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STATE OF WISCONSIN

SEVENTH JUDICIAL DISTRICT



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OWI SENTENCING GUIDELINES EFFECTIVE 05-01-2024

(These guidelines are offered to promote consistency among the circuit court branches of the Seventh Judicial Administrative District. They are not intended to govern the decision of the court to utilize any prescribed penalty available under the law. The court is free in its discretion to depart from the guidelines.)

SCOTT L. HORNE, CHIEF JUDGE

PENALTY RANGE: (§346.65(2)(am)1)

FORFEITURE: \$150 to \$300 (plus costs & surcharges)

REVOCAATION: 6 – 9 Months (Occupational - no waiting period; (§343.30(1q)(b)2)).

IGNITION INTERLOCK: Mandatory interlock for all alcohol concentration of .15 or more. License restricted to interlocked vehicles, plus all registered and titled vehicles (unless excepted) for period a of one year (§343.301(2m)) beginning when license is issued. \$50.00 interlock surcharge.

DRIVING FACTORS

FIRST OFFENSE NO MINOR PASSENGER		Standard Guidelines	Enhanced Guidelines
BAC Level			
.08 to .119	Forfeiture	\$150.00	\$175.00
	Costs & Surcharges	\$786.50	\$793.00
	Total	\$936.50	\$968.00
	Revocation	6 Months	6 Months
	Alcohol Assess & Driver Safety	Yes	Yes
.12 to .149	Forfeiture	\$175.00	\$200.00
OR	Costs & Surcharges	\$793.00	\$799.50
A Detectable Amount of a	Total	\$968.00	\$999.50
Restricted Controlled	Revocation	6 Months	7 Months
Substance	Alcohol Assess & Driver Safety	Yes	Yes
.15 to .199	Forfeiture	\$200.00	\$225.00
	Costs & Surcharges	\$849.50	\$856.00
	Total	\$1,049.50	\$1,081.00
	Revocation	7 Months	8 Months
	Alcohol Assess & Driver Safety & IID	Yes	Yes
.20 to .249	Forfeiture	\$225.00	\$250.00
	Costs & Surcharges	\$856.00	\$862.50
	Total	\$1,081.00	\$1,112.50
	Revocation	8 Months	9 Months
	Alcohol Assess & Driver Safety & IID	Yes	Yes
.25 or Above	Forfeiture	\$275.00	\$300.00
	Costs & Surcharges	\$869.00	\$875.50
	Total	\$1,144.00	\$1,175.50
	Revocation	9 Months	9 Months
	Alcohol Assess & Driver Safety & IID	Yes	Yes

PENALTY RANGE: (§346.65(2)(am)2)

FINE: \$350 to \$1,100 (plus costs & surcharges)

JAIL: 5 Days - 6 Months [Minimum 48 consecutive hours in jail (§346.65(7))]

REVOCAATION: 12 – 18 Months, plus number of days of jail sentence. (Occupational – 45 day waiting period and must complete alcohol assessment and be in compliance with driver’s safety plan and absolute sobriety during use.)

PROBATION: 6-24 Months

IGNITION INTERLOCK: Mandatory interlock. License restricted to interlocked vehicles, plus all registered and titled vehicles (unless excepted) for period of one year to 18 months beginning when license issued. \$50.00 interlock surcharge.

