

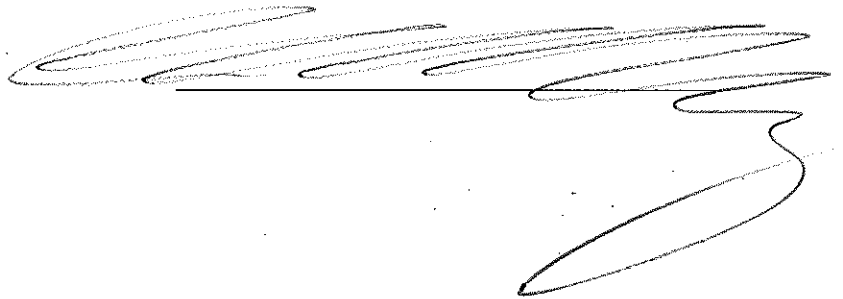
ORDER IN THE ISSUANCE OF DISTRICT OWI SENTENCING GUIDELINES

In order to provide a set of guidelines for sentencing in OWI offenses to be used throughout the Fourth Judicial District;

IT IS THEREFORE ORDERED that the Fourth Judicial District OWI Sentencing Guidelines attached to this order are effective as of December 1st, 2018.

DATED: November 28, 2018

BARBARA H. KEY, Chief Judge

A large, stylized handwritten signature in black ink, consisting of several overlapping loops and a long, sweeping tail that curves downwards and to the right.

Effective December 1st 2018	OWI 1st	Low Range	High Range	
.119 & below	Forfeiture of \$150 - \$175 + costs	Driver Surcharge =	\$435.00	\$435.00
	6-7 months revocation	Court Costs =	\$25.00	\$25.00
	Alcohol Assessment	Jail Surcharge =	\$10.00	\$10.00
		Justice Info. =	\$21.50	\$21.50
	Forfeiture + Costs = \$811.50 (\$150)	Court Support =	\$68.00	\$68.00
	to	Crime Lab =	\$13.00	\$13.00
	Forfeiture + Costs = \$843.00 (\$175)	Penalty Surcharge =	\$39.00	\$45.50
		Safe Ride Program =	\$50.00	\$50.00
		COSTS TOTAL =	\$661.50	\$668.00
.12 - .169	Forfeiture of \$175 - \$200 + Costs	Driver Surcharge =	\$435.00	\$435.00
	6-7 months revocation	Court Costs =	\$25.00	\$25.00
	12 Months IID (PAC ≥ .15)	Jail Surcharge =	\$10.00	\$10.00
	Alcohol Assessment	Justice Info. =	\$21.50	\$21.50
	No Probation	Court Support =	\$68.00	\$68.00
		Crime Lab =	\$13.00	\$13.00
	Forfeiture + Costs = \$893.00 (\$175)	Penalty Surcharge =	\$45.50	\$52.00
	to	Interlock (PAC ≥ .15)=	\$50.00	\$50.00
	Forfeiture + Costs = \$924.50 (\$200)	Safe Ride Program =	\$50.00	\$50.00
		COSTS TOTAL =	\$718.00	\$724.50
.17 to .199	Forfeiture of \$200 - \$225 + Costs	Driver Surcharge =	\$435.00	\$435.00
	7 - 8 months revocation	Court Costs =	\$25.00	\$25.00
	12 Months IID	Jail Surcharge =	\$10.00	\$10.00
	Alcohol Assessment	Justice Info. =	\$21.50	\$21.50
	No Probation	Court Support =	\$68.00	\$68.00
		Crime Lab =	\$13.00	\$13.00
	Forfeiture + Costs = \$924.50 (\$200)	Penalty Surcharge =	\$52.00	\$58.50
	to	Interlock =	\$50.00	\$50.00
	Forfeiture + Costs = \$956.00 (\$225)	Safe Ride Program =	\$50.00	\$50.00
	COSTS TOTAL =	\$724.50	\$731.00	
.20 to .249	Forfeiture of \$225 - \$250 + Costs	Driver Surcharge =	\$435.00	\$435.00
	8 - 9 months revocation	Court Costs =	\$25.00	\$25.00
	12 Months IID	Jail Surcharge =	\$10.00	\$10.00
	Alcohol Assessment	Justice Info. =	\$21.50	\$21.50
	No Probation	Court Support =	\$68.00	\$68.00
		Crime Lab =	\$13.00	\$13.00
	Forfeiture + Costs = \$956.00 (\$225)	Penalty Surcharge =	\$58.50	\$65.00
	to	Interlock =	\$50.00	\$50.00
	Forfeiture + Costs = \$987.50 (\$250)	Safe Ride Program =	\$50.00	\$50.00
	COSTS TOTAL =	\$731.00	\$737.50	
.25 & Over	Forfeiture of \$250 - \$300 + Costs	Driver Surcharge =	\$435.00	\$435.00
	9 Months Revocation	Court Costs =	\$25.00	\$25.00
	12 Months IID	Jail Surcharge =	\$10.00	\$10.00
	Alcohol Assessment	Justice Info. =	\$21.50	\$21.50
	No Probation	Court Support =	\$68.00	\$68.00
		Crime Lab =	\$13.00	\$13.00
	Forfeiture + Costs = \$987.50 (\$250)	Penalty Surcharge =	\$65.00	\$78.00
	to	Interlock =	\$50.00	\$50.00
	Forfeiture + Costs = \$1,050.50 (\$300)	Safe Ride Program =	\$50.00	\$50.00
	COSTS TOTAL =	\$737.50	\$750.50	

