FUNDAMENTALS OF TRIAL ADVOCACY COURSE

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Phoenix, Arizona

DUI SENTENCING TIPS AND REMINDERS

Presented by:

BETH BARNES

Traffic Safety Resource Person
Assistant Phoenix City Prosecutor
Phoenix, Arizona

Distributed by:

ARIZONA PROSECUTING ATTORNEYS' ADVISORY COUNCIL
1951 West Camelback Road, Suite 202
Phoenix, Arizona 85015

ELIZABETH ORTIZ
EXECUTIVE DIRECTOR

Penalties for DUI violations:

NOTE: The sentence for All DUIs will include TSS

Violation	BAC	Classification	Minimum jail sentence [1]	Fine of at least:	Additional assessments [2]	Driving privileges	Alcohol or other drug screening, education or treatment	Other penalties
DUI *1st violation*	0.08 thru 0.149	class 1 misdemeanor	10 consecutive days	$250	$500 to PCOF $500 to GF	IID for 1 yr	if completed, the court may suspend all but 24 hours of the jail sentence	possible community restitution
DUI *2nd violation within 7 yrs*	0.08 thru 0.149	class 1 misdemeanor	90 days, with at least 30 consecutive	$500	$1250 to PCOF $1250 to GF	revoked for 1 yr, with IID for 1 yr after driving privileges are restored	if completed, the court may suspend all but 30 days of the jail sentence	at least 30 hours community restitution
Extreme DUI *1st violation*	0.15 thru 0.199	class 1 misdemeanor	30 consecutive days	$250	$250 to DUIAF $1000 to PCOF $1000 to GF	IID for 1 yr	N/A	possible community restitution
Extreme DUI *1st violation*	0.20 or greater	class 1 misdemeanor	45 consecutive days, no probation or suspension of sentence	$500	$250 to DUIAF $1000 to PCOF $1000 to GF	IID for 18 months	N/A	possible community restitution
Extreme DUI *2nd violation within 7 yrs*	0.15 thru 0.199	class 1 misdemeanor	120 days, with at least 60 consecutive	$500	$250 to DUIAF $1250 to PCOF $1250 to GF	revoked for 1 yr, with IID for 1 yr after driving privileges are restored	N/A	at least 30 hours community restitution
Extreme DUI *2nd violation within 7 yrs*	0.20 or greater	class 1 misdemeanor	180 days, with at least 90 consecutive. No probation or suspension of sentence	$1000	$250 to DUIAF $1250 to PCOF $1250 to GF	revoked for 1 yr, with IID for 2 yrs after driving privileges are restored	N/A	at least 30 hours community restitution
Aggravated DUI *3rd or subsequent violation within 7 yrs*	0.08 or greater	class 4 felony	4 months in prison for 3rd violation, 8 months in prison for subsequent	$750	$250 to DUIAF $1500 to PCOF $1500 to GF	revoked for 3 yrs, with IID for 2 yrs after driving privileges are restored	required [3]	possible forfeiture of vehicle
Aggravated DUI *any DUI with an invalid driver license*	0.08 or greater	class 4 felony	4 months	$750	$250 to DUIAF $1500 to PCOF $1500 to GF	revoked for 3 yrs, with IID for 2 yrs after driving privileges are restored	required [3]	possible forfeiture of vehicle
Aggravated DUI *any DUI with a person under 15 yrs old in the vehicle*	0.08 or greater	class 6 felony	10 or 30 consecutive days, depending on BAC	$750	$250 to DUIAF $1500 to PCOF $1500 to GF	revoked for 3 yrs, with IID for 2 yrs after driving privileges are restored [4]	required [3]	possible forfeiture of vehicle