should incentivize a person’s success instead of setting them up for failure. One successful bipartisan approach is to establish earned credits for compliance with community supervision terms or allow for early termination of supervision if all conditions are met after a certain time period.

Reducing Unnecessary Bureaucracy

Lawmakers on both sides of the aisle are motivated by messaging that emphasizes reducing the numerous barriers to success that exist for those serving a community supervision sentence. For example, in many states a person can receive a technical violation if they miss a check-in with their probation officer, but no distinction is made between a willful absence and an absence due to childcare obligations, transportation issues, or work.

Workforce

If a bill can be described as a “workforce” bill—or as a policy that will benefit employers and their community or state’s workforce—it has allowed us to build a stronger coalition of support and bring nontraditional allies into the fold.

COMMUNITY SUPERVISION REFORM

COMMUNITY SUPERVISION REFORM: KEY BILLS PASSED

Earned Credits

Oklahoma established earned credits for supervised parole with **House Bill 4369 (2022)**. This bill provided the opportunity for people paroled on lower-level offenses to earn 30 days off their parole sentences for every 30 days of employment and supervision compliance and contained a provision to assist people in finding jobs prior to leaving incarceration as well.

Rep. Brian Hill (R) carried the bill as a “restorative workforce,” anti-recidivism measure, stating: “We know if someone gets a job in the first 21 days after release, they’re 90 percent less likely to go back.”⁴ Governor Kevin Stitt (R) stated at the time of the bill’s signing: “I firmly believe we should be locking up people that we’re afraid of, not that we’re mad at. And that’s something that we’re pushing in our state.”⁵

House Bill 4369 passed with strong majorities in both chambers. On its effective date, the state estimated that the law change would immediately impact around 3,600 people on supervised parole in Oklahoma.

Graduated Sanctions

Utah established graduated responses to technical probation violations for the first time statewide with **Senate Bill 290 (2021)**. Sponsored by Sen. Todd Weiler (R) and Rep. Keven Stratton (R), this bill limits jail time and revocation for noncriminal violations of supervision. In messaging about graduated sanctions in Utah, the emphasis was on the swift and certain nature of responses that are applied evenly; without this, success or failure on probation may depend entirely on the discretion of one’s probation officer. Senate Bill 290 passed with unanimous votes in both chambers.

COMMUNITY SUPERVISION REFORM

Incentivizing Success Through Resentencing, Early Termination

Oklahoma created avenues for people on probation to petition for resentencing after a number of years with **House Bill 2490 (2023)**. Oklahomans who successfully serve five years of their community sentence without any violations of their probation and have completed treatment and rehabilitative programming, among other requirements, may request an early evaluation hearing with a judge, who may resentence them to time served if a district attorney does not object. They may request an early evaluation hearing after serving four years of their community sentence if they have gone above and beyond and obtained a higher education degree, vocational or career training certification, or maintained consistent employment. The bill, sponsored by Rep. Brian Hill (R)—who also sponsored legislation on earned parole credits the year prior—was passed unanimously by the Senate, and with an 83-2 vote in the House.

“*House Bill 2409 creates a framework that incentivizes success, enhances Oklahoma’s restorative workforce, and improves correctional outcomes for those who were already deemed safe enough to serve their sentences in their communities.*”

- **Lauren Krisai, JAN + JANF Executive Director**

COMMUNITY SUPERVISION REFORM

Probation Sentence Length Caps

Prior to 2020, **Minnesota** was one of only a handful of states that allowed for probation sentences to be as long as the maximum prison term for an offense, whereas most states limit these sentences to five years. In 2019, legislation sponsored by the bipartisan pairing of House Majority Leader Jamie Long (DFL) and Sen. Roger Chamberlain (R) established a “cap” on most felony probation sentences of five years, but the bill did not pass the legislature that year. However, during the legislative interim, the **Minnesota Sentencing Guidelines Commission (MSGC)** voted to impose a probation cap of five years for certain offenses through their sentencing guidelines and was implemented in 2020.

