

11/14/07 Outagamie County Guidelines Amending
8TH JUDICIAL ADMINISTRATIVE DISTRICT Offenses committed on or
PAC SENTENCING GUIDELINES after **December 31, 2005**

Pursuant to Sec. 346.65(2m), Wis. Stats.

2ND OFFENSE [§346.65(2)(b)]

PENALTY RANGE

JAIL: 5 days (1) - 6 months Minimum and maximum imprisonment doubled if there was a minor passenger under age 16 [§346.65(2)(f)]. [Minimum 48 consecutive hours in jail (§346.65(7))]

FINE: \$350 - \$1100 Minimum and maximum fine is doubled if there was a minor passenger under age 16 [§346.65(2)(f)]

REVOCAATION: 12 - 18 months. Minimum and maximum period is doubled if there was a minor passenger under age 16 [§343.30(1q)(b)4m]. (Occupational - 60 day waiting period, unless 2 OWI offenses in any 5 year period making defendant not eligible for 1 year and must complete Alcohol Assessment and be in compliance with drivers safety plan and absolute sobriety during use.)

<u>BAC LEVEL</u>	Mitigating Driving Factors	Aggravating Driving Factors
.099 or below	\$ 350.00 Fine + Costs 10 days jail; 2 days lockup, 8 days Huber Law \$ 894.00 Total 12 months revocation	\$ 400.00 Fine + Costs 15 days jail; 2 days lockup 13 days Huber Law \$ 957.00 Total 13 months revocation
.10 to .169	\$ 400.00 Fine + Costs 15 days jail; 2 days lockup, 13 days Huber Law \$ 957.00 Total 13 months revocation	\$ 450.00 Fine + Costs 20 days jail; 2 days lockup 18 days Huber Law \$1,020.00 Total 14 months revocation
.17 to .199	\$ 450.00 Fine + Costs 20 days jail; 2 days lockup, 18 days Huber Law \$1,020.00 Total 14 months revocation	\$ 500.00 Fine + Costs 30 days jail; 2 days lockup 28 days Huber Law \$1,083.00 Total 15 months revocation
.20 to .249	\$ 500.00 Fine + Costs 30 days jail; 2 days lockup, 28 days Huber Law \$1,083.00 Total 15 months revocation	\$ 550.00 Fine + Costs 40 days jail; 2 days lockup 38 days Huber Law \$1,146.00 Total 16 months revocation
.25 or above	\$ 550.00 Fine + Costs 40 days jail; 2 days lockup, 38 days Huber Law \$1,146.00 Total 17 months revocation	\$ 600.00 Fine & Costs 50 days jail; 5 days lockup 45 days Huber Law \$1,209.00 Total 18 months revocation
Refusal	\$ 650.00 Fine + Costs 60 days jail; 5 days lockup, 55 days Huber Law \$1,272.00 Total 18 months revocation	\$ 700.00 Fine + Costs 70 days jail; 5 days lockup, 65 days Huber Law \$1,335.00 Total 18 months revocation

If separate finding of a refusal, 2 year revocation of operating privileges and 90 day waiting period for an occupational. * Revocation period doubled if there was a minor passenger under age 16 [§343.305(10)(b)4m].

(1) §346.65(2g)(d) The Court shall ensure that the person is imprisoned for not less than 5 days or ordered to perform not less than 30 days of community service work under §973.03(3)(a).

11/14/07 Outagamie County Guidelines Amending
8TH JUDICIAL ADMINISTRATIVE DISTRICT Offenses committed on or
PAC SENTENCING GUIDELINES after **December 31, 2005**
Pursuant to Sec. 346.65(2m), Wis. Stats.
3RD OFFENSE [§346.65(2)(c)]

PENALTY RANGE

<u>JAIL:</u> 30 days - 12 months	Minimum and maximum imprisonment doubled if there was a minor passenger under age 16 [§346.65(2)(f)]. Offense is a felony and place of imprisonment determined under §973.02. [Minimum 48 consecutive hours in jail (§346.65(7))]
<u>FINE:</u> \$600 - \$2000	Minimum and maximum fine is doubled if there was a minor passenger under age 16 [§346.65(2)(f)] (1) Minimum and maximum fine is doubled if PAC .17 to .199. (2) Minimum and maximum fine is tripled if PAC 0.20 to 0.249. (3) Minimum and maximum fine is quadrupled if PAC 0.25 or above.

REVOCACTION: 24 - 36 months. Minimum and maximum period is doubled if there was a minor passenger under age 16 [§343.30(1q)(b)4m]. *** (Occupational - 90 day waiting period, unless 2 OWI offenses in any 5 year period making defendant not eligible for 1 year and must complete Alcohol Assessment and be in compliance with drivers safety plan and absolute sobriety during use.)