DRIVING FACTORS

SECOND OFFENSE BAC Level		Standard Guidelines	Enhanced Guidelines
.08 to .119	Fine	\$350.00	\$400.00
	Costs & Surcharges	\$1,204.00	\$1,217.00
	Total	\$1,554.00	\$1,617.00
	Jail	10 Days	15 Days
	Revocation	12 Months	12 Months
	Alcohol Assess & Driver Safety & IID	Yes	Yes
.12 to .169 OR A Detectable Amount of a Restricted Controlled Substance	Fine	\$400.00	\$450.00
	Costs & Surcharges	\$1,217.00	\$1,230.00
	Total	\$1,617.00	\$1,680.00
	Jail	15 Days	20 Days
	Revocation	12 Months	14 Months
	Alcohol Assess & Driver Safety & IID	Yes	Yes
.17 to .199	Fine	\$450.00	\$550.00
	Costs & Surcharges	\$1,230.00	\$1,256.00
	Total	\$1,680.00	\$1,806.00
	Jail	20 Days	30 Days
	Revocation	14 Months	16 Months
	Alcohol Assess & Driver Safety & IID	Yes	Yes
.20 to .249	Fine	\$550.00	\$650.00
	Costs & Surcharges	\$1,256.00	\$1,282.00
	Total	\$1,806.00	\$1,932.00
	Jail	30 Days	40 Days
	Revocation	16 Months	18 Months
	Alcohol Assess & Driver Safety & IID	Yes	Yes
.25 or Above	Fine	\$650.00	\$750.00
	Costs & Surcharges	\$1,282.00	\$1,308.00
	Total	\$1,932.00	\$2,058.00
	Jail	40 Days	50 Days
	Revocation	18 Months	18 Months
	Alcohol Assess & Driver Safety & IID	Yes	Yes
Treatment/Probation Option §346.65(2)(bm)	Fine	\$450.00	
	Costs & Surcharges	\$1,230.00	
	Total	\$1,680.00	
Cost of AA/DSP subtracted from fine and costs. §346.65(2e). \$ _____			
Jail: Guidelines from above with all but 5 days stayed, pending successful completion of probation that includes alcohol and other drug treatment.			

PENALTY RANGE: (§346.65(2)(am)3)

FINE: \$600 to \$2,000 (plus costs & surcharges)

JAIL: 45 Days - 12 Months [Minimum 48 consecutive hours in jail (§346.65(7))]

REVOCAATION: 24 – 36 Months, plus number of days of jail sentence. (Occupational – 45 day waiting period and must complete alcohol assessment and be in compliance with driver’s safety plan and absolute sobriety during use.)

PROBATION: 6-24 Months

IGNITION INTERLOCK: Mandatory interlock. License restricted to interlocked vehicles, plus all registered and titled vehicles (unless excepted) for period of one year to 36 months beginning when license issued. \$50.00 interlock surcharge.

BAIL & STAY: No bail after conviction (§969.01(2)(a)) or stay of execution of jail sentence (§973.15(8)(a)(3)) may be granted unless condition of probation.

DRIVING FACTORS

THIRD OFFENSE		Standard Guidelines	Enhanced Guidelines
BAC Level			
.08 to .119	Fine	\$600.00	\$650.00
	Costs & Surcharges	\$1,269.00	\$1,282.00
	Total	\$1,869.00	\$1,932.00
	Jail	45 Days	55 Days
	Revocation	24 Months	24 Months
	Alcohol Assess & Driver Safety & IID	Yes	Yes
.12 to .169 OR A Detectable Amount of a Restricted Controlled Substance	Fine	\$650.00	\$750.00
	Costs & Surcharges	\$1,282.00	\$1,308.00
	Total	\$1,932.00	\$2,058.00
	Jail	65 Days	75 Days
	Revocation	24 Months	27 Months
	Alcohol Assess & Driver Safety & IID	Yes	Yes
.17 to .199 BAC Fine Range Doubles to \$1200 - \$4000	Fine	\$1,200.00	\$1,350.00
	Costs & Surcharges	\$1,427.00	\$1,467.50
	Total	\$2,627.00	\$2,817.50
	Jail	95 Days	125 Days
	Revocation	27 Months	30 Months
	Alcohol Assess & Driver Safety & IID	Yes	Yes
.20 to .249 BAC Fine Range Triples to \$1800 - \$6000	Fine	\$1,800.00	\$1,950.00
	Costs & Surcharges	\$1,589.00	\$1,629.50
	Total	\$3,389.00	\$3,579.50
	Jail	125 Days	155 Days
	Revocation	30 Months	33 Months
	Alcohol Assess & Driver Safety & IID	Yes	Yes
.25 or Above BAC Fine Range Quadruples \$2400 - \$8000	Fine	\$2,400.00	\$2,550.00
	Costs & Surcharges	\$1,751.00	\$1,791.50
	Total	\$4,151.00	\$4,341.50
	Jail	155 Days	185 Days
	Revocation	33 Months	36 Months
	Alcohol Assess & Driver Safety & IID	Yes	Yes
Treatment/Probation Option §346.65(2)(cm)	Fine	\$900.00	
	Costs & Surcharges	\$1,347.00	
	Total	\$2,247.00	
Cost of AA/DSP subtracted from fine and costs. §346.65(2e). \$ _____			
Jail: Guidelines from above with all but 14 days stayed, pending successful completion of probation that includes alcohol and other drug treatment.			

