

9th Judicial District

| Alcohol | | 1st Offense | | | 2nd Offense | | | 3rd Offense | | | 4th Offense-Misd | | | Felony Offenses | | |
|--|----------|---|------|----------|---|------------|-------------|---|----------------------------|---|---|------------|---------------|--|---------|------------|
| Level | CS | OWI | Jail | Lic | Fine | Jail | Lic | Fine | Jail | Lic | Fine | Jail | Lic | 4-6th | 7-9th | 10th & > |
| Min -- <.11% | | 812 | | 6 | 1,429 | 5 | 12 | 1,744 | 45 | 24 | 2,009 | 60 | 26 | Class H | Class G | Class F |
| Treatmt Prog | | IF IID, Add \$50 Surcharge | | | 1,379 | 5 | 12 | 1,694 | 14 | 24 | 1,694 | 30 | 26 | 3+3=6 | 5+5=10 | 7.5+5=12.5 |
| Child < 16 | | 1,064 | 5 | 12 | 1,820 | 10 | 24 | 2,452 | 90 | 48 | 2,985 | 120 | 52 | 10,000 | 25,000 | 25,000 |
| .11-.15% | A | 845 | | 7 | 1,570 | 30 | 13 | 2,010 | 90 | 26 | 2,185 | 100 | 27 | 6 Months | 3 Years | 4 Years |
| Treatmt Prog | | IF IID, Add \$50 Surcharge | | | 1,379 | 5 | 13 | 1,694 | 20 | 26 | 1,694 | 35 | 27 | Enhanced Fines for | | |
| Child < 16 | | 1,253 | 15 | 14 | 2,104 | 60 | 26 | 2,985 | 180 | 52 | 3,341 | 200 | 54 | 3rd & Subsequent Offenses | | |
| .15 -- <.17% | | 985 | | 7 | 1,665 | 45 | 14 | 2,135 | 125 | 27 | 2,362 | 140 | 28 | =>.17% | Min | 2,452 |
| Treatmt Prog | | IID Surcharge Is Included | | | 1,379 | 6 | 14 | 1,694 | 25 | 27 | 1,762 | 40 | 28 | | Max | 6,008 |
| Child < 16 | | 1,489 | 25 | 14 | 2,293 | 90 | 28 | 3,341 | 250 | 54 | 3,697 | 280 | 56 | =>.20% | Min | 3,214 |
| .17 -- <.20% | B | 1,020 | | 7 | 1,760 | 60 | 14 | 2,505 | 160 | 28 | 2,655 | 170 | 30 | | Max | 8,548 |
| Treatmt Prog | | IID Surcharge Is Included | | | 1,401 | 6 | 14 | 2,505 | 30 | 28 | 2,655 | 45 | 30 | =>.25% | Min | 3,976 |
| Child < 16 | | 1,678 | 45 | 14 | 2,484 | 120 | 28 | 3,976 | 320 | 56 | 4,281 | 340 | 60 | | Max | 11,088 |
| .20 -- <.25% | | 1,050 | | 8 | 1,855 | 85 | 15 | 3,264 | 190 | 30 | 3,493 | 200 | 30 | Immediate Incarceration | | |
| Treatmt Prog | | IID Surcharge Is Included | | | 1,855 | 7 | 15 | 3,264 | 35 | 30 | 3,493 | 50 | 30 | at Conviction | | |
| Child < 16 | | 1,867 | 60 | 16 | 2,674 | 170 | 30 | 5,500 | 380 | 60 | 5,957 | 400 | 60 | for 3rd & Greater Offenses | | |
| 0.25% > & Refus | C | 1,050 | | 8 | 1,950 | 100 | 16 | 4,026 | 220 | 31 | 4,178 | 225 | 32 | Except Probation or Legal Cause | | |
| Treatmt Prog | | IID Surcharge Is Included | | | 1,950 | 7 | 16 | 4,026 | 40 | 31 | 4,178 | 55 | 32 | UNABLE To Pay FINE 2d> | | |
| Child < 16 | | 2,008 | 90 | 16 | 2,865 | 200 | 32 | 7,024 | 440 | 62 | 7,329 | 450 | 64 | defendant performs community | | |
| Standard Max | | 1,050 | | 9 | 2,375 | 180 | 18 | 3,518 | 365 | 36 | 3,518 | 365 | 36 | service in lieu of FINE at rate of | | |
| Child < 16 | | 2,200 | 180 | 18 | 4,000 | 360 | 36 | 6,008 | 730 | 72 | 6,008 | 730 | 72 | 1 Hour = \$7.25 | | |
| Plea Agreements | | NO Probation | | | 2 Years Probation | | | 2 Years Probation | | | 3 Years Probation | | | Yes on 4th Offense Felony | | |