	OWI 2nd	Low Range	High Range	
.119 & below	5 - 25 days jail	Driver Surcharge =	\$435.00	\$435.00
	Fine of \$350 - \$400 + Costs	Court Costs =	\$163.00	\$163.00
	12 - 14 months revocation & IID	Jail Surcharge =	\$10.00	\$10.00
	Alcohol Assessment	Victim-Witness =	\$67.00	\$67.00
	2 years Probation	Crime Lab =	\$13.00	\$13.00
	Fine + Costs = \$1,429.00 (\$350)	Penalty Surcharge =	\$91.00	\$104.00
	to	Interlock =	\$50.00	\$50.00
	Fine + Costs = \$1,429.00 (\$400)	DNA =	\$200.00	\$200.00
		Safe Ride Program =	\$50.00	\$50.00
		COSTS TOTAL =	\$1,079.00	\$1,092.00
.12 - .169	20 - 60 days jail	Driver Surcharge =	\$435.00	\$435.00
	Fine of \$400 - \$450 + Costs	Court Costs =	\$163.00	\$163.00
	13 - 15 months revocation & IID	Jail Surcharge =	\$10.00	\$10.00
	Alcohol Assessment	Victim-Witness =	\$67.00	\$67.00
	2 years Probation	Crime Lab =	\$13.00	\$13.00
	Fine + Costs = \$1,492.00 (\$400)	Penalty Surcharge =	\$104.00	\$117.00
	to	Interlock =	\$50.00	\$50.00
	Fine + Costs = \$1,555.00 (\$450)	DNA =	\$200.00	\$200.00
		Safe Ride Program =	\$50.00	\$50.00
		COSTS TOTAL =	\$1,092.00	\$1,105.00
.17 to .199	40 - 90 days jail	Driver Surcharge =	\$435.00	\$435.00
	Fine of \$450 - \$500 + Costs	Court Costs =	\$163.00	\$163.00
	14 - 16 months revocation & IID	Jail Surcharge =	\$10.00	\$10.00
	Alcohol Assessment	Victim-Witness =	\$67.00	\$67.00
	2 years Probation	Crime Lab =	\$13.00	\$13.00
	Fine + Costs = \$1,555.00 (\$450)	Penalty Surcharge =	\$117.00	\$130.00
	to	Interlock =	\$50.00	\$50.00
	Fine + Costs = \$1,618.00 (\$500)	DNA =	\$200.00	\$200.00
		Safe Ride Program =	\$50.00	\$50.00
		COSTS TOTAL =	\$1,105.00	\$1,118.00
.20 to .249	65 - 120 days jail	Driver Surcharge =	\$435.00	\$435.00
	Fine of \$500 - \$550 + Costs	Court Costs =	\$163.00	\$163.00
	15 - 16 months revocation & IID	Jail Surcharge =	\$10.00	\$10.00
	Alcohol Assessment	Victim-Witness =	\$67.00	\$67.00
	2 years Probation	Crime Lab =	\$13.00	\$13.00
	Fine + Costs = \$1,618.00 (\$500)	Penalty Surcharge =	\$130.00	\$143.00
	to	Interlock =	\$50.00	\$50.00
	Fine + Costs = \$1681.00 (\$550)	DNA =	\$200.00	\$200.00
		Safe Ride Program =	\$50.00	\$50.00
		COSTS TOTAL =	\$1,118.00	\$1,131.00
.25 & Over	90 days to 6 months jail	Driver Surcharge =	\$435.00	\$435.00
	Fine of \$600 - \$650 + Costs	Court Costs =	\$163.00	\$163.00
	17 - 18 months revocation & IID	Jail Surcharge =	\$10.00	\$10.00
	Alcohol Assessment	Victim-Witness =	\$67.00	\$67.00
	2 years Probation	Crime Lab =	\$13.00	\$13.00
	Fine + Costs = \$1,744.00 (\$600)	Penalty Surcharge =	\$156.00	\$169.00
	to	Interlock =	\$50.00	\$50.00
	Fine + Costs = \$1,807.00 (\$650)	DNA =	\$200.00	\$200.00
		Safe Ride Program =	\$50.00	\$50.00
		COSTS TOTAL =	\$1,144.00	\$1,157.00

