

# ADULT MISDEMEANOR PRE-TRIAL INTERVENTION PROGRAM (PTIP)

## PROGRAM SUMMARY & CRITERIA FOR ADMISSION



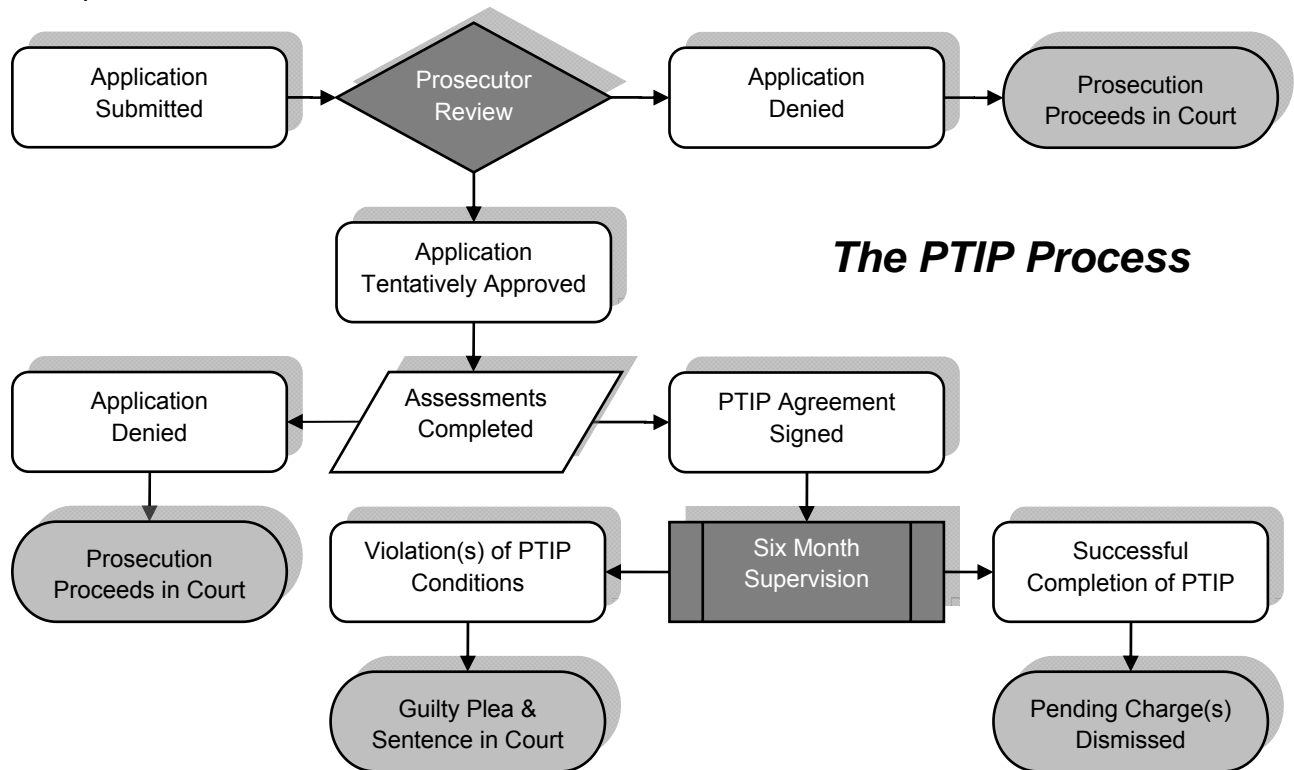
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## PTIP SUMMARY AND PRINCIPLES OF OPERATION

The Pre-Trial Intervention Program (PTIP) is a program designed to educate, rehabilitate, and divert prosecution of certain offenders with little or no criminal history in the criminal justice system. PTIP uses a rigorous application process combined with evidence-based assessments to identify offenders who are likely to respond to cognitive education and self-correction in a short period of time. In this way, low-risk offenders are sanctioned and rehabilitated to prevent future recidivism while lessening the burden on court resources best suited for rehabilitation and punishment of high-risk offenders.

