

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%		762		6	1,179	5	12	1,494	45	24	1,759	60	26	Class H	Class G	Class F
Treatmt Prog		IF IID, Add \$50 Surcharge			1,179	5	12	1,494	14	24	1,494	30	26	3+3=6	5+5=10	7.5+5=12.5
Child < 16		1,064	5	12	1,620	10	24	2,252	90	48	2,785	120	52	10,000	25,000	25,000
.11-.15%	A	795		7	1,320	30	13	1,760	90	26	1,935	100	27	6 Months	3 Years	4 Years
Treatmt Prog		IF IID, Add \$50 Surcharge			1,179	5	13	1,494	20	26	1,494	35	27	Enhanced Fines for		
Child < 16		1,253	15	14	1,904	60	26	2,785	180	52	3,141	200	54	3rd & Subsequent Offenses		
.15 -- <.17%		935		7	1,415	45	14	1,935	125	27	2,115	140	28	=>.17%	Min	2,252
Treatmt Prog		IID Surcharge Is Included			1,179	6	14	1,494	25	27	1,562	40	28		Max	5,808
Child < 16		1,489	25	14	2,093	90	28	3,141	250	54	3,497	280	56	=>.20%	Min	3,014
.17 -- <.20%	B	970		7	1,500	60	14	2,250	160	28	2,405	170	30		Max	8,348
Treatmt Prog		IID Surcharge Is Included			1,201	6	14	2,250	30	28	2,405	45	30	=>.25%	Min	3,776
Child < 16		1,678	45	14	2,284	120	28	3,776	320	56	4,081	340	60		Max	10,888
.20 -- <.25%		1,000		8	1,605	85	15	3,015	190	30	3,245	200	30	Immediate Incarceration		
Treatmt Prog		IID Surcharge Is Included			1,605	7	15	3,015	35	30	3,245	50	30	at Conviction		
Child < 16		1,867	60	16	2,474	170	30	5,300	380	60	5,757	400	60	for 3rd & Greater Offenses		
0.25% > & Refus	C	1,000		8	1,700	100	16	3,775	220	31	3,930	225	32	Except Probation or Legal Cause		
Treatmt Prog		IID Surcharge Is Included			1,700	7	16	3,775	40	31	3,930	55	32	UNABLE To Pay FINE 2d>		
Child < 16		2,008	90	16	2,665	200	32	6,824	440	62	7,129	450	64	defendant performs community		
Standard Max		1,000		9	2,125	180	18	3,268	365	36	3,268	365	36	service in lieu of FINE at rate of		
Child < 16		2,200	180	18	4,000	360	36	5,808	730	72	5,808	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									Others Have Min-Mandatory		
w/o Treatmt Prog		Drop IID Required By Law			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							
Passenger/Commercial		Forfeit	Susp	Fine	Jail	License	1st Offense			2nd Offense			3 & > Offense			
Regular/Out of Service		330	0	631	0	45	3,306	0	2 Mo	6,481	0	4 Mo	6,481	0	6 Mo	
Aggravated/Trucks & Semis		393	45	1,009	15	90	1,009	30	6 Mo	1,767	90	6 Mo	2,529	180	6 Mo	
Buses & Hazardous Matrils							1,767	90	6 Mo	2,783	180	6 Mo	3,418	360	6 Mo	

Provided as a public service by Attorney Charles Kyle Kenyon, Madison, WI (608) 276-9645. Check with court for updates.

A DNA Surcharge may be in effect for sentences on or after January 1, 2014.

9th JUDICIAL DISTRICT GUIDELINES For Municipal Courts

Offenses Occur On or After **07/02/13**

Effective Date of July 2, 2013
4th Edition

OWI & CONTROLLED SUBSTANCE GUIDELINES				
Alcohol	CS	Forfeiture	Revoke	IID Req
<.11%		675.00	6	
.11- <.15%	A	706.50	7	*
.15 - <.17%		851.00	7	1 Year
.17 - <.20%	B	882.50	7	1 Year
.20 - <.25%		914.00	8	1 Year
0.25% > Refu	C	914.00	8	1 Year
Max.		914.00	9	1 Year

Court Costs >	Penalty Surchrg	Court Costs	Jail Surchrg	Crime Lab & Drug	Driver Improvmt	Interlock Fee	Total
Forfeiture	26%	28.00	10.00	13.00	435.00	50.00	
150.00	39.00	28.00	10.00	13.00	435.00		675.00
175.00	45.50	28.00	10.00	13.00	435.00		706.50
250.00	65.00	28.00	10.00	13.00	435.00	50.00	851.00
275.00	71.50	28.00	10.00	13.00	435.00	50.00	882.50
300.00	78.00	28.00	10.00	13.00	435.00	50.00	914.00
300.00	78.00	28.00	10.00	13.00	435.00	50.00	914.00
300.00	78.00	28.00	10.00	13.00	435.00	50.00	914.00

Ignition Interlock Device Requirements	Plea Agreement Cannot Avoid IID Requirement	Required If BAC >=.15% or Upon Refusal
	* Plea Drops Forfeiture But Order IID and IID Fee Occupational License if IID Installed w/in 2 Weeks	All Vehicles Titled, Registered or Driven by the Offender Unless Hardship Offender's BAC Limit is 0.02% for Duration of IID Order

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 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
Alcohol Violations Based Upon BAC if Available; Controlled Substance Violations By Driving Behavior Limit on Plea Agreements is a One Category Reduction For Alcohol Violations BUT not IID Requirement Controlled Substance Violations; B down to A & C down to B		

OAR Guidelines		
	Forfeiture	Susp
Standard	240.00	30
Aggravated	303.00	60
Property Dmg	1,311.00	90
Cause Injury	6,351.00	120
OAS Guidelines		
No Knowledge	114.00	0
Standard	145.50	0
Aggravated	177.00	60
Property Dmg	1,311.00	90
Cause Injury	6,351.00	120

Aggravating for These
Offenses Include
Unsafe/Reckless Driving
Fleeing
Resisting/Obstructing
Property Damage and
Cause Injury are
Mandatory Amounts

Forfeiture	Penalty Assess	Court Cost	Jail Surchrg	Crime Lab	Total
150.00	39.00	28.00	10.00	13.00	240.00
200.00	52.00	28.00	10.00	13.00	303.00
1000.00	260.00	28.00	10.00	13.00	1,311.00
5000.00	1300.00	28.00	10.00	13.00	6,351.00
50.00	13.00	28.00	10.00	13.00	114.00
75.00	19.50	28.00	10.00	13.00	145.50
100.00	26.00	28.00	10.00	13.00	177.00
1000.00	260.00	28.00	10.00	13.00	1,311.00
5000.00	1300.00	28.00	10.00	13.00	6,351.00