

**SOLICITORS' DIVERSION PROGRAMS INFORMATION:
PRE-TRIAL INTERVENTION PROGRAMS SUMMARY**

A. Each Solicitor has discretion to establish an Pre-Trial Intervention Program (PTI). S.C. Code Ann. §17-22-30(A). PTI is under the direct supervision and control of the Solicitor's Office. §17-22-30(C).

B. Eligibility for PTI:

- A person may be considered for PTI if the person has not been previously accepted into PTI. §17-22-50 (A)(1).
- A person is eligible for PTI only where:
 - there is substantial likelihood that justice will be served if the offender is placed in an intervention program;
 - it is determined that the needs of the offender and the State can better be met outside the traditional criminal justice process;
 - it is apparent that the offender poses no threat to the community;
 - it appears that the offender is unlikely to be involved in further criminal activity;
 - the offender, in those cases where it is required, is likely to respond quickly to rehabilitative treatment; and
 - the offender has no significant history of prior delinquency or criminal activity. §17-22-60(1) – (6).
- The following crimes are **INELIGIBLE** for PTI (§17-22-50(A)(2) and/or listed statutes):

	Crime (S.C. Code Section)
1.	Detonating a Destructive Device Upon the Capitals Ground Resulting (§10-33-325(B)(1))
2.	Accessory Before the Fact to Commit a Violent Crime (§16-1-40)
3.	Attempt to Commit Violent Crime (§16-1-80)
4.	Murder (§16-3-10)
5.	Attempted Murder (§16-3-29)
6.	Voluntary Manslaughter (§16-3-50)
7.	Homicide by Child Abuse (§16-3-85(A)(1))
8.	Aiding and Abetting Homicide by Child Abuse (§16-3-85(A)(2))
9.	Inflicting Great Bodily Injury Upon a Child (§16-3-95(A))
10.	Allowing Great Bodily Injury to be Inflicted Upon a Child (§16-3-95(B))
11.	Assault and Battery by Mob, First Degree Resulting in Death (§16-3-210(B))
12.	Assault & Battery of a High and Aggravated Nature (§16-3-600(B))
13.	Spousal Sexual Battery (§16-3-615)
14.	Assault & Battery with Intent to Kill (§16-3-620)
15.	Criminal Sexual Conduct –1 st Degree (§16-3-652)
16.	Criminal Sexual Conduct –2 nd Degree (§16-3-653)

	Crime (S.C. Code Section)
17.	Criminal Sexual Conduct with Minor (1 st , 2 nd , and 3 rd degree) (§16-3-655)
18.	Assault with Intent to Commit CSC (1 st and 2 nd degree) (§16-3-656)
19.	Engaging Child for Sexual Performance (§16-3-810)
20.	Producing, Directing, or Promoting Sexual Performance by a Child (§16-3-820)
21.	Kidnapping (§16-3-910)
22.	Carjacking (§16-3-1075)
23.	Arson –1 st Degree (§16-11-110(A))
24.	Arson – 2 nd Degree (§16-11-110(B))
25.	Burglary – 1 st Degree (§16-11-311)
26.	Burglary – 2 nd Degree (§16-11-312(B))
27.	Armed Robbery (§16-11-330(A))
28.	Attempted Armed Robbery (§16-11-330(B))
29.	Lewd Act Upon a Child Under Sixteen (§16-15-140)
30.	Sexual Exploitation of a Minor First Degree (§16-15-395)
31.	Sexual Exploitation of a Minor Second Degree (§16-15-405)
32.	Promoting Prostitution of a Minor (§16-15-415)
33.	Participating in Prostitution of a Minor (§16-15-425)
34.	Blackmail (§16-17-0640)