“*The length of our probation terms in Minnesota are failing the basic tests of fairness, [they are] wasting resources and not achieving our goals of reducing recidivism or increasing public safety.*”⁶

- Minnesota House Majority Leader Jamie Long, sponsor

In **2023**, House Majority Leader Jamie Long (DFL) filed legislation that codified the MSGC five-year probation sentence cap and made the changes retroactive, allowing people sentenced to a probation term of more than five years to be resentenced. The bill passed the legislature as a part of the **public safety omnibus**.

The bill had an immediate and major impact: when it went into effect on October 1, 2023, more than 5,000 Minnesotans had their probation sentences terminated.

Probation Caps in Minnesota



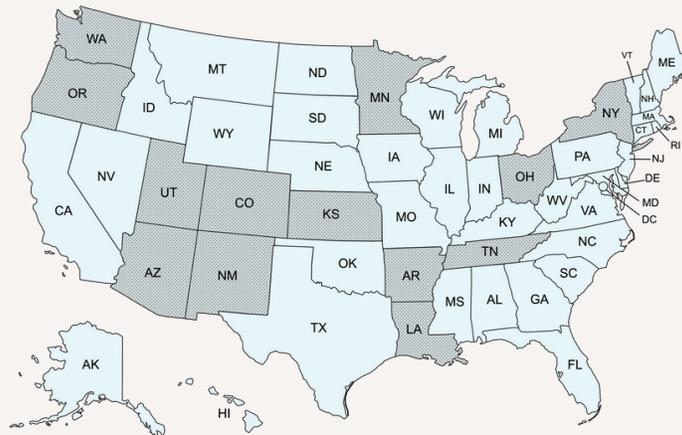
5,470 fewer people on probation
as a result of the 2023 reform

FINES AND FEES REFORM

Since 2019, the combined efforts of Justice Action Network Foundation’s educational campaigns and Justice Action Network’s direct lobbying and advocacy have resulted in the enactment of **27 fines and fees reform laws in 13 states:** Arizona, Arkansas, Colorado, Kansas, Louisiana, Minnesota, New Mexico, New York, Ohio, Oregon, Tennessee, Utah, and Washington.

We broadly define fines and fees reform as policies that reduce or eliminate unnecessary fines and/or fees in the justice system, authorize courts to waive a defendant’s fines and fees, prevent the use of driver’s license suspensions as the result of unpaid traffic tickets or court debt, create or expand “ability to pay” criteria, and more.

Of all the policy areas in this report, this is one with the most diverse motivations. The unifying factor of these reforms are questions about the scope of governmental reach and the point at which it stops being economically healthy for a state.



The 13 states in which Justice Action Network has successfully advocated for fines and fees reforms since 2019

MESSAGING THAT WORKS

Lawmakers across the political spectrum have coalesced around fines and fees reform policies when the messaging focuses on the ineffectiveness of the status quo. Below are some key messages that have resonated in states where we have worked on this type of reform.

FINES AND FEES REFORM

Ineffective Enforcement Mechanism, Counterintuitive

Overall, the most salient point for various fines and fees reforms is that the status quo is ineffective and often counterintuitive. For example, lawmakers on both sides have been receptive to arguments showing that individuals who have their licenses suspended for failing to pay their ticket for a broken taillight, as one example, have the difficult choice between continuing to drive on a suspended license and risk further interactions with the justice system, or missing work, access to healthcare, childcare, and other necessities because they can no longer legally operate a vehicle in the state. As another example, states routinely levy fees on children involved in the juvenile court system even if they are not legally allowed to work. Those fees, and a lack of ability to pay them, often either fall to their parents, or drag children further into the juvenile justice system instead of allowing them to focus on their rehabilitation.

Barriers to Work and Rehabilitation

Other successful bipartisan messaging points focus on how these fees cause unnecessary financial stress for individuals when they should be focused on rehabilitation, employment, and providing for their families.

FINES AND FEES REFORM: KEY BILLS PASSED

Juvenile Fee Elimination

Senate Bill 1197 (2023) in **Arizona** was an enormous bipartisan success. The bill, sponsored by Sen. David Gowan (R) and Rep. Alma Hernandez (D) eliminates administrative fees routinely levied on children involved in the juvenile court system. The bill also allows juveniles with previously assessed fees to apply to have their debt waived and prevents juvenile courts from considering outstanding fees when deciding whether to expunge juvenile records. The bill passed both chambers with strong bipartisan majorities. JAN supported the bill in a coalition driven by groups including Stand for Children Arizona and individuals from UC Berkeley Law Policy and Advocacy Clinic.

