
Who is Eligible for Pretrial Intervention (PTI)?

Any defendant who is charged with an indictable offense may apply.

Admission guidelines stated in the Court Rules set the following criteria:

- ◆ **Age** - PTI is designed for adults.
- ◆ **Residence** - PTI is designed for New Jersey residents, but others may apply.
- ◆ **Jurisdiction** - Only defendants charged with indictable offenses in New Jersey criminal or municipal courts.
- ◆ **Minor Violations** - Charges that would likely result in a suspended sentence without probation or a fine are generally not eligible. Those charged with ordinance, health code and other similar violations are not eligible.
- ◆ **Prior Record of Convictions** - PTI generally excludes defendants who have been previously convicted.
- ◆ **Parolees and Probationers** - Generally excluded without prosecutor's consent and considered only after consultation with parole and probation departments.
- ◆ **Defendants Previously Diverted** - Excludes defendants who have previously been granted a diversionary program or conditional discharge.

How Does One Apply for Pretrial Intervention?

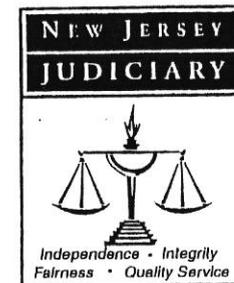
Applications to PTI should be made as early as possible upon the commencement of proceedings to the Criminal Division Office in the county where the criminal charge is filed, but not later than 28 days after indictment. There is a \$75 application fee.

The application process includes an interview with the defendant by a staff member of the Criminal Division of the Superior Court. A written report is prepared detailing the decision for admittance or rejection into the PTI program. This report is forwarded to the prosecutor and defense counsel. When a defendant is accepted into PTI on the recommendation of the Criminal Division, with the consent of the prosecutor and the defendant, the judge may postpone all further proceedings against the defendant for a period not to exceed 36 months.

If accepted, the conditions for participation are set forth in the PTI Order and must be followed for the defendant to successfully complete.

If for any reason the applicant is not accepted, the applicant may appeal the decision to the Presiding Judge of the Criminal Division within 10 days of the rejection.

PRETRIAL INTERVENTION PROGRAM (PTI)



Administrative Office of the Courts

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What is the Pretrial Intervention Program (PTI)?

The Pretrial Intervention Program (PTI) provides defendants, generally first-time offenders, with opportunities for alternatives to the traditional criminal justice process of ordinary prosecution. PTI seeks to render early rehabilitative services, when such services can reasonably be expected to deter future criminal behavior. The PTI program is based on a rehabilitative model that recognizes that there may be an apparent causal connection between the offense charged and the rehabilitative needs of a defendant. Further, the rehabilitative model emphasizes that social, cultural, and economic conditions often result in a defendant's decision to commit crime.

Simply stated, PTI strives to solve personal problems which tend to result from the conditions that appear to cause crime, and ultimately, to deter future criminal behavior by a defendant.

What Are the Benefits of the Pretrial Intervention Program (PTI)?

- ◆ If PTI is successfully completed, there is no record of conviction and the defendant avoids the stigma of a criminal record. Although no record of a conviction exists, a defendant may want to file for an expungement to remove any record of the original arrest.
- ◆ Early intervention allows rehabilitative services to be provided soon after the alleged offense, in an attempt to correct the behavior that led to the offense.
- ◆ Some of the costs associated with the formal court process are eliminated through acceptance into PTI.
- ◆ PTI provides early resolution of a case which serves the interests of the victim, the public and the defendant.
- ◆ PTI reduces the burden on the court and allows resources to be devoted to more serious criminals.

What are the Conditions for Participation in Pretrial Intervention?

Supervision under the PTI program may run from 6 months to three years. Certain standard conditions are imposed on those accepted into PTI, such as, random urine monitoring, and assessments of fees, penalties and fines. Additional conditions may also be imposed to require the performance of community service, payment of restitution, and submission to psychological and/or drug and alcohol evaluations with compliance to recommended treatment programs.

If a defendant successfully completes all the conditions of PTI, then the original charges are dismissed on the recommendation of the Criminal Division Manager with consent by the prosecutor, and there is no record of conviction.

If a defendant does not successfully complete the conditions of PTI, then the defendant is terminated from the PTI program and the case is returned to the ordinary course of prosecution.