	Crime (S.C. Code Section)
35.	Aggravated Voyeurism (§16-17-470(C))
36.	Detonating a Destructive Device Resulting in Death with Malice (§16-23-720)
37.	Detonating a Destructive Device Resulting in Death without Malice (§16-23-720(A)(2))
38.	CDV Offense, DV 3 rd Degree, Firearm and Ammunition Violations under 16-25-30; Violation of Order of Protection Issued under Chapter 4, Title 20 or by Court of Another State, Tribe or jurisdiction; or Trespass upon Grounds or Structure Of Domestic Violence Shelter if Previously Convicted of any Violation of Chapter 25, Title 16 (includes offenses of Criminal Domestic Violence; CDVHAN; 1 st , 2 nd , and 3 rd Degree DV; DVHAN; Firearm and Ammunition Violations under 16-25-30; Violation of Order of Protection Issued under Chapter 4, Title 20 or by Court of Another State, Tribe or jurisdiction; and Trespass upon Grounds or Structure Of Domestic Violence Shelter) or a Similar Offense in Another Jurisdiction (Title 16, Chapter 25)
39.	DV High and Aggravated Nature (DVHAN) (§16-25-65)
40.	DV – 1 st Degree (§16-25-20(B))
41.	DV – 2 nd Degree (§16-25-20(C))
42.	Taking a Hostage by an Inmate (§24-13-450)
43.	Abuse/Neglect of Vulnerable Adult Resulting in Death (§43-35-85 (F))
44.	Abuse/Neglect of Vulnerable Adult Great Bodily Injury (§43-35-85 (E))
45.	Drug Trafficking (§44-53-370(e))
46.	Drug Trafficking (§44-53-375(C))
47.	Resisting Arrest by the Use of Force, Violence, or Weapons Against an Employee of the Department While Engaged in His Duties, a Law Enforcement Officer Aiding in the Work of the Department, or a Federally Commissioned Employee Engaged in Like or Similar Employment Injury (§50-9-1120(1)(a))
48.	Night Hunting Deer or Bear (§50-9-1120(2)(b))

	Crime (S.C. Code Section)
49.	Killing or Possessing Wild Turkey During the Closed Season (§50-9-1120(2)(i)1)
50.	Roost Shooting Wild Turkeys Between Official Sunset and Official Sunrise (§50-9-1120(2)(j))
51.	Shooting Wild Turkeys Over Bait (§50-9-1120(2)(k))
52.	Trespassing to Hunt Waterfowl (§50-9-1120(2)(m))
53.	Boating Under the Influence Resulting in Death (§50-21-113(A)(2))
54.	Vessel Operator's Failure to Render Assistance Resulting in Death (§50-21-130(A)(3))
55.	Damaging an Airport Facility or Removing Equipment Resulting in Death (§55-1-30(3))
56.	Failure to Stop When Signaled by a Law Enforcement Vehicle Resulting in Death (§56-5-750(C)(2))
57.	Interference with Traffic-Control Devices, Railroad Signs, or Signals Resulting in Death (§56-5-1030(B)(3))
58.	Hit and Run Resulting in Death (§56-5-1210(A)(3))
59.	Driving Under the Influence of Intoxicating Liquor or Drugs (DUI) or Driving with an Unlawful Alcohol Concentration (DUAC) (§56-5-2930)
60.	Felony Driving Under the Influence Resulting in Death (Felony DUI) (§56-5-2945(A)(2))
61.	Traffic-Related Offense Which is Punishable Only by Fine or Loss of Points (Title 56)
62.	Driving with an Unlawful Alcohol Concentration Death (Felony DUAC) (§56-5-2933)
63.	Putting Destructive or Injurious Materials on a Highway Resulting in Death (§57-7-20(D))
64.	Obstruction of a Railroad Resulting in Death (§58-17-4090)
65.	Manufacturing or Trafficking Methamphetamine (§44-53-375)
66.	Trafficking in Persons (§16-3-930)

- C. Prior to completion of PTI the offender must make restitution, as determined by the Solicitor, to the victim, if any. §17-22-140.
- D. When a person successfully completes PTI, the Solicitor's Office must effect a noncriminal disposition of the charge. §17-22-150(A).
- E. Termination from PTI:
 - A Solicitor has discretion to terminate a person from PTI and reinstate the original offense when the person violates the conditions of PTI. §17-22-150(B).