

# Probation Response Options

	Felony	Non-DWI Misdemeanor Placed On Probation		DWI	Notes
		Before 12/1/15	On/After 12/1/15		
<b>REVOCACTION</b> 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	• No revocation solely for conviction of a Class 3 misdemeanor. G.S. 15A-1344(d)
<b>CONFINEMENT IN RESPONSE TO VIOLATION (CRV)</b> G.S. 15A-1344(d2)	For violations other than: • New criminal offense • Absconding <i>90 days<sup>1</sup></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>	• 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
<b>QUICK DIP</b> 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	• No more than 6 quick dip days per month • Used in no more than three separate calendar months
<b>SPECIAL PROBATION (SPLIT)</b> 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
<b>CONTEMPT</b> G.S. 15A-1344(e1)	Permissible in response to any violation <i>Up to 30 days</i>				• Must be proved beyond a reasonable doubt • Counts for credit against suspended sentence
<b>EXTENSION</b> G.S. 15A-1344(d) G.S. 15A-1342(a) G.S. 15A-1343.2(d)	<b>Ordinary:</b> Up to 5-year maximum. Permissible at any time after notice and hearing and for good cause shown. <b>Special purpose:</b> 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				The ordinary maximum period of probation in deferred prosecution and conditional discharge cases is two years
<b>MODIFICATION</b> G.S. 15A-1344(d)	Permissible at any time after notice and hearing and for good cause shown				
<b>TRANSFER TO UNSUPERVISED</b>	At any time (except sex offenders)	At any time (except sex offenders)	At any time (except sex offenders)	At any time <sup>2</sup>	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).
<b>TERMINATE</b> G.S. 15A-1342(b)	At any time				No statute defines an "unsuccessful" termination
<b>CONTINUE WITHOUT MODIFICATION</b>	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).