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A Report on

Driving Under the Influence of Alcohol,
Operating After License Suspension and
Habitual Offender Revocation
Violations

January 1 — December 31, 1986
(Fifth Annual Report)



Maine Department of Human Services

110329

July 1987

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Operating After License Suspension and
Habitual Offender Revocation
Violations

January 1 — December 31, 1986
(Fifth Annual Report)

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ACQUISITIONS

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Human Services Development Institute
Center for Research and Advanced Study
University of Southern Maine
Portland, Maine

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John R. McKernan, Jr.
Governor

Rollin Ives
Commissioner

STATE OF MAINE
DEPARTMENT OF HUMAN SERVICES
AUGUSTA, MAINE 04333

August 26, 1987

TO: The Honorable John R. McKernan, Jr., Governor
FROM: Rollin Ives, Commissioner, Human Services
SUBJECT: Report of Enforcement of Maine's Operating Under the Influence Law

Under the 1981 Drunk Driving Law, the Department of Human Services is required to prepare an annual report on the enforcement of Maine's operating under the influence law. The Department is pleased to submit the Fifth Annual Report that covers the period from January 1 to December 31, 1986.

The findings indicate a continued positive trend in the enforcement of the law. With some minor variations, this has been the experience for the last five years. Some of the positive findings of the 1986 Report include:

- o The number of arrests, after a 2 year decline, rose slightly to 9,627.
- o In 1985, the conviction level for OUI was at the lowest level since the 1981 law was implemented. The 1986 statistics show a higher than average conviction rate.
- o In 1985, the dismissal rate for OUI was exceptionally high. The 1986 dismissal rate returned to normal.
- o The average penalties of fines and license suspension for OUI conviction increased in 1986 and the average jail sentence remained the same.
- o Almost 9 of 10 first time OUI offenders were convicted.

A contributing factor to the decline in some 1985 indicators is the February, 1985 decision of the Maine Supreme Court that the civil OUI procedure was unconstitutional. This meant that all cases had to be treated as criminal arrests. In 1985, the OUI law was amended to reintroduce different levels of penalties for OUI arrests. Penalties are now based on first, second, and third (or subsequent) offense. This change made it easier for both arrest and conviction of OUI.

Changes in the OUI law in 1985 have led to expanded collection of information on OUI cases. In this expansion, we were able to compare results of the enforcement process according to the number of offenses a person has committed. This has highlighted one of two areas where negative results can be seen. First, there appears to be a tendency to be more lenient in the sentencing of multiple offenders. This leniency may reinforce the chronic OUI offender's pattern of behavior.

Some of the findings that support this conclusion are:

- o Only slightly more than 7 of 10 third (or subsequent) offenders were convicted.
- o Sentencing for a repeat offender is less likely to include the minimum mandated penalties than sentencing for a first offender.

This tendency becomes more meaningful when viewed in light of other supportive data in the Report.

- o Over 20% of persons convicted of OUI were second or third (or subsequent) offenders.
- o The convictions for Habitual Offender and Operating After Suspension have risen significantly since 1981. The number of Habitual Offender convictions has gone from 170 to 500 and the number of Operating After Suspension number of Operating After Suspension convictions has gone from 4100 to 6300.

The second, and most important negative finding of the report showed an increase in the past practice of failing to impose minimum penalties as outlined in the law.

- o Penalties below the minimums mandated by law were imposed by courts at all three levels of conviction, i.e., defendants who had no previous OUI conviction(s), those who had one prior conviction, and those who had two or more previous convictions.

Given the nature of the weaknesses described above, this year the Department of Human Services is initiating two new projects to address the continuing problems of drunk driving.

The first is an intensive program targeted at persons with two or more OUI convictions. The program, to be operated by the Driver Education Evaluation Program, is designed to identify and motivate for treatment the large percentage of multiple offenders whose recidivism is caused by an underlying alcohol or drug abuse problem.

The Honorable John R. McKernan, Jr., Governor
Page 3
August 26, 1987

The second is an award to the Maine Chapter of Mothers Against Drunk Driving. The primary use of these funds will be to provide a network of support services for the victims of drunk driving related traffic accidents. This will include court advocacy services to ensure that as much as possible the impact on the victim will be given due consideration when sentences are handed down.

Drunk driving continues to be a significant problem in Maine and it's one that requires innovative approaches as well as dedicated people to carry them out.

While we are making progress in the fight to keep Maine's highways safe, this report documents that there still needs to be more hard work. We feel these new initiatives speak to those needs and we welcome your concern and support.

ACKNOWLEDGEMENTS

The Maine Department of Human Services, Office of Alcoholism and Drug Abuse Prevention again extends its appreciation and thanks to the Division of Motor Vehicles, Maine State Department for its assistance and cooperation. Without their continued cooperation by providing the statistics needed for annual reports, the last four OUI reports could not have been prepared.

A special thanks is again extended to Mr. Howard Beach, Systems Analyst at the Division, who during the past four years has spent countless hours to generate the statistics needed for each report.

The State of Maine, however, would not have OUI statistics for a five-year period without the cooperation and assistance of Maine's Superior and District Courts. In 1981 and 1982, data abstractors were permitted to review documents and collect the data needed for the first OUI report. Then in late 1982, courts implemented a reporting system in collaboration with the Division of Motor Vehicles where the data are now computerized and tabulated for annual reports. The Department of Human Services appreciates the continued participation of Maine Courts in providing this valuable information.

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HIGHLIGHTS

OUI ARRESTS, REFUSALS AND BAC

- Arrests. From 1983 through 1985, the number of OUI arrests made per year decreased from 11,293 to 9,464. In 1986, the number of arrests increased to 9,627.

A total of 51,042 OUI arrests have been made since annual OUI reporting began in 1982 -- an average of 10,208 arrests per year.

- Refusals. In 1982 and 1983 the refusal rate was almost the same (about 14.0%). The rate dropped to 13.1% in 1984, and then increased each year since, with the 1986 refusal rate being 15.9%.
- BAC. The average BAC in 1982 was .18%. In 1983 it increased to .19% and has remained .19% since then.

OPERATING UNDER THE INFLUENCE OF ALCOHOL

- Disposition of Cases. Based on Annual OUI Reports, 40,027 OUI cases had been adjudicated at the time reports were prepared. Almost 86.0 percent resulted in convictions (34,398 cases) and 12.9 percent of the cases were dismissed (5,162).

Annual conviction rates have fluctuated during the last five years, with the 1986 conviction rate being less than one percent below the five-year average (85.3% vs. 85.9%).

The dismissal rate for the five-year period was 12.9% -- the rate in 1986 was 14.0%. Although higher than the five-year average, the 1986 rate is an improvement over 1985 which was 15.2%.

- Sanctions Imposed by Courts. Fines and license suspensions increased in severity from 1982 through 1984 based on annual averages. Both decreased in 1985, and then increased somewhat in 1986. During the five-year period, fines from \$34 to \$2,250 were imposed by Courts and licenses were suspended from 30 days to 825 days. Average jail sentences consistently increased -- from 5 days in 1982 to 15 days in 1985-86. Actual jail terms ranged from one day to five years.

- Previous OUI Convictions. Statistics for 1986 were examined according to the number of previous OUI convictions within a six-year period. The following are the findings:

1986 Adjudications

	<u>Number</u>	<u>Percent</u>
First Offense	5,136	77.7
Second Offense	1,181	17.9
Third or Subsequent Offense	<u>293</u>	<u>4.4</u>
TOTAL	6,610	100.0

- Disposition of Cases. Almost 87.0 percent of the first OUI offenders were convicted; only 74.7 percent of third (or subsequent) offenders were convicted. The dismissal rate for third (or subsequent) offenders was almost double the dismissal rate for first offenders (24.5% vs. 12.8%).
- Penalties Imposed by Courts. First offenders were imposed fines ranging from \$35 to \$1,550, license suspensions ranged from 45 to 730 days, and jail terms ranged from one day to 364 days. The 1985 OUI amendments specify mandatory minimums for first offenders as being a fine of \$300, license suspension of 90 days, and when applicable, a jail term of 48 hours.
- Second Offenders were fined from \$250 to \$1,550, had their license suspended for 90 to 730 days, and sentenced to jail for one to 365 days. The mandatory minimum penalties for second offenders are: a fine of \$500, a license suspension period of one year, and a jail term of seven days.
- Third or Subsequent Offenders were fined from \$300 to \$2,250, had their license suspended from 90 to 730 days and spent two to 365 days in jail. The minimum penalties required for this offender population are: a fine of \$750, a license suspension period of two years, and a jail sentence of 30 days.
- Juvenile 1986 OUI Cases. At the time this report was prepared, Maine Courts had adjudicated 951 OUI cases involving juveniles (20 years of age or younger) who had BAC's of .10 percent or greater. The disposition of juvenile cases was almost identical to adult cases, i.e., conviction and dismissal rates were almost the same. District Courts adjudicated almost 93.0 percent of the juvenile cases. The overall conviction rate was higher in District Courts (86.5% vs. 73.2%), but the penalties imposed upon conviction were more severe in Superior Courts.

- Driver Education Evaluation Program. As of February 23, 1987, only 30.2 percent of the persons convicted of a 1986 OUI had met all DEEP requirements (1,945). About 65.0 percent of these individuals met all requirement by satisfactorily completing the 10-hour course and preliminary assessment, the other 35.0 percent were required to have an alcohol evaluation completed and, if indicated, participate in and complete alcohol-related treatment.

OPERATING AFTER SUSPENSION OF LICENSE (OAS)

- Disposition of Cases. Annual OUI reports indicate that 24,646 OAS cases have been adjudicated by Maine Courts during the last five years -- almost 5,000 cases per year. Drivers were convicted in 78.9 percent of the OAS cases -- 19,437 convictions. One in five cases (20.3%) were dismissed.

Annual OAS convictions rates have steadily increased during the last five years. In 1982, the rate was 68.5 percent compared to 83.3 in 1986. Dismissal rates have decreased over the five-year period -- from 29.6 percent in 1982 to 16.3 percent in 1986.

- OUI-Related OAS Cases. During the last three years, 24.2 percent of the OAS cases adjudicated were OUI-related (4,006 cases). The overall conviction rate in these cases was 82.1 percent.

The number of OUI-related OAS cases adjudicated in 1986 represents a 40.0 percent increase over 1984, and the number of 1986 convictions represents a 35.0 percent increase. The 1986 conviction rate was about 4.0 percent lower than in 1984.

Overall, penalties imposed in 1986 tended to be more severe than in 1984. The average fine was \$20 greater, the additional license suspension period was 80 days longer, and the average jail term in 1986 was more than double the 1984 average (48 vs. 21 days).

In 1986, fines were imposed with greatest frequency (83.6%), jail terms with less frequency (35.0%), and additional license suspensions were imposed with least frequency (4.9%).

OPERATING AFTER HABITUAL OFFENDER REVOCATION (HO)

- Disposition of Cases. During the last five years, Maine Courts have adjudicated 2,181 HO cases at the time annual OUI reports were prepared. Convictions were obtained in 69.3 percent of the HO cases (1,511 convictions).

From 1982 through 1984, annual conviction rates increased from 55.6 percent to 78.2 percent. In 1985, the rate dropped to 65.0 percent and then decreased to 62.3 percent in 1986. Last year's dismissal rate was the second highest in five years (37.1%), while the 1982 rate was the highest (42.1%).

• OUI-Related HO Cases. From 1984 through 1986, 65.4 percent of the HO cases adjudicated were OUI-related (910 cases). The overall conviction rate for the three-year period was 70.2 percent. The 1986 conviction rate was 13.2 percent lower than in 1984, but the actual number of 1986 HO convictions increased by about 10.0 percent.

Fines were imposed more frequently in 1986 than in 1984 (23.7% vs. 15.4%) and the average fine in 1986 was more severe. During the last three years the actual fines imposed by courts have ranged from \$50 to \$2,000.

Additional license suspensions were imposed by courts less often in 1986 than in 1984 (4.0% vs. 11.1%), but the average suspension in 1986 was more than double the average in 1984.

Jail terms were imposed much more frequently than either fines or license suspensions. In 1986, jail sentences were imposed in 97.8 percent of the convictions compared to 79.3 percent of the convictions in 1984. The average jail term in 1986 was 296 days -- 130 days longer than the 1984 average. Actual jail sentences ranged from two days to five years.

TABLE OF CONTENTS

Acknowledgements i

Highlights ii

Introduction 1

I. OPERATING UNDER THE INFLUENCE OF ALCOHOL 3

 Five-Year Overview 3

 Arrests, Refusals and BAC Test Results 4

 Statewide Disposition of OUI Cases 6

 District Courts: Disposition of OUI Cases 11

 Superior Courts: Disposition of OUI Cases 18

 Disposition of Juvenile OUI Cases 26

 Driver Education Evaluation Program 28

II. OPERATING AFTER SUSPENSION OF LICENSE 30

 Five-Year Overview 30

 Statewide Disposition of OAS Cases 31

 Statewide Disposition of OUI-related OAS Cases 33

 District Courts: Disposition of OAS Cases 35

 Superior Courts: Disposition of OAS Cases 39

III. OPERATING AFTER HABITUAL OFFENDER REVOCATION 43

 Five-Year Overview 43

 Statewide Disposition of HO Cases 44

 Statewide Disposition of OUI-related HO Cases 46

 District Courts: Disposition of HO Cases 48

 Superior Courts: Disposition of HO Cases 52

APPENDICES 56

 Appendix A: 1986 OUI Statistics 56

 Appendix B: 1986 OAS Statistics 67

 Appendix C: 1986 HO Statistics 74

INTRODUCTION

This is the Fifth Annual OUI Report prepared under the 1981 Drunk Driving Law which mandated yearly reporting on the enforcement of laws relating to operating under the influence of intoxicating liquor or drugs.

As in previous year, statistics are presented for the preceding calendar year for three offenses: (1) operating under the influence of alcohol (OUI), (2) operating after suspension of license (OAS), and (3) operating after habitual offender revocation (HO). Although the report focuses on 1986 data, statistics from previous reporting periods are included for comparison purposes. To permit comparisons across reporting periods, the type of data presented and the reporting formats have remained essentially unchanged in annual reports during the last four years. However, because of the 1985 amendments to OUI laws, 1986 OUI statistics are presented somewhat differently to facilitate data analysis and interpretation.

As of September 1985, the civil prosecutorial route was no longer available to the State as it had been since September 1981. In addition, penalties for an OUI conviction identified in the 1985 statutes are based on a defendant's OUI record within a six-year period. As depicted below, minimum penalties for a first OUI conviction (within six years) are substantially less than those required for a second, or subsequent conviction.

MINIMUM PENALTIES REQUIRED BASED UPON 1985 OUI AMENDMENTS

	<u>Fine</u>	<u>License Suspension</u>	<u>Jail Sentence</u>
<u>First Offense</u>	\$ 300	90 Days	
<u>First Offense</u> and (a) BAC .15% or more or (b) BAC .10% or more and exceeding speed limit by 30 miles or more, or (c) BAC .10% or more and eluded or attempt- ed to elude an officer	\$ 300	90 Days	48 Hours
<u>Second Offense</u>	\$ 500	1 Year	7 Days
<u>Third or Subsequent Offense</u>	\$ 750	2 Years	30 Days

Because of the substantial difference in the penalties required upon conviction for a first, second, third or subsequent OUI offense, the enforcement of OUI laws could not be assessed if all types of cases were grouped together. To provide users of OUI reports with useful data, the Division of Motor Vehicles (DMV) was requested to generate 1986 OUI statistics by three categories based on whether the 1986 offense was: (1) a first OUI violation, (2) a second violation, or (3) a third or subsequent OUI violation.

This report is organized into three chapters. Chapter I deals with OUI. A five-year overview is presented first, followed by 1986 data: arrests and refusals, statewide disposition of cases, and Superior and District Court data. Within each of these areas, OUI statistics are examined by first, second and third (and subsequent) offense. Also included in Chapter I are statistics concerning participation in the Department of Human Services, Driver Education Evaluation Program (DEEP).

Chapter II focuses on OAS statistics, and Chapter III on HO violations. Both of these chapters are organized the same. A five-year overview is presented first, including OUI-related OAS and HO data. Statistics are then examined statewide, and by District and Superior Court. Within each of these areas, court findings are also examined in terms of OUI-related OAS and HO cases.

The final section (Appendices) contains detailed statistics for 1986. OUI court findings (District and Superior Courts) are presented by first, second and third (and subsequent) offense. Total counts for juvenile 1986 OUI cases are presented by District and Superior Court. OAS and HO data for 1986 are also contained in the appendices -- those statistical tables include total counts by court, as well as a breakdown by OUI-related and not OUI-related OAS and HO cases.

I. OPERATING UNDER THE INFLUENCE OF ALCOHOL

FIVE-YEAR OVERVIEW (1982-1986)

Arrests, Refusals and BAC Test Results

- 51,042 - OUI Arrests
10,208 - Average Number of Arrests Per Year

- 7,475 - Refusals to Submit to a Chemical Test
14.7% - Five-Year Refusal Rate
13.1% - Lowest Refusal Rate (1984)
15.9% - Highest Refusal Rate (1986)

- .18% - Average BAC in 1983
.19% - Average BAC 1984, 1985 and 1986

Disposition of OUI Cases

- 40,978 - OUI Cases Adjudicated (Based on Annual OUI Reports)
8,196 - Average Number of Cases Adjudicated Per Year

- 80.3% - Cases Adjudicated as a Percent of Arrests

- 34,398 - OUI Convictions
6,880 - Average Number of Cases Adjudicated Per Year

- 83.9% - Five-Year Conviction Rate
83.5% - Lowest Conviction Rate (1985)
89.0% - Highest Conviction Rate (1984)

- 5,162 - OUI Dismissals (Dismissed for a Plea to a Lesser Charge,
1,427; and 3,755 Dismissals)
1,032 - Average Number of Cases Dismissed Per Year

- 12.6% - Five-Year Dismissal Rate
10.4% - Lowest Dismissal Rate (1984)
15.2% - Highest Dismissal Rate (1985)

ARRESTS, REFUSALS AND BAC TEST RESULTS

In 1986, a total of 9,627 arrests were made for operating under the influence of alcohol (Fig. I-1). Although this represents a slight increase compared to 1985 (9,464 arrests), it is below the five-year average of 10,208 arrests per year.

Figure I-1

OUI ARRESTS AND REVOCATION OF IMPLIED CONSENT BY COUNTY
(Violation Date: January 1 - December 31, 1986)

COUNTY	TEST TAKEN		TEST REFUSED		TOTAL ARRESTS	
	NO.	%	NO.	%	NO.	%
Androscoggin	583	82.6	123	17.4	706	7.3
Aroostook	476	91.4	45	8.6	521	5.4
Cumberland	1,076	79.8	273	20.2	1,349	14.0
Franklin	127	83.6	25	16.4	152	1.6
Hancock	239	85.7	40	14.3	279	2.9
Kennebec	759	86.5	119	13.5	878	9.1
Knox	66	66.0	34	34.0	100	1.0
Lincoln	148	78.3	41	21.7	189	2.0
Oxford	240	85.4	41	14.6	281	2.9
Penobscot	575	85.3	99	14.7	674	7.0
Piscataquis	109	89.3	13	10.7	122	1.3
Sagadahoc	225	83.6	44	16.4	269	2.8
Somerset	248	87.0	37	13.0	285	3.0
Waldo	213	88.4	28	11.6	241	2.5
Washington	275	89.6	32	10.4	307	3.2
York	979	82.4	209	17.6	1,188	12.3
(Unknown)	1,754	84.1	332	15.9	2,086	21.7
TOTAL	8,092	84.1	1,535	15.9	9,627	104.0

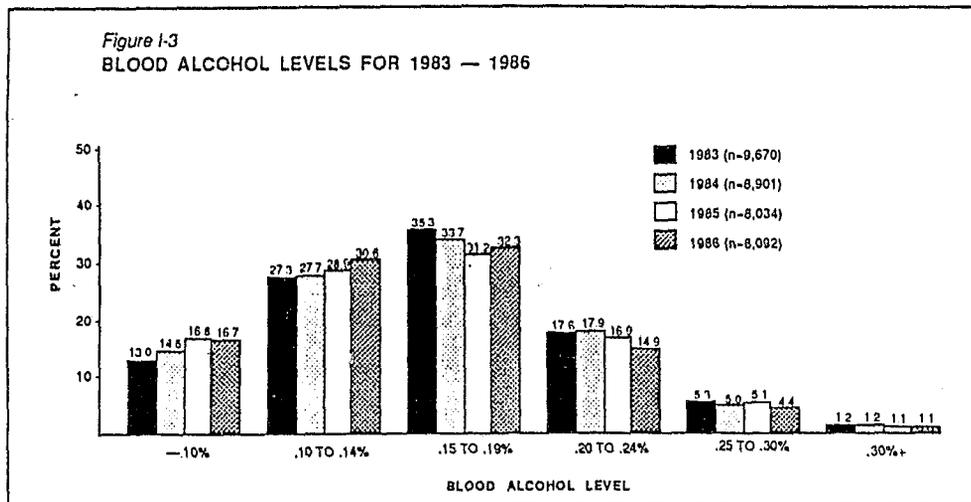
County refusal rates last year ranged from 8.6 percent in Aroostook County to 34.0 percent in Knox County. Last year's refusal rate of 15.9 percent was the highest statewide rate since annual OUI reporting began in 1981 (Fig. I-2).