		OWI 3rd	Low Range	High Range
.119 & below	45 - 100 days jail Fine of \$600 - \$700 + Costs 24 - 26 months revocation & IID Alcohol Assessment 2 years Probation Fine + Costs = \$1,744.00 (\$600) to Fine + Costs = \$1,870.00 (\$700) Must go to jail Immediately	Driver Surcharge =	\$435.00	\$435.00
		Court Costs =	\$163.00	\$163.00
		Jail Surcharge =	\$10.00	\$10.00
		Victim-Witness =	\$67.00	\$67.00
		Crime Lab =	\$13.00	\$13.00
		Penalty Surcharge =	\$156.00	\$182.00
		Interlock =	\$50.00	\$50.00
		DNA =	\$200.00	\$200.00
		Safe Ride Program =	\$50.00	\$50.00
		COSTS TOTAL =	\$1,144.00	\$1,170.00
.12 - .169	90 - 120 days jail Fine of \$700 - \$800 + Costs 26 - 28 months revocation & IID Alcohol Assessment 2 years Probation Fine + Costs = \$1,870.00 (\$700) to Fine + Costs = \$1,996.00 (\$800) Must go to jail Immediately	Driver Surcharge =	\$435.00	\$435.00
		Court Costs =	\$163.00	\$163.00
		Jail Surcharge =	\$10.00	\$10.00
		Victim-Witness =	\$67.00	\$67.00
		Crime Lab =	\$13.00	\$13.00
		Penalty Surcharge =	\$182.00	\$208.00
		Interlock =	\$50.00	\$50.00
		DNA =	\$200.00	\$200.00
		Safe Ride Program =	\$50.00	\$50.00
		COSTS TOTAL =	\$1,170.00	\$1,196.00
.17 to .199	120 - 160 days jail Fine of \$1,200 - \$1,400 + Costs 28 - 30 months revocation & IID Alcohol Assessment 2 years Probation Fine + Costs = \$2,502.00 (\$600 x 2) to Fine + Costs = \$2,756.00 (\$700 x 2) Must go to jail Immediately	Driver Surcharge =	\$435.00	\$435.00
		Court Costs =	\$163.00	\$163.00
		Jail Surcharge =	\$12.00	\$14.00
		Victim-Witness =	\$67.00	\$67.00
		Crime Lab =	\$13.00	\$13.00
		Penalty Surcharge =	\$312.00	\$364.00
		Interlock =	\$50.00	\$50.00
		DNA =	\$200.00	\$200.00
		Safe Ride Program =	\$50.00	\$50.00
		COSTS TOTAL =	\$1,302.00	\$1,356.00
.20 to .249	150 - 200 days jail Fine of \$1,800 - \$2,100 + Costs 30 - 33 months revocation & IID Alcohol Assessment 2 years Probation Fine + Costs = \$3,264.00 (\$600 x 3) to Fine + Costs = \$3,645.00 (\$700 x 3) Must go to jail Immediately	Driver Surcharge =	\$435.00	\$435.00
		Court Costs =	\$163.00	\$163.00
		Jail Surcharge =	\$18.00	\$21.00
		Victim-Witness =	\$67.00	\$67.00
		Crime Lab =	\$13.00	\$13.00
		Penalty Surcharge =	\$468.00	\$546.00
		Interlock =	\$50.00	\$50.00
		DNA =	\$200.00	\$200.00
		Safe Ride Program =	\$50.00	\$50.00
		COSTS TOTAL =	\$1,464.00	\$1,545.00
.25 & Over	180 days - 12 months jail Fine of \$2,400 - \$2,800 + Costs 33 - 36 months revocation & IID Alcohol Assessment 2 years Probation Fine + Costs = \$4,026.00 (\$600 x 4) to Fine + Costs = \$4,534.00 (\$700 x 4) Must go to jail Immediately	Driver Surcharge =	\$435.00	\$435.00
		Court Costs =	\$163.00	\$163.00
		Jail Surcharge =	\$24.00	\$28.00
		Victim-Witness =	\$67.00	\$67.00
		Crime Lab =	\$13.00	\$13.00
		Penalty Surcharge =	\$624.00	\$728.00
		Interlock =	\$50.00	\$50.00
		DNA =	\$200.00	\$200.00
		Safe Ride Program =	\$50.00	\$50.00
		COSTS TOTAL =	\$1,626.00	\$1,734.00

Felony offenses (4th or higher) - Courts discretion except for mandatory fine and jail.

Also, the defendant must be taken into custody immediately.

Fine Range of \$600-\$50,000 (Depending on level)

Increased Surcharges for DNA (\$250) and Victim-Witness (\$92)

Mandatory Permanent Revocation If the previous conviction is within 15 years (2017 Wisconsin Act 172)

Sentencing Considerations

Ability to Pay

Blood Alcohol Level

Conduct since offense

Defendant's character

Effect on Victim

Seriousness of offense

Defendant's record

You are not allowed to consider the fact the defendant refused a test for the alcohol level
