

## 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 & >
<b>Min -- &lt;.11%</b>		<b>762</b>		<b>6</b>	<b>1,379</b>	<b>5</b>	<b>12</b>	<b>1,694</b>	<b>45</b>	<b>24</b>	<b>1,959</b>	<b>60</b>	<b>26</b>	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
<b>.11-.15%</b>	<b>A</b>	<b>795</b>		<b>7</b>	<b>1,520</b>	<b>30</b>	<b>13</b>	<b>1,960</b>	<b>90</b>	<b>26</b>	<b>2,135</b>	<b>100</b>	<b>27</b>	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	<b>Enhanced Fines for</b>		
Child < 16		1,253	15	14	2,104	60	26	2,985	180	52	3,341	200	54	3rd & Subsequent Offenses		
<b>.15 -- &lt;.17%</b>		<b>935</b>		<b>7</b>	<b>1,615</b>	<b>45</b>	<b>14</b>	<b>2,135</b>	<b>125</b>	<b>27</b>	<b>2,315</b>	<b>140</b>	<b>28</b>	=>.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
<b>.17 -- &lt;.20%</b>	<b>B</b>	<b>970</b>		<b>7</b>	<b>1,700</b>	<b>60</b>	<b>14</b>	<b>2,450</b>	<b>160</b>	<b>28</b>	<b>2,605</b>	<b>170</b>	<b>30</b>		Max	8,548
Treatmt Prog		IID Surcharge Is Included			1,401	6	14	2,450	30	28	2,605	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
<b>.20 -- &lt;.25%</b>		<b>1,000</b>		<b>8</b>	<b>1,805</b>	<b>85</b>	<b>15</b>	<b>3,215</b>	<b>190</b>	<b>30</b>	<b>3,445</b>	<b>200</b>	<b>30</b>	<b>Immediate Incarceration</b>		
Treatmt Prog		IID Surcharge Is Included			1,805	7	15	3,215	35	30	3,445	50	30	<b>at Conviction</b>		
Child < 16		1,867	60	16	2,674	170	30	5,500	380	60	5,957	400	60	<b>for 3rd &amp; Greater Offenses</b>		
<b>0.25% &gt; &amp; Refus</b>	<b>C</b>	<b>1,000</b>		<b>8</b>	<b>1,900</b>	<b>100</b>	<b>16</b>	<b>3,975</b>	<b>220</b>	<b>31</b>	<b>4,130</b>	<b>225</b>	<b>32</b>	<b>Except Probation or Legal Cause</b>		
Treatmt Prog		IID Surcharge Is Included			1,900	7	16	3,975	40	31	4,130	55	32	<b>UNABLE To Pay FINE 2d&gt;</b>		
Child < 16		2,008	90	16	2,865	200	32	7,024	440	62	7,329	450	64	defendant performs community		
<b>Standard Max</b>		<b>1,000</b>		<b>9</b>	<b>2,315</b>	<b>180</b>	<b>18</b>	<b>3,468</b>	<b>365</b>	<b>36</b>	<b>3,468</b>	<b>365</b>	<b>36</b>	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	<b>1 Hour = \$7.25</b>		
<b>Plea Agreements</b>		NO Probation			2 Years Probation			2 Years Probation			3 Years Probation			Yes on 4th Offense Felony		
w/ Treatmt Prog		<b>Plea Agreement Cannot</b>			Impose & Stay Guidelines; Minimum Jail as Condition of Probation									Others Have Min-Mandatory		
w/o Treatmt Prog		<b>Drop IID Required By Law</b>			Withheld Sentence With Two Category Drop as Conditions of Probation									Imprisonment		
<b>Ignition</b>		DURATION: 1 Year for 1st Offense; 1 Year Up to Maximum Revocation for the Offense on all Others; District Guideline Revocation = IID Duration														
<b>Interlock Device</b>		<b>Always ORDER IID if Required by Law</b>														
<b>Requirements</b>		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														
<b>Occupational Wait</b>		None			45 Days			45 Days			45 Days			May Delay IID for Occupptl Wait		
<b>Test Refusal</b>		1 Yr Rev -- 30 Day Wait + ▶			2 Yr Rev--90 Day Wait + ▶			3 Yr Rev--120 Day Wait + ▶			3 Yr Rev--120 Day Wait + ▶			▶ <b>+ Alcohol Assessment</b>		
<b>CONTROLLED SUBSTANCE VIOLATIONS</b>																
<b>Class A -- Mitigating</b>					<b>Class B -- Intermediate</b>					<b>Class C --Aggravated</b>						
(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						
<b>OPERATING AFTER REVOCATION</b>									<b>COMMERCIAL VEHICLES</b>							
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	

## 9th JUDICIAL DISTRICT GUIDELINES For Municipal Courts

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

Effective Date of 41,640

OWI & CONTROLLED SUBSTANCE GUIDELINES				
Alcohol	CS	Forfeiture	Revoke	IID Req
<.11%		685.00	6	
.11- <.15%	A	716.50	7	*
.15 - <.17%		861.00	7	1 Year
.17 - <.20%	B	892.50	7	1 Year
.20 - <.25%		924.00	8	1 Year
0.25% > Refu	C	924.00	8	1 Year
Max.		924.00	9	1 Year

Court Costs >	Penalty Surchrg	Court Costs	Jail Surchrg	Crime Lab & Drug	Driver Improvmt	Interlock Fee	Total
Forfeiture	26%	38.00	10.00	13.00	435.00	50.00	
150.00	39.00	38.00	10.00	13.00	435.00		685.00
175.00	45.50	38.00	10.00	13.00	435.00		716.50
250.00	65.00	38.00	10.00	13.00	435.00	50.00	861.00
275.00	71.50	38.00	10.00	13.00	435.00	50.00	892.50
300.00	78.00	38.00	10.00	13.00	435.00	50.00	924.00
300.00	78.00	38.00	10.00	13.00	435.00	50.00	924.00
300.00	78.00	38.00	10.00	13.00	435.00	50.00	924.00

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	250.00	30
Aggravated	313.00	60
Property Dmg	1,321.00	90
Cause Injury	6,361.00	120
OAS Guidelines		
No Knowledge	124.00	0
Standard	155.50	0
Aggravated	187.00	60
Property Dmg	1,321.00	90
Cause Injury	6,361.00	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	38.00	10.00	13.00	250.00
200.00	52.00	38.00	10.00	13.00	313.00
1000.00	260.00	38.00	10.00	13.00	1,321.00
5000.00	1300.00	38.00	10.00	13.00	6,361.00
50.00	13.00	38.00	10.00	13.00	124.00
75.00	19.50	38.00	10.00	13.00	155.50
100.00	26.00	38.00	10.00	13.00	187.00
1000.00	260.00	38.00	10.00	13.00	1,321.00
5000.00	1300.00	38.00	10.00	13.00	6,361.00