

## Disposition Codes

### Office of the Commissioner of Probation (Revised 10/20/04)

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APP	<u>Appeal</u> : a resort to a higher court for the purpose of obtaining a review of a lower court's decision and reversal of the lower court's judgment. This may also refer when a when a defendant, having been convicted in a jury waived session in the district court, was able to appeal his case and to obtain a six person jury trial under the old de novo system.
APP WD	<u>Appeal Withdrawn</u> : when a defendant withdraws his/her appeal to a higher court.
BF	<u>Brought Forward</u> : when defense or prosecutor moves to advance the case prior to the date previously set for hearing or trial.
BO or BOGJ	<u>Bound Over</u> : When probable cause is found to exist at a preliminary hearing, the court directs that the case be bound over for action by the grand jury. Also referred to as BOGJ.
C	<u>Continued</u> : court will continue case for another date for hearing, trial, etc.
CC	<u>Court Costs</u> : costs imposed by the court
CIVIL(277:70C)	Criminal to Civil cases
CMTD	Committed plus length of service
CMNTY SRV	<u>Community Service</u> : condition of bail or probation ordered by the court that includes a specific period of hours of service to the community.
CONC	<u>Concurrent</u> : sentences to be served at the same time or to run together.
CONS	<u>Consecutive</u> : sentences to be served one after another.
CWOF or CWF	<u>Continued without a finding</u> : not considered a conviction. The court allows the defendant to "save" his record and not have a guilty finding entered as long as he completes a period of probation without further criminal charges and complies with the terms of probation. Most often occurs where the defendant has admitted to sufficient facts (see above).
CWOF SP	Continued w/o finding supervise by prob
DEL	<u>Delinquent</u> : term used to describe minors who have committed an offense that would be punishable by criminal process if they were adults (those at least 7 and no older than 16). Upon a finding of delinquency, the judge may commit the juvenile to the custody of DYS until his/her 18 <sup>th</sup> birthday, or until his 21 <sup>st</sup> birthday if after a jury trial the court finds that his release poses a danger to the public.

DF	<u>Default</u> : failure by the defendant to appear in court during criminal case; a warrant will be entered for his/her arrest.
D/R	Default removed
DISM or DRC or DRD	<u>Dismissed</u> : the court may dismiss a case for various legal reasons. The Commonwealth has the remedy of appeal if a case is dismissed over its objection.  <u>Dismissed at Request of Complainant</u> : refers to criminal charges being dismissed upon the victim's assertion to the court that he/she wishes these charges to be dismissed.  <u>Dismissed Request Defense</u> : in MA, the prosecution must agree to dismissal of criminal charges against the defendant; the court may not on its own dismiss criminal charges based upon the request of the defense.
DWOP	<u>Dismissed Without Prejudice</u> : the Commonwealth may file new complaint upon additional evidence or witness coming forward.
DYS	<u>Division of Youth Services</u> : state agency to whom juveniles may be committed to until their 18 <sup>th</sup> or 21st birthday upon findings of delinquency or Youthful Offender by the juvenile court.
DY	<u>Day(s)</u> : may refer to the number of days the defendant was held awaiting trial as being served; or period of sentence following finding of guilt.
EXTN	<u>Extended</u> : continued for a period of additional time.
F&A* or F/A	<u>From &amp; After (not concurrent)</u> : indicates additional time to be served by defendant while in custody.
FEE	<u>Fee</u> : cost charged by court.
FILE NF	<u>Filed No Finding</u> : a defendant's original plea is "not guilty" and the court may dispose of case with the Commonwealth's consent and place it on file. This does not prevent the Commonwealth from moving to reopen the case in the future.
FINE	<u>Fine</u> : amount set by statute that defendants are required to pay based upon crimes charged and committed.
FJ	<u>First Instance Jury Trial</u> : formerly referred to de novo system in which a defendant could have a bench trial and then if convicted could appeal the trial to a jury; or waive the bench trial and go straight to the jury.  FROM/AFTF* See F&A above (not concurrent) From & After
G	<u>Guilty</u> : conviction of criminal charges; a finding by judge or jury beyond a

reasonable doubt that defendant committed crime(s) charged by the Commonwealth.