FINES AND FEES REFORM

Driver's License Suspension Reform

Since 2019, the combined efforts of Justice Action Network Foundation's educational campaigns and Justice Action Network's direct lobbying and advocacy have resulted in the enactment of **11 driver's license suspension reform laws in nine states:** Arizona, Arkansas, Kansas, Minnesota, New Mexico, Ohio, Oregon, Utah, and Washington.

In **Ohio, House Bill 29 (2024)** was an enormous bipartisan success and had a wide range of supporters in the advocacy and business community. The bill, sponsored by Rep Latyna Humphrey (D) and Darnell Brewer (D), contained language originally filed in a separate bill by the bipartisan pairing of Sen. Louis Blessing III (R) and Sen. Catherine Ingram (D). House Bill 29 ends the practice of suspending driver's licenses for failure to pay court fines or fees both retroactively and automatically, without reinstatement fees, reduces the "lookback" period for driving without insurance offenses, eliminates school truancy as a reason to deny or suspend licenses, and allows people whose licenses are suspended for failure to pay child support to ask a judge to allow limited driving privileges.

Ohio's House Bill 29 is projected to have a big impact: roughly one million Ohioans have their licenses suspended annually, and 60% of those suspensions are for debt-related reasons. A current number of driver's expected to have licenses reinstated as a result of this bill is currently unavailable, but it is projected to be in the hundreds of thousands.

*“Addressing transportation challenges is an important component to the state's business climate and this bill is a step in the right direction for Ohio's workforce.”*⁷

- Lindsey Short, The Ohio Manufacturers' Association

In **Arizona, Senate Bill 1551 (2021)**, sponsored by Sen. Paul Boyer (R), prohibits driver's license suspension for nonpayment of fines and fees with retroactive application. The bill garnered unanimous votes in both the House and the Senate as well as praise from then-Governor Doug Ducey (R). An estimated 30,000 driver's licenses were eligible for automatic restoration under this law.

FINES AND FEES REFORM

Prohibiting Car Towing for Unpaid Parking Tickets

In **Minnesota**, legislation included in the state's **transportation policy omnibus** in 2024 made a simple change to state statute to disallow car towing for unpaid parking tickets. Although there was modest dissent from Republicans who would have preferred to amend rather than eliminate the practice, the transportation omnibus passed with supportive votes from half of House Republicans. The core messaging for this small campaign—that car towing is deeply inefficient as a debt collection tool, that some US cities have actually reported losing money on the practice, and that taking away a person's vehicle was economically destabilizing—meant that the number of unpaid tickets was not a place of potential compromise. The passage of this bill was a nation-leading step for Minnesota, which became the first state to pass such a reform.

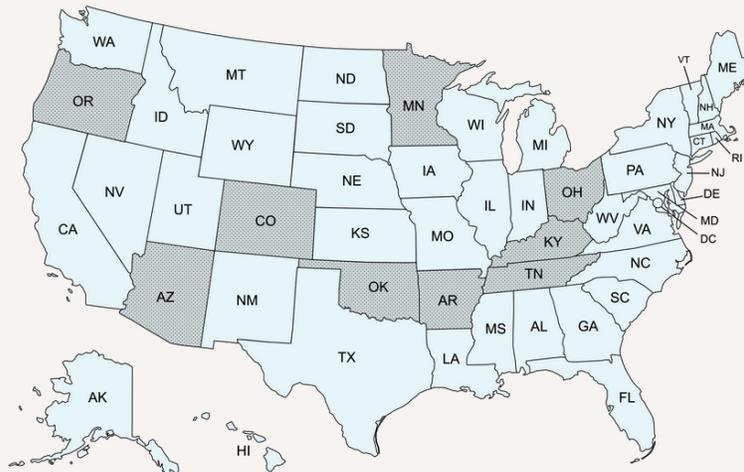
“*The unnecessary loss of a vehicle has immediate economic consequences. A person who is not able to get to work is even less likely to be able to pay the tickets, fines and fees associated with the loss of their vehicle.*”⁸

- **Jenny Catchings, JAN + JANF Senior State Policy Manager**

MODERNIZING SENTENCING

Since 2019, the combined efforts of Justice Action Network Foundation’s educational campaigns and Justice Action Network’s direct lobbying and advocacy have resulted in the enactment of **13 modernizing sentencing laws in nine states**: Arizona, Arkansas, Colorado, Kentucky, Minnesota, Ohio, Oklahoma, Oregon, and Tennessee.