PTIP is operated by the Williamson County Attorney’s Office and the Williamson County Community Supervision and Corrections Department (CSCD). Participation in PTIP by Defendant is voluntary. Accepting Defendant into the program is at the discretion of the County Attorney’s Office. The Prosecutor will consider the facts and circumstances of the alleged offense, determine if any restitution is owed, consider Defendant’s entire criminal history, and consider any victim impact information provided when determining whether or not to approve an applicant for the program. Upon approval for admission to PTIP, Defendant enters into a contractual agreement with the County Attorney’s Office which includes voluntarily waiving certain constitutional rights and signing a confession of guilt to the offense alleged in the *Information* filed in court. All information obtained during the process including the *PTIP Application*, the *PTIP Agreement*, and information obtained during Defendant’s term in PTIP will be used against Defendant on the issue of guilt and punishment of any later prosecution for the offense. However, if Defendant is denied admission to PTIP, any written information obtained as a result of the *PTIP Application* will not be used against Defendant during the prosecution for the offense.

Defendant is required to strictly comply with the conditions and requirements of the *PTIP Agreement* during the six month term of supervision. Upon successful completion of PTIP, the County Attorney’s Office agrees to dismiss the criminal charge pending against Defendant. If Defendant violates the *PTIP Agreement*, Defendant is remanded back to court to formally enter a plea of guilty to the offense alleged and accept a pre-negotiated sentence for punishment.



## APPLICATION PROCESS

- STEP  
1**

Verify Defendant meets criteria for PTIP. Defendant must meet the minimum criteria found on Page 4 of this *Program Summary*.
- STEP  
2**

Attorney and Defendant fill out the *PTIP Application* electronically or by hand. The attorney and/or Defendant may use electronic signatures to sign the application.
- STEP  
3**

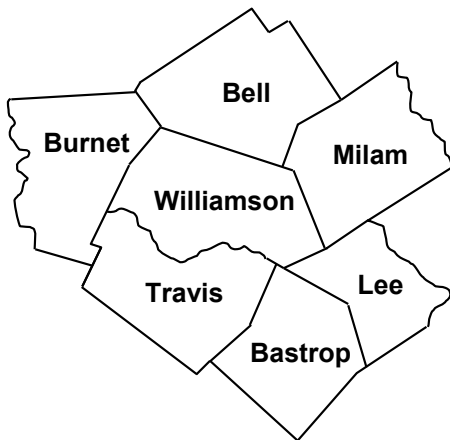
Submit *PTIP Application* via e-mail at [ptip@wilco.org](mailto:ptip@wilco.org) within six (6) months of the date of Defendant's arrest or at least ten (10) business days prior to Defendant's first trial setting in Court, **whichever occurs first**.
- STEP  
4**

The attorney will receive notice of tentative approval or notice of denial. If Defendant is tentatively approved, said notice will provide instructions and contact information for setting up an appointment to take a professional assessment and a UA drug test.
- STEP  
5**

Defendant meets with the assessment provider on the appointment date to complete the required assessments and submit to a UA drug test. Defendant pays **\$150.00** (cash or money order) to the service provider on that date for the assessment and UA drug test.
- STEP  
6**

The attorney will receive notice of final approval or denial of admission to PTIP. If approved, the attorney will schedule an appointment to sign a *PTIP Agreement* at the County Attorney's Office, which must be signed **within 30 days** of approval.
- STEP  
7**

The attorney and Defendant execute a *PTIP Agreement* with the prosecutor. Defendant meets with the Supervising Caseworker the same day and pays the **\$360.00** PTIP fee and **\$225.00** court-appointed attorney fee (if applicable) with separate money orders.



### ***Defendant's County of Residence Makes a Difference***

If Defendant resides in Williamson, Bell, Milam, Lee, Bastrop, Travis, or Burnet County, Defendant is expected to complete his or her community service obligations and attend classes and programs in Williamson County.

If Defendant resides outside of Williamson County and the six contiguous counties, alternative conditions will be written into the *PTIP Agreement* in order for Defendant to meet all requirements of PTIP.

