



## Unsatisfactory Termination of Probation

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What does it mean for a probationer to be terminated "unsatisfactorily" or "unsuccessfully"? From what I understand it's a notation that the Division of Community Corrections (DCC) uses to indicate that a probationer's term of probation ended without revocation, but under other-than-ideal circumstances. A common example arises when a probationer owes restitution as a condition of probation, but has demonstrated a good-faith inability to pay the money. Absent a collateral public safety concern, DCC might recommend "unsatisfactory early termination." It's kind of like a dishonorable discharge from the military - you're out, but you probably won't go around bragging about it in the future. Over 300 probationers are terminated unsatisfactorily each month, compared to about twice that many who are terminated satisfactorily.

Clearly, an indication that a probationer's supervision ended under unfavorable conditions provides relevant and valuable information to probation officers and judges who might come into contact with the person in the future. That said, the only type of termination mentioned in the General Statutes is that in G.S. 15A-1342(b), which the judge may do at any time if "warranted by the conduct of the defendant and the ends of justice." There's no mention of satisfactory or unsatisfactory termination in the law. With that in mind, should unsatisfactory termination be the judge's formal adjudication of a probation violation hearing?

What do you think? Do judges order unsuccessful or unsatisfactory terminations of probation in your district? If so, how is that information used later?