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STATE OF WISCONSIN

SEVENTH JUDICIAL DISTRICT

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OWI
SENTENCING GUIDELINES

EFFECTIVE 11-01-2026

(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

ADAMS BUFFALO CLARK CRAWFORD GRANT IOWA JACKSON JUNEAU LA CROSSE MONROE PIERCE PEPIN RICHLAND TREMPEALEAU VERNON

FIRST OFFENSE
(On & After 11-1-2026)

SEVENTH JUDICIAL ADMINISTRATIVE DISTRICT
OWI SENTENCING GUIDELINES

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

FIRST OFFENSE
(On & After 11-1-2026)

PENALTY RANGE: (§346.65(2)(am)1)
FORFEITURE: $150 to $300 (plus costs & surcharges)

REVOCATION: 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 BAC Level		Standard Guidelines	Enhanced Guidelines
.08 to .119	Forfeiture	$150.00	$175.00
	Costs & Surcharges	$817.00	$823.50
	Total	**$967.00**	**$998.50**
	Revocation	**6 Months**	**6 Months**
	Alcohol Assess & Driver Safety	Yes	Yes
.12 to .149	Forfeiture	$175.00	$200.00
OR	Costs & Surcharges	$823.50	$830.00
A Detectable Amount of a	**Total**	**$998.50**	**$1,030.00**
Restricted Controlled	Revocation	**6 Months**	**7 Months**
Substance	Alcohol Assess & Driver Safety	Yes	Yes
.15 to .199	Forfeiture	$200.00	$225.00
	Costs & Surcharges	$880.00	$886.50
	Total	**$1,080.00**	**$1,111.50**
	Revocation	**7 Months**	**8 Months**
	Alcohol Assess & Driver Safety & IID	Yes	Yes
.20 to .249	Forfeiture	$225.00	$250.00
	Costs & Surcharges	$886.50	$893.00
	Total	**$1,111.50**	**$1,143.00**
	Revocation	**8 Months**	**9 Months**
	Alcohol Assess & Driver Safety & IID	Yes	Yes
.25 or Above	Forfeiture	$275.00	$300.00
	Costs & Surcharges	$899.50	$906.00
	Total	**$1,174.50**	**$1,206.00**
	Revocation	**9 Months**	**9 Months**
	Alcohol Assess & Driver Safety & IID	Yes	Yes

SECOND OFFENSE
(On & After 11-1-2026)

SEVENTH JUDICIAL ADMINISTRATIVE DISTRICT
OWI SENTENCING GUIDELINES

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

SECOND OFFENSE
(On & After 11-1-2026)

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))]

REVOCATION: 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	$1,242.00	$1,255.00
	Total	**$1,592.00**	**$1,655.00**
	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	$1,255.00	$1,268.00
	Total	**$1,655.00**	**$1,718.00**
	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	$1,268.00	$1,294.00
	Total	**$1,718.00**	**$1,844.00**
	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	$1,294.00	$1,320.00
	Total	**$1,844.00**	**$1,970.00**
	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	$1,320.00	$1,346.00
	Total	**$1,970.00**	**$2,096.00**
	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	$1,268.00	
	Total	**$1,718.00**	
	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.		

THIRD OFFENSE
(On & After 11-1-2026)

SEVENTH JUDICIAL ADMINISTRATIVE DISTRICT
OWI SENTENCING GUIDELINES

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

THIRD OFFENSE
(On & After 11-1-2026)

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))]

REVOCATION: 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 executionof jail sentence (§973.15(8)(a)(3)) may be granted unless condition of probation.

DRIVING FACTORS

THIRD OFFENSE BAC Level		Standard Guidelines	Enhanced Guidelines
.08 to .119	Fine	$600.00	$650.00
	Costs & Surcharges	$1,307.00	$1,320.00
	Total	**$1,907.00**	**$1,970.00**
	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	$1,320.00	$1,346.00
	Total	**$1,970.00**	**$2,096.00**
	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	$1,465.00	$1,505.50
	Total	**$2,665.00**	**$2,855.50**
	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	$1,627.00	$1,667.50
	Total	**$3,427.00**	**$3,617.50**
	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	$1,789.00	$1,829.50
	Total	**$4,189.00**	**$4,379.50**
	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	$1,385.00	
	Total	**$2,285.00**	
	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.		