Figure I-2

RATES OF REFUSAL TO SUBMIT TO A CHEMICAL TEST (1982 - 1986)

<u>YEAR</u>	<u>OUI ARRESTS</u>	<u>REFUSALS</u>	<u>REFUSAL RATE</u>
1982	10,415	1,545	14.8
1983	11,293	1,623	14.4
1984	10,243	1,342	13.1
1985	9,464	1,430	15.1
1986	9,627	1,535	15.9
<u>TOTAL</u>	51,042	7,475	14.7

The average BAC in 1983 was .19 percent -- it has remained the same since. In comparing the 1986 BAC percent distributions with those for 1983 (Fig. I-3), a slight shift toward lower BAC's is noted: in 1983, 40.3 percent of the test results showed BAC's of .14 percent or less compared to 47.3 percent in 1986.

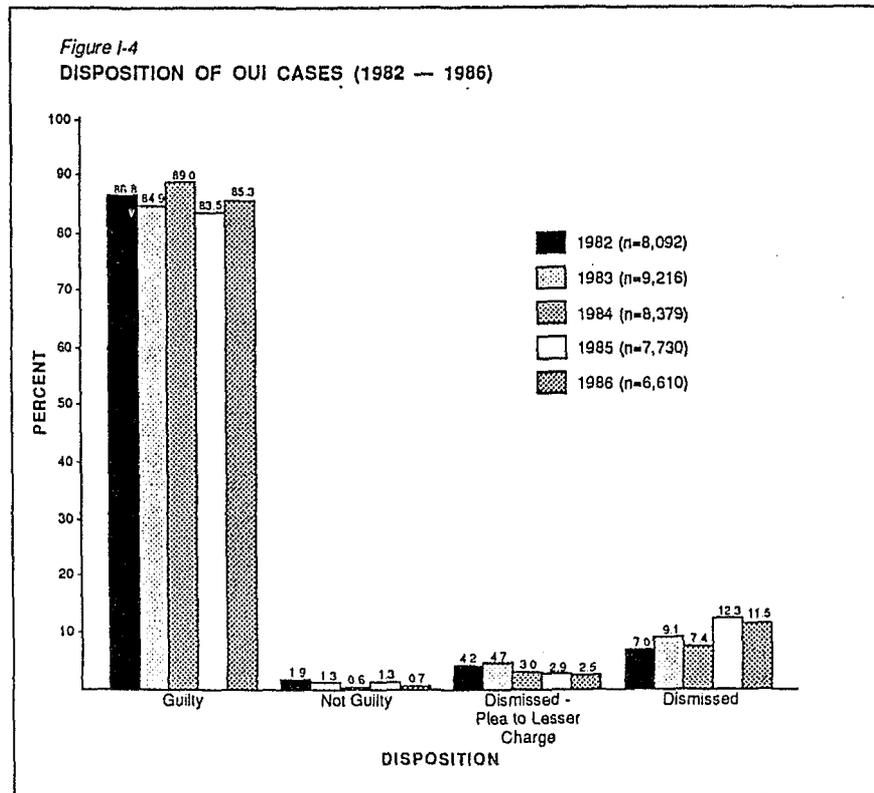


The percentage of 1986 test results showing a BAC of .15 to .19, or .20 to .24, decreased by a total of 6.0 percent, about 3.0 percent within each level. The change in the percentage distribution within the levels indicated in Fig. I-3 has been a gradual one, i.e. change has been observed each year since 1983.

STATEWIDE DISPOSITION OF OUI CASES

At the time data were generated by DMV for this report (February 23, 1987) 7,561 OUI cases having a 1986 violation date had been adjudicated by Maine Superior and District Courts. This represents 78.5 percent of the OUI arrests made in 1986. One in eight cases adjudicated involved a youthful offender (20 years of age and younger). (Information concerning the 951 juvenile cases is presented in a separate section of this report.)

As depicted in Fig. I-4, courts obtained convictions in 85.3 percent of the (adult) 1986 OUI cases adjudicated as of February 23, 1987. This is an increase over the 1985 conviction rate (83.5), but is slightly lower than the five-year average of 85.9 (Fig. I-5).



In comparison to 1985, a smaller percentage of 1986 OUI cases were dismissed (14.0% compared to 15.2%). The 1986 OUI dismissal rate of 14.0 percent was, however, greater than the five-year dismissal rate of 12.9 percent.

Figure I-5

DISPOSITION OF OUI CASES AND PENALTIES IMPOSED BY COURTS (1982 - 1986)

YEAR	DISPOSITION												
	GUILTY			NOT GUILTY		DISM.-PLC*		DISMISSED		TOTAL			
	NO.	-	%	NO.	-	%	NO.	-	%				
1982	7,026		86.8	155		1.9	343		4.2	568		7.0	8,092
1983	7,828		84.9	119		1.3	434		4.7	835		9.1	9,216
1984	7,454		89.0	51		0.6	255		3.0	619		7.4	8,379
1985	6,455		83.5	98		1.3	227		2.9	950		12.3	7,730
1986	5,635		85.3	44		0.7	168		2.5	763		11.5	6,610
TOTAL	34,398		85.9	467		1.2	1,427		3.6	3,735		9.3	40,027

PENALTIES

<u>FINE</u>	<u>YEAR</u>	<u>NO. AND % FINED</u>		<u>AVERAGE</u>	<u>RANGE</u>
	1982	2,598	98.8	\$ 375	\$ 50-1,000
	1983	3,256	99.1	\$ 385	\$100-1,000
	1984	2,902	99.5	\$ 390	\$100-1,000
	1985	6,258	99.2	\$ 381	\$ 35-1,000
	1986	5,607	99.5	\$ 388	\$ 35-2,250

<u>LIC. SUSP.</u>	<u>YEAR</u>	<u>NO. AND % LIC. SUSPENDED</u>		<u>AVERAGE</u>	<u>RANGE</u>
	1982	2,469	93.9	96 Days	30-365 Days
	1983	3,237	98.5	124 Days	30-825 Days
	1984	2,896	99.3	192 Days	45-730 Days
	1985	6,279	99.5	149 Days	30-730 Days
	1986	5,629	99.9	151 Days	45-730 Days

<u>JAIL SENT.</u>	<u>YEAR</u>	<u>NO. AND % JAILED</u>		<u>AVERAGE</u>	<u>RANGE</u>
	1982	2,532	96.3	5 Days	1-304 Days
	1983	3,249	98.9	9 Days	1-365 Days
	1984	2,898	99.3	9 Days	2-365 Days
	1985	5,797	91.9	15 Days	1-999 Days
	1986	4,274	75.9	15 Days	1-365 Days

*Dism.-PLC: Dismissed for a plea of guilty to a lesser charge.

Penalties data for 1982 - 1985 exclude civil OUI cases.

999 Days = 5 Years

In examining the disposition of 1986 cases with those disposed by courts during the last three and one-half months of 1985, the following observations are made.

- The conviction rate decreased from 86.5 percent in 1985 to 85.3 percent in 1986, and the dismissal rate increased by 1.5 percent.
- Fines were imposed and licenses were suspended with greater frequency in 1986 than in 1985, and sentencing was slightly more severe.
- In about 76.0 percent of the cases, both during 1985 and 1986, jail sentences were imposed. The average jail sentence decreased, however, from 16 days to 15 days.
- During both periods, penalties were imposed that were below the mandated minimum.

Figure I-6

COMPARISON OF OUI CASES HAVING A 1985 VIOLATION DATE
(FROM 9/18/85 - 12/31/85) WITH 1986 OUI CASES

<u>DISPOSITION</u>	<u>1985</u>		<u>1986</u>	
	<u>NO.</u>	<u>%</u>	<u>NO.</u>	<u>%</u>
Guilty	1,401	86.5	5,635	85.3
Not Guilty	16	1.0	44	0.7
Dismissed-PLC	38	2.3	168	2.5
Dismissed	165	10.2	763	11.5
TOTAL	1,620	100.0	6,610	100.0

<u>PENALTIES</u>	<u>1985</u>	<u>1986</u>
<u>FINE</u>		
• No. & % Fined	1,385 (98.9)	5,607 (99.5)
• Average Fine	\$372	\$388
• Range	\$150-800	\$35-2,250
<u>LICENSE SUSPENSION</u>		
• No. & % Lic. Susp.	1,396 (99.6)	5,629 (99.9)
• Average Lic. Susp.	144 Days	151 Days
• Range	30-730 Days	45-730 Days
<u>JAIL SENTENCE</u>		
• No. & % Jailed	1,066 (76.1)	4,274 (75.9)
• Average Jail Sent.	16 Days	15 Days
• Range	1 Day -5 Yrs.	1-365 Days

PREVIOUS OUI CONVICTIONS

Statewide data for 1986 were also examined in terms of the number of previous OUI convictions -- within a six-year period of the 1986 OUI violation. The following observations are made based on the data contained in Fig. I-7.

- About three in four 1986 cases (77.7%) adjudicated by Maine Courts by February 23, 1987 involved first offenders -- in 22.3 percent of the cases, the defendant had been previously convicted of one or more OUI offenses.
- Repeat offenders had their cases dismissed more frequently than did first offenders. The following are the dismissal and conviction rates for first and repeat offenders.

<u>Previous Convictions</u>	<u>Dismissal Rate</u>	<u>Conviction Rate</u>
None	12.8 %	86.6 %
One	16.9 %	82.2 %
Two or more	24.5 %	74.7 %

- Penalties below the mandatory minimum were imposed by courts at all three levels, i.e., defendants who had no previous OUI conviction(s), those who had one prior conviction, and those who had two or more previous convictions. The minimum penalties mandated by law and the minimums imposed are noted below.

<u>Previous OUI Convictions</u>	<u>Fine</u>		<u>Lic. Susp.</u>		<u>Jail Sent.</u>	
	<u>(M)</u>	<u>(I)</u>	<u>(M)</u>	<u>(I)</u>	<u>(M)</u>	<u>(I)</u>
None	\$300	(\$ 35)	90	(45 D.)	2*	(1 D.)
One	\$500	(\$250)	1 Yr.	(90 D.)	7	(1 D.)
Two or more	\$750	(\$300)	2 Yrs.	(90 D.)	30	(2 D.)

(M) = Mandatory Minimum

(I) = Minimum Imposed

2* = A two-day jail sentence is required for first offenders if certain circumstances existed at the time of the OUI arrest.

- The average fine, license suspension, and jail sentence (when imposed), all exceeded the mandatory minimums for a first OUI conviction.
- The average jail sentence imposed for a second or subsequent OUI conviction substantially exceeded the mandatory minimum. It appears, however, that in about 7.0 percent of the second OUI convictions (60 cases), sentencing did not include a jail term.

- It appears that typically a first offender is more likely to be convicted than a repeat offender, and sentencing is more likely to include the minimum mandated penalties.

Figure I-7

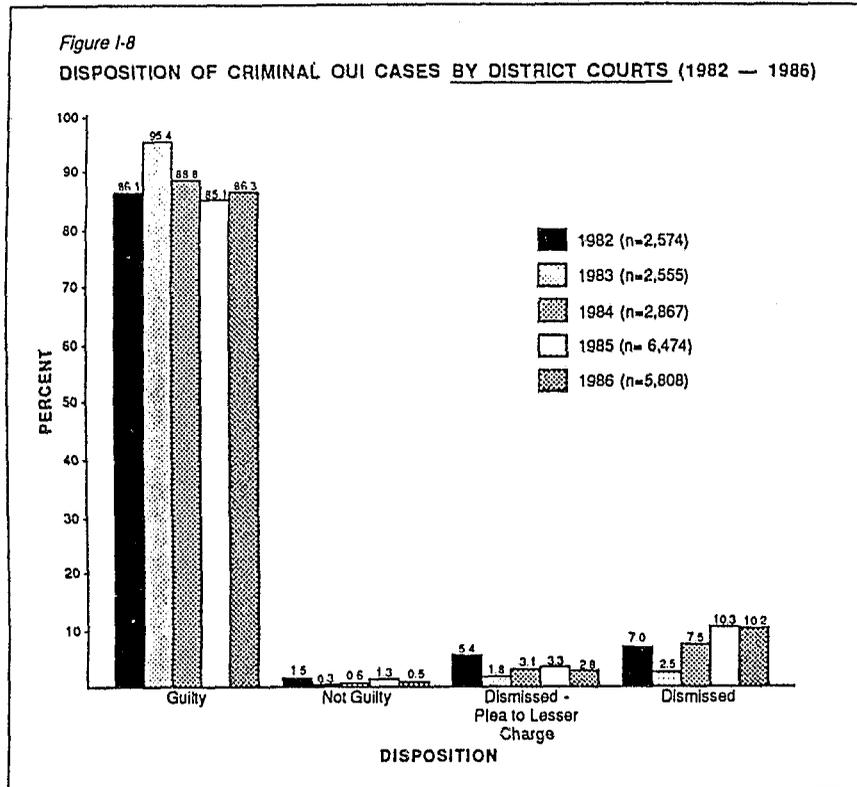
DISPOSITION OF OUI CASES BY PREVIOUS OUI CONVICTIONS

<u>DISPOSITION</u>	<u>PREVIOUS OUI CONVICTIONS</u>					
	<u>NONE</u>		<u>ONE</u>		<u>TWO OR MORE</u>	
	<u>NO.</u>	<u>%</u>	<u>NO.</u>	<u>%</u>	<u>NO.</u>	<u>%</u>
Guilty	4,445	86.6	971	82.2	219	74.7
Not Guilty	32	0.6	10	1.9	2	0.7
Dismissed-PLC	127	2.5	33	2.8	8	2.7
Dismissed	532	10.3	167	14.1	64	21.8
TOTAL	5,136		1,181		293	
	(77.7%)		(17.9%)		(4.4%)	

<u>PENALTIES</u>	<u>PREVIOUS OUI CONVICTIONS</u>		
	<u>NONE</u>	<u>ONE</u>	<u>TWO OR MORE</u>
<u>FINE</u>			
• No. & % Fined	4,431 (99.7)	961 (99.0)	215 (98.2)
• Average	\$354	\$480	\$673
• Range	\$35-1,550	\$250-1,550	\$300-2,250
<u>LIC. SUSPENSION</u>			
• No. & % Lic. Susp.	4,443 (99.9)	968 (99.7)	218 (99.5)
• Average	99 Days	307 Days	526 Days
• Range	45-730 Days	90-730 Days	90-730 Days
<u>JAIL SENTENCE</u>			
• No. & % Jailed	3,148 (70.8)	911 (93.8)	215 (98.2)
• Average	6 Days	24 Days	108 Days
• Range	1-364 Days	1-365 Days	2-365 Days

DISTRICT COURTS: DISPOSITION OF OUI CASES

Of the 7,561 OUI cases adjudicated as of February 23, 1987, 76.8 percent of them were adjudicated in District Courts. As shown in both Fig.'s I-8 and I-9, the 1986 conviction rate was 86.3 percent, which is a slight improvement over 1985. It is, however, below conviction rates obtained during previous reporting period, as well as being below the five-year average (87.4%).



The following are highlights relating to sentencing practices in District Courts during the last five years.

- Fines ranged from an average of \$372 (1982) to \$ 387 (1984).
- License suspensions ranged from an average of 95 days (1982) to 189 days (1984).
- Jail sentences ranged from an average of four days (1982) to 13 days (1985).
- As also apparent from Fig. I-9, penalties below the mandatory minimums were imposed during each OUI reporting period.

Figure I-9

DISPOSITION OF CRIMINAL OUI CASES AND PENALTIES IMPOSED
BY DISTRICT COURTS (1982 - 1986)

<u>YEAR</u>	<u>DISPOSITION</u>								
	<u>GUILTY</u>		<u>NOT GUILTY</u>		<u>DISM.-PLC*</u>		<u>DISMISSED</u>		<u>TOTAL</u>
	<u>NO.</u>	<u>%</u>	<u>NO.</u>	<u>%</u>	<u>NO.</u>	<u>%</u>	<u>NO.</u>	<u>%</u>	
1982	2,216	86.1	38	1.5	140	5.4	180	7.0	2,574
1983	2,437	95.4	8	0.3	47	1.8	63	2.5	2,555
1984	2,547	88.8	16	0.6	90	3.1	214	7.5	2,867
1985	5,513	85.1	83	1.3	212	3.3	666	10.3	6,474
1986	5,013	86.3	34	0.6	167	2.9	594	10.2	5,808
TOTAL	17,726	87.4	179	0.9	656	3.2	1717	8.5	20,278

PENALTIES

<u>FINE</u>	<u>YEAR</u>	<u>NO. AND % FINED</u>		<u>AVERAGE</u>	<u>RANGE</u>
	1982	2,200	99.3	\$ 372	\$ 50-1,000
	1983	2,421	99.3	\$ 380	\$100-1,000
	1984	2,536	99.6	\$ 387	\$100-1,000
	1985	5,470	99.2	\$ 378	\$ 35-1,000
	1986	4,995	99.6	\$ 382	\$ 35-2,250

<u>LIC. SUSP.</u>	<u>YEAR</u>	<u>NO. AND % LIC. SUSPENDED</u>		<u>AVERAGE</u>	<u>RANGE</u>
	1982	2,135	96.3	95 Days	30-365 Days
	1983	2,420	99.3	124 Days	30-365 Days
	1984	2,539	99.7	189 Days	45-730 Days
	1985	5,494	99.7	142 Days	30-730 Days
	1986	5,010	99.9	144 Days	45-730 Days

<u>JAIL SENT.</u>	<u>YEAR</u>	<u>NO. AND % JAILED</u>		<u>AVERAGE</u>	<u>RANGE</u>
	1982	2,125	95.9	4 Days	1-243 Days
	1983	2,407	98.8	6 Days	1-364 Days
	1984	2,528	99.3	6 Days	1-365 Days
	1985	5,068	91.9	13 Days	1-999 Days
	1986	3,781	75.4	12 Days	1-365 Days

*Dism.-PLC: Dismissed for a plea of guilty to a lesser charge.
999 Days = 5 Years

Last year's District Court statistics were also compared with those for September through December 1985 (Fig. I-10). The major findings are presented below.

- No substantial difference was found between the two time periods either in terms of the conviction or dismissal rates.
- Fines imposed in 1986 cases were slightly more severe (average of \$12 greater) and license suspension periods were slightly longer (average of two days longer).
- The average jail sentence in 1986 was three days shorter than in 1985 (12 vs. 15 days).

Figure I-10

COMPARISON OF OUI CASES HAVING A 1985 VIOLATION DATE
(FROM 9/18/85 - 12/31/85) WITH 1986 OUI CASES -- DISTRICT COURTS

<u>DISPOSITION</u>	<u>1985</u>		<u>1986</u>	
	<u>NO.</u>	<u>%</u>	<u>NO.</u>	<u>%</u>
Guilty	1,336	86.2	5,013	86.3
Not Guilty	16	1.0	34	0.6
Dismissed-PLC	38	2.5	167	2.9
Dismissed	159	10.3	594	10.2
TOTAL	1,549	100.0	5,808	100.0

<u>PENALTIES</u>	<u>1985</u>	<u>1986</u>
<u>FINE</u>		
• No. & % Fined	1,323 (99.0)	4,995 (99.6)
• Average Fine	\$370	\$382
• Range	\$150-800	\$35-2,250

<u>LICENSE SUSPENSION</u>	<u>1985</u>	<u>1986</u>
• No. & % Lic. Susp.	1,335 (99.9)	5,010 (99.9)
• Average Lic. Susp.	142 Days	144 Days
• Range	30-370 Days	45-730 Days

<u>JAIL SENTENCE</u>	<u>1985</u>	<u>1986</u>
• No. & % Jailed	1,016 (76.1)	3,781 (75.4)
• Average Jail Sent.	15 Days	12 Days
• Range	1-999 Days	1-365 Days

999 Days = 5 Years

District Court statistics for 1986 were also examined by first, second and subsequent offense. Based on the data presented in Fig. I-11, the following are the key observations.