| w/ Treatmt Prog | | Plea Agreement Cannot | | | Impose & Stay Guidelines; Minimum Jail as Condition of Probation | | | Impose & Stay Guidelines; Minimum Jail as Condition of Probation | | | Impose & Stay Guidelines; Minimum Jail as Condition of Probation | | | Others Have Min-Mandatory | | |
| w/o Treatmt Prog | | Drop IID Required By Law | | | Withheld Sentence With Two Category Drop as Conditions of Probation | | | Withheld Sentence With Two Category Drop as Conditions of Probation | | | Withheld Sentence With Two Category Drop as Conditions of Probation | | | Imprisonment | | |
| Ignition | | DURATION: 1 Year for 1st Offense; 1 Year Up to Maximum Revocation for the Offense on all Others; District Guideline Revocation = IID Duration | | | | | | | | | | | | | | |
| Interlock Device | | Always ORDER IID if Required by Law | | | | | | | | | | | | | | |
| Requirements | | APPLIES to motor vehicle driven, titled or registered in their name UNLESS undue financial hardship. | | | | | | | | | | | | | | |
| | | REQUIRED if (1) 1st Offense w/ BAC Equal or Greater than .15%, (2) all 2nd and subsequent offenses, or (3) test refusal | | | | | | | | | | | | | | |
| Occupational Wait | | None | | | 45 Days | | | 45 Days | | | 45 Days | | | May Delay IID for Occupptl Wait | | |
| Test Refusal | | 1 Yr Rev -- 30 Day Wait + ▶ | | | 2 Yr Rev--90 Day Wait + ▶ | | | 3 Yr Rev--120 Day Wait + ▶ | | | 3 Yr Rev--120 Day Wait + ▶ | | | ▶ + Alcohol Assessment | | |
| CONTROLLED SUBSTANCE VIOLATIONS | | | | | | | | | | | | | | | | |
| Class A -- Mitigating | | | | | Class B -- Intermediate | | | | | Class C --Aggravated | | | | | | |
| (1) Stopped for Non-Traffic Violations | | | | | (1) Fleeing; =>20 Above the Limit; Balance Greatly Impair | | | | | (1) Test Refusal; More than 2 OWI or CS Within Last 5 Years | | | | | | |
| (2) Stopped for Minor Traffic; Speed <20 Above, etc. | | | | | (2) Weaving Between Lanes or Shoulder of Road | | | | | (2) Collide with Other Vehicle, Tree or Object, Drive Wrong Way | | | | | | |
| (3) Last OWI More Than 7 Yrs; Extenuating Factors | | | | | (3) Danger Present to Person or Property of Another | | | | | (3) Reckless Driving, Resisting or Other Violent Behavior | | | | | | |
| (4) Def. suffered substantial personal injuries | | | | | (4) Caused Property Damage Only, Covered by Insurance. | | | | | (4) Extremely Dangerous Driving or Caused Personal Injury | | | | | | |
| OPERATING AFTER REVOCATION | | | | | | | | | COMMERCIAL VEHICLES | | | | | | | |
| Passinger/Commercial | | Forfeit | Susp | Fine | Jail | License | 1st Offense | | | 2nd Offense | | | 3 & > Offense | | | |
| Regular/Out of Service | | 330 | 0 | 831 | 0 | 45 | 3,306 | 0 | 2 Mo | 6,481 | 0 | 4 Mo | 6,481 | 0 | 6 Mo | |
| Aggravated/Trucks & Semis | | 393 | 45 | 1,209 | 15 | 90 | 1,209 | 30 | 6 Mo | 1,967 | 90 | 6 Mo | 2,729 | 180 | 6 Mo | |
| Buses & Hazardous Matrils | | | | | | | 1,967 | 90 | 6 Mo | 2,983 | 180 | 6 Mo | 3,618 | 360 | 6 Mo | |