



SENATE BILL 183: Eliminate Confinement in Response to Violation for Misdemeanants

2015-2016 General Assembly

Committee:

Introduced by:

Analysis of: S.L. 2015-191

Date:

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Staff Attorney

SUMMARY: *S.L. 2015-191 eliminates confinement in response to violation for misdemeanants sentenced under Structured Sentencing.*

This act became effective December 1, 2015, and applies to persons placed on probation on or after that date.

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, under the law prior to this act, the first two violations could only result in "confinement in response to violation" (CRV) which is confinement for 90 consecutive days. Probation could only be revoked after the defendant had served two CRVs.

BILL ANALYSIS: This act eliminates CRVs for misdemeanor offenders sentenced under Structured Sentencing and instead requires 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 can probation be revoked.

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

