

STATE COURT OF HENRY COUNTY
STATE OF GEORGIA
PRE-TRIAL
DUI SENTENCING GUIDELINES
DUI COURT PARTICIPANTS AND NON-ELIGIBLE

Defendant's Name: _____ Case Number: SR

1 POINT	Each prior conviction or nolo for suspended license, racing, fleeing/eluding, hit and run	
1 POINT	Each prior alcohol-drug-related offense other than DUI except as counted above	
1 POINT	Each prior felony conviction within 10 years	
5 POINTS	Each prior felony with vehicle or vehicular homicide	
3 POINTS	If 5 or more moving violations WITHIN 5 YEARS	
5 POINTS	If 5 or more moving violations WITHIN 3 YEARS	
3 POINTS	If defendant is under 21 years of age	
5 POINTS	If non-prescribed controlled substance present	
5 POINTS	If child in car	
7 POINTS	If defendant struck another vehicle	
5 POINTS	If bodily injury to another	
5 POINTS	If committed in a commercial vehicle	
3 POINTS	If Blood Alcohol Level equals or exceeds .150 grams percent	
5 POINTS	If Blood Alcohol Level equals or exceeds .200 grams percent	
3 POINTS	If implied consent refusal	
3 POINTS	If other suspendable traffic offense committed with present DUI	
5 POINTS	Each DUI within 5 years of subject incident date	
3 POINTS	Each DUI more than 10 years earlier than subject incident date	
	TOTAL POINTS	

Number and date of prior DUI convictions and nolo pleas within ten years of this offense: _____

Offense Within 10 Years	0-4 POINTS	5-9 POINTS	10-12 POINTS	13-15 POINTS	16-18 POINTS	19-21 POINTS	22 or More POINTS
1st OFFENSE	\$1061 24 hrs jail Bal 12 mos Prob 40hrs c/s	\$1061 48 hrs jail Bal 12 mos Prob 64hrs c/s	\$1061 10 days jail Bal 12 mos Prob 80hrs c/s	\$1061 30 days jail Bal 11 mos Prob 120hrs c/s	\$1061 60 days jail Bal 10 mos Prob 160hrs c/s	\$1061 4 mos jail Bal 8 mos Prob 160hrs c/s	\$1061 6 mos jail Bal 6 mos Prob 160hrs c/s
	0-2 POINTS	3-5 POINTS	6-10 POINTS	11-14 POINTS	15-18 POINTS	19-21 POINTS	22 or More POINTS
2nd OFFENSE	\$1,536 72 hrs jail Bal 12 mos Prob 240hrs c/s	\$1,536 10 days jail Bal 12 mos Prob 240hrs c/s	\$1,536 30 days jail Bal 11 mos Prob 240hrs c/s	\$1,536 60 days jail Bal 10 mos Prob 240hrs c/s	\$1,536 4 mos jail Bal 8 mos Prob 240hrs c/s	\$1,536 6 mos jail Bal 6 mos Prob 240hrs c/s	\$1,536 8 mos jail Bal 4 mos Prob 240hrs c/s
	0-3 POINTS	4-5 POINTS	6-8 POINTS	9-10 POINTS	11 or More POINTS		
3rd OR SUBSEQUENT OFFENSE	\$2,011 30 days jail Bal 11 mos Prob 240hrs c/s	\$2,011 60 days jail Bal 10 mos Prob 240hrs c/s	\$2,011 4 mos jail Bal 8 mos Prob 240hrs c/s	\$2,011 8 mos jail Bal 4 mos Prob 240hrs c/s	\$2,011 12 mos jail	Grid to serve as Guideline only. Actual sentence may differ depending on case specifics including mitigating factors	

Fine amounts include surcharges. \$50 court cost and restitution for appointed counsel may also be added. Fines on DUI/Drug charges increase by \$250/\$375/\$500 for additional surcharge.

Each probation sentence typically will include: substance abuse evaluation within 30 days, follow recommendations of evaluation, minimum 2 Alcohol Anonymous meetings a week, minimum 16 week intensive substance abuse counseling unless first substance offense lifetime, Blood Alcohol Content less than 0.15, then 1 Alcohol Anonymous meeting a week, minimum 6 week substance abuse education course. Probationers will be subject to random searches and drug screens.

Generally, ignition interlock will be ordered for 6 months for any 2nd or greater DUI within 5 years. Other conditions may also be added.

DUI COURT will be recommended for any defendant with more than one DUI in ten years or three or more DUIs lifetime, if defendant meets DUI Court criteria. DUI Court assessment will take place before defendant leaves jail in the shaded categories.