PENALTY RANGE: (§346.65(2)(am)4) (All OWI 4th are Class H felony.)

FINE: \$600 to \$10,000 (plus costs & surcharges)

JAIL/PRISON: 60 Days - 6 Years. [Minimum 48 consecutive hours in jail (§346.65(7))]

REVOCAION: 24 – 36 Months, plus number of days of jail sentence. (Occupational – 45 day waiting period and must complete alcohol assessment and be in compliance with driver’s safety plan and absolute sobriety during use.)

PROBATION: 6-36 Months

IGNITION INTERLOCK: Mandatory interlock. License restricted to interlocked vehicles, plus all registered and titled vehicles (unless excepted) for period of one year to 36 months. \$50.00 interlock surcharge.

BAIL & STAY: No bail after conviction (§969.01(2(a)) or stay of execution of jail sentence (§973.15(8)(a)(3)) may be granted unless condition of probation.

DRIVING FACTORS

FOURTH OFFENSE		Standard Guidelines	Enhanced Guidelines
BAC Level			
.02 to .079	Fine	\$600.00	\$650.00
	Costs & Surcharges	\$1,344.00	\$1,357.00
	Total	\$1,944.00	\$2,007.00
	Jail	60 Days	70 Days
	Revocation	24 Months	24 Months
	Alcohol Assess & Driver Safety & IID	Yes	Yes
.08 to .119	Fine	\$900.00	\$1,000.00
	Costs & Surcharges	\$1,422.00	\$1,448.00
	Total	\$2,322.00	\$2,448.00
	Jail	90 Days	110 Days
	Revocation	30 Months	30 Months
	Alcohol Assess & Driver Safety & IID	Yes	Yes
.12 to .169 OR A Detectable Amount of a Restricted Controlled Substance	Fine	\$1,200.00	\$1,350.00
	Costs & Surcharges	\$1,502.00	\$1,542.50
	Total	\$2,702.00	\$2,892.50
	Jail	185 Days	215 Days
	Revocation	36 Months	36 Months
	Alcohol Assess & Driver Safety & IID	Yes	Yes
.17 to .199 BAC Fine Range Doubles to \$1200 - \$20000	Fine	\$2,000.00	\$2,150.00
	Costs & Surcharges	\$1,718.00	\$1,758.50
	Total	\$3,718.00	\$3,908.50
	Jail	215 Days	245 Days
	Revocation	36 Months	36 Months
	Alcohol Assess & Driver Safety & IID	Yes	Yes
.20 to .249 BAC Fine Range Triples to \$1800 - \$30000	Fine	\$2,300.00	\$2,400.00
	Costs & Surcharges	\$1,799.00	\$1,826.00
	Total	\$4,099.00	\$4,226.00
	Jail	245 Days	275 Days
	Revocation	36 Months	36 Months
	Alcohol Assess & Driver Safety & IID	Yes	Yes
.25 or Above BAC Fine Range Quadruples to \$2400 - \$40000	Fine	\$2,900.00	\$3,000.00
	Costs & Surcharges	\$1,961.00	\$1,988.00
	Total	\$4,861.00	\$4,988.00
	Jail	275 Days	305 Days
	Revocation	36 Months	36 Months
	Alcohol Assess & Driver Safety & IID	Yes	Yes
Treatment/Probation Option §346.65(2)(dm)	Fine	\$900.00	
	Costs & Surcharges	\$1,422.00	
	Total	\$2,322.00	

Cost of AA/DSP subtracted from fine and costs. §346.65(2e). \$_____ Jail: Guidelines from above with all but 29 days stayed, pending successful completion of probation that includes alcohol and other drug treatment.

OWI GUIDELINE CRITERIA TO CONSIDER

(Any of the applicable criteria below can be considered. The criteria are not of equal importance and the determination of weight is for the court. The court should address how the particular case should receive other than standard consequences. 346.65(2m))

MITIGATING FACTORS

Blood alcohol level close to the lower guideline amount

AODA assessment completed promptly
Responsible efforts to address AODA issues
Complied with pretrial services
Promptly participated in treatment program

Substantial personal consequences (significant injury to self or a loved one)
Extrajudicial penalties incurred (loss of job, etc.)