The types of sentencing modernization bills we have seen over the last five years vary greatly; they have reduced or modified a state’s sentencing laws, allowed for more judicial discretion, or have the goal of reexamining sentencing laws or individual sentences, such as including Minnesota’s drug sentencing task force and prosecutor-initiated resentencing laws.



The nine states in which Justice Action Network has successfully advocated for modernizing sentencing since 2019

MESSAGING THAT WORKS

As our understanding of deterrence theory evolves into a more holistic, evidence-based approach—one with much less emphasis on severity and much more on swiftness and certainty—interest in re-examining old sentencing practices is growing among lawmakers of both parties. There are similar underlying messages in all of these reforms: a rejection of punitiveness that doesn’t serve public safety, and an embrace of reforms that enhance fairness and prioritize our collective public safety instead.

MODERNIZING SENTENCING

Fairness

A message that has resonated with legislatures that have passed sentencing modernization bills is that the status quo has produced unfair outcomes. When advocates point out that similarly situated defendants are receiving wildly disparate sentences for similar offenses, it resonates with both Republicans and Democrats.

Public Safety

Another message that has resonated with lawmakers when it comes to modernizing sentencing is to highlight how the current sentence does not benefit public safety. Acknowledging that there must be some punishment for a particular offense, but showing that the current sentence required goes beyond those limits, has allowed us to have productive conversations about right-sizing and correcting these excesses. At the same time, there is bipartisan consensus on the point that we need to do a better job of prioritizing public safety across the board among both parties.

Modernizing Sentencing: Key Bills Passed

Shortening Maximum Sentences

In **Colorado, Senate Bill 21-124 (2021)** makes changes to the maximum sentencing for “felony murder”—a law that allows anyone who is accused of committing a violent felony to be charged with murder regardless of whether the person actually “pulled the trigger,” so to speak. Prior to this bill, a person who drove the getaway car for someone who committed a robbery-turned-murder, for example, could be charged and sentenced in the same way as the person who committed the murder in Colorado. Colorado’s Senate Bill 21-124 distinguished culpability between offenders and reduced the maximum sentence for those who did not commit the actual murder from a life sentence to 48 years.

The bill was sponsored by Democrat lawmakers, but the votes for and against it did not break down entirely along party lines, with some modest support among Senate Republicans and some opposition from Democrats in both the House and the Senate. Polling conducted prior to the law change by the University of Denver indicated that less than four percent of Coloradans believed felony murder should be punished with life in prison.⁹

MODERNIZING SENTENCING

Reducing Sentencing Enhancements

Tennessee passed its first ever sentencing reform bill in 2020 with **House Bill 2517/Senate Bill 2734**, which reduced the size and scope of the state’s drug free school zones and provided more discretion to judges in sentencing. In 2022, the legislature passed **House Bill 1449/Senate Bill 1528**, which created a framework for individuals sentenced under prior drug free school zone laws to apply for resentencing before a judge. Both bills were carried by Republicans: Rep. Michael Curcio (R) carried both in the House, Sen. Mike Bell (R) carried the 2020 bill in the Senate, and Sen. Kerry Roberts (R) carried the 2022 bill. Both bills received unanimous support in the Senate.

A main criticism of these 1000-ft zones, which produced enhanced sentences with 100 percent time-served requirements, was their expansiveness—so much so that they sometimes covered entire neighborhoods. Interestingly, the legislature also passed a number of tougher sentencing penalties in 2020 and 2022, but the legislature was still somehow supportive of drug free school zone reform. The legislature was, in particular, moved by messages highlighting the unintended consequences of these drug-free school zones and the disparate outcome between similarly situated defendants.

