



SENATE BILL 183: Eliminate CRVs for Misdemeanants

2015-2016 General Assembly

Committee:	Senate Judiciary I	Date:	April 2, 2015
Introduced by:	Sens. McKissick, Daniel, Randleman	Prepared by:	Susan Sitze
Analysis of:	First Edition		Committee Counsel

SUMMARY: *Senate Bill 183 would eliminate confinement in response to violation for misdemeanants sentenced under Structured Sentencing, as recommended by the North Carolina Sentencing and Policy Advisory Committee.*

CURRENT LAW: When a defendant on probation for a misdemeanor conviction violates a condition of probation other than committing a new criminal act or absconding from probation, the first two violations can only result in "confinement in response to violation" (CRV) which is confinement for 90 consecutive days. Probation may only be revoked after the defendant has served two CRVs.

BILL ANALYSIS: Senate Bill 183 would eliminate CRVs for misdemeanor offenders sentenced under Structured Sentencing and would instead require a period of confinement known as a "quick dip", which is a 2-3 day period of confinement for up to 6 days per month for up to 3 months, to be imposed for at least the first two violations that are not a new criminal act or absconding from probation. Only after the defendant has served two quick dips could probation be revoked.

EFFECTIVE DATE: This act becomes effective December 1, 2015, and applies to persons placed on probation on or after that date.