Cooperated with law enforcement
Remained at scene for investigation
Sincere show of remorse

Parked vehicle
No evidence of unsafe driving other than intoxication
No prior traffic record
No or dated criminal record
Significant passage of time since prior violation
Two prior first offenses

AGGRAVATING FACTORS

Blood alcohol level close to the higher guideline level

Violated court orders (driving restrictions, absolute sobriety, etc.)
Violated custody release monitoring rules
Missed court appearances

Victim with injury
Property damage sustained by others

Uncooperative with law enforcement
Resisted arrest
Lack of remorse

Moving violations involving control of vehicle
Evidence of unsafe driving beyond mere intoxication
Crowded area of traffic or pedestrians (high traffic and pedestrian area, school zones, etc.)
High speed

Poor driving record (excluding blood test refusals)
Felony or multiple criminal convictions
Driving without valid driver's license (or after revocation)
Prior OWI/PAC offense(s) are relatively recent

OWI SENTENCING GUIDELINES FORFEITURE COSTS & SURCHARGES

FORFEITURE COSTS & SURCHARGES

Driver Improvement Surcharge (D.I.S.)	\$535	Justice Information Surcharge	\$21.50
Court Costs	\$25	Crime Lab Surcharge (C.L.D.S.)	\$13
Court Support Surcharge	\$68	Jail Surcharge (J.S.) Greater of (1% fine) or \$10	
Ignition Interlock Surcharge (I.I.D.)	\$50	Penalty Surcharge (P.S.) (26% of Fine/Forfeiture)	0.26
Safe Ride Program Surcharge (SRPS)	\$75		

OWI SENTENCING GUIDELINES CRIMINAL COSTS & SURCHARGES

CRIMINAL COSTS & SURCHARGES

Driver Improvement Surcharge (D.I.S.)	\$535	Victim Witness Surcharge (Misdemeanor)	\$67
Court Costs	\$163	Crime Lab Surcharge (C.L.D.S.)	\$13
Ignition Interlock Surcharge (I.I.D.)	\$50	Jail Surcharge (J.S.) Greater of (1% fine) or \$10	
Penalty Surcharge (P.S.) (26% of Fine/Forfeiture)	0.26	DNA Surcharge (Misdemeanor)	\$200
Safe Ride Program Surcharge (SRPS)	\$75	DNA Surcharge (Felony)	\$250
Victim Witness Surcharge (Felony)	\$92		

WITH MINOR PASSENGER UNDER 16 YEARS OF AGE

PENALTY RANGE: (§346.65(2)(f)1)

FINE: \$350 to \$1,100 (plus costs & surcharges)

JAIL: 5 Days - 6 Months [Minimum 48 consecutive hours in jail (§346.65(7))]

REVOCAATION: 12 – 18 Months (doubles under (§343.30(1q)(b)4m)), plus number of days of jail sentence.

(Occupational - no waiting period and must complete alcohol assessment and be in compliance with driver’s safety plan and absolute sobriety during use.)

IGNITION INTERLOCK: Mandatory interlock for all alcohol concentration of .15 or more. License restricted to interlocked vehicles, plus all registered and titled vehicles (unless excepted) for period a of one year to 18 months beginning when license is issued. \$50.00 interlock surcharge.

DRIVING FACTORS

FIRST OFFENSE WITH MINOR PASSENGER UNDER 16	Standard Guidelines	Enhanced Guidelines
BAC Level		
.08 to .119	Fine Costs & Surcharges Total Jail Revocation Alcohol Assess & Driver Safety	\$350.00 \$1,154.00 \$1,504.00 5 Days 12 Months Yes
.12 to .149 OR A Detectable Amount of a Restricted Controlled Substance	Fine Costs & Surcharges Total Jail Revocation Alcohol Assess & Driver Safety	\$375.00 \$1,160.50 \$1,535.50 10 Days 12 Months Yes
.15 to .199	Fine Costs & Surcharges Total Jail Revocation Alcohol Assess & Driver Safety & IID	\$500.00 \$1,243.00 \$1,743.00 12 Days 14 Months Yes
.20 to .249	Fine Costs & Surcharges Total Jail Revocation Alcohol Assess & Driver Safety & IID	\$550.00 \$1,282.00 \$1,806.00 15 Days 16 Months Yes
.25 or Above	Fine Costs & Surcharges Total Jail Revocation Alcohol Assess & Driver Safety & IID	\$650.00 \$1,282.00 \$1,932.00 30 Days 18 Months Yes

