

SB 105: Georgia's New Probation Law Early Termination of Your Felony Probation

Georgia has both the highest number of people on probation and the longest probation sentences – by far. People are often kept on probation long after they have demonstrated they are rehabilitated. To address this issue, Georgia Justice Project worked with stakeholders and the legislature to pass SB 105, which was signed into law on May 3, 2021. SB 105 will help individuals who no longer need to be on felony probation move on with their lives. If you are serving a felony probation sentence, SB 105 may help you. To learn more, visit: www.GJP.org/probation

Are you on felony probation? Have you served at least 3 years of your probation sentence?

If so, you may be eligible for early termination of your probation!

Do you meet the following criteria?

1. No new arrests (besides non-serious traffic offenses)
2. No probation revocation in the past 24 months
3. Paid all restitution

**You may be able to terminate your probation early even if you still owe fines and fees, but restitution must be paid.*

If you have served at least 3 years of your felony probation sentence and meet the above criteria, you are eligible for early termination of your probation sentence!

If you meet the criteria above, here's what to expect:

- Your probation officer will submit an order to terminate your probation to the court that sentenced you.
- The Court must grant the order to terminate your probation unless the prosecutor or the Judge requests a hearing within 30 days.
- If a hearing is requested, it will be scheduled within 90 days.
 - At the hearing, you will be able to present to the Judge why you should no longer be on probation.
- If a hearing is requested by the prosecutor or the Judge, it will still be the Judge's decision whether to terminate your probation early.

What should you do if you are eligible for early termination?

- Contact your probation officer and request early termination if you meet the criteria above.
- If you are still experiencing issues requesting early termination, reach out to DCS directly at early.termination@dcs.ga.gov.

Georgia Justice Project (GJP) may be able to help you.

GJP has provided holistic legal representation to individuals facing criminal charges in metro Atlanta for 35 years. We have recently added a program to assist with probation issues for people who cannot afford an attorney.

Reach out to GJP if:

- Your order to terminate was submitted and you are now scheduled for a hearing.
- You believe you are eligible for early termination and you contacted your probation officer, but your probation officer is not submitting an order to terminate on your behalf.
- Your probation officer submitted an order to terminate but it has been 30 days, the Court has not granted your order to terminate, *and* you have not been scheduled for a hearing.

Think you may qualify? GJP may be able to help! Call 404.827.0027 ext. 231 or email probation@GJP.org for more information.