- Four in five cases (80.0%) adjudicated in District Courts involved first offenders; one in five cases (20.0%) involved drivers who had one or more previous OUI convictions within a six-year period.
- The dismissal rate in cases where the defendant had two or more OUI convictions was double the dismissal rate for first offenders (25.5% vs. 12.2%). The dismissal and conviction rates by number of previous OUI convictions are presented below.

<u>Previous Convictions</u>	<u>Dismissal Rate</u>	<u>Conviction Rate</u>
None	12.2 %	87.2 %
One	14.6 %	84.3 %
Two or More	25.5 %	73.3 %

- Data indicate that when penalties were imposed, at all levels, some were below the minimum mandated by legislation enacted in 1985.
- Overall, the average penalties imposed upon first offenders exceeded the mandatory minimum fine, license suspension, and jail term. This was not the case, however, in terms of defendants convicted of a second or subsequent OUI offense. As shown in Fig. I-11, the average jail sentence exceeded the mandated minimum, but both the average fine and license suspension period was below the minimum mandated by law.

Figure I-11

DISPOSITION OF 1986 OUI CASES BY PREVIOUS OUI CONVICTIONS -- DISTRICT COURTS

<u>DISPOSITION</u>	<u>PREVIOUS OUI CONVICTIONS</u>					
	<u>NONE</u>		<u>ONE</u>		<u>TWO OR MORE</u>	
	<u>NO.</u>	<u>%</u>	<u>NO.</u>	<u>%</u>	<u>NO.</u>	<u>%</u>
Guilty	4,055	87.2	809	84.3	149	73.3
Not Guilty	23	0.4	9	0.9	2	0.9
Dismissed-PLC	126	2.7	33	3.4	8	3.9
Dismissed	442	9.5	108	11.2	44	21.6
TOTAL	4,646 (80.0%)		959 (16.5%)		203 (3.5%)	

<u>PENALTIES</u>	<u>PREVIOUS OUI CONVICTIONS</u>		
	<u>NONE</u>	<u>ONE</u>	<u>TWO OR MORE</u>
<u>FINE</u>			
● No. & % Fined	4,044 (99.7)	803 (99.3)	148 (99.3)
● Average	\$353	\$476	\$667
● Range	\$35-1,550	\$250-1,550	\$300-2,250
<u>LICENSE SUSPENSION</u>			
● No. & % Lic. Susp.	4,053 (99.9)	808 (99.9)	149 (100.0)
● Average	99 Days	303 Days	512 Days
● Range	45-730 Days	90-730 Days	90-730 Days
<u>JAIL SENTENCE</u>			
● No. & % Jailed	2,876 (70.9)	759 (93.8)	146 (98.0)
● Average	5 Days	22 Days	98 Days
● Range	1-364 Days	1-365 Days	2-364 Days

COMPARISON OF DISPOSITION OF 1986 OUI CASES ACROSS DISTRICT COURTS

Figures A-1 through A-4 in Appendix A contain statistics concerning 1986 OUI cases adjudicated by District Courts. Figure A-1 presents court findings and penalties imposed related to all 1986 OUI cases adjudicated as of February 23, 1987; Figure A-2 contains the same data for first offenders; and Figure A-3 and A-4 contain statistics for second offenders and subsequent offenders, respectively. The key findings based on the statistics contained in the four data tables are presented on the next page.

- Overall Disposition of Cases by District Courts. Conviction rates were 100.0 percent in three District Courts: Livermore Falls, Fort Kent and Van Buren; Biddeford District Court had the lowest conviction rate (58.7%) and the highest dismissal rate (40.6%).
- First Offenders: Disposition of Cases by District Courts. Four District Courts had conviction rates of 100.0 percent. They were: Livermore Falls, Presque Isle, Van Buren and Lincoln. The lowest conviction rate was in Biddeford District Court (59.2%).

Nine District Courts imposed finer below the mandatory minimum, ranging from \$35 to \$250 (Fig. A-2 in Appendix A); the maximum fine imposed was \$1,550 in Waterville.

All license suspension periods imposed by District Courts in convicting first offenders met, or exceeded, the 90-day period required by law. A suspension period of 730 days was imposed by three District Courts: Augusta, Waterville and Machais.

The legislation enacted in 1985 specifies that in a first OUI offense requiring imprisonment, the jail sentence shall be 48 hours. Seven District Courts imposed jail sentences that were less than 48 hours (Fig. A-2, Appendix A).

- Second Offenders: Disposition of Cases by District Courts. Twelve District Courts attained 100.0 percent conviction rates in adjudicating "second" OUI offenders. The lowest conviction rate was, again, in Biddeford District Court (57.4%). Biddeford, also had the highest dismissal rate (41.2%).

All but three District Courts imposed finer below the mandated minimum of \$500. The courts in compliance were: Madawaska, Van Buren and Bar Harbor. Minimum fines imposed by the remaining 30 District Courts ranged from \$250 (Portland) to \$400 (Farmington).

The license suspension mandated for conviction of a second OUI offense within a six-year period is 365 days. All but four District Courts imposed license suspension periods that were less than one year. The four that were in compliance with the 1985 law were: Fort Kent, Madawaska, Van Buren and Bar Harbor. All remaining 29 Courts imposed, in some cases, 90-day license suspension periods.

A seven-day jail sentence is now required if a defendant is convicted of a second OUI offense within six-years. Four District Courts were in compliance with this mandate: Livermore Falls, Fort Kent, Madawaska and Bar Harbor. Minimum jail sentences imposed by the remaining 29 District Courts were as low as 24 hours: Biddeford, Kittery and Springvale District Courts.

- Third and Subsequent OUI Offenders: Disposition of Cases by District Courts. Twenty-six Maine District Courts adjudicated OUI cases that fell into this category with eleven courts convicting all defendants (Fig. A-4, Appendix A). The lowest conviction rate of this OUI offender population was in Biddeford District Court (50.0%).

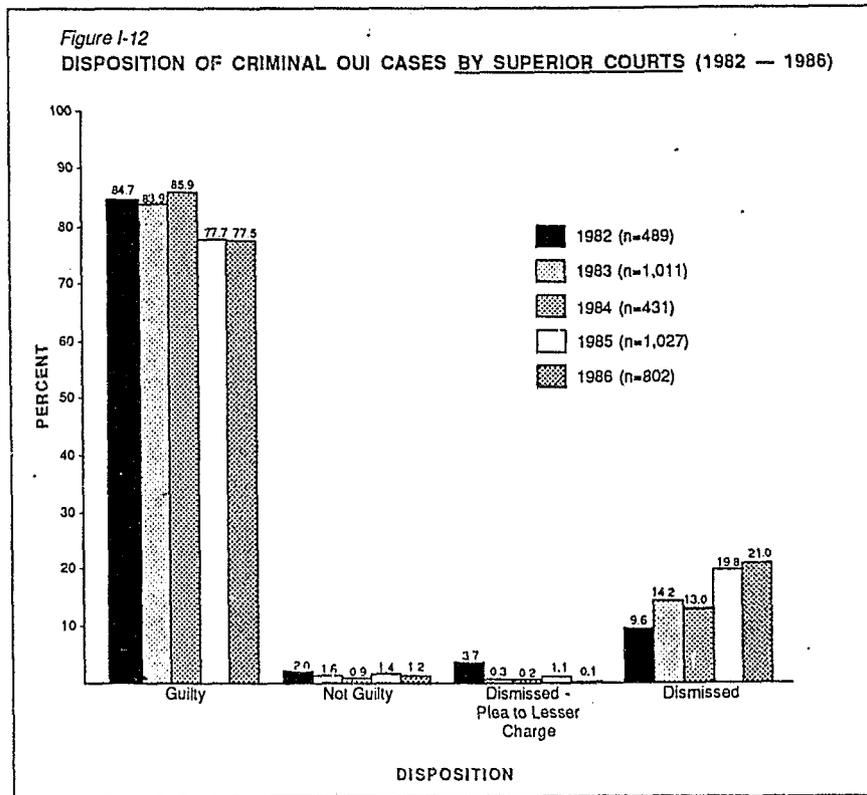
The mandatory minimum fine for being convicted of a third or subsequent OUI offense is \$750. Six District Courts did not impose fines below the minimum. The remaining 20 who adjudicated cases within this category fined defendants from \$300 to \$600 -- all below the mandated minimum.

The OUI law of 1985 specifies that persons convicted of a third or subsequent OUI offense (within six-years) shall have their license suspended for two years. Five of the 26 District Courts that adjudicated such cases were in compliance. The remaining 21 District Courts imposed license suspension from 90 to 365 days.

A 30-day jail sentence is required upon conviction for a third or subsequent OUI offense. Twelve of the 26 Courts that adjudicated such cases were in compliance. The remaining 14 District Courts imposed jail sentences that were less than the 30 days mandated by law.

SUPERIOR COURTS: DISPOSITION OF OUI CASES

Superior Court adjudications account for 23.2 percent of the OUI cases reported upon within this report. Convictions were obtained by Maine Superior Courts in 77.5 percent of the 1986 OUI cases adjudicated as of February 23, 1987 (Fig. I-12). This conviction rate is slightly less than the one attained in 1985 and is the lowest conviction rate in five years -- since annual OUI reports have been prepared.



The 1986 OUI conviction rate was 3.7 percent lower than the five-year average conviction rate of 81.2 percent. The 1986 dismissal rate (21.1%) was slightly greater than the five-year average (17.3%).

A review of the Superior Court data for the last five years reveals the following key observations (Fig. I-13).

- Fines ranged from an average of \$389 (1982) to \$437 (1986). Fines less than the mandatory minimum were imposed each year except in 1984.
- License suspension periods ranged from an average of 99 days (1982) to 214 days (1984). During each reporting period, except 1986, some fines imposed were below the mandatory minimum.
- Jail sentences ranged from an average of nine days (1982) to 34 days (1986). Jail sentences imposed in 1986 included terms below the mandatory minimum of two days.

NOTE. Minimums cited above do not included cases where a penalty should have been imposed, but was not.

Figure I-13

DISPOSITION OF CRIMINAL OUI CASES AND PENALTIES IMPOSED BY SUPERIOR COURTS (1982 - 1986)

<u>YEAR</u>	<u>DISPOSITION</u>									
	<u>GUILTY</u>		<u>NOT GUILTY</u>		<u>DISM.-PLC*</u>		<u>DISMISSED</u>		<u>TOTAL</u>	
	<u>NO.</u>	<u>%</u>	<u>NO.</u>	<u>%</u>	<u>NO.</u>	<u>%</u>	<u>NO.</u>	<u>%</u>		
1982	414	84.6	10	2.0	18	3.7	47	9.6	489	
1983	848	83.9	16	1.6	3	0.3	144	14.2	1,011	
1984	370	85.9	4	0.9	1	0.2	56	13.0	431	
1985	798	77.7	15	1.4	11	1.1	203	19.8	1,027	
1986	622	77.5	10	1.2	1	0.1	169	21.0	802	
TOTAL	3,052	81.2	55	1.5	34	0.9	619	16.4	3,760	

PENALTIES

<u>FINE</u>	<u>YEAR</u>	<u>NO. AND % FINED</u>		<u>AVERAGE</u>	<u>RANGE</u>
	1982	398	96.1	\$ 389	\$250-1,000
	1983	835	98.5	\$ 403	\$175-1,000
	1984	366	98.9	\$ 414	\$350-1,000
	1985	788	98.8	\$ 403	\$ 50-1,000
	1986	612	98.4	\$ 437	\$150-1,500

<u>LIC. SUSP.</u>	<u>YEAR</u>	<u>NO. AND % LIC. SUSPENDED</u>		<u>AVERAGE</u>	<u>RANGE</u>
	1982	334	80.6	99 Days	30-365 Days
	1983	817	96.3	121 Days	60-825 Days
	1984	357	96.5	214 Days	45-365 Days
	1985	785	98.4	192 Days	30-730 Days
	1986	619	99.5	211 Days	90-730 Days

<u>JAIL SENT.</u>	<u>YEAR</u>	<u>NO. AND % JAILED</u>		<u>AVERAGE</u>	<u>RANGE</u>
	1982	407	98.3	9 Days	2-304 Days
	1983	842	99.3	18 Days	2-365 Days
	1984	370	100.0	25 Days	2-365 Days
	1985	729	91.4	31 Days	2-999 Days
	1986	493	80.6	34 Days	1-365 Days

*Dism.-PLC: Dismissed for a plea of guilty to a lesser charge.
 Data for 1982-1985 penalties exclude civil OUI cases.
 999 Days = 5 Years

Superior Court statistics for 1986 were also compared with data for the period of mid-September through December 1985 (Fig. I-14). The major findings of this comparison are summarized below.

- Convictions were obtained in 14.0 percent fewer 1986 OUI cases than in 1985. The reduced conviction rate resulted in a 1986 dismissal rate that was more than double the 1985 rate (21.2% vs. 8.4%).
- All penalties, fines, license suspensions and jail sentences, were imposed with greater frequency in 1986 than in 1985.
- The average fine increased by \$26 and the average license suspension period increased by 21 days. The average jail sentence in 1986 was 15 days less than the 1985 average (34 vs. 49 days).

Figure I-14

COMPARISON OF OUI CASES HAVING A 1985 VIOLATION DATE
(FROM 9/18/85 - 12/31/85) WITH 1986 OUI CASES -- SUPERIOR COURTS

<u>DISPOSITION</u>	<u>1985</u>		<u>1986</u>	
	<u>NO.</u>	<u>%</u>	<u>NO.</u>	<u>%</u>
Guilty	65	91.6	622	77.6
Not Guilty	0	0.0	10	1.2
Dismissed-PLC	0	0.0	1	0.1
Dismissed	6	8.4	169	21.1
TOTAL	71	100.0	802	100.0

<u>FINE</u>	<u>PENALTIES</u>	<u>1985</u>		<u>1986</u>	
• No. & % Fined		62	(95.4)	612	(98.4)
• Average Fine		\$411		\$437	
• Range		\$300-700		\$150-1,550	

<u>LICENSE SUSPENSION</u>		<u>1985</u>		<u>1986</u>	
• No. & % Lic. Susp.		61	(93.9)	619	(99.5)
• Average Lic. Susp.		190 Days		211 Days	
• Range		90-730 Days		90-730 Days	

<u>JAIL SENTENCE</u>		<u>1985</u>		<u>1986</u>	
• No. & % Jailed		50	(76.9)	493	(80.6)
• Average Jail Sent.		49 Days		34 Days	
• Range		2-364 Days		1-365 Days	

As with District Court data, 1986 Superior Court statistics were also examined by whether the defendant had no previous OUI conviction within a six-year period, had one prior conviction, or had two or more convictions. These data are presented in Fig. I-15, and the major findings are summarized below.

- Three in five 1986 OUI cases adjudicated by Superior Courts involved defendants who had no previous OUI convictions; two in five defendants had at least one previous conviction within six years.
- The dismissal rate for defendants who had previous OUI convictions was higher than the dismissal rate for first offenders.

<u>Previous Convictions</u>	<u>Dismissal Rate</u>	<u>Conviction Rate</u>
None	18.3%	79.5%
One	26.5%	72.9%
Two or more	22.2%	77.7%

- Sentencing practices varied. In considering the average penalties imposed in 1986 OUI cases the following was found: (1) penalties imposed for a first OUI conviction exceeded the mandatory minimums; (2) the average fine and jail sentence for a second OUI conviction exceeded the mandatory minimums; but the average license suspension period did not -- the average was 324 days; and (3) the average jail sentence for a third or subsequent OUI conviction exceeded the mandatory minimum by 100 days, but the average fine and license suspension period (\$685 and 555 days) were below the required \$750 fine and two-year license suspension.

Figure I-15

DISPOSITION OF 1986 OUI CASES BY PREVIOUS OUI CONVICTIONS SUPERIOR COURT

<u>DISPOSITION</u>	<u>PREVIOUS OUI CONVICTIONS</u>					
	<u>NONE</u>		<u>ONE</u>		<u>TWO OR MORE</u>	
	<u>NO.</u>	<u>%</u>	<u>NO.</u>	<u>%</u>	<u>NO.</u>	<u>%</u>
Guilty	390	79.5	162	72.9	70	77.7
Not Guilty	9	1.8	1	0.4	0	0.0
Dismissed-PLC	1	0.2	0	0.0	0	0.0
Dismissed	90	18.3	59	26.5	20	22.2
TOTAL	490	(61.1%)	222	(27.7%)	90	(11.2%)

<u>FINE</u>	<u>PREVIOUS OUI CONVICTIONS</u>					
	<u>NONE</u>		<u>ONE</u>		<u>TWO OR MORE</u>	
• No. & % Fined	380	(99.2)	158	(97.5)	67	(95.7)
• Average	\$368		\$501		\$685	
• Range	\$150-1,000		\$300-1,000		\$300-1,000	
<u>LICENSE SUSPENSION</u>						
• No. & % Lic. Susp.	390	(100.0)	160	(98.8)	69	(98.6)
• Average	104 Days		324 Days		555 Days	
• Range	90-365 Days		90-730 Days		365-730 Days	
<u>JAIL SENTENCE</u>						
• No. & % Jailed	272	(69.2)	152	(93.8)	69	(98.6)
• Average	11 Days		31 Days		130 Days	
• Range	1-364 Days		1-364 Days		2-365 Days	

COMPARISON OF DISPOSITION OF 1986 OUI CASES ACROSS SUPERIOR COURTS

Appendix A of this report contains statistical tables showing disposition of 1986 OUI cases by Superior Court. Figure A-5 is a summary of Figures A-6 through A-9 which present the data by Superior Court for first, second and subsequent OUI offenders. This section of the report is a summary of the data contained in the Appendix.

- Overview: Disposition of OUI Cases by Superior Courts. As of February 23, 1987, all cases adjudicated in Kennebec and Sagadahoc County Superior Courts resulted in a conviction (100.0%); the lowest conviction rate was in Oxford County Superior Court. Dismissal rates ranged from 8.8 percent (Aroostook) to 40.0 percent (Piscataquis). (Fig. A-5, Appendix A)

- First Offenders: Disposition of Cases by Superior Courts. Kennebec and Sagadahoc County Superior Courts had conviction rates of 100.0 percent; Piscataquis County Superior Court had the lowest conviction rate of 33.3 percent. Nine defendants were found not guilty in six Courts (Androscoggin, Aroostook, Kennebec, Penobscot, Somerset and York). (Fig. A-5, Appendix A)

No first offender cases were dismissed in four Courts: Androscoggin, Kennebec, Sagadahoc, and Somerset. Within the remaining 12 Courts, dismissal rates ranged from 6.2 percent (Aroostook) to 66.6 percent (Piscataquis).

Of the 490 "first offender" cases adjudicated by Superior Courts, 36.7 percent were done so in Cumberland and York (180 cases). However, of the 91 cases dismissed, 62.6 percent were dismissed in these two Courts.

All Courts imposed an average fine which met or exceeded the mandatory minimum of \$300. Actual fines ranged from \$150 (York) to \$1,000 (Cumberland and Franklin).

All license suspensions imposed were either the mandatory minimum or exceeded it. Suspensions ranged from 90 days (all Courts) to 365 days (eight Courts).

Fifteen Courts imposed jail sentences in 69.2 percent of the first offender convictions. Average jail sentences ranged from two days (Oxford and Sagadahoc) to 36 days (Kennebec). Actual jail sentences ranged from one day in three Courts (Franklin, Lincoln and York) to 364 days in two courts (Penobscot and Somerset).

- Second Offenders: Disposition of Cases by Superior Court. No second offender cases were adjudicated in Piscataquis and Sagadahoc County Superior Courts. Two of the remaining 14 Courts that tried such cases had 100.0 percent conviction rates (Kennebec and Somerset). The lowest conviction rate was 50.0 percent (Oxford). Dismissal rates in these cases ranged from 3.8 percent (Penobscot) to 45.4 percent (Waldo).

