

PROBATION RESPONSE OPTIONS

Non-DWI Misdemeanor

	Felony	Placed on probation before 12/1/15	Placed on probation on/after 12/1/15	DWI	Notes
REVOCACTION G.S. 15A-1345 (page 16)	Permissible in response to: <ul style="list-style-type: none"> New criminal offense Absconding Any violation after 2 prior CRVs 	Permissible in response to: <ul style="list-style-type: none"> New criminal offense Absconding Any violation after 2 prior CRVs 	Permissible in response to: <ul style="list-style-type: none"> New criminal offense Absconding Any violation after 2 prior quick dips imposed in response to technical violations, either by judge or by probation officer 	Permissible in response to: <ul style="list-style-type: none"> New criminal offense Absconding Any violation after 2 prior CRVs 	<ul style="list-style-type: none"> No revocation solely for conviction of a Class 3 misdemeanor G.S. 15A-1344(d)
CONFINEMENT IN RESPONSE TO VIOLATION (CRV) G.S. 15A-1344(d2) (page 23)	For violations other than a new criminal offense or absconding <i>90 days (may not be reduced by prior jail credit)</i>	For violations other than a new criminal offense or absconding <i>Up to 90 days</i>	N/A	For violations other than a new criminal offense or absconding <i>Up to 90 days</i>	<ul style="list-style-type: none"> Served where the defendant would have served an active sentence Must be served continuously (no "weekend CRV") Will not be reduced by earned time/good time CRV periods must run concurrently with one another Maximum of 2 CRVs in any case
QUICK DIP G.S. 15A-1343(a1)(3) G.S. 15A-1344(d2) (page 27)	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 3 separate calendar months
SPECIAL PROBATION (SPLIT) G.S. 15A-1344(e) (page 29)	For any violation <i>Up to ¼ the imposed maximum sentence</i>	For any violation <i>Up to ¼ the imposed maximum sentence</i>	For any violation <i>Up to ¼ the imposed maximum sentence</i>	For any violation <i>Up to ¼ the maximum penalty allowed by law</i>	<ul style="list-style-type: none"> May be served in noncontinuous intervals in the jail
CONTEMPT G.S. 15A-1344(e1) (page 29)	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) (page 30)	Ordinary: Up to 5-year maximum. Permissible at any time after notice and hearing and for good cause shown Special purpose: 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 medical or psychiatric treatment				<ul style="list-style-type: none"> The ordinary maximum period of probation in deferred prosecution and conditional discharge cases is 2 years
MODIFICATION G.S. 15A-1344(d) (page 31)	Permissible at any time after notice and hearing and for good cause shown				
TRANSFER TO UNSUPERVISED PROBATION (page 32)	At any time (except sex offenders)	At any time (except sex offenders)	At any time (except sex offenders)	At any time (or by a probation officer as provided in G.S. 20-179(r))	<ul style="list-style-type: none"> 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)
TERMINATION G.S. 15A-1342(b) (page 33)	At any time				<ul style="list-style-type: none"> No statute defines an "unsuccessful" termination
CONTINUATION WITHOUT MODIFICATION (page 33)	At any time				