<u>BAC LEVEL</u>	Mitigating Driving Factors	Aggravating Driving Factors
.099 or below	\$ 600.00 Fine + Costs 30 days jail; 5 days lock up 25 days Huber Law \$1,209.00 Total 24 months revocation	\$ 700.00 Fine + Costs 45 days jail; 5 days lockup 40 days Huber Law \$1,335.00 Total 27 months revocation
.10 to .169	\$ 800.00 Fine + Costs 45 days jail; 5 days lockup, 40 days Huber Law \$1,461.00 Total 27 months revocation	\$ 900.00 Fine + Costs 60 days jail; 5 days lockup 55 days Huber Law \$1,587.00 Total 30 months revocation
.17 to .199	\$1,200.00 Fine + Costs 60 days jail; 5 days lockup 55 days Huber Law (1) \$1,967.00 Total 30 months revocation	\$1,300.00 Fine + Costs 75 days jail; 5 days lockup 70 days Huber Law \$2,094.00 Total 33 months revocation
.20 to .249	\$1,800.00 Fine + Costs 75 days jail; 5 days lockup 70 days Huber Law (2) \$2,729.00 Total 33 months revocation	\$1,900.00 Fine + Costs 90 days jail; 5 days lockup 85 days Huber Law \$2,856.00 Total 36 months revocation
.25 or above	\$2,400.00 Fine + Costs 90 days jail; 5 days lockup 85 days Huber Law (3) \$3,491.00 Total 36 months revocation	\$2,500.00 Fine + Costs 120 days jail; 10 days lockup 110 days Huber Law \$3,618.00 Total 36 months revocation
Refusal	\$2,000.00 Fine + Costs 150 days jail; 10 days lockup 140 days Huber Law \$2,983.00 Total 36 months revocation	\$2,000.00 Fine + Costs 180 days jail; 10 days lockup 170 days Huber Law \$2,983.00 Total 36 months revocation

If separate finding of a refusal, 3 year revocation of operating privileges and 120 day waiting period for an occupational. * Revocation period doubled if there was a minor passenger under age 16 [§343.305(10)(b)4m]

11/14/07 Outagamie County Guidelines Amending
8TH JUDICIAL ADMINISTRATIVE DISTRICT Offenses committed on or
PAC SENTENCING GUIDELINES after **December 31, 2005**
Pursuant to Sec. 346.65(2m), Wis. Stats.
4TH OFFENSE [§346.65(2)(d)]

PROBATION: Probation may be used if the person is subjected to at least the mandatory minimum period of imprisonment [973.09(1)(d)(1)].

JAIL: 60 days - 12 months (1) Minimum and maximum imprisonment doubled if there was a minor passenger under age 16 [§346.65(2)(f)]. Offense is a felony and place of imprisonment determined under §973.02.
 [Minimum 48 consecutive hours in jail (§346.65(7))]

FINE: \$600 - \$2000 Minimum and maximum fine is doubled if there was a minor passenger under age 16 [§346.65(2)(f)]

(1) Minimum and maximum fine is doubled if PAC .17 to .199.
 (2) Minimum and maximum fine is tripled if PAC 0.20 to 0.249.
 (3) Minimum and maximum fine is quadrupled if PAC 0.25 or above.

REVOCAATION: 24 - 36 months. Minimum and maximum period is doubled if there was a minor passenger under age 16 [§343.30(1q)(b)4m]. *** (Occupational - 90 day waiting period, unless 2 OWI offenses in any 5 year period making defendant not eligible for 1 year and must complete Alcohol Assessment and be in compliance with drivers safety plan and absolute sobriety during use.)

<u>BAC LEVEL</u>	Mitigating Driving Factors	Aggravating Driving Factors
.0989 or below	\$ 800.00 Fine + Costs 100 days jail; 10 days lockup 90 days Huber Law \$ 1,461.00 Total	\$ 900.00 Fine + Costs 125 days jail; 10 days lockup 115 days Huber Law \$ 1,587.00 Total 36 month revocation
.10 to .169	\$ 1,000.00 Fine + Costs 125 days jail; 10 days lockup 115 days Huber Law \$ 1,713.00 Total	\$ 1,100.00 Fine + Costs 150 days jail; 10 days lockup 140 days Huber Law \$ 1,840.00 Total 36 month revocation
.17 to .199 (1)	\$ 1,400.00 Fine + Costs 150 days jail; 10 days lockup 140 days Huber Law \$ 2,221.00 Total	\$ 1,500.00 Fine + Costs 175 days jail; 10 days lockup 165 days Huber Law \$ 2,348.00 Total 36 month revocation
.20 to .249 (2)	\$ 2,000.00 Fine + Costs 175 days jail; 10 days lockup 165 days Huber Law \$ 2,983.00 Total	\$ 2,100.00 Fine + Costs 200 days jail; 10 days lockup 190 days Huber Law \$ 3,110.00 Total 36 month revocation
.25 or above (3)	\$ 2,600.00 Fine + Costs 200 days jail; 10 days lockup 190 days Huber Law \$ 3,745.00 Total	\$ 2,700.00 Fine + Costs 225 days jail, 15 days lockup 210 days Huber law \$ 3,872.00 Total 36 month revocation
Refusal	\$ 2,000.00 Fine + Costs 250 days jail; 15 days lockup 235 days Huber Law \$ 2,983.00 Total	\$ 2,000.00 Fine + Costs 275 days jail; 15 days lockup 260 days Huber Law \$ 2,983.00 Total 36 month revocation

If separate finding of a refusal, 3 year revocation of operating privileges and 120 day waiting period for an occupational. * Revocation period doubled if there was a minor passenger under age 16 [§343.305(10)(b)4m]