Data in Fig. A-7 in Appendix A indicate that fines below the mandatory minimum of \$500 for a second OUI conviction were imposed in all but one Court (Aroostook). Fines ranged from \$300 in five Courts (Cumberland, Franklin, Hancock, Penobscot and Waldo) to \$1500 in one Court (Kennebec).

The average license suspension period imposed in second offender convictions was 324 days -- the mandatory minimum is 365 days. A review of this data by Court reveals that in all by Washington County Superior Court, 90-day license suspension periods were imposed. (Note: Piscataquis and Sagadahoc did not adjudicate any cases involving defendants charged with a second OUI offense.)

—When jail sentences were imposed by Superior Courts, the average term was 31 days -- 14 days longer than the mandatory minimum (7 days). All but one Court (Penobscot), however, imposed jail sentences below the minimum required for a second OUI conviction. Sentences ranged from a low of one day in one Court (Lincoln) to 364 days in two courts (Cumberland and Kennebec).

• Third and Subsequent Offenders: Disposition of Cases by Superior Courts. As of February 23, 1987, Hancock and Washington County Superior Courts had not adjudicated any 1986 cases which involved a third or subsequent OUI within a six-year period (Fig. A-8, Appendix A). Ninety such cases were adjudicated in the remaining 14 Superior Courts. The largest number (17 cases or 18.8%) were adjudicated in Penobscot County Superior Court. All such cases tried in seven Courts resulted in convictions; conviction rates in the other seven Superior Courts ranged from 25.0 percent (Aroostook) to 82.3 percent (Penobscot). Dismissal rates ranged from 17.6 percent (Penobscot) to 75.0 percent (Aroostook).

Fines were imposed in all but two convictions, and licenses were suspended and jail sentences were imposed in all but one conviction. The average fine imposed by courts was \$685, ranging from \$300 to \$1,000. DMV data indicate that nine Courts imposed fines below the mandatory minimum of \$750 upon conviction for a third or subsequent OUI offense within six years.

The average license suspension period imposed by Courts was 555 days, ranging from 365 to 730 days. In eleven of the fourteen Courts that convicted third (or subsequent) OUI offenders, license suspension periods below the mandatory minimum of two years (730 days) were imposed.

The average jail sentence imposed by Superior Courts was more than four times greater than required by law. The mandatory minimum for a third (or subsequent) OUI conviction (within six years) is 30 days; the average imposed by Courts was 130 days. However, six courts imposed jail sentences which were below the 30-day minimum, ranging from two days (York and Kennebec) to 21 days (Somerset).

DISPOSITION OF JUVENILE OUI CASES

In addition to the 6,610 OUI (adult) cases discussed in the preceding section, Maine Courts had also adjudicated 951 juvenile cases (20 years of age and younger) as of February 23, 1987. The juvenile cases adjudicated, as with adult OUI offenders, had 1986 violation dates. These statistics include only those juveniles whose BAC at apprehension was .10 percent or greater. The disposition of juvenile OUI cases was almost identical to the disposition of adult OUI offenders (Fig. I-16).

Figure I-16

COMPARISON OF COURT FINDINGS: JUVENILE AND ADULT 1986 OUI CASES

DISPOSITION	JUVENILES		ADULTS	
	No.	%	No.	%
Guilty	814	85.6	5,635	85.3
Not Guilty	5	0.5	44	0.7
Dismissed-PLC	21	2.2	168	2.5
Dismissed	111	11.7	763	11.5
TOTAL	951	100.0	6,610	100.0

Most of the juvenile cases were adjudicated in District Courts (92.5%); 71 cases (7.5%) were adjudicated in Superior Courts. As apparent from Figure I-17, the overall conviction rate was higher in District Courts (86.5 %) than in Superior Courts (86.5% vs. 73.2%). The average penalties imposed, however, were more severe in Superior Courts.

Figure I-17

COMPARISON OF 1986 JUVENILE CASES: DISTRICT AND SUPERIOR COURTS

DISPOSITION	DISTRICT COURTS		SUPERIOR COURTS	
	No.	%	No.	%
Guilty	762	86.5	52	73.2
Not Guilty	4	0.4	1	1.4
Dismissal - PLC	21	2.3	0	0.0
Dismissed	93	10.5	18	25.3
TOTAL	880	99.7	71	99.9

The following summarizes the penalties imposed by Courts in juvenile cases. Individual Court statistics are contained in Appendix A, Fig. A-9 (District Courts) and Fig. A-10 (Superior Courts).

Fines ranged from \$50 to \$750 in District Courts with the average fine being \$341. Fines were imposed in 96.9 percent of the convictions. Superior Court fines ranged from \$300 to \$1500; the average fine was \$401. Fines were imposed in 96.2 percent of the juvenile OUI convictions.

License suspensions ranged from 90 days to 730 days both in Superior and District Courts. However, the average license suspension in Superior Courts was 30 days longer (145 vs. 115 days).

Jail sentences were imposed in 55.3 percent of the juvenile convictions in District Courts compared to 71.2 percent of the convictions in Superior Courts. District Courts imposed jail sentences ranging from one day (seven Courts) to five years (one Court), while Superior Court jail terms ranged from one day (two Courts) to 180 days (one Court). The average jail sentence imposed by Superior Courts was seven days longer than the average imposed by District Courts (17 vs. 10 days).

DRIVER EDUCATION EVALUATION PROGRAM

As of February 23, 1987 -- the date statistics were generated for this report -- Maine Courts had adjudicated 7,561 adult and juvenile 1986 OUI cases. Only 30.2 percent (1,945) of those convicted (6,449) had met all DEEP requirements as of that date (Fig. I-18).

Figure I-18

DEEP COMPLETION AND RECIDIVISM RATES FOR PROGRAM COMPLETORS BY COUNTY -- 1986

COUNTY	DEEP COMPLETION				RECIDIVISM RATES BY OFFENSE							
	MET ALL REQUIRE- MENTS		10 HOUR PROGRAM		EVAL. REHAB.		OUI		OAS		HO	
	NO.	%	NO.	%	NO.	%	NO.	%	NO.	%	NO.	%
Androscoggin	154		105	68.2	49	31.8	2	1.3	1	0.7	--	---
Aroostook	143		99	69.2	44	30.8	1	0.7	3	2.1	--	---
Cumberland	369		229	62.1	140	37.9	2	0.5	2	0.5	--	---
Franklin	27		22	81.5	5	18.5	--	---	--	---	--	---
Hancock	76		46	60.5	30	39.5	--	---	1	1.3	--	---
Kennebec	180		120	66.7	60	33.3	1	0.6	2	1.1	--	---
Knox	72		49	68.1	23	31.9	1	1.4	2	2.8	--	---
Lincoln	55		38	69.1	17	30.9	--	---	--	---	--	---
Oxford	55		39	70.9	16	29.1	1	1.8	--	---	--	---
Penobscot	201		109	54.2	92	45.8	2	1.0	2	1.0	--	---
Piscataquis	43		28	65.1	15	34.9	--	---	--	---	--	---
Sagadahoc	67		41	61.2	26	38.8	--	---	--	---	1	1.5
Somerset	47		30	63.8	17	36.2	--	---	--	---	--	---
Waldo	57		40	70.2	17	29.8	--	---	--	---	--	---
Washington	69		41	59.4	28	40.6	--	---	--	---	--	---
York	244		170	69.7	74	30.3	--	---	1	0.4	--	---
Unknown	86		65	75.6	21	24.4	1	1.2	2	2.3	--	---
TOTAL	1,945		1,271	65.3	674	34.7	11	0.6	16	0.8	1	0.1

As depicted in Figure I-18, about two-thirds of the 1986 DEEP clients who met all requirements for license restoration, did so by completing the ten-hour program only. The remaining DEEP clients were required to have an alcohol evaluation completed and, if indicated, participate in and complete alcohol-related rehabilitation.

As in previous annual OUI reports, the reader should interpret DEEP data cautiously because the statistics contained in this report present only a partial picture of DEEP participation.

- The 1,945 DEEP completors were OUI Offenders who were arrested in 1986, and also were convicted and completed DEEP before February 23, 1987. OUI offenders whose violation occurred before 1986 but who completed DEEP during 1986, or before February 23, 1987, are not included in the statistics. (A total of 7,143 adults juveniles completed DEEP during calendar year 1986.)
- Data in Figure I-18 do not contain information concerning the number of DEEP clients in the ten-hour program referred by DEEP instructors for alcohol-related evaluation/treatment. It only shows the number who met all requirements. Thus, the referral and drop-out rates are unknown.
- In order for an OUI offender to become a recidivist statistic, he/she must be caught for OUI, OAS or HO violation in 1986, after already having been convicted of a 1986 OUI, and convicted again before February 23, 1987.

II. OPERATING AFTER SUSPENSION OF LICENSE

FIVE-YEAR OVERVIEW (1982-1986)

Disposition of OAS CASES (1982 - 1986)

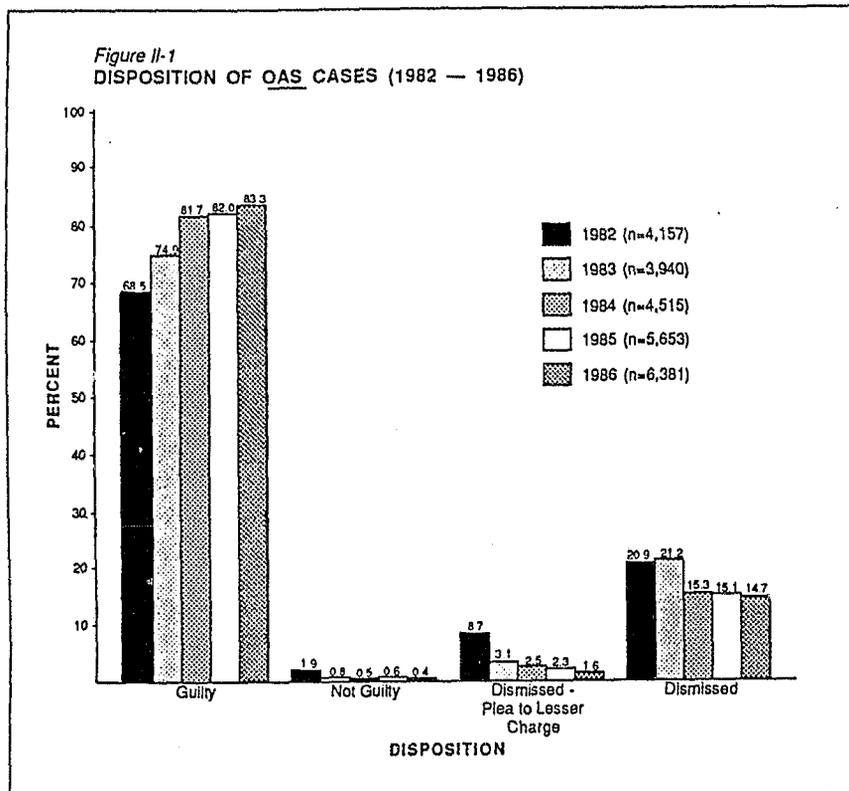
- 24,646 - OAS Cases Adjudicated (Based on Annual OUI Reports)
4,929 - Average Number of OAS Cases Adjudicated Per Year
- 19,437 - OAS Convictions
5,887 - Average Number of OAS Convictions Per Year
78.9% - Five-Year OAS Conviction Rate
68.5% - Lowest OAS Conviction Rate (1982)
83.3% - Highest OAS Conviction Rate (1986)
- 5,015 - OAS Dismissals (826 Dismissals for a Plea to a Lesser Charge and 4,189 Dismissals)
1,003 - Average Number of Cases Dismissed Per Year
20.3% - Five-Year Dismissal Rate
16.3% - Lowest OAS Dismissal Rate (1986)
29.6% - Highest Dismissal Rate (1982)

Disposition of OUI-Related OAS Cases (1984-1986)

- 4,006 - OUI-Related OAS Cases Adjudicated
24.2% - Percent of all OAS Cases Adjudicated (1984-1986)
1,335 - Average Number of OUI-Related OAS Cases Adjudicated Per Year
- 3,289 - OUI-Related OAS Convictions
1,096 - Average Number of OUI-Related OAS Convictions Per Year
82.1% - Three-Year Conviction Rate
81.0% - Lowest Conviction Rate (1986)
84.9% - Highest Conviction Rate (1984)
- 705 - OUI-Related OAS Dismissals (109 Dismissals for a Plea to a Lesser Charge and 596 Dismissals)
235 - Average Number of OUI-Related OAS Cases Dismissed Per Year
- 17.6% - Three-Year Dismissal Rate
14.9% - Lowest OUI-Related OAS Dismissal Rate (1984)
18.9% - Highest OUI-Related OAS Dismissal Rate (1986)

STATEWIDE DISPOSITION OF OAS CASES

The OAS conviction rate in 1986 was the highest rate in five years (83.3%), and the dismissal rate decreased to its lowest of 16.3 percent (Fig. II-1).



As apparent from Fig. II-2 on the following page, in 1986 about one and a half times as many OAS cases were adjudicated at the time the annual OUI report was prepared than were adjudicated in 1982, while the number of convictions in 1986 was almost double that in 1982.

Fines were imposed by courts from 89.4 percent of the time (1983) to 94.0 percent (1982), and actual fines ranged from \$25 to \$1,000 each reporting period. Average fines ranged from \$122 (1984) to \$218 (1982).

Additional license suspensions were imposed in less than 7.0 percent of the OAS convictions, ranging from 3.1 percent in 1984 to 6.5 percent in 1982. The shortest suspension period was imposed in 1986 (five days) and the longest was imposed in 1982 (1096 days). The average ranged from 199 days (1984) to 303 days (1982).

Jail sentences were imposed in less than 20.0 percent of all the OAS convictions. The lowest sentencing rate was in 1984 (11.3%) and the highest rate was in 1982 (18.9%). Sentences ranged from one day (the lowest sentence

each reporting period) to five years (the maximum in 1985 and 1986). The average jail sentence in 1986 was almost three times longer than the average imposed in 1982 (41 vs. 14 days). These data are presented in Fig. II-2.

Figure II-2

DISPOSITION OF OAS CASES AND PENALTIES IMPOSED BY COURTS (1982 - 1986)

YEAR	DISPOSITION											
	GUILTY			NOT GUILTY			DISM.-PLC*		DISMISSED		TOTAL	
	NO.	-	%	NO.	-	%	NO.	-	%			
1982	2,846		68.5	80		1.9	360		8.7	871	20.9	4,157
1983	2,951		74.9	31		0.8	122		3.1	836	21.2	3,940
1984	3,690		81.7	21		0.5	115		2.5	689	15.3	4,515
1985	4,636		82.0	34		0.6	129		2.3	854	15.1	5,653
1986	5,314		83.3	28		0.4	100		1.6	939	14.7	6,381
TOTAL	19,437		78.9	194		0.8	826		3.3	4,189	17.0	24,646

PENALTIES

<u>FINE</u>	<u>YEAR</u>	<u>NO. AND % FINED</u>		<u>AVERAGE</u>	<u>RANGE</u>
	1982	2,701	94.9	\$ 218	\$25-1,000
	1983	2,638	89.4	\$ 127	\$25-1,000
	1984	3,390	91.8	\$ 122	\$25-1,000
	1985	4,196	90.5	\$ 129	\$25-1,000
	1986	4,856	91.4	\$ 135	\$25-1,000
<u>LIC. SUSP.</u>	<u>YEAR</u>	<u>NO. AND % LIC. SUSPENDED</u>		<u>AVERAGE</u>	<u>RANGE</u>
	1982	186	6.5	303 Days	7-1096 Days
	1983	109	3.7	281 Days	30-365 Days
	1984	115	3.1	199 Days	20-675 Days
	1985	164	3.5	282 Days	20-730 Days
	1986	260	4.9	243 Days	5-730 Days
<u>JAIL SENT.</u>	<u>YEAR</u>	<u>NO. AND % JAILED</u>		<u>AVERAGE</u>	<u>RANGE</u>
	1982	539	18.9	14 Days	1-335 Days
	1983	419	14.2	22 Days	1-364 Days
	1984	416	11.3	20 Days	1-364 Days
	1985	719	15.5	31 Days	1-999 Days
	1986	747	14.1	41 Days	1-999 Days

*DISM.-PLC: Dismissed for a plea of guilty to a lesser charge.
999 Days = 5 Years

STATEWIDE DISPOSITION OF OUI-RELATED OAS CASES

OUI-related OAS statistics have been presented in annual OUI reports only since 1984. Based on data presented in Fig. II-3, the following are the major findings.

- In 1986, Maine Courts adjudicated 40.0 percent more OUI-related OAS cases than in 1984.
- In 1986, the conviction rate was about 4.0 percent lower, but the actual number of convictions in 1986 was about 35.0 percent greater than in 1984.
- Fines were imposed less frequently in 1986 than in 1984 but, when imposed by courts, the average fine in 1986 was \$20 greater than in 1984.
- Licenses were suspended in about 3.0 percent more of the 1986 OAS convictions than in 1984, and the average license suspension period was 80 days longer.
- Jail sentences were imposed with greater frequency in 1986 than in 1984 (35.0% vs. 28.3%). The average jail sentence in 1986 was more than double the 1984 average (48 vs. 21 days). The maximum sentence imposed in 1986 was five years compared to 364 days in 1984.

Figure II-3

OUI-RELATED OAS CASES: DISPOSITION AND PENALTIES (1984-1986)

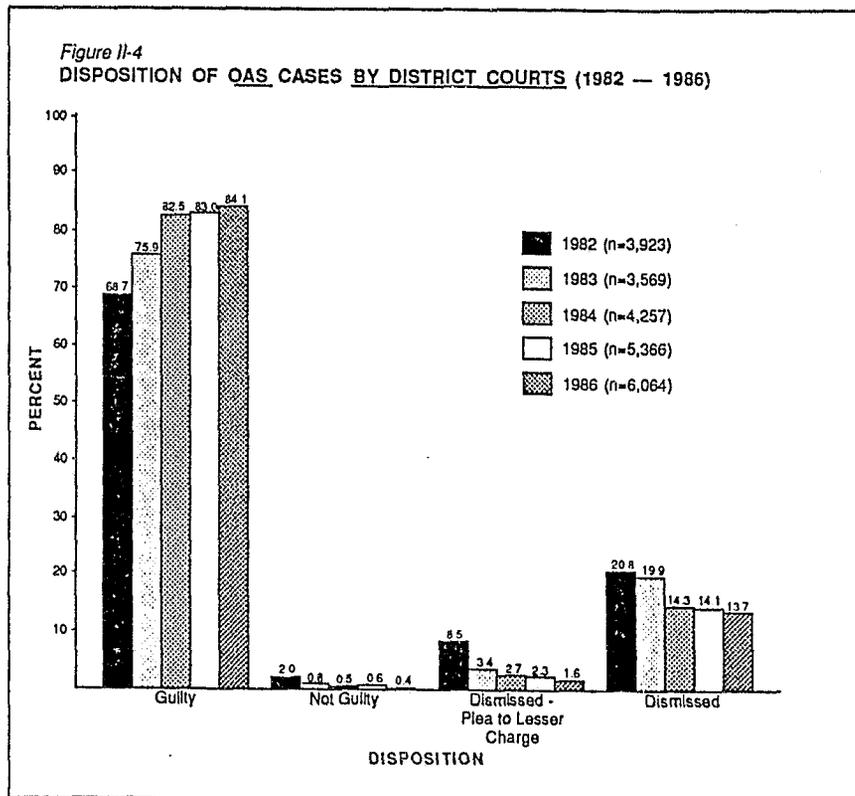
<u>YEAR</u>	<u>DISPOSITION</u>								
	<u>GUILTY</u>		<u>NOT GUILTY</u>		<u>DISM.-PLC*</u>		<u>DISMISSED</u>		<u>TOTAL</u>
	<u>NO.</u>	<u>%</u>	<u>NO.</u>	<u>%</u>	<u>NO.</u>	<u>%</u>	<u>NO.</u>	<u>%</u>	
1984	935	84.9	2	0.2	30	2.7	134	12.2	1,101
1985	1,095	81.1	8	0.6	49	3.6	198	14.7	1,350
1986	1,259	81.0	2	0.1	30	1.9	264	17.0	1,555
TOTAL	3,289	82.1	12	0.3	109	2.7	596	14.9	4,006

<u>PENALTIES</u>					
<u>FINE</u>	<u>YEAR</u>	<u>NO. AND % FINED</u>		<u>AVERAGE</u>	<u>RANGE</u>
	1984	800	85.6	\$ 174	\$25-1,000
	1985	880	80.4	\$ 181	\$50-1,000
	1986	1,053	83.6	\$ 195	\$35-1,550
<u>LIC. SUSP.</u>	<u>YEAR</u>	<u>NO. AND % LIC. SUSPENDED</u>		<u>AVERAGE</u>	<u>RANGE</u>
	1984	76	8.1	247 Days	60-675 Days
	1985	107	9.8	337 Days	30-675 Days
	1986	149	11.8	329 Days	30-730 Days
<u>JAIL SENT.</u>	<u>YEAR</u>	<u>NO. AND % JAILED</u>		<u>AVERAGE</u>	<u>RANGE</u>
	1984	265	28.3	21 Days	1-364 Days
	1985	381	34.8	38 Days	1-365 Days
	1986	441	35.0	48 Days	1-999 Days

*DISM.-PLC: Dismissed for a plea of guilty to a lesser charge.
 999 Days = 5 Years

DISTRICT COURTS: DISPOSITION OF OAS CASES

Maine District Courts disposed of ninety-four percent of the OAS cases adjudicated during the last five years (1982-1986). The number of cases adjudicated in 1986 was about one and a half times as many as the number adjudicated in 1982. Conviction rates steadily increased during the past five years -- with the difference between 1982 and 1986 being about 15.0 percent -- increasing from 68.7 to 84.1 percent (Fig. II-4).