(For violations of §346.63(1)(a) or (am) or (b))

WITH MINOR PASSENGER UNDER 16 YEARS OF AGE

PENALTY RANGE: (§346.65(2)(am)2) (doubles under (§346.65(2)(f)(2))

FINE: \$350 - \$1,100 doubles to \$700 - \$2,200 (plus costs & surcharges)

JAIL: 10 Days - 12 Months [Minimum 48 consecutive hours in jail (§346.65(7))]

REVOCAATION: 24 – 36 Months (doubles under (§343.30(1q)(b)4m)), plus number of days of jail sentence.

(Occupational – 45 day waiting period, alcohol assessment, compliance with driver’s safety plan, and absolute sobriety during use.)

PROBATION: 6-24 Months

IGNITION INTERLOCK: Mandatory interlock. License restricted to interlocked vehicles, plus all registered and titled vehicles (unless excepted) for period of one year to 18 months beginning when license issued. \$50.00 interlock surcharge.

DRIVING FACTORS

SECOND OFFENSE		Standard Guidelines	Enhanced Guidelines
BAC Level			
.08 to .119	Fine	\$700.00	\$800.00
	Costs & Surcharges	\$1,295.00	\$1,321.00
	Total	\$1,995.00	\$2,121.00
	Jail	10 Days	15 Days
	Revocation	24 Months	24 Months
	Alcohol Assess & Driver Safety & IID	Yes	Yes
.12 to .169	Fine	\$800.00	\$900.00
OR	Costs & Surcharges	\$1,321.00	\$1,347.00
A Detectable Amount of a	Total	\$2,121.00	\$2,247.00
Restricted Controlled	Jail	15 Days	20 Days
Substance	Revocation	24 Months	26 Months
	Alcohol Assess & Driver Safety & IID	Yes	Yes
.17 to .199	Fine	\$900.00	\$1,100.00
	Costs & Surcharges	\$1,347.00	\$1,400.00
	Total	\$2,247.00	\$2,500.00
	Jail	20 Days	30 Days
	Revocation	26 Months	28 Months
	Alcohol Assess & Driver Safety & IID	Yes	Yes
.20 to .249	Fine	\$1,100.00	\$1,300.00
	Costs & Surcharges	\$1,400.00	\$1,454.00
	Total	\$2,500.00	\$2,754.00
	Jail	30 Days	40 Days
	Revocation	28 Months	30 Months
	Alcohol Assess & Driver Safety & IID	Yes	Yes
.25 or Above	Fine	\$1,300.00	\$1,500.00
	Costs & Surcharges	\$1,454.00	\$1,508.00
	Total	\$2,754.00	\$3,008.00
	Jail	40 Days	50 Days
	Revocation	30 Months	30 Months
	Alcohol Assess & Driver Safety & IID	Yes	Yes
Treatment/Probation	Fine	\$900.00	
Option	Costs & Surcharges	\$1,347.00	
§346.65(2)(bm)	Total	\$2,247.00	
	Cost of AA/DSP subtracted from fine and costs. §346.65(2e). \$ _____		
	Jail: Guidelines from above with all but 5 days stayed, pending successful completion of probation that includes alcohol and other drug treatment.		

(For violations of §346.63(1)(a) or (am) or (b))

WITH MINOR PASSENGER UNDER 16 YEARS OF AGE

PENALTY RANGE: (§346.65(2)(am)3) (doubles under (§346.65(2)(f)(2)) (**Third Offense with Minor Passenger is a Felony**))

FINE: \$600 - \$2,000 doubles to \$1200 - \$4,000 (plus costs & surcharges)

JAIL/PRISON: 90 Days - 2 Years [Minimum 48 consecutive hours in jail (§346.65(7))]

REVOCAATION: 48 – 72 Months (doubles under (§343.30(1q)(b)4m)), plus number of days of jail sentence.

