

## The Pretrial Intervention Application Process

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If you have recently been referred to the Pretrial Intervention Program you probably have many questions. This information will help to clarify how the application process works and what you can do to make sure your waiting period is as brief as possible.

1. The Pretrial Intervention program guidelines and fees are set by law. Each circuit Solicitor's office in the State of South Carolina has a PTI program. Application procedures may vary from circuit to circuit, so follow the directions from the court in this circuit or from the Berkeley or Charleston PTI letter that is mailed directly to you. **You must apply to PTI in the county where the arrest occurred.**
2. The only way a person can enter PTI in the 9<sup>th</sup> Circuit (Charleston and Berkeley County) is for the prosecutor in your case to agree to your participation. If they do agree this case is eligible to apply to our program, **only the prosecutor or the Judge can make the referral to Pretrial Intervention.**
3. There are three types of application tracks for PTI.
  - a. **You may now apply to PTI online.** Choose the appropriate selection under Diversion Services PTI. (The online selection is directly after these instructions in that section). Online applications will allow you to complete and submit your application to the PTI Program. You may also pay on line with a credit or debit card. To complete the process, we will need a copy of your social security card and picture ID within 2 weeks of your application. Those items may be brought into the office or sent to us by email or regular mail.
  - b. **Municipal or Magistrate charges PTI walk in application process.** Walk in applications are held downtown Charleston on the 2<sup>nd</sup> floor at 101 Meeting St., from 9:00 to 5:00 Monday-Friday. For Berkeley PTI, applications are also M-F at the courthouse at 300 B California Ave. in Moncks Corner. Once you go to court and the Judge or prosecutor refers you to PTI, you have 2 weeks to report to the PTI office.

To apply as a walk-in you must have 3 things: 1. a recent picture Identification, 2. your social security card and 3. a \$100 money order, cashier's check or credit/debit card. If you bring a copy of your court referral, the wait time to apply is usually less than 15 minutes and the process takes 30 minutes or less to complete. You will be told at that appointment if your case appears eligible for the program.

- c. **General Session's charges walk-in application process.** Once your referral is received in our office, the process is the same as above except your referral will come directly to us through the Assistant Solicitor (general session's prosecutor) in your case. Your defense attorney will usually initiate the PTI program request. If the assistant Solicitor agrees, you have 4 weeks from the date of your notice that you will receive from us through the mail. You will usually receive our notice within 30 days of when we have received your Assist. Solicitor's referral. You must bring a recent picture ID and your social security card. You will be required to pay a nonrefundable application fee of \$100. You may pay by money order, cashier's check, or credit/debit card. You will be given a follow up appointment with your assigned case manager for a full orientation once your background check has been completed. If you are a local resident, you should appear in person for that appointment. We do take GS applications through the mail for applicants unable to apply in person. However, if all required items are not included with the intake questionnaire, the application will not be accepted. Once the

criminal background and State PTI check shows eligibility for the PTI program, the applicant must show in person for the next appointment which is called the “orientation session”. That is when a program overview is provided and a private requirement date is set with the case manager. If the PTI participant will be living out of state, they will be provided direction at that time of PTIs process for nonlocal participants.

**The required item descriptions:**

MONEY ORDERS - You can purchase a money order at grocery stores, convenience stores or post offices. The charge is usually less than one dollar.

CASHIER’S CHECKS - Most banks will issue a cashier’s check for their customers free of charge.

CREDIT/DEBIT CARDS- When you pay by this method most card issuers have a small service fee attached to all transactions.

PICTURE IDENTIFICATION- The best picture ID is a current Driver’s License but the DMV will also issue a picture ID with proper identifying materials. (call them for details). A recent passport picture, recent military ID or recent school ID may also be accepted.

SOCIAL SECURITY CARD- In the criminal justice system, your social security number is an important tool in identification. *Just knowing your social security number is not enough.* It is very important to your case for us to have the correct number and therefore we require a social security card when you apply. If you do not have a copy of your card you must go to the Social Security Office (on Tobias Gadsden Blvd.) and get a letter from the Social Security Administration and provide it to us, proving you have filed for a new SS card.

**For both court level charges, failure to show without all the required items, will result in you NOT being able to apply to PTI on that date.**

4. Pretrial intervention is designed to assist you to change behaviors that have contributed to your recent criminal justice involvement. We will be *protection from prosecution* while you are in PTI but in order for you to receive that privilege, you must participate in a series of requirements and abide by all program rules. If you are PTI successful, your charge will be eligible to be removed from your record. If you are not successful, your case is returned for prosecution.
5. The PTI program lasts a *minimum* of 90 days and for those clients with a large sum of money to pay back a victim, it is a *maximum* of one year. **Your case manager** will let you know how long you have to complete **your** PTI participation.
6. While in PTI, you will be assigned *requirements*. They will include counseling or education and community service (volunteer work). You may also have restitution to pay, attend a prison tour, provide urine drug screens, make monthly contact calls and/or written reports. *Requirement assignments are given by the PTI case manager and are based on your charge and criminal history.*
7. **To request the option of PTI:**  
For all misdemeanor and magistrate level charges: If you are not sure of *who* the prosecutor is in your case, when you go to court you may ask the Judge and/or prosecutor about the possibility of you being referred to PTI.  
For General Sessions charges: Only your Assistant Solicitor/Prosecutor can refer you to the PTI program. If you are represented by a defense attorney, *the defense attorney must be the one to request the referral from your Assistant Solicitor, not you.* If you do not have a defense attorney, you may call the Assistant Solicitor in your case and see if he/she will agree to PTI as an option for your charge.  
For both General Sessions and Misdemeanor charges that occurred at the same time: In South Carolina

there are different courts for different charge levels. If you receive both charges at the same time, both courts/ prosecutors must send both referrals to PTI for the charges they are responsible for. That arrangement can be handled by your defense attorney or *you* may request the referrals as described above but *both protocols must be followed*. If you believe you qualify for indigent status, you must apply at either office in person.

**8. Out of state residents**

You may apply by mail for misdemeanor and general sessions charges but **all general sessions charges must have an “orientation” meeting with their case manager *in person*. You will be able to participate out of area once the mandatory PTI appointment in our office has been completed.**

**9. In State transfers**

You may request transfer to a different circuit at your application appointment. We do *in state transfers* for both General Sessions and municipal/magistrate charges.