## ELIGIBILITY CRITERIA FOR PTIP

### *Minimum Criteria*

Defendant must meet the following minimum criteria to be eligible for PTIP, which cannot be waived:

- a) Defendant must admit his or her guilt to the offense charged in the *Information* and accept full responsibility for the commission of said offense.
- b) Defendant must not have any felony convictions, felony deferred adjudications, or any adjudicated felony offenses as a juvenile.
- c) Defendant must not have any criminal history involving offenses punishable by confinement in jail or prison within the past ten (10) years, regardless of disposition, or any adjudicated misdemeanor offenses as a juvenile within the past three (3) years.
- d) Defendant must not have any adult criminal history, regardless of disposition, involving any offense that is the same or similar offense as the offense charged that is the subject of the PTIP application.
- e) Defendant must have access to the internet and have an e-mail account to fulfill the obligations and conditions of PTIP.
- f) Defendant must be willing and able to be monitored using an ignition interlock device with a camera or a Secure Continuous Remote Alcohol Monitor (SCRAM), or other approved form of remote alcohol monitoring.
- g) Defendant must pass a UA drug test administered by the assessment provider during the required assessments.
- h) Defendant cannot make any material misrepresentations in the PTIP Application.
- i) Defendant cannot commit any new offense during the pendency of the PTIP Application.
- j) Defendant cannot be charged with any of the following offenses:
  - Any offense under Tex. Penal C. Chapter 43 Public Indecency
  - Any offense under Tex. Penal C. Chapter 21 Sexual Offenses
  - Any offense involving delivery of illegal drugs or drug paraphernalia
  - Driving While Intoxicated involving injury to another
  - Driving While Intoxicated with a blood alcohol concentration  $\geq 0.15$
  - Driving While Intoxicated cases where Defendant refused all field sobriety tests and a blood, breath, or urine test
  - Resisting Arrest
- k) Defendant must pay any restitution owed resulting from the offense and provide proof of same prior to the date of the PTIP contract signing.
- l) Defendant must execute a weapon forfeiture for any weapon seized for any reason as part of Defendant's criminal case at the discretion of the Criminal Division Chief.

## FREQUENTLY ASKED QUESTIONS

### ***My client is not fluent in English. Is my client able to participate in PTIP?***

If your client is fluent in Spanish, we have several equivalent courses taught in Spanish which will satisfy the PTIP conditions. Please indicate this fact in advance, and we will draft a PTIP contract with the appropriate equivalent courses. If your client speaks another language, we need to know this fact well in advance so we can attempt to make reasonable accommodations.

### ***Do I need to provide a translator for the PTIP Assessments and the contract signing?***

Yes. The attorney of record, a law office staff member, or a friend or family member of the Defendant may translate for the Defendant. However, at no time shall a victim or witness to the underlying criminal offense translate for the Defendant during the assessments or the contract signing.

### ***Are Non-Traffic Related Class C Misdemeanors an Absolute Bar to PTIP Admission?***

No. Class C Misdemeanor offenses, regardless of disposition, are not an absolute bar to admission. The prosecutor reviewing the application will take *all* of Defendant's criminal history into account when deciding whether or not to grant tentative approval to PTIP. The minimum criteria for PTIP explain how certain criminal histories are an absolute bar to admission.

### ***How do I go about scheduling my client for a PTIP Contract Signing?***

The attorney, Defendant, and the prosecutor must all be present to execute the *PTIP Agreement*. The attorney may schedule an appointment via e-mail at [ptip@wilco.org](mailto:ptip@wilco.org) (you may request a call-back if you prefer to schedule over the phone) or in person during normal business hours at the Information Desk located on the first floor of the Williamson County Justice Center. Contract signings are typically scheduled Tuesday through Friday from 9:00 AM to 10:30 AM.

### ***Can my client pay the required fees and restitution during the PTIP term of supervision?***

All restitution (including DPS Lab fees) must be paid in advance, and the Defendant must pay the \$360 program fee at the time of signing the PTIP contract. However, the \$225 court-appointed attorney fee may be paid at a different time during the term of supervision.

### ***How do I appeal my client's denial of admission into PTIP or subsequent PTIP contract violations?***

All requests for reconsideration of denial or appeals for program violations must be made in writing and submitted via e-mail to [ptip@wilco.org](mailto:ptip@wilco.org) with "Request for Review" in the subject line. Any documentation the attorney wishes the reviewing prosecutor to consider must be attached to and submitted with the *PTIP Request for Review Form*. All such requests must be submitted within ten (10) business days of receipt of notice of denial or revocation.

All requests for review will be reviewed and a decision rendered by either the County Attorney, the First Assistant County Attorney, or the Criminal Division Chief at the County Attorney's discretion. Neither Defendant nor the attorney has a right to a formal hearing on the matter. Extrinsic evidence in support of the attorney's request is limited to documentation attached to the *Request for Review Form* upon submission. The attorney will receive a written response to the *Request for Review*. All decisions are final by the reviewing prosecutor and no re-submission for review is allowed.