(Occupational – 45 day waiting period, alcohol assessment, compliance with driver’s safety plan, and absolute sobriety during use.)

PROBATION: 12-36 Months

IGNITION INTERLOCK: Mandatory interlock. License restricted to interlocked vehicles, plus all registered and titled vehicles (unless excepted) for period of one year to 36 months beginning when license issued. \$50.00 interlock surcharge.

BAIL & STAY: No bail after conviction (§969.01(2)(a)) or stay of execution of jail sentence (§973.15(8)(a)(3)) may be granted unless condition of probation.

DRIVING FACTORS

THIRD OFFENSE		Standard Guidelines	Enhanced Guidelines
BAC Level			
.08 to .119	Fine	\$1,200.00	\$1,300.00
	Costs & Surcharges	\$1,502.00	\$1,529.00
	Total	\$2,702.00	\$2,829.00
	Jail	90 Days	100 Days
	Revocation	48 Months	48 Months
	Alcohol Assess & Driver Safety & IID	Yes	Yes
.12 to .169 OR A Detectable Amount of a Restricted Controlled Substance	Fine	\$1,300.00	\$1,400.00
	Costs & Surcharges	\$1,529.00	\$1,556.00
	Total	\$2,829.00	\$2,956.00
	Jail	110 Days	120 Days
	Revocation	48 Months	51 Months
	Alcohol Assess & Driver Safety & IID	Yes	Yes
.17 to .199 BAC Fine Range Doubles \$1200 - \$4000 (Fine * 2) + (Fine * 2)	Fine	\$2,400.00	\$2,700.00
	Costs & Surcharges	\$1,826.00	\$1,907.00
	Total	\$4,226.00	\$4,607.00
	Jail	140 Days	170 Days
	Revocation	51 Months	54 Months
	Alcohol Assess & Driver Safety & IID	Yes	Yes
.20 to .249 BAC Fine Range Triples \$1800 - \$6000 (Fine * 2) + (Fine * 3)	Fine	\$3,000.00	\$3,250.00
	Costs & Surcharges	\$1,988.00	\$2,055.50
	Total	\$4,988.00	\$5,305.50
	Jail	170 Days	200 Days
	Revocation	54 Months	57 Months
	Alcohol Assess & Driver Safety & IID	Yes	Yes
.25 or Above BAC Fine Range Quadruples \$2400 - \$8000 (Fine * 2) + (Fine * 4)	Fine	\$3,600.00	\$3,900.00
	Costs & Surcharges	\$2,150.00	\$2,231.00
	Total	\$5,750.00	\$6,131.00
	Jail	200 Days	230 Days
	Revocation	57 Months	60 Months
	Alcohol Assess & Driver Safety & IID	Yes	Yes
Treatment/Probation Option §346.65(2)(cm)	Fine	\$1,400.00	
	Costs & Surcharges	\$1,556.00	
	Total	\$2,956.00	
Cost of AA/DSP subtracted from fine and costs. §346.65(2e). \$ _____			
Jail: Guidelines from above with all but 14 days stayed, pending successful completion of probation that includes alcohol and other drug treatment.			

(For violations of §346.63(1)(a) or (am) or (b))

WITH MINOR PASSENGER UNDER 16 YEARS OF AGE

PENALTY RANGE: (§346.65(2)(am)4) (doubles under (§346.65(2)(f)(2)) (All OWI 4th are Class H Felony)

FINE: \$600 - \$10,000 doubles to \$1200 - \$20,000 (plus costs & surcharges)

JAIL/PRISON: 120 Days - 12 Years. [Minimum 48 consecutive hours in jail (§346.65(7))]

REVOCAATION: 48 – 72 Months (doubles under (§343.30(1q)(b)4m)), plus number of days of jail sentence.

(Occupational – 45 day waiting period, alcohol assessment, compliance with driver’s safety plan, and absolute sobriety during use.)

PROBATION: 12-36 Months

IGNITION INTERLOCK: Mandatory interlock. License restricted to interlocked vehicles, plus all registered and titled vehicles (unless excepted) for period of one year to 36 months. \$50.00 interlock surcharge.