FOURTH OFFENSE
(On & After 11-1-2026)

SEVENTH JUDICIAL ADMINISTRATIVE DISTRICT
OWI SENTENCING GUIDELINES

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

FOURTH OFFENSE
(On & After 11-1-2026)

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))]

REVOCATION: 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 BAC Level		Standard Guidelines	Enhanced Guidelines
.02 to .079	Fine	$600.00	$650.00
	Costs & Surcharges	$1,382.00	$1,395.00
	Total	**$1,982.00**	**$2,045.00**
	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	$1,460.00	$1,486.00
	Total	**$2,360.00**	**$2,486.00**
	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	$1,540.00	$1,580.50
	Total	**$2,740.00**	**$2,930.50**
	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	$1,756.00	$1,796.50
	Total	**$3,756.00**	**$3,946.50**
	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	$1,837.00	$1,864.00
	Total	**$4,137.00**	**$4,264.00**
	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	$1,999.00	$2,026.00
	Total	**$4,899.00**	**$5,026.00**
	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	$1,460.00	
	Total	**$2,360.00**	

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.

SEVENTH JUDICIAL ADMINISTRATIVE DISTRICT

(On & After 11-1-2026) **OWI SENTENCING GUIDELINES** **(On & After 11-1-2026)**

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

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

SEVENTH JUDICIAL ADMINISTRATIVE DISTRICT

(On & After 11-1-2026) **OWI SENTENCING GUIDELINES** **(On & After 11-1-2026)**

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

OWI SENTENCING GUIDELINES FORFEITURE COSTS & SURCHARGES

FORFEITURE COSTS & SURCHARGES

Driver Improvement Surcharge (D.I.S.)	$535	Justice Information Surcharge	$24.00
Court Costs	$40	Crime Lab Surcharge (C.L.D.S.)	$13
Court Support Surcharge	$81	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 Progtram 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	$201	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 Progtram Surcharge (SRPS)	$75	DNA Surcharge (Felony)	$250
Victim Witness Surcharge (Felony)	$92		

FIRST OFFENSE
(On & After 11-1-2026)

SEVENTH JUDICIAL ADMINISTRATIVE DISTRICT
OWI SENTENCING GUIDELINES

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

FIRST OFFENSE
(On & After 11-1-2026)

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))]

REVOCATION: 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 BAC Level		Standard Guidelines	Enhanced Guidelines
.08 to .119	Fine	$350.00	$375.00
	Costs & Surcharges	$1,192.00	$1,198.50
	Total	**$1,542.00**	**$1,573.50**
	Jail	**5 Days**	**7 Days**
	Revocation	**12 Months**	**12 Months**
	Alcohol Assess & Driver Safety	Yes	Yes
.12 to .149 **OR** **A Detectable Amount of a Restricted Controlled Substance**	Fine	$375.00	$400.00
	Costs & Surcharges	$1,198.50	$1,205.00
	Total	**$1,573.50**	**$1,605.00**
	Jail	**10 Days**	**12 Days**
	Revocation	**12 Months**	**14 Months**
	Alcohol Assess & Driver Safety	Yes	Yes
.15 to .199	Fine	$500.00	$550.00
	Costs & Surcharges	$1,281.00	$1,294.00
	Total	**$1,781.00**	**$1,844.00**
	Jail	**12 Days**	**15 Days**
	Revocation	**14 Months**	**16 Months**
	Alcohol Assess & Driver Safety & IID	Yes	Yes
.20 to .249	Fine	$550.00	$650.00
	Costs & Surcharges	$1,294.00	$1,320.00
	Total	**$1,844.00**	**$1,970.00**
	Jail	**15 Days**	**20 Days**
	Revocation	**16 Months**	**18 Months**
	Alcohol Assess & Driver Safety & IID	Yes	Yes
.25 or Above	Fine	$650.00	$750.00
	Costs & Surcharges	$1,320.00	$1,346.00
	Total	**$1,970.00**	**$2,096.00**
	Jail	**30 Days**	**40 Days**
	Revocation	**18 Months**	**18 Months**
	Alcohol Assess & Driver Safety & IID	Yes	Yes

SECOND OFFENSE
(On & After 11-1-2026)

SEVENTH JUDICIAL ADMINISTRATIVE DISTRICT
OWI SENTENCING GUIDELINES

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

SECOND OFFENSE
(On & After 11-1-2026)