Based on data contained in annual OUI reports covering the last five years, 23,175 OAS cases were adjudicated by District Courts. The overall conviction rate was 79.7 percent (18,474 convictions). The five-year dismissal rate was 19.5 percent (4,519 cases).

Compared with 1982, District Courts imposed fines, extended license suspension periods and imposed jail sentences less frequently in 1986 OAS convictions. The average fine and license suspension imposed in 1986 was less than in 1982. However, the average jail term in 1986 was more than triple the average in 1982, 36 days vs. 11 days (Fig. II-5).

Figure II-5

DISPOSITION OF OAS CASES AND PENALTIES IMPOSED BY DISTRICT COURTS (1982-1986)

<u>YEAR</u>	<u>DISPOSITION</u>									
	<u>GUILTY</u>		<u>NOT GUILTY</u>		<u>DISM.-PLC*</u>		<u>DISMISSED</u>		<u>TOTAL</u>	
	<u>NO.</u>	<u>%</u>	<u>NO.</u>	<u>%</u>	<u>NO.</u>	<u>%</u>	<u>NO.</u>	<u>%</u>		
1982	2,696	68.7	77	2.0	335	8.5	815	20.8	3,923	
1983	2,708	75.9	28	0.8	120	3.4	713	19.9	3,569	
1984	3,513	82.5	21	0.5	114	2.7	609	14.3	4,257	
1985	4,452	83.0	33	0.6	122	2.3	759	14.1	5,366	
1986	5,105	84.1	27	0.4	100	1.6	832	13.7	6,064	
TOTAL	18,474	79.7	186	0.8	791	3.4	3,728	16.1	23,175	

PENALTIES

<u>FINE</u>	<u>YEAR</u>	<u>NO. AND % FINED</u>		<u>AVERAGE</u>	<u>RANGE</u>
	1982	2,582	95.8	\$ 214	\$25-1,000
	1983	2,462	90.9	\$ 120	\$25-1,000
	1984	3,260	92.8	\$ 118	\$25-1,000
	1985	4,074	91.5	\$ 127	\$25-1,000
	1986	4,700	92.1	\$ 132	\$25-1,550

<u>LIC. SUSP.</u>	<u>YEAR</u>	<u>NO. AND % LIC. SUSPENDED</u>		<u>AVERAGE</u>	<u>RANGE</u>
	1982	174	6.5	301 Days	7-1096 Days
	1983	94	3.5	284 Days	1-365 Days
	1984	107	3.1	199 Days	20-675 Days
	1985	152	3.4	277 Days	20-730 Days
	1986	239	4.7	237 Days	5-730 Days

<u>JAIL SENT.</u>	<u>YEAR</u>	<u>NO. AND % JAILED</u>		<u>AVERAGE</u>	<u>RANGE</u>
	1982	419	15.5	11 Days	1-184 Days
	1983	320	15.3	18 Days	1-364 Days
	1984	353	10.1	17 Days	1-181 Days
	1985	622	14.0	28 Days	1-999 Days
	1986	655	12.8	37 Days	1-999 Days

*DISM.-PLC: Dismissed for a plea of guilty to a lesser charge.
999 Days = 5 Years

OUI-RELATED OAS CASES: District Courts

Since 1984, fifteen percent of the OAS cases adjudicated by District Courts were OUI-related OAS's (3,428 cases). Cases adjudicated in 1986 represent about a 30.0 percent increase over 1984. The findings of the Courts are summarized below, based upon statistics shown in Fig. II-6.

- **Convictions:** Conviction rates have fluctuated, ranging from 82.2 percent (1985) to 85.9 percent (1984). The overall conviction rate for the three-year period was 84.1 percent. The actual number of OUI-related OAS convictions have increased by about 25.0 percent since 1984.
- **Dismissals:** Dismissal rates have also fluctuated during the last three years, increasing in 1985 and then decreasing slightly in 1986. The dismissal rate for the three-year period was 15.6 percent. The actual number of cases dismissed in 1986 represents about a 40.0 percent increase over 1984 dismissals.
- **Penalties:** Courts imposed jail sentences and extended license suspension periods more frequently in 1986 than in 1984, fines were imposed less frequently in 1986.

Overall, the average penalties in 1986 were more severe than in 1984. The average fine in 1986 was \$22 greater, the average license suspension was 81 days longer, and the average jail term in 1986 was more than double the 1984 average (42 vs. 19 days). During this three-year period, fines ranged from \$25 (1984) to \$1550 (1986), license suspensions ranged from 30 days (1985-86) to 730 days (1986), and jail terms ranged from one day (1984-1986) to five years (1986).

Additional OAS statistics pertaining to findings of District Courts may be found in Appendix B. Figure B-1 presents combined OAS statistics, i.e., OUI-related and not OUI-related cases. Statistics in Figure B-2 are OUI-related OAS cases only, and Figure B-3 deals with OAS cases that were not OUI-related.

Figure II-6

OUI-RELATED OAS CASES: DISPOSITION AND PENALTIES IMPOSED
BY DISTRICT COURTS (1984-1986)

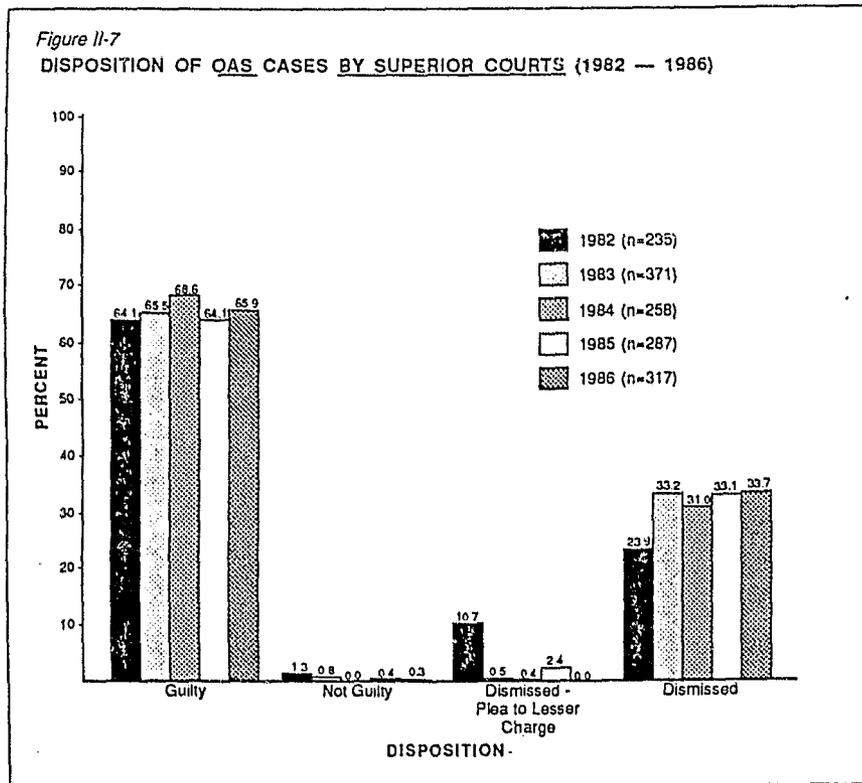
<u>YEAR</u>	<u>DISPOSITION</u>								
	<u>GUILTY</u>		<u>NOT GUILTY</u>		<u>DISM.-PLC*</u>		<u>DISMISSED</u>		<u>TOTAL</u>
	<u>NO.</u>	<u>%</u>	<u>NO.</u>	<u>%</u>	<u>NO.</u>	<u>%</u>	<u>NO.</u>	<u>%</u>	
1984	840	85.9	2	0.2	30	3.1	106	10.8	978
1985	994	82.2	7	0.6	46	3.8	162	13.4	1,209
1986	1,050	84.6	1	0.1	30	2.4	160	12.8	1,241
TOTAL	2,884	84.1	10	0.3	106	3.1	428	12.5	3,428

<u>PENALTIES</u>					
<u>FINE</u>	<u>YEAR</u>	<u>NO. AND % FINED</u>		<u>AVERAGE</u>	<u>RANGE</u>
	1984	740	88.1	\$ 169	\$25-1,000
	1985	819	82.4	\$ 176	\$50-1,000
	1986	897	85.4	\$ 191	\$35-1,550
<u>LIC.</u>	<u>YEAR</u>	<u>NO. AND % LIC.</u>		<u>AVERAGE</u>	<u>RANGE</u>
<u>SUSP.</u>	<u>YEAR</u>	<u>SUSPENDED</u>		<u>AVERAGE</u>	<u>RANGE</u>
	1984	69	8.2	251 Days	60-675 Days
	1985	97	9.8	334 Days	30-675 Days
	1986	128	12.2	332 Days	30-730 Days
<u>JAIL</u>	<u>YEAR</u>	<u>NO. AND % JAILED</u>		<u>AVERAGE</u>	<u>RANGE</u>
<u>SENT.</u>	<u>YEAR</u>	<u>NO. AND % JAILED</u>		<u>AVERAGE</u>	<u>RANGE</u>
	1984	216	25.7	19 Days	1-180 Days
	1985	315	31.7	36 Days	1-364 Days
	1986	349	33.2	42 Days	1-999 Days

*DISM.-PLC: Dismissed for a plea of guilty to a lesser charge.
999 Days = 5 Years

SUPERIOR COURTS: DISPOSITION OF OAS CASES

During the last five years, Maine Superior Courts adjudicated about 6.0 percent of the OAS cases reported upon in annual OUI reports. As depicted in Fig. II-7, conviction and dismissal rates have fluctuated from one year to another. Overall, about two-thirds of the OAS cases adjudicated in Superior Courts resulted in a conviction.



In 1986 OAS convictions, fines and jail sentences were imposed less frequently than in 1982. Over the five-year period, sentencing practices have been mixed. For example, in 1982 fines were imposed in 79.3 percent of the OAS convictions, dropping to 66.9 percent in 1985, and increasing to 74.6 percent of the convictions in 1986. A similar pattern was found with jail sentences. The percentage of convictions which included a jail term as part of the sentence decreased in 1983 and again in 1984, increased in 1985, then decreased again in 1986. Licenses were suspended during the last five years in a similar erratic fashion. Fines were imposed with greatest frequency, jail terms with somewhat less frequency, and licenses were suspended infrequently.

The average 1986 fine was \$77 greater than in 1982, but the license suspension period was 25 days shorter. The severity of fines steadily decreased through 1984, then increased in 1985, and increased again in 1986. License suspensions dropped to an average of 208 in 1984, peaked in 1985 (342 days), then dropped to an average of 309 days in 1986.

The average jail term increased steadily during the past five years, with the 1986 average jail sentence being more than double the 1982 average (70 vs. 33 days). OAS statistics concerning disposition of OAS cases and penalties imposed by Superior Courts are presented in Fig. II-8.

OUI-RELATED OAS CASES: Superior Courts

Since 1984, about 40.0 percent of the OAS cases adjudicated in Superior Courts were OUI-related OAS's. Superior Courts adjudicated two and a half times the number of OUI-related cases in 1986 as they did in 1984 (314 vs. 123 cases). The findings of the Courts for the three-year period are contained in Figure II-9. The following is a summary of those statistics.

- **Convictions:** Although the actual number of convictions more than doubled from 1984 to 1986, conviction rates declined each year by about five percent. The three-year conviction rate was 70.1 percent.
- **Dismissals:** The number of cases dismissed in 1986 was more than triple the number dismissed in 1984. The dismissal rate in 1986 was about 10.0 percent greater than in 1984.
- **Penalties:** Fines and license suspensions were most frequently imposed in 1986, 74.6 percent and 10.0 percent, respectively. Jail terms were imposed most frequently in 1985 (65.3%) and least often in 1986 (44.0%).

The average fine in 1986 was \$23 less than in 1984, and \$33 less than in 1985. The average suspension in 1986 was 104 days longer than in 1984, but it was 56 days shorter than the average license suspension in 1985. The average jail sentence in 1986 was more than double the average term in 1984 (70 vs. 33 days).

During the three-year period, fines in OUI-related OAS cases ranged from \$25 (1984) to \$750 (1986), license suspensions ranged from 30 to 365 days (1986), and jail sentences ranged from one day to five years (1986).

Additional Superior Court statistics for 1986 are presented in Appendix B. Figure B-4 contains a combined OAS count, i.e., OUI-related and other OAS cases, Figure B-5 contains OUI-related OAS data only, and Figure B-6 are other OAS statistics (not OUI-related OAS's).

Figure II-8

DISPOSITION OF OAS CASES AND PENALTIES IMPOSED BY SUPERIOR COURTS (1982-1986)

YEAR	DISPOSITION								
	GUILTY		NOT GUILTY		DISM.-PLC*		DISMISSED		TOTAL
	NO.	%	NO.	%	NO.	%	NO.	%	
1982	150	64.1	3	1.3	25	10.7	56	23.9	234
1983	243	65.5	3	0.8	2	0.5	123	33.2	371
1984	177	68.6	0	0.0	1	0.4	80	31.0	258
1985	184	64.1	1	0.4	7	2.4	95	33.1	287
1986	209	65.9	1	0.3	0	0.0	107	33.7	317
TOTAL	963	65.6	8	0.6	35	2.4	461	31.4	1,467

PENALTIES

<u>FINE</u>	<u>YEAR</u>	<u>NO. AND % FINED</u>		<u>AVERAGE</u>	<u>RANGE</u>
	1982	119	79.3	\$ 296	\$50-600
	1983	176	72.4	\$ 223	\$50-750
	1984	130	73.4	\$ 205	\$25-800
	1985	123	66.9	\$ 216	\$50-500
	1986	156	74.6	\$ 219	\$50-750
<u>LIC. SUSP.</u>	<u>YEAR</u>	<u>NO. AND % LIC. SUSPENDED</u>		<u>AVERAGE</u>	<u>RANGE</u>
	1982	12	8.0	334 Days	90-548 Days
	1983	18	7.4	220 Days	30-365 Days
	1984	8	4.5	208 Days	90-225 Days
	1985	12	6.5	342 Days	90-365 Days
	1986	21	10.1	309 Days	30-365 Days
<u>JAIL SENT.</u>	<u>YEAR</u>	<u>NO. AND % JAILED</u>		<u>AVERAGE</u>	<u>RANGE</u>
	1982	70	46.7	33 Days	2-335 Days
	1983	99	40.7	36 Days	2-364 Days
	1984	63	35.6	38 Days	2-364 Days
	1985	97	52.7	52 Days	2-365 Days
	1986	92	44.0	70 Days	1-999 Days

*DISM.-PLC: Dismissed for a plea of guilty to a lesser charge.
 999 Days = 5 Years

Figure II-9

OUI-RELATED OAS CASES: DISPOSITION AND PENALTIES IMPOSED
BY SUPERIOR COURTS (1982-1986)

YEAR	DISPOSITION									
	GUILTY		NOT GUILTY		DISM.-PLC*		DISMISSED		TOTAL	
	NO.	%	NO.	%	NO.	%	NO.	%		
1984	95	77.2	0	0.0	0	0.0	28	22.8	123	
1985	101	71.6	1	0.7	3	2.1	36	25.5	141	
1986	209	66.5	1	0.3	0	0.0	104	33.1	314	
TOTAL	405	70.1	2	0.4	3	0.5	168	29.0	578	

PENALTIES					
FINE	YEAR	NO. AND % FINED		AVERAGE	RANGE
	1984	60	63.2	\$ 242	\$25-600
	1985	61	60.4	\$ 252	\$50-500
	1986	156	74.6	\$ 219	\$50-750
LIC. SUSP.	YEAR	NO. AND % LIC. SUSPENDED		AVERAGE	RANGE
	1984	7	7.4	205 Days	90-225 Days
	1985	10	9.9	365 Days	365-365 Days
	1986	21	10.0	309 Days	30-365 Days
JAIL SENT.	YEAR	NO. AND % JAILED		AVERAGE	RANGE
	1984	79	51.6	33 Days	2-364 Days
	1985	66	65.3	44 Days	2-365 Days
	1986	92	44.0	70 Days	1-999 Days

*DISM.-PLC: Dismissed for a plea of guilty to a lesser charge.
999 Days = 5 Years

III. OPERATING AFTER HABITUAL OFFENDER REVOCATION

FIVE-YEAR OVERVIEW (1982-1986)

Disposition of All HO Cases (1982-1986)

- 2,181 - HO Cases Adjudicated (Based on Annual OUI Reports)
436 - Average Number of HO Cases Adjudicated Per Year

- 1,511 - HO Convictions
503 - Average Number of HO Convictions Per Year

- 69.3% - Five-Year HO Conviction Rate
55.6% - Lowest HO Conviction Rate (1982)
78.2% - Highest HO Conviction Rate (1984)

- 652 - HO Dismissals (111 Dismissals for a Plea to a Lesser Charge and 541 Dismissals)
130 - Average Number of HO Dismissals Per Year

- 29.9% - Five-Year HO Dismissal Rate
21.3% - Lowest HO Dismissal Rate (1984)
42.1% - Highest HO Dismissal Rate (1982)

Disposition of OUI-Related HO Cases (1984-1986)

- 910 - OUI-Related HO Cases Adjudicated
303 - Average Number of OUI-related HO Cases Adjudicated Per Year
65.4% - Percentage of All HO Cases Adjudicated (1984-1986)

- 639 - OUI-Related HO Convictions
213 - Average Number of OUI-Related HO Convictions Per Year

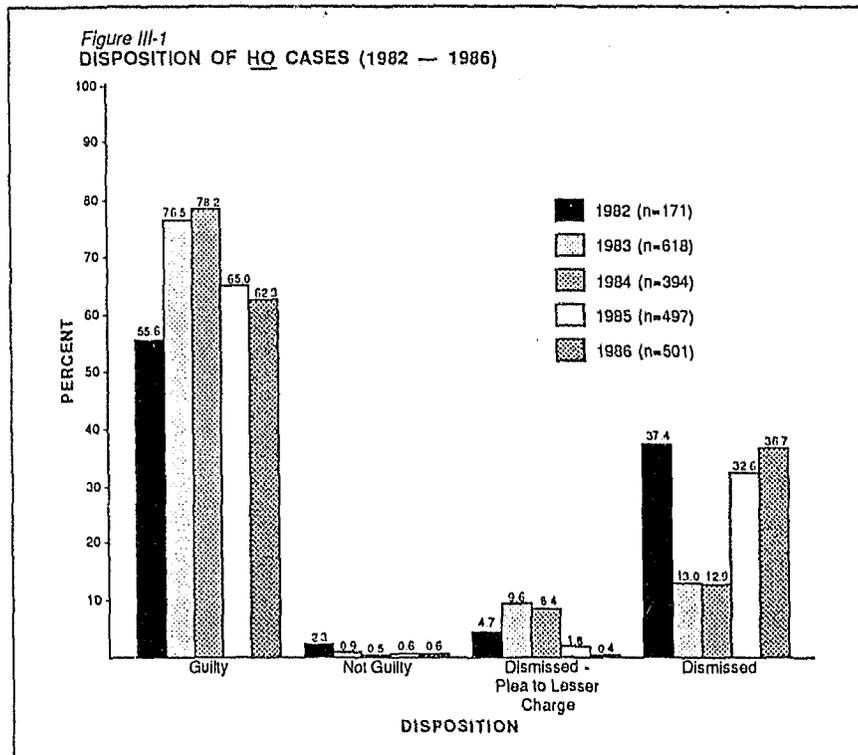
- 70.2% - Three-Year Conviction Rate
66.3% - Lowest Conviction Rate (1985)
79.7% - Highest Conviction Rate (1984)

- 267 - OUI-Related HO Dismissals (27 Dismissals for a Plea to a Lesser Charge and 240 Dismissals)
89 - Average Number of OUI-Related HO Cases Dismissed Per Year

- 29.4% - Three-Year Dismissal Rate
19.9% - Lowest OUI-Related HO Dismissal Rate
33.2% - Highest OUI-Related Ho Dismissal Rate (1986)

STATEWIDE DISPOSITION OF HO CASES

An apparent from Fig. III-1, The HO conviction rate peaked in 1984, decreased substantially in 1985, and then declined slightly in 1986. Dismissal rates for a plea of guilty to a lesser charge followed a similar pattern, but peaked in 1983, and then declined steadily each year thereafter. The straight dismissal rate was highest in 1982, dropped to the lowest rate in 1984, and then increased in 1985 and 1986 to 32.6 and 36.7 percent, respectively.



