

Pretrial Intervention

Ninth Judicial Circuit

A 9th Judicial Circuit
Diversion Services Program



Scarlett A. Wilson

Solicitor

www.scsolicitor9.org

The Ninth Judicial Circuit Solicitors Office takes a strong position in prosecuting those who would threaten our community and break our laws. We recognize however, that first time offenders of non-violent crimes may sincerely wish to turn their lives around. Those individuals deserve an opportunity for change through the Pretrial Intervention Program. Our program will require those who participate to repay the victim and the community for their criminal activity. This will be accomplished by the participant completing community service, drug screens, counseling or education and by paying restitution (if applicable) to the victim in the criminal charge. Through these activities, PTI participants will gain a better understanding of the judicial system and will have the opportunity to become a more productive and responsible citizen.

In return for a PTI participant's completion of all requirements as assigned, successful participants will be eligible to have the record of their criminal violation destroyed. A clean record can allow a new start towards a responsible and productive life in our community.

Scarlett Wilson
9th Judicial Circuit Solicitor

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Ninth Circuit Pretrial Intervention Summary Court

CHARLESTON COUNTY

101 Meeting Str., 2nd Floor
Charleston, SC 29401 (843)
958-1930

FAX: (843) 958-1931

DIRECTOR: KAT CONNERTY

BERKELEY COUNTY

300-B California Avenue
Moncks Corner, SC 29461
(843) 719-4387

FAX: (843) 719-4382

COORDINATOR: THOMAS FALCONER

IMPORTANT NOTICE TO PTI APPLICANTS

**YOU MUST APPLY TO PTI IN THE COUNTY WHERE
YOUR ARREST OCCURRED**

WHAT IS PRETRIAL INTERVENTION?

PTI is a State legislated diversion program designed for first-time offenders of non-violent crimes. The program allows the defendant to be diverted from court and enter into a program consisting of counseling and guidance, community service work and restitution. Successful completion of the program requirements will allow the defendant's criminal violation to be expunged from their record. The goal of this program is to give first-time offenders a second chance.

Offenders may participate in this program only once.

**PTI is under the control and supervision of the Office of the
Solicitor, Ninth Judicial Circuit.**

WHO CAN APPLY?

If you have recently been arrested for the first time for a non-violent crime, you may come to PTI through a referral from the Magistrate, Municipal or General Sessions Court.

PTI for an individual is appropriate when:

1. A person is 17 years of age or older (or if 16 or under, and is charged as an adult).
2. There is no evidence of significant prior arrests or criminal history. **(No prior felony or General Sessions convictions)**
3. The individual poses no detectable threat to society.
4. The person is unlikely to be involved in further criminal activity.
5. The person has had no **prior PTI participation**.
6. The person is likely to respond quickly to rehabilitative treatment.
7. Justice to the offender and the State will be served by placing the offender in an intervention program instead of the traditional criminal justice process.

**“Walk-In applications” are ONLY taken on
Thursdays, from 9:00 a.m. to 4:00 p.m.**

At the time of application, you must bring:

1. \$100.00 money order or certified check (\$150.00 if you wish to transfer to another county in South Carolina)
2. Picture identification
3. Social Security Card

**** A Copy of Your Court Referral(s) to PTI is needed to process your PTI application. This is always important to bring, as the court may not have sent it yet by the Thursday you choose to apply.**

HOW DOES IT WORK?

After the court referral has been made to PTI, You have 2 “walk in Thursday” opportunities after your court date.

We will review information you submit to us regarding the pending charge against you. We also review any prior history of your criminal arrests and convictions.

Approximately 30 days after your PTI application date, you will be scheduled for a 2nd appointment to obtain your full orientation and individual program requirements. Failure to show for that appointment will result in your file being returned to the court.

When a victim is involved in your charge, a consent form will be sent to him/her to be signed and returned to PTI. A recommendation request will also be issued to the arresting officer. These forms must be received recommending your PTI participation. A negative recommendation may result in your inability to participate in the program. The Solicitor has the final decision to accept or reject your case for diversion.

If rejected, you will be notified in writing and your case will be returned to court. If your case is accepted, and you successfully complete the program requirements as assigned, the court which handled your case is notified and the charges against you are dismissed. At that time, you are eligible, under the South Carolina Code of Laws, Section 17-22-150, to clear your arrest record of the dismissed charges. You will be given detailed instructions regarding expungement of your record. Should you choose not to complete the requirements of the program, your case will be returned to the appropriate court for prosecution.

The Pretrial Intervention Program has worked closely with the courts and law enforcement to establish a program that works for the good of all involved: the accused, the victim and the community. It can provide you with the opportunity to achieve a clear record, avoid a possible jail sentence, and help you take meaningful steps to improve your life.

PROGRAM REQUIREMENTS

Before you can be accepted into the program, you must:

1. Furnish the program with complete information on any matter dealing with pending charge(s) against you, your prior history, and your current activities.
2. If applicable, agree to make restitution for any losses to the victim in your case.
3. Pay all program fees. (\$100. application, \$250. participation). (Counseling fees are separate)
4. Keep all appointments promptly as scheduled for you by PTI personnel.
5. Agree to commit no more crimes. (No arrests are allowed while in PTI).
6. Have **no prior** participation in a PTI program.

If you are accepted into the program, the Solicitor will agree to hold the charges against you from going to trial. As long as you are in the program *and in compliance*, your case will not be returned to court. Before the PTI charges can be dismissed, you must have completed the following requirements:

1. Submit to random drug testing if required.
3. Actively take part in the program set forth by the case manager. This may include client financed counseling at outside agencies or other educational services.
4. Attend a prison tour if scheduled by the PTI Staff.
5. Remain in the program a minimum of 90 days and abide by the timeline set forth by the PTI case manager..
6. Pay back the victim of your crime for losses incurred.
7. No new arrests while enrolled without unsuccessful PTI termination.
8. Remain in the State while the charges are pending against you, unless PRIOR TO LEAVING, PTI and your bonding company has been notified and approves.

OUT OF AREA

Transfers to other counties within the State are available. Out of State supervision can be arranged