

Probation Response Options

	Felony	Non-DWI Misdemeanor Placed On Probation		DWI	Notes
		Before 12/1/15	On/After 12/1/15		
REVOCACTION G.S. 15A-1345	Permissible in response to: • New criminal offense • Absconding • Any violation after two prior CRV	Permissible in response to: • New criminal offense • Absconding • Any violation after two prior CRV	Permissible in response to: • New criminal offense • Absconding • Any violation after two prior QUICK DIPS imposed in response to technical violations, either by judge or by probation officer	Permissible in response to: • New criminal offense • Absconding • Any violation after two prior CRV	<ul style="list-style-type: none"> No revocation solely for conviction of a Class 3 misdemeanor. G.S. 15A-1344(d) Deferred prosecution and conditional discharge probation may be revoked for any violation
CONFINEMENT IN RESPONSE TO VIOLATION (CRV) G.S. 15A-1344(d2)	For violations other than: • New criminal offense • Absconding <i>90 days¹</i>	For violations other than: • New criminal offense • Absconding <i>Up to 90 days</i>	N/A	For violations other than: • New criminal offense • Absconding <i>Up to 90 days</i>	<ul style="list-style-type: none"> Must be served continuously (no "weekend CRV") Will not be reduced by earned time/good time CRV periods must run concurrently with one another Max of two CRV in any case
QUICK DIP G.S. 15A-1343(a1)(3) G.S. 15A-1344(d2)	For any violation <i>2 or 3 days</i>	For any violation <i>2 or 3 days</i>	For any violation <i>2 or 3 days</i>	N/A	<ul style="list-style-type: none"> No more than 6 quick dip days per month Used in no more than three separate calendar months
SPECIAL PROBATION (SPLIT) G.S. 15A-1344(e)	For any violation <i>Up to ¼ the maximum imposed sentence</i>	For any violation <i>Up to ¼ the maximum imposed sentence</i>	For any violation <i>Up to ¼ the maximum imposed sentence</i>	For any violation <i>Up to ¼ the maximum penalty allowed by law</i>	May be served in noncontinuous intervals in the Jail
CONTEMPT G.S. 15A-1344(e1)	Permissible in response to any violation <i>Up to 30 days</i>				<ul style="list-style-type: none"> Must be proved beyond a reasonable doubt Counts for credit against suspended sentence
EXTENSION G.S. 15A-1344(d) G.S. 15A-1342(a) G.S. 15A-1343.2(d)	<p>Ordinary: Up to 5-year maximum. Permissible at any time after notice and hearing and for good cause shown.</p> <p>Special purpose: By up to 3 years beyond the original period if: (1) Probationer consents; (2) During last 6 months of original period; and (3) To complete restitution or med/psych treatment</p>				The ordinary maximum period of probation in deferred prosecution and conditional discharge cases is two years
MODIFICATION G.S. 15A-1344(d)	Permissible at any time after notice and hearing and for good cause shown				
TRANSFER TO UNSUPERVISED	At any time (except sex offenders)	At any time (except sex offenders)	At any time (except sex offenders)	At any time ²	The court may authorize a probation officer to transfer a person to unsupervised probation after all money is paid to the clerk. G.S. 15A-1343(g).
TERMINATE G.S. 15A-1342(b)	At any time				No statute defines an "unsuccessful" termination
CONTINUE WITHOUT MODIFICATION	At any time				

1. For violations on/after 10/1/2014, CRV may not be reduced by prior jail credit.

2. The judge shall authorize a probation officer to transfer a defendant to unsupervised probation upon completion of community service or payment of any fines, costs, and fees. G.S. 20-179(r).