

LYNDHURST MUNICIPAL COURT

Selective Intervention Program

Purpose

The Selective Intervention Program (SIP) is designed to identify cases where offenders can be held accountable for their actions while also reducing the collateral consequences many offenders face with criminal convictions. The program is intended to keep first offenders from being fully immersed into the Criminal Justice System.

Eligibility Criteria

- The Defendant has no prior criminal misdemeanor or felony convictions with the exception of minor misdemeanors.
- No previous participation in this or any other first offender program.
- No prior criminal convictions that resulted in the conviction being sealed.
- No pending criminal cases.
- No outstanding criminal or traffic warrants.
- Defendant consents to participate in the Program.

NOTE: This criterion does not guarantee acceptance into the program nor does failure to meet all criteria preclude the offender's participation in the program.

Procedure

- Defendant enters a No Contest plea to the original charge(s).
- Based upon the approval of the Judge, the defendant may be placed in the Program.
- Defendant is required to sign a waiver of speedy trial rights and the tolling of any statute of limitations applicable to the offense charged.
- Defendant must agree, in writing, to the conditions of the Program.
- The Court will refer the Defendant to the Probation Department for approval of SIP with program requirements.
- Upon successful completion of Diversion, the case would be dismissed and sealed.

Length of Program

The SIP requirements must be completed within 90 days. The Court and Probation Department retain the right to remove the Defendant from the Program or extend the duration of the Program for just cause. The Defendant may be granted early release of the Program if all program requirements and financial obligations are completed in full.

Program Requirements

1. Obey all municipal, state and federal laws.
2. Be truthful and cooperative with the prosecutor, probation officers, and the Court.
3. No new criminal charges while participating in the Program.
4. As a condition of participation in the Program, the Probation Department may recommend any or all of the following:
 - Community Service
 - Restitution

Participation Fee

There is a mandatory participation fee of \$250 assessed to the offender. This participation fee is in addition to: (1) any court costs and restitution ordered by the Court; and (2) any costs associated with Court Community Service administrative fee.

Termination for Unsatisfactory Performance

In the event the Defendant violates the terms and conditions of SIP by either failing to complete all required Court Community Service or financial obligations or by engaging in conduct which leads to the filing of additional criminal charges prior to completing SIP, the Defendant will be terminated from the Program and convicted of the original charge(s).