GJ	<u>Grand Jury</u> : body of people (usually 23) summoned to inform on crimes committed within its jurisdiction and to indict persons of crimes when it has been presented with sufficient evidence to warrant holding a person for trial.
HC or HOC	<u>House of Correction</u> : county facility for holding inmates on bail or when sentenced to a period of incarceration. The maximum sentence is 2 ½ years.
HWB	<u>Held Without Bail</u> : finding by courts that no conditions or monies will ensure the return of the person for every stage of the criminal proceeding. Also called pretrial detention.
IND	<u>Indictment</u> : a formal written accusation drawn up and returned by a grand jury charging one or more persons with a crime. Indictments in adult cases are tried in Superior Court.
INDF	<u>Indefinitely</u> : Prior to 1993, a court could give a defendant an indefinite sentence to the state reformatory, with parole eligibility set by the Parole Board. This was abolished in 1993.
INDICT	<u>Indictment</u> : refer to Grand Jury.
JT	<u>Jury Trial</u> : the defendant has a constitutional right to be tried by a jury of his peers (6 person in district court, 12 persons in superior court with two alternates in both courts). In criminal cases the jury must unanimously find that the defendant committed the crimes charged beyond a reasonable doubt.
JUV COMP D	<u>Juvenile Complaint Dismissed</u> : this may occur when a defendant has been indicted as a Youthful Offender and the case proceeds in Juvenile Court as YO case and not as a juvenile case.
LIFE	<u>Life</u> : a defendant serving a life sentence is eligible for parole after 15 years, except for life sentences for 1 <sup>st</sup> degree murder which are life without parole.
MT or MIS	<u>Mistrial</u> : order by judge terminating trial before conclusion; generally a new trial will then occur.
NDEL	<u>Not Delinquent</u> : See Not Guilty; entered in juvenile court.
NF	<u>No Finding</u>
NG	<u>Not Guilty</u> : finding by judge or jury that the evidence presented by the Commonwealth did not prove beyond a reasonable doubt that the defendant committed the crimes as charged.

NOB	<u>No Bill</u> : when the grand jury declines to indict, it returns a “no bill of indictment.”
NOLO	<u>Nolo Contendere</u> : Latin translation is “I do not wish to contend”; formerly used in the Commonwealth in which a defendant enters a plea in a criminal proceeding who does not admit guilt but states he will offer no defense against the charges. The defendant may then be declared guilty but retain the right to deny the validity of the finding in related proceedings.
NOS	<u>Notice of Surrender</u> : defendant has been given written notice by the probation department that the probation officer intends to seek usually a revocation of probation and an imposition of a custodial sentence.
NP	<u>Nolle Prosequi (or Nol Prossed)</u> : motion by the Commonwealth to dismiss charges as if they were never brought in the first place because of insufficient evidence.
NPC	<u>No Probable Cause</u> : finding by court that there is insufficient evidence to believe that a crime has occurred or that the defendant committed a crime.
PARD	<u>Pardoned</u> : conditional release under supervision by the parole board; a pardon can only be granted by the Governor with the advice and consent of the Executive Council.
PC	<u>Probable Cause</u> : Finding by a judge that there is sufficient evidence to believe that a crime has occurred or that the defendant committed a crime.
PD or &PD	<u>Paid</u>
PG	<u>Plea of Guilty</u> : admission by defendant to criminal charges and waiver of right to jury or bench trial.
PROB	<u>Probation</u> : the court may order the defendant to be supervised by the probation department with certain conditions and/or programs to be completed during a specific period of time; this may be following a period of incarceration, with a suspended sentence, or straight probation.
PROB EXTN	<u>Probation Extended</u> : court may extend the period of probation that the defendant has been ordered to complete; this may be in order to have additional time to complete community service, a program or upon a finding of a violation of probation, the court may extend the period of probation rather than order the defendant to serve a period of incarceration.
PROG	<u>Program</u> : usually refers to a condition of probation that the defendant has been ordered to complete, and may include completion of i.e., alcohol safety awareness program, anger management program or batterer’s treatment program.
PTP	<u>Pre-Trial Probation</u> : as a condition of bail or release, the court may order the

defendant to report to probation prior to the case being resolved.