“*While [drug-free school zone laws] were well-intentioned, unfortunately this policy has not been accomplishing the outcome that the legislature intended. The main reason for this failure is that drug offenders are not often affected by deterrence-based policies.*¹⁰”

- **Tennessee Rep. Michael Curcio (R), sponsor**

Felony Theft Thresholds

Prior to the passage of **House Bill 126 (2021)** in **Kentucky**, the state had one of the lowest felony theft thresholds in the nation. House Bill 126, sponsored by Rep. Ed Massey (R), raised the criteria for felony theft from just \$500 to \$1,000. The lawmaker cited the undue impact of a felony on a person’s ability to find employment and housing as motivation in supporting the change.

The Kentucky Department of Corrections estimated that the bill would save \$4 million in corrections costs.

CIVIL ASSET FORFEITURE REFORM

Since 2019, the combined efforts of Justice Action Network Foundation's educational campaigns and Justice Action Network's direct lobbying and advocacy have resulted in the signing of **four civil asset forfeiture reform laws in four states**: Arizona, Arkansas, Minnesota, and New Mexico.

Under civil asset forfeiture, police may seize and forfeit property of individuals who often do not need to be charged or convicted of a criminal offense.

Broadly speaking, civil asset forfeiture reform includes policies that tighten up parameters around the seizure and forfeiture of property by law enforcement, strengthen due process protections for individuals who have their property seized and forfeited, or require a criminal conviction before police can forfeit a person's property. All four of these bills we have worked on require a conviction before many or most forfeitures can occur.

MESSAGING THAT WORKS

Republicans have been supportive of civil asset forfeiture reform in recent years in particular, but the issue has strong bipartisan agreement overall.

Due Process Protection

Both parties, but in particular Republicans, are drawn to messaging that focuses on enhancing due process protections for innocent property owners. This has allowed many Republicans to buck their local law enforcement who have generally opposed reform in this area.

Transparency and Accountability from Law Enforcement

Republicans and Democrats have largely been supportive of messaging that focuses on bringing more transparency and accountability from law enforcement on their use of and proceeds derived from civil asset forfeiture. As sympathetic stories surface of innocent individuals who had property seized and forfeited by law enforcement, as well as statistics that show agencies reaping millions of dollars in profit from forfeitures, lawmakers on both sides of the aisle have supported bringing more transparency and accountability over how this practice is used and how proceeds are spent.

CIVIL ASSET FORFEITURE REFORM

CIVIL ASSET FORFEITURE REFORM: KEY BILLS PASSED

The **Arizona** legislature passed robust civil asset forfeiture reform with **House Bill 2810 (2021)**. Sponsored by Rep. Travis Grantham (R), the bill requires a criminal conviction be obtained before a forfeiture can occur, and strengthens due process protections for innocent third-party property owners. The bill also outlaws the use of “roadside waivers,” which permitted police to ask a person to waive their property rights during a traffic stop.

House Bill 2810 passed both chambers with strong bipartisan votes despite opposition from county attorneys and law enforcement. In his signing letter, Gov. Doug Ducey (R) wrote: “Arizonans can stand strong in combating organized crime and criminal activity, without sacrificing the rights guaranteed under our Constitution for law abiding citizens.”

“*It affects all of our constituents. It’s not a Democrat or Republican issue. Taking people’s property without a conviction is so wrong, and then keeping it. Again, there’s really no party divide...*¹¹”

- **Arizona Rep. Travis Grantham (R), sponsor**

Minnesota passed a near-comprehensive civil asset forfeiture reform law as a part of the 2021 public safety omnibus. The bipartisan bill sponsored by Rep. Kim Moser (DFL) and Sen. Mark Johnson (R) requires a conviction for many, but not all, types of forfeitures, and mandates annual reporting. A recent report published by the Minnesota State Auditor showed forfeitures were down roughly 37 percent between 2021 and 2023, in large part due to the 2021 law.

Civil Asset Forfeiture in Minnesota



37 percent reduction in forfeitures
as a result of the 2021 law

CORRECTIONS AND OVERSIGHT

Since 2019, the combined efforts of Justice Action Network Foundation's educational campaigns and Justice Action Network's direct lobbying and advocacy have resulted in the enactment of **one law** in **Arizona** that creates more transparency and reporting requirements for its department of corrections, and **five laws in four states** that improve conditions of confinement for pregnant and postpartum women: Arkansas, Kentucky, Missouri, and Utah.