Data for the last five years indicate that an HO conviction will very likely result in a jail sentence and maybe a fine, but sentencing will least likely include an additional license suspension period.

As apparent from the data in Fig. III-2, fines were imposed in as many as 29.5 percent of the HO convictions (1982) and in as few as 15.2 percent (1985). Annual averages ranged from \$361 (1984) to \$539 (1985), with actual fines ranging from \$50 (1983-1984) to \$2,000 (1985).

License suspensions were extended in 8.8 percent of the 1984 HO convictions and in only 1.1 percent in 1982. Annual averages have increased since 1982 -- in 1986 the average was 365, double the 1982 average. Actual license suspensions imposed by Courts have ranged from 20 days (1984) to 365 days (also in 1984).

Sentencing included a jail term in as many as 96.2 percent of the HO convictions (1986), and in as few as 61.1 (1982). Annual averages during the past five years have ranged from 70 days (1982) to 284 (1986); with actual sentences ranging from one day (1983-1985) to five years (1983-1986).

Figure III-2

DISPOSITION OF HO CASES AND PENALTIES IMPOSED BY COURTS (1982 - 1986)

<u>YEAR</u>	<u>DISPOSITION</u>								
	<u>GUILTY</u>		<u>NOT GUILTY</u>		<u>DISM.-PLC*</u>		<u>DISMISSED</u>		<u>TOTAL</u>
	<u>NO.</u>	<u>%</u>	<u>NO.</u>	<u>%</u>	<u>NO.</u>	<u>%</u>	<u>NO.</u>	<u>%</u>	
1982	95	55.6	4	2.3	8	4.7	64	37.4	171
1983	473	76.5	6	0.9	59	9.6	80	13.0	618
1984	308	78.2	2	0.5	33	8.4	51	12.9	394
1985	323	65.0	3	0.6	9	1.8	162	32.6	497
1986	312	62.3	3	0.6	2	0.4	184	36.7	501
TOTAL	1,511	69.3	18	0.8	111	5.1	541	24.8	2,181

PENALTIES

<u>FINE</u>	<u>YEAR</u>	<u>NO. AND % FINED</u>		<u>AVERAGE</u>	<u>RANGE</u>
	1982	28	29.5	\$ 529	\$100-1,000
	1983	81	17.1	\$ 422	\$ 50-1,000
	1984	59	19.2	\$ 361	\$ 50- 500
	1985	49	15.2	\$ 539	\$100-2,000
	1986	78	25.0	\$ 463	\$ 75-1,500
<u>LIC. SUSP.</u>	<u>YEAR</u>	<u>NO. AND % LIC. SUSPENDED</u>		<u>AVERAGE</u>	<u>RANGE</u>
	1982	1	1.1	183 Days	183-183 Days
	1983	24	5.1	183 Days	60-365 Days
	1984	27	8.8	198 Days	20-675 Days
	1985	5	1.6	365 Days	365-365 Days
	1986	11	3.5	365 Days	365-365 Days
<u>JAIL SENT.</u>	<u>YEAR</u>	<u>NO. AND % JAILED</u>		<u>AVERAGE</u>	<u>RANGE</u>
	1982	58	61.1	70 Days	2-365 Days
	1983	371	78.4	101 Days	1-999 Days
	1984	229	74.4	159 Days	1-999 Days
	1985	306	94.7	252 Days	1-999 Days
	1986	300	96.2	284 Days	5-999 Days

*DISM.-PLC: Dismissed for a plea of guilty to a lesser charge.
999 Days = 5 Years

STATEWIDE DISPOSITION OF OUI-RELATED HO CASES

As with OAS data, OUI-related HO statistics have been included in annual OUI reports since 1984. Information for the three-year period is presented in Fig. III-3, with the major observations summarized below.

- In 1986, Maine Courts adjudicated 31.4 percent more OUI-related HO cases than in 1984.
- The 1986 conviction rate was 13.2 percent lower than in 1984. The actual number of convictions increased by about 10.0 percent in 1986 compared to 1984.
- Fines were imposed more often in 1986 than in 1984 (23.7% vs. 15.4%) and the average fine was more severe. Actual fines imposed during the three years ranged from \$50 (1984) to \$2,000 (1985-86).
- License suspensions (additional) were imposed less often in 1986 than in 1984 (4.0% vs. 11.1%), but the average suspension period in 1986 was more than double the 1984 average. License suspensions over the least three years, in 36 convictions, ranged from 60 days (1984) to two years (1986).
- Sentencing included a jail term in 97.8 percent of the 1986 HO convictions, representing an increase of 18.5 percent compared to 1984. The average jail sentence in 1986 was 130 days longer than in 1984. Jail terms during the last three years ranged from two days (1984) to five years (1984-86).

Figure III-3

OUI-RELATED HO CASES: DISPOSITION AND PENALTIES (1984-1986)

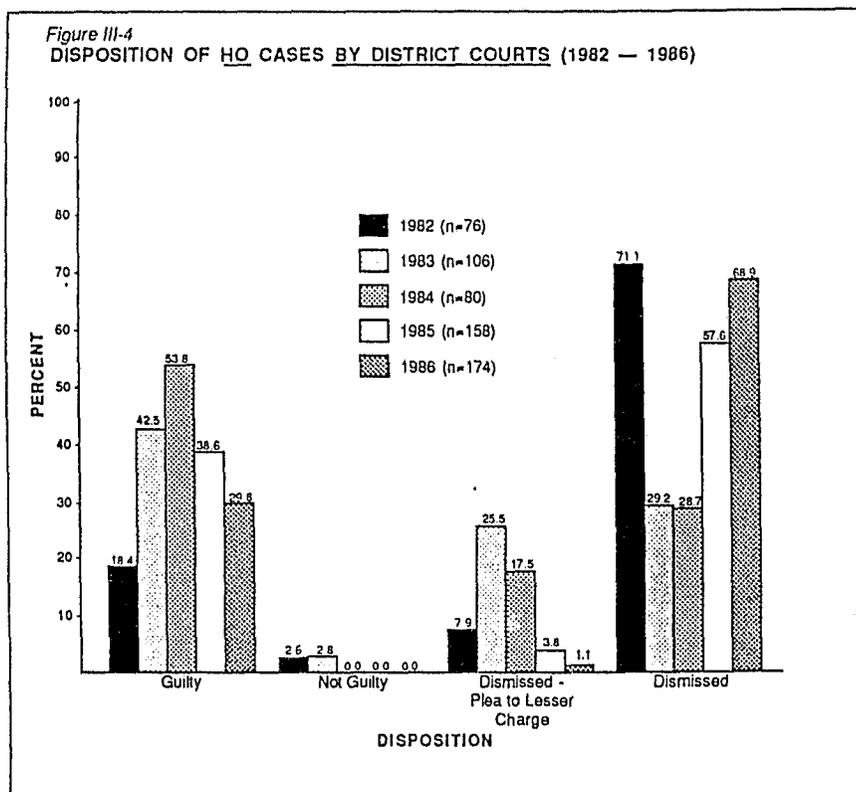
<u>YEAR</u>	<u>DISPOSITION</u>								
	<u>GUILTY</u>		<u>NOT GUILTY</u>		<u>DISM.-PLC*</u>		<u>DISMISSED</u>		<u>TOTAL</u>
	<u>NO.</u>	<u>%</u>	<u>NO.</u>	<u>%</u>	<u>NO.</u>	<u>%</u>	<u>NO.</u>	<u>%</u>	
1984	208	79.7	1	0.4	23	8.8	29	11.1	261
1985	203	66.3	2	0.7	3	1.0	98	32.0	306
1986	228	66.5	1	0.3	1	0.3	113	32.9	343
TOTAL	639	70.2	4	0.4	27	3.0	240	26.4	910

<u>PENALTIES</u>					
<u>FINE</u>	<u>YEAR</u>	<u>NO. AND % FINED</u>		<u>AVERAGE</u>	<u>RANGE</u>
	1984	32	15.4	\$ 342	\$ 50- 500
	1985	25	12.3	\$ 632	\$250-2,000
	1986	54	23.7	\$ 457	\$200-2,000
<u>LIC. SUSP.</u>	<u>YEAR</u>	<u>NO. AND % LIC. SUSPENDED</u>		<u>AVERAGE</u>	<u>RANGE</u>
	1984	23	11.1	208 Days	60-675 Days
	1985	4	2.0	365 Days	365-365 Days
	1986	9	4.0	486 Days	365-730 Days
<u>JAIL SENT.</u>	<u>YEAR</u>	<u>NO. AND % JAILED</u>		<u>AVERAGE</u>	<u>RANGE</u>
	1984	165	79.3	166 Days	2-999 Days
	1985	195	96.1	146 Days	5-999 Days
	1986	223	97.8	296 Days	5-999 Days

*DISM.-PLC: Dismissed for a plea of guilty to a lesser charge.
 999 Days = 5 Years

DISTRICT COURTS: DISPOSITION OF HO CASES

Thirty-five percent of the 1986 HO cases were adjudicated in Maine District Courts. As apparent from Fig. III-4, only 29.8 percent of the 174 cases adjudicated resulted in a conviction, with 70.0 percent being dismissed.



The 1986 HO Conviction rate was the second lowest rate during the last five years -- the lowest rate was in 1982 (18.4%). The 1982 and 1986 conviction rates were both below the five-year average of 36.2 percent.

In only 25.0 percent of the 1986 HO convictions defendants were fined, compared to 71.4 percent in 1982. Average fines fluctuated during the last five year, increasing or decreasing each year. The actual fines imposed ranged from \$100 (1982-1984 and 1986) to \$1,000 (1982-83 and 1985-86).

Jail terms were imposed most often, ranging from 57.1 percent of the convictions (1982) to 93.4 percent (1985). The severity of jail sentences have fluctuated from one year to another, with annual averages ranging from 42 days (1982) to 206 days (1985). In both 1985 and 1986, five-year jail sentences were imposed by District Courts.

OUI-RELATED HO CASES: District Courts

During the past three years, 62.6 percent of the HO cases adjudicated by District Courts were OUI-related HO cases (258). The number of HO cases adjudicated in District Courts more than doubled from 1984 to 1986. Data for the past three years are presented in Fig. III-6. The following is a summary of court findings and penalties imposed in OUI-related HO cases.

- Convictions: Annual conviction rates steadily declined during the past three years, decreasing by about 23.0 percent since 1984 (55.1% vs. 32.7%). The number of convictions increased by about 37.0 percent from 1984 to 1986.
- Dismissals. Annual dismissal rates and the actual number of dismissals have both increased since 1984. The dismissal rate increased from 44.9 to 67.1 percent, and the number of cases dismissed more than tripled from 1984 to 1986.
- Penalties: Fines were not imposed in more than 27.0 percent of the convictions during any reporting period, and licenses were not suspended in more than about 15.0 percent. Jail sentences were imposed most frequently, 89.2 percent in 1986 and about 92.0 percent in 1984 and 1985.

Fines ranged from \$250 (1985) to \$1,000 (1984 and 1986), license suspensions ranged from 90 days (1984) to one year (1985-86), and jail sentences ranged from four days (1984) to five years (1986).

Additional information concerning the disposition of 1986 HO cases by District Courts may be found in Appendix C. Figure C-1 contains a total count of HO cases adjudicated. Figures C-2 and C-3 are a breakdown of the total count: statistics concerning OUI-related HO cases (Figure C-2) and statistics for other than OUI-related HO cases (Figure C-3).

Figure III-5

DISPOSITION OF HO CASES AND PENALTIES IMPOSED BY DISTRICT COURTS
(1982 - 1986)

YEAR	DISPOSITION								
	GUILTY		NOT GUILTY		DISM.-PLC*		DISMISSED		TOTAL
	NO.	%	NO.	%	NO.	%	NO.	%	
1982	14	18.4	2	2.6	6	7.9	54	71.1	76
1983	45	42.5	3	2.8	27	25.5	31	29.2	106
1984	43	53.8	0	0.0	14	17.5	23	28.7	80
1985	61	38.6	0	0.0	6	3.8	91	57.6	158
1986	52	29.8	0	0.0	2	1.1	120	68.9	174
TOTAL	215	36.2	5	0.8	55	9.3	319	53.7	594

PENALTIES					
FINE	YEAR	NO. AND % FINED		AVERAGE	RANGE
	1982	10	71.4	\$ 415	\$100-1,000
	1983	15	33.3	\$ 496	\$100-1,000
	1984	11	25.6	\$ 359	\$100- 500
	1985	15	24.6	\$ 523	\$250-1,000
	1986	13	25.0	\$ 430	\$100-1,000
LIC. SUSP.	YEAR	NO. AND % LIC. SUSPENDED		AVERAGE	RANGE
	1982	1	7.1	183 Days	183-183 Days
	1983	1	2.2	90 Days	90- 90 Days
	1984	5	11.6	157 Days	20-225 Days
	1985	1	1.6	365 Days	365-365 Days
	1986	4	7.7	365 Days	365-365 Days
JAIL SENT.	YEAR	NO. AND % JAILED		AVERAGE	RANGE
	1982	8	57.1	42 Days	10- 75 Days
	1983	33	73.3	101 Days	7-548 Days
	1984	35	81.4	75 Days	4-540 Days
	1985	57	93.4	206 Days	6-999 Days
	1986	46	88.5	157 Days	7-999 Days

*DISM.-PLC: Dismissed for a plea of guilty to a lesser charge.
999 Days = 5 Years

Figure III-6

OUI-RELATED HO CASES: DISPOSITION AND PENALTIES IMPOSED BY DISTRICT COURTS (1984-1986)

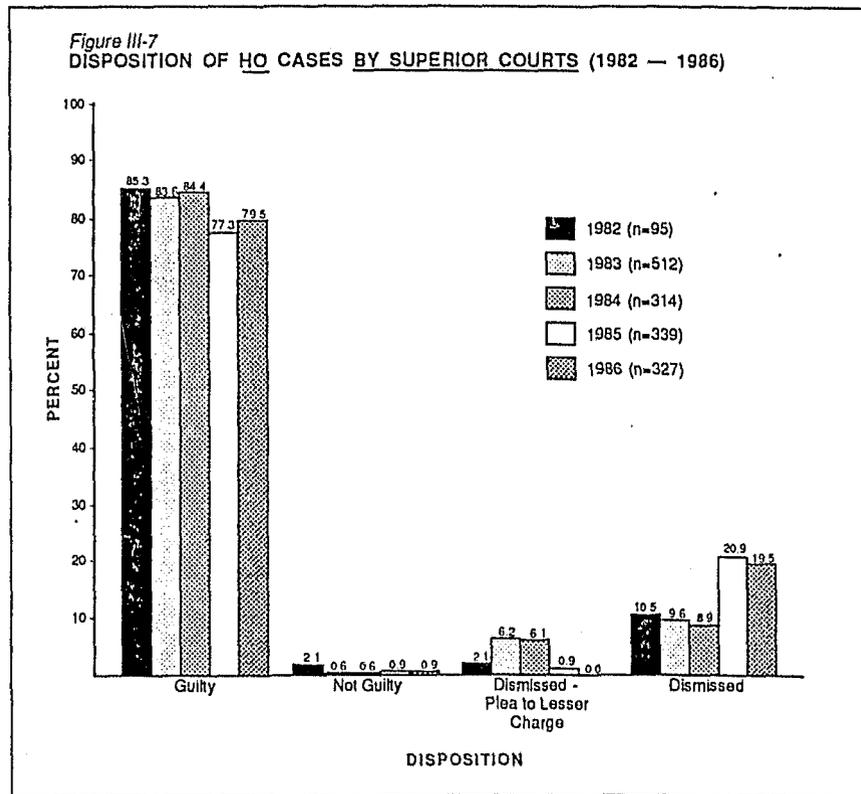
<u>YEAR</u>	<u>DISPOSITION</u>									
	<u>GUILTY</u>		<u>NOT GUILTY</u>		<u>DISM.-PLC*</u>		<u>DISMISSED</u>		<u>TOTAL</u>	
	<u>NO.</u>	<u>%</u>	<u>NO.</u>	<u>%</u>	<u>NO.</u>	<u>%</u>	<u>NO.</u>	<u>%</u>		
1984	27	55.1	0	0.0	7	14.3	15	30.6	49	
1985	39	40.6	0	0.0	2	2.1	55	57.3	96	
1986	37	32.7	0	0.0	1	0.8	75	66.3	113	
TOTAL	103	39.9	0	0.0	10	3.9	145	56.2	258	

<u>PENALTIES</u>					
<u>FINE</u>	<u>YEAR</u>	<u>NO. AND % FINED</u>		<u>AVERAGE</u>	<u>RANGE</u>
	1984	5	18.5	\$ 390	\$500- 500
	1985	10	25.6	\$ 570	\$250-1,000
	1986	10	27.0	\$ 505	\$350-1,000
<u>LIC. SUSP.</u>	<u>YEAR</u>	<u>NO. AND % LIC. SUSPENDED</u>		<u>AVERAGE</u>	<u>RANGE</u>
	1984	4	14.8	191 Days	90-225 Days
	1984	1	2.6	365 Days	365-365 Days
	1986	3	8.1	365 Days	365-365 Days
<u>JAIL SENT.</u>	<u>YEAR</u>	<u>NO. AND % JAILED</u>		<u>AVERAGE</u>	<u>RANGE</u>
	1984	25	92.6	84 Days	4-540 Days
	1985	36	92.3	171 Days	6-730 Days
	1986	33	89.2	193 Days	7-999 Days

*DISM.-PLC: Dismissed for a plea of guilty to a lesser charge.
 999 Days = 5 Years

SUPERIOR COURTS: DISPOSITION OF HO CASES

At the time this report was prepared, 501 HO cases having a 1986 violation date had been adjudicated. Sixty-five percent of the cases were adjudicated in Superior Courts. Conviction and dismissal rates have fluctuated during the past five years, with the pattern being an increase in the conviction rate followed by a decrease in the subsequent year, etc. This fluctuation is apparent in Fig. III-7.



As in District Courts, the 1986 HO conviction rate was the second lowest rate in five years, with the lowest rate being in 1985 (77.3%). The 1986 rate was also below the five-year average of 81.7 percent (Fig. III-8).

Upon conviction, fines were imposed most frequently in 1986 (25.0%) and least frequently in 1985 (13.0%). Average fines ranged from \$361 (1984) to \$592 (1982), and actual fines ranged from \$50 (1983-84) to \$2,000 (1985).

License suspensions have not been extended often during the past five years. In 1984, suspensions were extended in 8.3 percent of the convictions and in 1982, none were additionally suspended. The average license suspension in 1986 was most severe (521 days), as was the maximum imposed (2 years).

In 1986, sentencing included a jail term in 97.7 percent of the convictions. This rate was exceeded in 1982 when jail terms were imposed in 98.8 percent of the convictions. The average jail sentence has been steadily increasing since 1982, more than quadrupling by 1986 (73 vs. 307 days). During the last five years, jail sentences have ranged from a low of one day (1983-85) to five years (1983-86).