REM	<u>Removed</u> : usually refers to the term of removing a case from a lower court to a higher court.
REST	<u>Restitution</u> : amount of monies ordered by the court that the defendant has been ordered to pay as a condition of the sentence.
RMT or REMIT	<u>Remitted</u> : refers to when the court does not require the defendant to pay court costs or fines due to indigency or other reasons.
ROR	<u>Released on Recognizance</u> : defendant is not required to post monies to the court to ensure his/her return during the course of the proceedings and instead is released without the requirement of posting bail money.
R/R	<u>Revise and Revoke Sentence</u> : post-conviction remedy of defendant asking the court to change his/her original sentence; sentencing judge may upon certain findings, revoke original sentence and order new sentence or deny the motion.
RSVD	<u>Revised</u> : refers usually to sentencing at the appellate level.
SDP	<u>Sexually Dangerous Person</u> : formal adjudication as a sexually dangerous person. Pursuant to G.L. c. 123A, s. 14, if after a trial an individual is found to be a SDP, such person shall be committed to the treatment center for an indeterminate period of a minimum of one day and a maximum of such person's natural life until discharged pursuant to the provisions of section 9.
SENT	<u>Sentence</u> : after finding by judge or jury on criminal charges, or offer of plea by defendant, the court may sentence a defendant to a period of incarceration (either committed or suspended) and/or probation and other terms.
SPS	<u>Split Sentence</u> : After a finding of guilty or as part of a plea bargain, a defendant may be ordered to serve a period of incarceration and the balance on probation.
SS	<u>Suspended Sentence</u> : when period of incarceration is not ordered to be served but "suspended" during the period of probation; if the defendant successfully completes the probationary period, he/she will not be ordered to serve the sentence (or period of incarceration).
SS RVK	<u>Suspended Sentence Revoked</u> : see SS; this is when due to violation of probation or further criminal activity, a defendant may be ordered to serve the sentence that had not been imposed but suspended.
STAY	<u>Stay of Order of Sentence</u> : judicial order abeying the period of incarceration for a specific time.
SUMM	<u>Summons</u> : a mandate issued in lieu of arrest requiring the defendant's appearance in

criminal court where he/she may be named to appear to answer to criminal charges; or as a mandate requiring an individual to appear as a witness at a trial or hearing.

SUP	<u>Support</u> : refers to entry of order of child support in cases of paternity or formerly illegitimacy in criminal court.
SURR	<u>Surrendered</u> : refers to having a defendant returned to court; usually refers to defendant on probation and having new criminal activity.
SURR DEF	<u>Surrendered on Default</u> : brought to court to answer to charges of having not appeared in court on date required.
TB	<u>True Bill</u> : return by the grand jury on one or more indictments holding the defendant on criminal charges; see indictment.
TD or T&D	<u>Terminated and Discharged</u> : refers to termination of supervised probation and defendant being discharged from probation.
TERM	<u>Terminated</u> : refers to termination of supervised probation.
VAC	<u>Vacated</u> : usually refers to the removal of default entered on an individual's record.
VN	<u>Violation of Probation Notice</u> : written notice by probation of terms that defendant has allegedly violated; due process rights attach at hearing that will be scheduled.
VOP	<u>Violation of Probation Finding</u> : finding following a hearing before a judge concerning whether the defendant has violated the terms of his probation. As a result of a finding, that a defendant is in violation, a judge may revoke a CWOFF and enter a guilty, impose committed time, or extend the term of incarceration.
VWF	<u>Victim Witness Fund</u> : statutory fund established. Depending upon whether the defendant is charged with a felony or misdemeanor, he is assessed certain fines that must be paid into the victim witness fund.
WAR	<u>Warrant</u> : issued by a court or vested authority naming a person charged with a crime, and commanding their appearance before the court.
WAR/WD	<u>Warrant Withdrawn/Recalled</u> : when a defendant appears in court, the warrant will be recalled.
WD	<u>Withdrawn</u> : may refer to defendant's withdrawal of appeal to a higher court for review.
YO	<u>Youthful Offender</u> : a person who is subject to an adult or juvenile sentence for having committed, while between the ages of 14 and 17, an

offense that if he were an adult would be punishable by imprisonment in the state prison, and (a) has previously been committed to DYS, or (b) has committed an offense which involves the infliction or threat of serious bodily harm, or (c) has committed a violation of G.L. c. 269, sections 10 or 10E.