

Conditional Release and Competency Restoration Statutes - Comparison by State, May 10, 2007

State	CR?	Misdemeanors on CR?
Alabama	Yes	
Arkansas	Yes	
Colorado	No	
Connecticut	Yes	Yes. Only used for serious felonies
Florida	Yes	
Georgia	Yes	Yes
Illinois	Yes	Yes
Indiana	No	
Maine		
Maryland	Yes	Yes
Massachusetts		
Michigan		
Mississippi	Yes	
Missouri	Yes	Yes
Montana	Yes	
New Jersey	Yes	Yes
New Mexico		
New York	Yes	Yes
North Carolina	No	
Ohio	Yes	Yes
Oklahoma	Yes	
Tennessee		
Texas	No	
Utah	Yes	
Virginia	Yes	Yes
Wisconsin	Yes	Yes

Source: NASMHPD - State Forensic Directors

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State	Max time for competency restoration?
Alabama	No limit
Arkansas	10 months
Colorado	No limit
Connecticut	Limit exists (unknown duration)
Florida	5 years
Georgia	90 days, then review - can be extended by 9 months, then civil commitment - unlimited
Illinois	1 year, then discharge hearing & review every 60 days
Indiana	Two consecutive 90 day periods; then civil commitment
Maine	1 year
Maryland	
Massachusetts	Maximum time of prison sentence
Michigan	15 months
Mississippi	No statutory limit. In practice: Lesser offense: 6 months; Capital offense: 18 months maximum
Missouri	Review every 180 days
Montana	Two consecutive 90 day periods; then civil commitment
New Jersey	
New Mexico	9 months
New York	Misdemeanor: If IST, charges dismissed. Felony: 1 year, review, then bi-annual review until 2/3 of maximum sentence, then dismissed.
North Carolina	Civil commitment - no time limit
Ohio	Misdemeanor: 30-60 days; Felony: 6 months - 1 year, depending on the offense
Oklahoma	Misdemeanor: 1 year; Felony: 2 years; maximum time they would serve if lower
Tennessee	Review every 6 months, no statutory limit (case law: 7 years)
Texas	No time frames
Utah	90 days; then can be extended by 18 months + 18 months; aggravated murder or murder can be extended by another 18 months
Virginia	6 months, then review hearing - can be extended for 6 months
Wisconsin	1 year; then civil commitment

Source: NASMHPD - State Forensic Directors