OUI-RELATED HO CASES: Superior Courts

Two-thirds of the HO cases adjudicated by Superior Courts during the past three years were OUI-related. The number adjudicated annually has not increased substantially. The number of cases adjudicated in 1986 represents about an 8.0 percent increase over 1984. Annual statistics covering 1984 through 1986 are presented in Fig. III-9, while the following summarizes those statistics.

- Convictions: Compared to 1984, the 1986 conviction rate was slightly lower (85.4 vs. 83.0%). It was, however, above the three-year average and the 1985 conviction rate.
- Dismissals: The 1986 dismissal rate was higher than the 1984 rate and the three-year average. It was, however, lower than the 1985 rate by about 5.0 percent.
- Penalties: In 1986, fines and jail terms were imposed most frequently (23.0% and 99.5%, respectively), and additional license suspensions were imposed least frequently (3.1%). Although, the actual percentages differ during previous reporting periods, the pattern was basically the same as in 1986.

Average fines have fluctuated from one year to another. In 1984, the average was \$333, in 1985 it was slightly more than double the 1984 average and then in 1986 it dropped to \$446. Actual fines during the three years ranged from \$50 (1984) to \$2,000 (1985).

Average license suspensions have steadily increased since 1984. By 1986, the average increased by two and a half times. License suspensions were extended, however, in only six of the 191 HO convictions in 1986. Actual suspensions ranged from 60 days (1984) to two years (1986).

The severity of jail terms increased each year. In 1984, the average sentence was 181 days. The average jail sentence in 1986 (314 days), represents an increase of 73.5 percent over 1984. In 1986, sentencing included a jail term much more often than in 1984 (99.5% vs. 77.3%).

Additional 1986 HO Superior Court statistics are contained in Appendix C of this report. Court findings and penalties are presented for each Superior Court as follows: Figure C-4 contains information concerning all HO cases combined as a total count; Figure C-5 contains statistics for OUI-related HO cases only; and Figure C-6 contains statistics for other (not OUI-related) HO cases.

Figure III-8

DISPOSITION OF HO CASES AND PENALTIES IMPOSED BY SUPERIOR COURTS
(1982 - 1986)

<u>YEAR</u>	<u>DISPOSITION</u>									
	<u>GUILTY</u>		<u>NOT GUILTY</u>		<u>DISM.-PLC*</u>		<u>DISMISSED</u>		<u>TOTAL</u>	
	<u>NO.</u>	<u>%</u>	<u>NO.</u>	<u>%</u>	<u>NO.</u>	<u>%</u>	<u>NO.</u>	<u>%</u>		
1982	81	85.3	2	2.1	2	2.1	10	10.5	95	
1983	428	83.6	3	0.6	32	6.2	49	9.6	512	
1984	265	84.4	2	0.6	19	6.1	28	8.9	314	
1985	262	77.3	3	0.9	3	0.9	71	20.9	339	
1986	260	79.5	3	0.9	0	0.0	64	19.5	327	
TOTAL	1,296	81.7	13	0.8	56	3.5	222	14.0	1,587	

<u>PENALTIES</u>					
<u>FINE</u>	<u>YEAR</u>	<u>NO. AND % FINED</u>		<u>AVERAGE</u>	<u>RANGE</u>
	1982	18	22.2	\$ 592	\$200-1,000
	1983	66	15.4	\$ 405	\$ 50-1,000
	1984	48	18.1	\$ 361	\$ 50-1,000
	1985	34	13.0	\$ 547	\$100-2,000
	1986	65	25.0	\$ 469	\$ 75-1,500
<u>LIC. SUSP.</u>	<u>YEAR</u>	<u>NO. AND % LIC. SUSPENDED</u>		<u>AVERAGE</u>	<u>RANGE</u>
	1982	NONE		000 Days	00-000 Days
	1983	23	5.4	207 Days	60-675 Days
	1984	22	8.3	207 Days	60-675 Days
	1985	4	1.5	365 Days	365-365 Days
	1986	7	2.7	521 Days	365-730 Days
<u>JAIL SENT.</u>	<u>YEAR</u>	<u>NO. AND % JAILED</u>		<u>AVERAGE</u>	<u>RANGE</u>
	1982	80	98.8	73 Days	2-365 Days
	1983	338	79.0	101 Days	1-999 Days
	1984	194	73.2	174 Days	1-999 Days
	1985	249	95.0	262 Days	1-999 Days
	1986	254	97.7	307 Days	5-999 Days

*DISM.-PLC: Dismissed for a plea of guilty at a lesser charge.
999 Days = 5 Years

Figure III-9

OUI-RELATED HO CASES: DISPOSITION AND PENALTIES IMPOSED BY SUPERIOR COURTS (1984 - 1986)

<u>YEAR</u>	<u>DISPOSITION</u>								
	<u>GUILTY</u>		<u>NOT GUILTY</u>		<u>DISM.-PLC*</u>		<u>DISMISSED</u>		<u>TOTAL</u>
	<u>NO.</u>	<u>%</u>	<u>NO.</u>	<u>%</u>	<u>NO.</u>	<u>%</u>	<u>NO.</u>	<u>%</u>	
1984	181	85.4	1	0.4	16	7.6	14	6.6	212
1985	164	78.1	2	0.9	1	0.5	43	20.5	210
1986	191	83.0	1	0.4	0	0.0	38	16.5	230
TOTAL	536	82.2	4	0.6	17	2.6	95	14.6	652

<u>PENALTIES</u>					
<u>FINE</u>	<u>YEAR</u>	<u>NO. AND % FINED</u>		<u>AVERAGE</u>	<u>RANGE</u>
	1984	27	14.9	\$ 333	\$ 50- 500
	1985	15	9.1	\$ 673	\$350-2,000
	1986	14	23.0	\$ 446	\$200-1,000
<u>LIC. SUSP.</u>	<u>YEAR</u>	<u>NO. AND % LIC. SUSPENDED</u>		<u>AVERAGE</u>	<u>RANGE</u>
	1984	19	10.5	212 Days	60-675 Days
	1985	3	1.8	365 Days	365-365 Days
	1986	6	3.1	547 Days	365-730 Days
<u>JAIL SENT.</u>	<u>YEAR</u>	<u>NO. AND % JAILED</u>		<u>AVERAGE</u>	<u>RANGE</u>
	1984	140	77.3	181 Days	2-999 Days
	1985	159	97.0	263 Days	1-999 Days
	1986	190	99.5	314 Days	5-999 Days

*DISM.-PLC: Dismissed for a plea of guilty at a lesser charge.
999 Days = 5 Years

APPENDIX A
1986 OUI STATISTICS

- Figure A-1 OUI: COURT FINDINGS AND PENALTIES BY DISTRICT COURT
- Figure A-2 FIRST OUI OFFENSE: COURT FINDINGS AND PENALTIES BY DISTRICT COURT
- Figure A-3 SECOND OUI OFFENSE: COURT FINDINGS AND PENALTIES BY DISTRICT COURT
- Figure A-4 THIRD OR SUBSEQUENT OUI: COURT FINDINGS AND PENALTIES BY DISTRICT COURT
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- Figure A-5 OUI: COURT FINDINGS AND PENALTIES BY SUPERIOR COURT
- Figure A-6 FIRST OUI OFFENSE: COURT FINDINGS AND PENALTIES BY SUPERIOR COURT
- Figure A-7 SECOND OUI OFFENSE: COURT FINDINGS AND PENALTIES BY SUPERIOR COURT
- Figure A-8 THIRD OR SUBSEQUENT OUI OFFENSE: COURT FINDINGS AND PENALTIES BY SUPERIOR COURT
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- Figure A-9 OUI: COURT FINDINGS AND PENALTIES BY DISTRICT COURT (JUVENILE CASES)
- Figure A-10 OUI: COURT FINDINGS AND PENALTIES BY SUPERIOR COURT (JUVENILE CASES)

Figure A-1

OUI: COURT FINDINGS AND PENALTIES BY DISTRICT COURT

(Violation Date: January 1 - December 31, 1986)

DISTRICT COURT (County) (Court)		COURT FINDINGS						PENALTIES														
		No. Cases	Dismissed No.	%	Dismissed Plea Lesser Charge No.	%	Not Guilty No.	%	Guilty No.	%	FINE				LICENSE SUSPENSION				JAIL SENTENCE			
											No. Fined	Avg. Fine	Range Low	High	No. Lic. Susp.	Avg. Lic. Susp. (Days)	Range Low	High	No. Jailed	Avg. Jail Sent. (Days)	Range Low	High
Androscoggin	Lewiston	355	1	.2				354	99.7	354	365	50	750	354	123	90	730	235	9	1	365	
	Livermore Falls	35						35	100.0	35	357	300	500	35	113	90	365	20	2	2	7	
Aroostook	Caribou	104	1	.9				103	99.0	103	379	300	1000	103	166	90	730	75	10	2	334	
	Fort Kent	41						41	100.0	41	381	300	750	41	192	90	730	31	18	2	90	
	Houlton	89	10	11.2		1	1.1	78	87.6	78	404	300	750	78	178	90	730	75	6	2	90	
	Madawaska	29	1	3.4				28	96.5	28	345	300	500	28	119	90	365	16	13	2	180	
	Presque Isle	179	2	1.1				177	98.8	177	407	300	750	177	190	90	730	166	7	2	180	
	Van Buren	7						7	100.0	7	357	300	500	7	168	90	365	5	2	2	5	
Cumberland	Bridgton	54	8	14.8	2	3.7		44	81.4	44	373	300	500	44	133	90	365	31	15	2	270	
	Brunswick	157	13	8.2	7	4.4	1	.6	136	86.6	136	366	300	750	136	113	90	130	88	5	2	90
	Portland	829	61	7.3	67	8.0	5	.6	696	83.9	694	361	200	850	695	129	45	730	430	7	2	364
Franklin	Farmington	43	1	2.3				42	97.6	42	460	300	750	42	144	90	730	34	15	2	180	
Hancock	Bar Harbor	71	15	21.1				56	78.8	56	348	300	500	56	121	90	365	37	3	2	20	
	Ellsworth	140	23	16.4	5	3.5	1	.7	111	79.2	110	383	300	750	111	133	90	730	78	5	2	45
Kennebec	Augusta	353	3	.8			2	.5	348	98.5	345	417	300	1000	347	185	90	730	281	19	2	364
	Waterville	213	7	3.2			3	1.4	203	95.3	202	432	250	2250	203	178	90	730	169	31	2	364
Knox	Rockland	153	4	2.6				149	97.3	149	399	300	1000	149	153	90	730	152	21	1	180	
Lincoln	Wiscasset	177	20	11.2				157	88.7	157	392	300	750	157	132	90	730	130	17	1	364	
Oxford	Rumford	82	5	6.0			1	1.2	76	92.6	76	367	300	500	76	122	90	365	58	5	2	60
	So. Paris	39	1	2.5	2	5.1			36	92.6	35	374	300	750	36	145	90	730	26	17	2	364
Penobscot	Bangor	511	35	6.8			4	.7	472	92.3	470	385	300	1000	472	149	90	730	400	9	2	364
	Lincoln	61	1	1.6					60	98.3	60	353	300	600	60	131	90	365	46	9	2	180
	Millinocket	74	4	5.4					70	94.5	70	371	250	750	70	160	90	730	54	22	2	270
	Newport	94	2	2.1					92	97.8	92	368	300	500	92	134	90	365	73	7	2	90
Piscataquis	Dover-Foxcroft	121	22	18.1	1	.8			98	80.9	98	372	250	1000	98	153	90	730	70	35	2	364
	Bath	93	5	5.3					88	94.6	88	378	300	750	88	131	90	730	67	22	2	364
Somerset	Skowhegan	105	5	4.7			1	.9	99	94.2	97	458	300	900	99	173	90	730	81	23	2	180
Waldo	Belfast	158	24	15.1	4	2.5			130	82.2	130	358	300	500	129	126	90	365	92	10	2	270
Washington	Calais	129	16	12.4	2	1.5			111	86.0	108	368	150	750	111	134	90	730	74	5	1	60
	Machias	119	8	6.7	2	1.6	1	.8	108	90.7	105	365	250	750	108	144	90	730	70	18	2	180
York	Biddeford	562	182	32.3	47	8.3	3	.5	330	58.7	330	375	250	750	330	134	90	730	251	5	1	364
	Kittery	366	59	16.1	5	1.3	8	2.1	294	80.3	294	371	300	750	294	127	90	730	236	6	1	364
	Springvale	265	55	20.7	25	9.4	1	.3	184	69.4	184	382	35	750	184	144	90	730	144	5	1	90
STATEWIDE		5808	594	10.2	167	2.8	34	.5	5013	86.3	4995	382	35	2250	5010	144	45	730	3781	12	1	365

Figure A-2 FIRST OUI OFFENSE: COURT FINDINGS AND PENALTIES BY DISTRICT COURT (Violation Date: January 1 - December 31, 1986)

DISTRICT COURT (County)	COURT FINDINGS										PENALTIES									
	No. Cases	Dismissed No.	Dismissed %	Plea Lesser Charge No.	Not Guilty No.	Guilty %	FINE			LICENSE SUSPENSION			JAIL SENTENCE							
							No. Fined	Avg. Fine	Range Low High	No. Lic. Susp.	Avg. Lic. Susp. (Days)	Range Low High	No. Jailed	Avg. Jail Sent. (Days)	Range Low High					
Androscoggin	294	1	-3			293	99.6	293	345	50	500	293	91	90	365	178	2	1	60	
Livermore Falls	31					31	100.0	31	348	300	500	31	98	90	365	18	2	2	7	
Caribou	82	1	1.2			81	98.7	81	324	300	600	81	100	90	365	55	3	2	60	
Fort Kent	32					32	100.0	32	323	300	500	32	98	90	365	22	6	2	90	
Houlton	67	8	11.9		1	58	86.5	58	360	300	500	58	115	90	365	55	2	2	10	
Madawaska	26	1	3.8			25	96.1	25	327	300	500	25	90	90	190	13	2	2	2	
Presque Isle	134					134	100.0	134	367	300	500	134	126	90	365	123	3	2	60	
Van Buren	5					5	100.0	5	300	300	300	5	90	90	90	4	2	2	2	
Cumberland	40	3	7.5	1	2.5	36	90.0	36	355	300	500	36	97	90	365	24	3	2	25	
Brunswick	143	12	8.3	5	3.4	125	87.4	125	354	300	500	125	95	90	365	79	4	2	90	
Portland	675	46	6.8	51	7.5	629	93.2	629	340	200	600	629	97	45	365	322	2	2	30	
Farmington	35	1	2.8			34	97.1	34	429	300	700	34	98	90	365	26	11	2	90	
Bar Harbor	58	8	13.7			50	86.2	50	330	300	450	50	91	90	120	31	2	2	20	
Ellsworth	111	16	14.4	5	4.5	88	80.2	88	352	300	750	88	93	90	365	58	3	2	45	
Augusta	250	2	.8			248	99.2	248	369	300	800	247	104	90	730	187	8	2	364	
Waterville	160	3	1.8			154	96.2	154	369	250	1550	154	105	90	730	120	16	2	364	
Rockland	122	4	3.2			118	96.7	118	373	300	500	118	110	90	365	102	8	1	60	
Wiscasset	149	14	9.3			135	90.6	135	368	300	500	135	92	90	365	108	5	1	60	
Rumford	69	4	5.7			64	92.7	64	352	300	500	64	94	90	365	47	3	2	60	
So. Paris	29	1	3.2	1	3.4	27	93.1	27	344	300	400	27	90	90	90	17	3	2	30	
Bangor	395	15	3.7			376	95.6	376	353	300	750	378	100	90	365	307	3	2	180	
Lincoln	51					51	100.0	51	331	300	600	51	95	90	365	37	6	2	60	
Millinocket	54	2	3.7			52	96.2	52	324	250	500	52	102	90	365	36	7	2	90	
Newport	72	2	2.7			70	97.2	70	346	300	500	70	101	90	365	53	4	2	90	
Dover-Foxcroft	96	19	19.7	1	1.0	76	79.1	76	325	250	750	76	94	90	365	48	11	2	364	
Sagadahoc	77	4	5.1			73	94.8	73	357	300	500	73	90	90	90	52	13	2	364	
Somerset	79	2	2.5			77	97.4	77	431	300	800	77	118	90	365	60	12	2	120	
Waldo	124	17	13.7	1	1.6	105	84.6	105	335	300	500	105	96	90	365	69	2	2	10	
Washington	109	12	11.0			95	87.1	92	338	150	650	95	92	90	365	58	3	1	60	
Machias	97	4	4.1	2	2.0	89	92.7	89	346	250	650	90	97	90	730	54	10	2	180	
Biddeford	459	147	32.0	38	8.2	272	59.2	272	355	250	600	272	98	90	365	203	2	1	7	
Kittery	308	44	14.2	4	1.2	255	82.7	255	355	300	700	255	97	90	365	200	3	1	180	
Springvale	213	49	23.0	16	7.5	148	69.4	148	354	35	500	148	96	90	365	110	3	1	90	
STATEWIDE	4646	442	9.5	126	2.7	4055	87.2	4044	353	35	1550	4053	99	45	730	2876	5	1	364	

Figure A-3

SECOND OUI OFFENSE: COURT FINDINGS AND PENALTIES BY DISTRICT COURT

(Violation Date: January 1 - December 31, 1986)

DISTRICT COURT (County) (Court)		COURT FINDINGS								PENALTIES												
		No. Cases	Dismissed		Dismissed Plea Lesser Charge		Not Guilty		Guilty		FINE				LICENSE SUSPENSION			JAIL SENTENCE				
			No.	%	No.	%	No.	%	No.	%	No. Fined	Avg. Fine	Range Low	Range High	No. Lic. Susp.	Avg. Lic. Susp. (Days)	Range Low	Range High	No. Jailed	Avg. Jail Sent. (Days)	Range Low	Range High
Androscoggin	Lewiston	55						55	100.0	55	455	300	750	55	276	90	730	52	22	2	365	
	Livermore Falls	4						4	100.0	4	425	350	500	4	227	90	365	2	7	7	7	
Aroostook	Caribou	16						16	100.0	16	493	300	1000	16	313	90	365	14	7	2	10	
	Fort Kent	7						7	100.0	7	542	300	750	7	469	365	730	7	43	7	180	
	Houlton	17						17	100.0	17	523	350	750	17	375	90	730	17	14	2	90	
	Madawaska	3						3	100.0	3	500	500	500	3	365	365	365	3	64	7	180	
	Presque Isle	35	1	2.8				34	97.1	34	513	300	750	34	372	90	730	34	14	2	180	
	Van Buren	2						2	100.0	2	500	500	500	2	365	365	365	1	5	5	5	
Cumberland	Bridgton	12	3	25.0	1	8.3		8	66.6	8	456	300	500	8	296	90	365	7	55	2	270	
	Brunswick	12	1	8.3	1	8.3		10	83.3	10	485	350	700	10	282	90	365	8	12	2	30	
	Portland	137	14	10.2	13	9.4	1	.7	109	79.5	108	444	250	750	109	273	90	730	95	15	2	330
Franklin	Farmington	7						7	100.0	7	571	400	750	7	286	90	365	7	10	5	21	
Hancock	Bar Harbor	11	5	45.4				6	54.5	6	500	500	500	6	365	365	365	6	7	7	7	
	Ellsworth	25	6	24.0				19	76.0	19	471	300	750	19	263	90	365	17	9	2	30	
Kennebec	Augusta	75	1	1.3			2	2.6	72	96.0	72	493	300	800	72	311	90	730	68	19	2	364
	Waterville	44	2	4.5				42	95.4	41	521	300	1550	42	353	90	730	42	41	2	364	
Knox	Rockland	28						28	100.0	28	489	350	1000	28	306	90	365	27	56	2	180	
Lincoln	Wiscasset	21	3	14.2				18	85.7	18	505	350	750	18	319	90	365	18	50	2	180	
Oxford	Rumford	12						12	100.0	12	445	300	500	12	273	90	365	11	12	2	60	
	So. Paris	9			1	11.1		8	88.8	7	435	350	600	8	261	90	365	8	4	2	8	
Penobscot	Bangor	94	10	10.6			2	2.1	82	87.2	82	489	300	1000	82	322	90	730	81	18	2	180
	Lincoln	10	1	10.0				9	90.0	9	477	300	500	9	334	90	365	9	44	2	180	
	Millinocket	17	2	11.7				15	88.2	15	493	300	750	15	297	90	365	15	24	2	90	
	Newport	19						19	100.0	19	428	300	500	19	234	90	365	17	13	2	45	
Piscataquis	Dover-Foxcroft	20	3	15.0				17	85.0	17	485	300	750	17	316	90	365	17	63	2	364	
Sagadahoc	Bath	13						13	100.0	13	461	300	500	13	301	90	365	13	41	2	180	
Somerset	Skowhegan	19	1	5.2				18	94.7	17	536	350	750	18	324	90	730	17	42	2	180	
Waldo	Belfast	24	3	12.5				21	87.5	21	459	300	500	20	268	90	365	19	8	2	45	
Washington	Calais	16	4	25.0				12	75.0	12	487	300	700	12	296	90	365	12	6	2	9	
	Machias	18	3	16.6				15	83.3	13	450	350	750	15	358	90	730	13	13	2	180	
York	Biddeford	87	28	32.1	8	9.1	1	1.1	50	57.4	50	449	300	700	50	267	90	365	46	6	1	60
	Kittery	46	12	26.0	1	2.1	2	4.3	31	67.3	31	448	300	750	31	282	90	730	28	14	1	180
	Springvale	44	5	11.3	8	18.1	1	2.2	30	68.1	30	455	300	750	30	279	90	730	28	6	1	30
STATEWIDE		959	108	11.2	3	3.4	9	.9	809	84.3	803	476	250	1550	808	303	90	730	759	22	1	365