BAIL & STAY: No bail after conviction (§969.01(2(a)) or stay of execution of jail sentence (§973.15(8)(a)(3)) may be granted unless condition of probation.

DRIVING FACTORS

FOURTH OFFENSE		Standard Guidelines	Enhanced Guidelines
BAC Level			
.02 to .079	Fine	\$1,200.00	\$1,250.00
	Costs & Surcharges	\$1,502.00	\$1,515.50
	Total	\$2,702.00	\$2,765.50
	Jail	120 Days	130 Days
	Revocation	48 Months	48 Months
	Alcohol Assess & Driver Safety & IID	Yes	Yes
.08 to .119	Fine	\$1,500.00	\$1,600.00
	Costs & Surcharges	\$1,583.00	\$1,610.00
	Total	\$3,083.00	\$3,210.00
	Jail	130 Days	140 Days
	Revocation	54 Months	54 Months
	Alcohol Assess & Driver Safety & IID	Yes	Yes
.12 to .169 OR A Detectable Amount of a Restricted Controlled Substance	Fine	\$1,800.00	\$1,950.00
	Costs & Surcharges	\$1,664.00	\$1,704.50
	Total	\$3,464.00	\$3,654.50
	Jail	245 Days	270 Days
	Revocation	60 Months	60 Months
	Alcohol Assess & Driver Safety & IID	Yes	Yes
.17 to .199 BAC Fine Range Doubles \$1200 - \$20000 (Fine * 2) + (Fine * 2)	Fine	\$3,200.00	\$3,350.00
	Costs & Surcharges	\$2,042.00	\$2,082.50
	Total	\$5,242.00	\$5,432.50
	Jail	270 Days	300 Days
	Revocation	66 Months	66 Months
	Alcohol Assess & Driver Safety & IID	Yes	Yes
.20 to .249 BAC Fine Range Triples \$1800 - \$30000 (Fine * 2) + (Fine * 3)	Fine	\$3,500.00	\$3,600.00
	Costs & Surcharges	\$2,123.00	\$2,150.00
	Total	\$5,623.00	\$5,750.00
	Jail	300 Days	330 Days
	Revocation	72 Months	72 Months
	Alcohol Assess & Driver Safety & IID	Yes	Yes
.25 or Above BAC Fine Range Quadruples \$2400 - \$40000 (Fine * 2) + (Fine * 4)	Fine	\$4,100.00	\$4,200.00
	Costs & Surcharges	\$2,285.00	\$2,312.00
	Total	\$6,385.00	\$6,512.00
	Jail	330 Days	360 Days
	Revocation	72 Months	72 Months
	Alcohol Assess & Driver Safety & IID	Yes	Yes
Treatment/Probation Option §346.65(2)(dm)	Fine	\$1,950.00	
	Costs & Surcharges	\$1,704.50	
	Total	\$3,654.50	

Cost of AA/DSP subtracted from fine and costs. §346.65(2e). \$_____ Jail: Guidelines from above with all but 29 days stayed, pending successful completion of probation that includes alcohol and other drug treatment.

SEVENTH JUDICIAL ADMINISTRATIVE DISTRICT

(On & After 05-01-2024)

OWI SENTENCING GUIDELINES

(On & After 05-01-2024)

(For violations of §346.63(1)(a) or (am) or (b))

WITH MINOR PASSENGER UNDER 16 YEARS OF AGE

OWI GUIDELINE CRITERIA TO CONSIDER

(Any of the applicable criteria below can be considered. The criteria are not of equal importance and the determination of weight is for the court. The court should address how the particular case should receive other than standard consequences. 346.65(2m))

MITIGATING FACTORS

Blood alcohol level close to the lower guideline amount

AODA assessment completed promptly

Responsible efforts to address AODA issues

Complied with pretrial services

Promptly participated in treatment program

Substantial personal consequences (significant injury to self or a loved one)

Extrajudicial penalties incurred (loss of job, etc.)

Cooperated with law enforcement

Remained at scene for investigation

Sincere show of remorse

Parked vehicle

No evidence of unsafe driving other than intoxication

No prior traffic record

No or dated criminal record

Significant passage of time since prior violation

Two prior first offenses

AGGRAVATING FACTORS

Blood alcohol level close to the higher guideline level

Violated court orders (driving restrictions, absolute sobriety, etc.)