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))]
REVOCATION: 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 BAC Level		Standard Guidelines	Enhanced Guidelines
.08 to .119	Fine	$700.00	$800.00
	Costs & Surcharges	$1,333.00	$1,359.00
	Total	**$2,033.00**	**$2,159.00**
	Jail	**10 Days**	**15 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	$800.00	$900.00
	Costs & Surcharges	$1,359.00	$1,385.00
	Total	**$2,159.00**	**$2,285.00**
	Jail	**15 Days**	**20 Days**
	Revocation	**24 Months**	**26 Months**
	Alcohol Assess & Driver Safety & IID	Yes	Yes
.17 to .199	Fine	$900.00	$1,100.00
	Costs & Surcharges	$1,385.00	$1,438.00
	Total	**$2,285.00**	**$2,538.00**
	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	$1,438.00	$1,492.00
	Total	**$2,538.00**	**$2,792.00**
	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	$1,492.00	$1,546.00
	Total	**$2,792.00**	**$3,046.00**
	Jail	**40 Days**	**50 Days**
	Revocation	**30 Months**	**30 Months**
	Alcohol Assess & Driver Safety & IID	Yes	Yes
Treatment/Probation Option §346.65(2)(bm)	Fine	$900.00	
	Costs & Surcharges	$1,385.00	
	Total	**$2,285.00**	
	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.		

THIRD OFFENSE
(On & After 11-1-2026)

SEVENTH JUDICIAL ADMINISTRATIVE DISTRICT
OWI SENTENCING GUIDELINES

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

THIRD OFFENSE
(On & After 11-1-2026)

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))]

REVOCATION: 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 executionof jail sentence (§973.15(8)(a)(3)) may be granted unless condition of probation.

DRIVING FACTORS

THIRD OFFENSE **BAC Level**		**Standard Guidelines**	**Enhanced Guidelines**
.08 to .119	Fine	$1,200.00	$1,300.00
	Costs & Surcharges	$1,540.00	$1,567.00
	Total	**$2,740.00**	**$2,867.00**
	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	$1,567.00	$1,594.00
	Total	**$2,867.00**	**$2,994.00**
	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	$1,864.00	$1,945.00
	Total	**$4,264.00**	**$4,645.00**
	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	$2,026.00	$2,093.50
	Total	**$5,026.00**	**$5,343.50**
	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	$2,188.00	$2,269.00
	Total	**$5,788.00**	**$6,169.00**
	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	$1,594.00	
	Total	**$2,994.00**	
	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.		

FOURTH OFFENSE
(On & After 11-1-2026)

SEVENTH JUDICIAL ADMINISTRATIVE DISTRICT
OWI SENTENCING GUIDELINES

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

FOURTH OFFENSE
(On & After 11-1-2026)

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))]
REVOCATION: 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 BAC Level		Standard Guidelines	Enhanced Guidelines
.02 to .079	Fine	$1,200.00	$1,250.00
	Costs & Surcharges	$1,540.00	$1,553.50
	Total	**$2,740.00**	**$2,803.50**
	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	$1,621.00	$1,648.00
	Total	**$3,121.00**	**$3,248.00**
	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	$1,702.00	$1,742.50
	Total	**$3,502.00**	**$3,692.50**
	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	$2,080.00	$2,120.50
	Total	**$5,280.00**	**$5,470.50**
	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	$2,161.00	$2,188.00
	Total	**$5,661.00**	**$5,788.00**
	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	$2,323.00	$2,350.00
	Total	**$6,423.00**	**$6,550.00**
	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	$1,742.50	
	Total	**$3,692.50**	

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 11-1-2026) **OWI SENTENCING GUIDELINES** **(On & After 11-1-2026)**

(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

SEVENTH JUDICIAL ADMINISTRATIVE DISTRICT

(On & After 11-1-2026) **OWI SENTENCING GUIDELINES** (On & After 11-1-2026)

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

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	$24.00
Court Costs	$40	Crime Lab Surcharge (C.L.D.S.)	$13
Court Support Surcharge	$81	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 Progtram 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	$201	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 Progtram 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 11-1-2026)

CRIMINAL COSTS & SURCHARGES

Driver Improvement Surcharge (D.I.S.)	$535	Victim Witness Surcharge – B	$27
Court Costs	$201	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 Progtram 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	$24.00
Court Costs	$40	Crime Lab Surcharge (C.L.D.S.)	$13
Court Support Surcharge	$81	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 Progtram Surcharge (SRPS)	$75		