MESSAGING THAT WORKS

Transparency and Accountability from Corrections

Republicans and Democrats have largely been supportive of messaging in favor of more oversight in corrections that focuses on bringing more transparency and accountability to the system, especially in states where there have been lawsuits over conditions of confinement.

Dignity Behind Bars

Over the last few years, lawmakers have increasingly recognized the unique needs of women while incarcerated—especially pregnant and postpartum women. Oftentimes, their basic needs go unmet in the correctional setting. Lawmakers have been particularly drawn to messaging that focuses on providing basic dignity to those in carceral settings and preventing additional harm that can be experienced by pregnant or postpartum women.

CORRECTIONS AND OVERSIGHT

CORRECTIONS AND OVERSIGHT: KEY BILLS PASSED

Correctional “Oversight”

Arizona included language around basic oversight reporting requirements as a part of its department of corrections continuation legislation, **Senate Bill 1401 (2022)**. In Arizona, all agencies have sunset provisions that are up for continuation after a set number of years. Republican lawmakers amended language into the department of corrections continuation bill that requires basic reporting to be published annually by the Arizona Auditor General. While this is not full correctional oversight, it is a first step toward bringing more accountability and transparency to a system that has faced more than a decade of lawsuits over unconstitutional conditions and care. In 2023, Governor Katie Hobbs (D) signed an executive order establishing an **Independent Prison Oversight Commission**.

Women’s Dignity

Between 2019 and 2021, **Arkansas, Kentucky, and Utah** passed **four laws** aimed at improving conditions for pregnant and postpartum women in prisons. The bills, all similar, ban shackling of pregnant women during childbirth, reduce or limit the use of solitary confinement, and prevent the use of strip searches by male guards. In **Missouri, Senate Bill 683 (2022)** establishes nursery programs in correctional centers for women in prison who have recently given birth.

CONCLUSION

From this report, there emerges a handful of repeated themes and messaging on justice reform policies that have demonstrably worked well for both Republicans and Democrats. These themes, alongside the impactful and buildable laws signed in states over the last five years, illustrate the types of policies that have legs in even the toughest of partisan environments:

1 Prioritize workforce development

If a job is the best anti-recidivism tool we have, what barriers to employment can we safely remove? From re-entry document provision bills to expungement and record sealing to fines and fees reform to community supervision reform legislation, this messaging works alongside efforts to address labor shortfalls throughout the country.

2 Create balance in governmental reach

What is the right amount of governmental power to ensure safety? At what point does this power stifle other necessary goods? This answer is different based on the circumstance but plays a role in how lawmakers and advocates look at issues like occupational licensing and civil asset forfeiture, as well as the issue of jail and prison oversight.

3 Incentivize success

How do we give someone the right tools and circumstances to turn things around? There is immense power behind the message that someone has paid their debt to society. The idea that we, in turn, must meet formerly justice-involved people midway in their success instead of setting them up for failure underlies many re-entry and collateral consequence-related legislation.

CONCLUSION

4 Emphasize efficacy over punitiveness

If it is not doing what we want it to do—making us safer, helping people to succeed after justice-involvement, effectively collecting debt—why are we doing it? This is at the heart of many fines and fees issues, as well as community supervision reform. For example, taking away someone’s vehicle that they drive to work or suspending their license for an unpaid traffic ticket will rarely make debt collection easier. But efficacy over punitiveness is also the core reason for curtailing overly long probation and parole sentences, modernizing sentencing laws, or examining conditions of community supervision that make it difficult to find or maintain employment.

As we head into the next legislative session and beyond, we feel hopeful for continued bipartisan support of criminal justice reform in states across the country. The motivation behind the passage of these **120 criminal justice reform-related laws in 20 states**—red, blue, and purple—are evergreen, and suggest continued pathways for success in the future.

The door for reform is wide open, and we hope that this report has served as a guide for identifying policies that are actionable, have bipartisan support, and can pass in state legislatures today.

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