Violated custody release monitoring rules

Missed court appearances

Victim with injury

Property damage sustained by others

Uncooperative with law enforcement

Resisted arrest

Lack of remorse

Moving violations involving control of vehicle

Evidence of unsafe driving beyond mere intoxication

Crowded area of traffic or pedestrians (high traffic and pedestrian area, school zones, etc.)

High speed

Poor driving record (excluding blood test refusals)

Felony or multiple criminal convictions

Driving without valid driver's license (or after revocation)

Prior OWI/PAC offense(s) are relatively recent

WITH MINOR PASSENGER UNDER 16 YEARS OF AGE

OWI SENTENCING GUIDELINES FORFEITURE COSTS & SURCHARGES

FORFEITURE COSTS & SURCHARGES

Driver Improvement Surcharge (D.I.S.)	\$535	Justice Information Surcharge	\$21.50
Court Costs	\$25	Crime Lab Surcharge (C.L.D.S.)	\$13
Court Support Surcharge	\$68	Jail Surcharge (J.S.) Greater of (1% fine) or \$10	
Ignition Interlock Surcharge (I.I.D.)	\$50	Penalty Surcharge (P.S.) (26% of Fine/Forfeiture)	0.26
Safe Ride Program Surcharge (SRPS)	\$75		

OWI SENTENCING GUIDELINES CRIMINAL COSTS & SURCHARGES

CRIMINAL COSTS & SURCHARGES

Driver Improvement Surcharge (D.I.S.)	\$535	Victim Witness Surcharge (Misdemeanor)	\$67
Court Costs	\$163	Crime Lab Surcharge (C.L.D.S.)	\$13
Ignition Interlock Surcharge (I.I.D.)	\$50	Jail Surcharge (J.S.) Greater of (1% fine) or \$10	
Penalty Surcharge (P.S.) (26% of Fine/Forfeiture)	0.26	DNA Surcharge (Misdemeanor)	\$200
Safe Ride Program Surcharge (SRPS)	\$75	DNA Surcharge (Felony)	\$250
Victim Witness Surcharge (Felony)	\$92		

SEVENTH JUDICIAL ADMINISTRATIVE DISTRICT
OWI SENTENCING GUIDELINES CRIMINAL COSTS & SURCHARGES

(For violations of §346.63(1)(a) or (am) or (b))

(On & After 05-01-2024)

CRIMINAL COSTS & SURCHARGES

Driver Improvement Surcharge (D.I.S.)	\$535	Victim Witness Surcharge – B	\$27
Court Costs	\$163	Crime Lab Surcharge (C.L.D.S.)	\$13
Victim Witness Surcharge – A	\$40	Jail Surcharge (J.S.) Greater of (1% fine) or \$10	
Ignition Interlock Surcharge (I.I.D.)	\$50	Penalty Surcharge (P.S.) (26% of Fine/Forfeiture)	0.26
DNA Surcharge (Misdemeanor)	\$200	Safe Ride Program Surcharge (SRPS)	\$75
DNA Surcharge (Felony)	\$250		

As of 7-2-2013 Victim Witness Surcharge Part "A" and Part "B" are combined as "Victim Witness Surcharge (Misdemeanor).

Victim Witness Surcharge (Misdemeanor)	\$67
Victim Witness Surcharge (Felony)	\$92

SEVENTH JUDICIAL ADMINISTRATIVE DISTRICT
OWI SENTENCING GUIDELINES FORFEITURE COSTS & SURCHARGES

(For violations of §346.63(1)(a) or (am) or (b))

FORFEITURE COSTS & SURCHARGES

Driver Improvement Surcharge (D.I.S.)	\$535	Justice Information Surcharge	\$21.50
Court Costs	\$25	Crime Lab Surcharge (C.L.D.S.)	\$13
Court Support Surcharge	\$68	Jail Surcharge (J.S.) Greater of (1% fine) or \$10	
Ignition Interlock Surcharge (I.I.D.)	\$50	Penalty Surcharge (P.S.) (26% of Fine/Forfeiture)	0.26
Safe Ride Program Surcharge (SRPS)	\$75		