

**BROWARD COUNTY 17<sup>TH</sup> JUDICIAL CIRCUIT COURT**  
**PRE-TRIAL INTERVENTION GUIDELINES**

The following sets forth revised policy, procedure and minimum eligibility requirements for obtaining State Attorney Office approval for the entry of an applicant into the Felony Pre-Trial Intervention Program supervised by the Department of Corrections in the 17<sup>th</sup> Circuit.

1. APPLICATION

Application for entry into the P.T.I. Program can be emailed to [FelonyPTI@sao17.state.fl.us](mailto:FelonyPTI@sao17.state.fl.us) or dropped off directly to the SAO Felony Pre-Trial Intervention Program, 201 S.E. 6<sup>th</sup> Street, Suite WW-8130, Fort Lauderdale, FL 33301 on or before the forty-fifth (45<sup>th</sup>) day from the arraignment of the applicant. Applications to PTI will not be accepted if the defense has taken the depositions of state witnesses or otherwise pursued substantive defenses. Application forms can be found at <https://browardsao.com/diversion-programs/> and then hitting “click here” under the Felony Pre-Trial Intervention (PTI) heading.

2. RESIDENCY

The applicant must be a bona fide resident of the State of Florida. If the applicant is a resident of another state and the Department of Corrections, Pre-Trial Intervention Program, Broward County, Florida, is willing to supervise them, they may also apply to the program but will be required to plead guilty and defer sentencing. Persons residing outside of the United States are ineligible.

3. PAST ADULT OFFENSE HISTORY

The applicant must have no prior adult felony convictions, including withholds, may not have been previously granted PTI for a separate felony offense, and cannot have more than three (3) prior convictions for a non-violent misdemeanor or no more than three (3) misdemeanor arrests. Applicants with a prior felony arrest will be reviewed on a case by case basis.

4. PAST JUVENILE OFFENSE HISTORY

If an applicant is twenty-five (25) years of age, or less, and has a juvenile record of criminal offenses indicative of disregard for the criminal laws, in the opinion of the State Attorney’s Office, the applicant may be disqualified for entry into the program for reason of this record.

5. OFFENSE

The criminal offense for which the applicant has been arrested or charged must be a NON-VIOLENT third-degree felony. The State Attorney’s Office reserves the option to preclude any entry into PTI based on the circumstances of the offense. The following categories of offenses, even though non-violent third-degree felonies, will AUTOMATICALLY PRECLUDE consideration and State Attorney’s Office consent for entry into the program.

- a. Multiple charge/count situations {two (2) or more charges/counts} where the charges/counts arise out of separate factual circumstances and criminal transactions;
- b. Sale or delivery of any controlled substance prohibited by Chapter 893, Florida Statutes;
- c. Possession of narcotics prohibited by Chapter 893, Florida Statutes, inconsistent with personal use.

- d. All 3<sup>rd</sup> degree felonies in Chapter 849, Florida Statutes, relating to Gambling;
- e. All 3<sup>rd</sup> degree felonies in Chapter 790, Florida Statutes relating to Weapons or Firearms;
- f. All 3<sup>rd</sup> degree felonies in Chapter 796, Florida Statutes, relating to Prostitution;
- g. All felonies where the actual monetary loss to the victim exceeds \$5,000.00, unless it appears that full restitution can be repaid within the period of P.T.I. supervision.
- h. All 3<sup>rd</sup> degree felonies charged by indictment;
- i. All 3<sup>rd</sup> degree felonies involving abuse or neglect of a minor child;
- j. Possession of anti-shoplifting control device
- k. Attempted Residential Burglary
- l. Animal Abuse
- m. Offenses involving vending, forging or counterfeiting private labels
- n. Felony Traffic offenses involving Serious Bodily Injury or Death to a victim
- o. Felony Traffic offenses for Driving While License Suspended, Driving Under the Influence, Fleeing/Eluding a LEO, Reckless Driving, or Leaving Scene of an Accident

6. CONSENT OF VICTIM(S) REQUIRED

*The victim(s) of the offense for which the applicant was arrested/charged, must consent to the applicant participating in the P.T.I. Program.*

7. RESTITUTION REQUIRED

If a person or persons, including an insurance carrier, suffered monetary loss which can be determined without controversy as a direct result of the commission of the offense for which the applicant was arrested/charged, the applicant must be ready, willing and able to make full restitution to such person or persons, including insurance carriers, and such restitution shall be made a specific condition of the applicant's satisfactory completion of the program.

8. WAIVER OF RIGHTS REQUIRED

If an individual desires to be considered for entry into the program, upon applying for entry into the program and prior to any further processing of the application, the applicant must voluntarily, knowingly and intelligently execute a document that he/she has been fully advised of his/her constitutional rights, including, but not limited to the right to remain silent regarding the facts and circumstances related to the offense for which the applicant has been arrested/charged and that the applicant has waived the right to a speedy trial on the said offense for the period of time required to complete the diversion program, whether satisfactorily or unsatisfactorily. If at the time of applying for entry into the program the applicant has an attorney representing him/her in connection with the offense for which he/she was arrested/charged, said attorney shall be required to confirm that he/she has also advised the applicant of these same rights.

9. SPECIAL CONDITIONS TO ENTRY

- a. If, in the opinion of the P.T.I. Program Staff, the applicant is in need of special counseling, or to attend programs designed to provide self-improvement education, the applicant must agree to participate in such programs as a specific condition of satisfactory completion of P.T.I.
- b. The P.T.I. Program Staff Supervisors may require the applicant to perform up to forty (40) hours of community service as a specific condition of his/her satisfactory completion of the program. If the applicant is not willing to accept such a condition, the applicant will not be accepted into the program.