Figure A-4

THIRD OR SUBSEQUENT OUI: COURT FINDINGS AND PENALTIES BY DISTRICT COURT

(Violation Date: January 1 - December 31, 1986)

DISTRICT COURT (County) (Court)		COURT FINDINGS								PENALTIES													
		No. Cases	Dismissed No.	%	Dismissed Plea Lesser Charge		Not Guilty		Guilty		FINE			LICENSE SUSPENSION			JAIL SENTENCE						
					No.	%	No.	%	No.	%	No. Fined	Avg. Fine	Range Low	Range High	No. Lic. Susp.	Avg. Lic. Susp. (Days)	Range Low	Range High	No. Jailed	Avg. Jail Sent. (Days)	Range Low	Range High	
Androscoggin	Lewiston	6						6	100.0	6	491	350	750	6	288	90	730	5	88	2	364		
	Livermore Falls																						
Aroostook	Caribou	6						6	100.0	6	808	600	1000	6	669	365	730	6	83	15	334		
	Fort Kent	2						2	100.0	2	750	750	750	2	730	730	730	2	75	60	90		
	Houlton	5	2	40.0				3	60.0	3	583	500	750	3	275	95	365	3	42	7	90		
	Madawaska																						
	Presque Isle	10	1	10.0				9	90.0	9	611	500	750	9	456	90	730	9	42	7	180		
	Van Buren																						
Cumberland	Bridgton	2	2	100.0																			
	Brunswick	2			1	50.0		1	50.0	1	750	750	750	1	730	730	730	1	60	60	60		
	Portland	17	1	5.8	3	17.6		13	76.4	13	588	350	850	13	357	90	730	13	86	2	364		
Franklin	Farmington	1						1	100.0	1	750	750	750	1	730	730	730	1	180	180	180		
Hancock	Bar Harbor	2	2	100.0																			
	Ellsworth	4	1	25.0				3	75.0	3	750	750	750	3	486	365	730	3	30	30	30		
Kennebec	Augusta	28						28	100.0	28	646	300	1000	28	566	90	730	26	102	2	364		
	Waterville	9	2	22.2				7	77.7	7	1292	750	2250	7	730	730	730	7	220	30	364		
Knox	Rockland	3						3	100.0	3	583	400	750	3	395	90	730	3	130	30	180		
Lincoln	Wiscasset	7	3	42.8				4	57.1	4	687	500	750	4	638	365	730	4	188	30	364		
Oxford	Rumford	1	1	100.0																			
	So. Paris	1						1	100.0	1	750	750	750	1	730	730	730	1	364	364	364		
Penobscot	Bangor	22	10	45.4				12	54.5	12	687	350	1000	12	517	365	730	12	85	2	364		
	Lincoln																						
	Millinocket	3						3	100.0	3	583	500	750	3	486	365	730	3	200	60	270		
	Newport	3						3	100.0	3	500	500	500	3	273	90	365	3	24	5	60		
Piscataquis	Dover-Foxcroft	5						5	100.0	5	700	500	1000	5	511	365	730	5	183	7	364		
Sagadahoc	Bath	3	1	33.3				2	66.6	2	625	500	750	2	547	365	730	2	120	60	180		
Somerset	Skowhegan	7	2	28.5			1	14.2		4	57.1	3	716	500	900	4	547	365	730	4	103	25	180
Waldo	Belfast	10	4	40.0	2	20.0		4	40.0	4	425	350	500	4	227	90	365	4	165	30	270		
Washington	Calais	4						4	100.0	4	687	500	750	4	638	365	730	4	33	14	60		
	Machias	4	1	25.0				3	75.0	3	583	500	750	3	486	365	730	3	43	10	90		
York	Biddeford	16	7	43.7	1	6.2		8	50.0	8	618	350	750	8	524	90	730	8	80	2	364		
	Kittery	12	3	25.0			1	8.3		8	575	350	750	8	467	90	730	8	59	2	364		
	Springvale	8	1	12.5	1	12.5		6	75.0	6	708	500	750	6	669	365	730	6	45	30	90		
STATEWIDE		203	44	21.6	8	3.9	2	.9	149	73.3	148	667	300	2250	149	512	90	730	146	98	2	364	

Figure A-5

OUI: COURT FINDINGS AND PENALTIES BY SUPERIOR COURT

(Violation Date: January 1 - December 31, 1986)

SUPERIOR COURT	COURT FINDINGS								PENALTIES												
	No. Cases	Dismissed		Dismissed Plea Lesser Charge		Not Guilty		Guilty		FINE				LICENSE SUSPENSION				JAIL SENTENCE			
		No.	%	No.	%	No.	%	No.	%	No. Fined	Avg. Fine	Range Low High	No. Lic. Susp.	Avg. Lic. Susp. (Days)	Range Low High	No. Jailed	Avg. Jail Sent. (Days)	Range Low High			
Androscoggin	30	5	16.6			1	3.3	24	80.0	24	391	300 500	24	124	90 365	18	8	2 90			
Aroostook	34	3	8.8			1	2.9	30	88.2	29	541	300 750	30	291	90 730	29	115	2 365			
Cumberland	184	68	36.9					116	63.0	115	383	300 1000	116	163	90 730	81	18	2 364			
Franklin	59	11	18.6					48	81.3	48	428	300 1000	48	194	90 730	32	29	1 180			
Hancock	20	4	20.0					16	80.0	14	382	300 750	16	187	90 730	21	11	2 60			
Kennebec	31							31	100.0	25	610	300 1500	29	370	90 730	26	100	2 364			
Knox	53	8	15.0			1	1.8	44	83.0	44	435	300 750	44	204	90 730	41	20	2 180			
Lincoln	59	7	11.8					52	88.1	52	439	300 750	52	232	90 730	44	33	1 181			
Oxford	21	8	38.0			1	4.7	12	57.1	12	408	350 750	12	166	90 730	8	36	2 180			
Penobscot	98	11	11.2			2	2.0	85	86.7	85	490	300 1000	85	259	90 730	73	44	2 364			
Piscataquis	5	2	40.0					3	60.0	3	600	300 750	3	395	90 730	2	30	30 30			
Sagadahoc	2							2	100.0	2	550	350 750	2	410	90 730	2	16	2 30			
Somerset	57					1	1.7	56	98.2	56	432	300 750	56	209	90 730	50	16	2 364			
Waldo	43	11	25.5					32	74.4	32	382	300 750	32	152	90 730	22	17	2 120			
Washington	12	3	25.0					9	75.0	9	433	300 500	9	273	90 365	9	5	2 7			
York	94	28	29.7	1	1.0	3	3.1	62	65.9	62	410	150 750	61	180	90 730	45	20	1 180			
STATEWIDE	802	169	21.0	1	.1	10	1.2	622	77.5	612	437	150 1500	619	211	90 730	493	34	1 365			

Figure A-6

FIRST OUI OFFENSE: COURT FINDINGS AND PENALTIES BY SUPERIOR COURT

(Violation Date: January 1 - December 31, 1986)

SUPERIOR COURT	COURT FINDINGS								PENALTIES									
	No. Cases	Dismissed		Dismissed Plea Lesser Charge		Not Guilty		Guilty		FINE			LICENSE SUSPENSION			JAIL SENTENCE		
		No.	%	No.	%	No.	%	No.	%	No. Fined	Avg. Fine	Range Low High	No. Lic. Susp.	Avg. Lic. Susp. (Days)	Range Low High	No. Jailed	Avg. Jail Sent. (Days)	Range Low High
Androscoggin	20				1	5.0	19	95.0	19	368	300 500	19	90	90 90	13	9	2 90	
Aroostook	16	1	6.2		1	6.2	14	87.5	14	460	300 500	14	90	90 90	13	7	2 45	
Cumberland	118	39	33.0				79	66.9	79	355	300 1000	79	100	90 365	47	3	2 30	
Franklin	40	6	15.0				34	85.0	34	383	300 1000	34	106	90 365	19	15	1 180	
Hancock	12	1	8.3				11	91.6	10	330	300 350	11	123	90 365	7	11	2 60	
Kennebec	13						13	100.0	11	409	300 500	13	195	90 365	11	36	2 180	
Knox	28	2	7.1		1	3.5	25	89.2	25	366	300 500	25	112	90 365	22	3	2 7	
Lincoln	36	4	11.1				32	88.8	32	370	300 500	32	98	90 365	24	17	1 181	
Oxford	13	5	38.4				8	61.5	8	350	350 350	8	90	90 90	4	2	2 2	
Penobscot	55	7	12.7		2	3.6	46	83.6	46	372	300 500	46	103	90 365	35	15	2 364	
Piscataquis	3	2	66.6				1	33.3	1	300	300 300	1	90	90 90				
Sagadahoc	1						1	100.0	1	350	350 350	1	90	90 90	1	2	2 2	
Somerset	41				1	2.4	40	97.5	40	376	300 500	40	117	90 365	34	17	2 364	
Waldo	27	4	14.8				23	85.1	23	336	300 650	23	90	90 90	13	11	2 90	
Washington	5	2	40.0				3	60.0	3	333	300 350	3	90	90 90	3	3	2 7	
York	62	17	27.4	1	1.6	3	4.8	41	66.1	41	357	150 550	41	90	90 90	26	5	1 90
STATEWIDE	490	90	18.3	1	.2	9	1.8	390	79.5	387	368	150 1000	390	104	90 365	272	11	1 364

Figure A-7

SECOND OUI OFFENSE: COURT FINDINGS AND PENALTIES BY SUPERIOR COURT

(Violation Date: January 1 - December 31, 1986)

SUPERIOR COURT	COURT FINDINGS						PENALTIES													
	No. Cases	Dismissed		Dismissed Plea Lesser Charge		Not Guilty		FINE				LICENSE SUSPENSION				JAIL SENTENCE				
		No.	%	No.	%	No.	%	No. Fined	Avg. Fine	Range Low	Range High	No. Lic. Susp.	Avg. Lic. Susp. (Days)	Range Low	Range High	No. Jailed	Avg. Jail Sent. (Days)	Range Low	Range High	
Androscoggin	6	2	33.3			4	66.6	4	475	400	500	4	227	90	365	4	5	2	7	
Aroostook	9	2	22.2			7	77.7	6	583	500	750	7	390	90	730	7	111	2	334	
Cumberland	56	24	42.8			32	57.1	32	426	300	500	32	253	90	365	29	27	2	364	
Franklin	17	5	29.4			12	70.5	12	500	300	750	12	357	90	730	11	35	2	180	
Hancock	8	3	37.5			5	62.5	4	512	300	750	5	328	90	730	4	12	5	30	
Kennebec	7					7	100.0	5	870	350	1500	6	395	90	730	5	151	2	364	
Knox	20	4	20.0			16	80.0	16	515	350	750	16	319	90	730	16	29	4	90	
Lincoln	16	3	18.7			13	81.2	13	500	350	750	13	378	90	730	13	28	1	90	
Oxford	6	2	33.3		1	16.6	3	50.0	3	450	350	500	3	181	90	365	3	75	2	180
Penobscot	26	1	3.8			25	96.1	25	552	300	1000	25	383	90	730	24	23	7	90	
Piscataquis																				
Sagadahoc																				
Somerset	12					12	100.0	12	512	400	750	12	372	90	730	12	11	4	45	
Waldo	11	5	45.4			6	54.5	6	416	300	500	6	227	90	365	6	6	2	20	
Washington	7	1	14.2			6	85.7	6	483	400	500	6	365	365	365	6	6	4	7	
York	21	7	33.3			14	66.6	14	450	350	500	13	280	90	365	12	10	2	30	
STATEWIDE	222	59	26.5		1	.4	162	72.9	158	501	300	1500	160	324	90	730	152	31	1	364

Figure A-8

THIRD OR SUBSEQUENT OUI OFFENSE: COURT FINDINGS AND PENALTIES BY SUPERIOR COURT

(Violation Date: January 1 - December 31, 1986)

SUPERIOR COURT	COURT FINDINGS								PENALTIES												
	No. Cases	Dismissed		Dismissed Plea Lesser Charge		Not Guilty		Guilty		FINE			LICENSE SUSPENSION			JAIL SENTENCE					
		No.	%	No.	%	No.	%	No.	%	No. Fined	Avg. Fine	Range Low	Range High	No. Lic. Susp.	Avg. Lic. Susp. (Days)	Range Low	Range High	No. Jailed	Avg. Jail Sent. (Days)	Range Low	Range High
Androscoggin	4	3	75.0				1	25.0	1	500	500	500	1	365	365	365	1	7	7	7	
Aroostook	9						9	100.0	9	638	500	750	9	527	365	730	9	274	30	365	
Cumberland	10	5	50.0				5	50.0	4	575	300	750	5	584	365	730	5	104	10	180	
Franklin	2						2	100.0	2	750	750	750	2	730	730	730	2	135	90	180	
Hancock																					
Kennebec	11						11	100.0	9	711	400	1000	10	584	365	730	10	145	2	364	
Knox	5	2	40.0				3	60.0	3	583	500	750	3	365	365	365	3	93	10	180	
Lincoln	7						7	100.0	7	642	500	750	7	573	365	730	7	98	60	180	
Oxford	2	1	50.0				1	50.0	1	750	750	750	1	730	730	730	1	60	60	60	
Penobscot	17	3	17.6				14	82.3	14	767	500	1000	14	547	365	730	14	154	30	354	
Piscataquis	2						2	100.0	2	750	750	750	2	547	365	730	2	30	30	30	
Sagadahoc	1						1	100.0	1	750	750	750	1	730	730	730	1	30	30	30	
Somerset	4						4	100.0	4	750	750	750	4	638	365	730	4	27	21	30	
Waldo	5	2	40.0				3	60.0	3	666	500	750	3	486	365	730	3	70	30	120	
Washington																					
York	11	4	36.3				7	63.6	7	642	350	750	7	521	365	730	7	95	2	180	
STATEWIDE	90	20	22.2				70	77.7	67	685	300	1000	69	555	365	730	69	130	2	365	

Figure A-9

QUI: COURT FINDINGS AND PENALTIES BY DISTRICT COURT

(Juvenile Cases - Violation Date: January 1 - December 31, 1986)

DISTRICT COURT (County) (Court)		COURT FINDINGS								PENALTIES												
		No. Cases	Dismissed No.	%	Dismissed Plea Lesser Charge No.	%	Not Guilty No.	%	Guilty No.	%	FINE				LICENSE SUSPENSION				JAIL SENTENCE			
											No. Fined	Avg. Fine	Range Low	High	No.Lic. Susp.	Avg. Lic. Susp. (Days)	Range Low	High	No. Jailed	Avg. Jail Sent. (Days)	Range Low	High
Androscoggin	Lewiston	47						47	100.0	43	346	300	400	47	101	90	365	30	20	2	365	
	Livermore Falls	8						8	100.0	7	314	100	350	7	90	90	90	1	2	2	2	
Aroostook	Caribou	22						22	100.0	22	331	300	500	22	152	90	365	10	20	1	180	
	Fort Kent	13						13	100.0	13	284	100	300	13	111	90	365	4	2	2	2	
	Houlton	20	2	10.0				18	90.0	18	352	300	500	18	156	90	365	13	4	2	30	
	Madawaska	3						3	100.0	3	300	300	300	3	90	90	90	1	2	2	2	
	Presque Isle Van Buren	28	3	10.7				25	89.2	25	392	300	750	25	188	90	730	21	20	2	180	
Cumberland	Bridgton	10			1	10.0		9	90.0	9	333	300	350	9	130	90	365	6	11	2	30	
	Brunswick	32	3	9.3				29	90.6	29	320	100	350	29	93	90	180	10	2	2	2	
	Portland	114	6	5.2	6	5.2		102	89.4	101	315	50	500	102	107	90	365	57	4	2	90	
Franklin	Farmington	13						13	100.0	12	355	150	600	13	125	90	365	3	6	2	14	
Hancock	Bar Harbor	8	3	37.5				5	62.5	4	375	300	500	5	200	90	365	3	4	2	7	
	Ellsworth	25	4	16.0				21	84.0	21	350	100	500	21	129	90	365	13	3	2	10	
Kennebec	Augusta	48	1	2.0		1	2.0	46	95.8	42	348	300	500	46	101	90	365	25	16	2	365	
	Waterville	20						20	100.0	20	360	250	500	20	108	90	365	11	10	2	90	
Knox	Rockland	29	1	3.4				28	96.5	26	351	300	400	28	109	90	180	18	57	1	999	
Lincoln	Wiscasset	16	3	18.7				13	81.2	13	357	350	400	13	90	90	90	9	2	1	10	
Oxford	Rumford	12	3	25.0				9	75.0	9	366	300	500	9	90	90	90	2	3	2	4	
	So. Paris	16						16	100.0	16	375	300	500	16	124	90	365	7	3	2	10	
Penobscot	Bangor	83	8	9.6		1	1.2	74	89.1	73	335	200	500	74	101	90	365	42	5	1	60	
	Lincoln	10						10	100.0	10	295	250	300	10	90	90	90	4	2	2	2	
	Millinocket	14	1	7.1				13	92.8	12	350	300	500	13	139	90	365	7	16	2	45	
	Newport	8						8	100.0	8	312	300	350	8	90	90	90	5	2	2	2	
Piscataquis	Dover-Foxcroft	20	3	15.0		1	5.0	16	80.0	13	338	250	500	15	128	90	365	6	11	2	30	
Sagadahoc	Bath	13						13	100.0	12	366	300	500	13	139	90	365	8	10	2	60	
Somerset	Skowhegan	21	1	4.7				20	95.2	19	393	300	600	20	135	90	365	14	13	2	120	
Waldo	Belfast	29	5	17.2	1	3.4		23	79.3	23	334	300	500	23	136	90	365	11	10	2	90	
Washington	Calais	20	2	10.0	1	5.0	1	5.0	16	80.0	14	328	300	350	15	114	90	365	5	2	2	2
	Machias	20	1	5.0	1	5.0		18	90.0	18	336	150	400	17	106	90	365	11	7	2	30	
York	Biddeford	77	23	29.8	8	10.3		46	59.7	45	347	300	750	46	105	90	730	30	7	1	180	
	Kittery	39	6	15.3				33	84.6	33	342	300	500	33	98	90	365	22	2	1	15	
	Springvale	42	14	31.7	3	7.3		25	60.9	25	342	300	500	25	137	90	730	12	2	1	7	
STATEWIDE		880	93	10.5	21	2.3	4	.4	762	86.5	738	341	50	750	758	115	90	730	421	10	1	999

Figure A-10

OUI: COURT FINDINGS AND PENALTIES BY SUPERIOR COURT

(Juvenile Cases - Violation Date: January 1 - December 31, 1986)

SUPERIOR COURT	COURT FINDINGS								PENALTIES												
	No. Cases	Dismissed		Dismissed Plea Lesser Charge		Not Guilty		Guilty		FINE				LICENSE SUSPENSION				JAIL SENTENCE			
		No.	%	No.	%	No.	%	No.	%	No. Fined	Avg. Fine	Range Low	Range High	No. Lic. Susp.	Avg. Lic. Susp. (Days)	Range Low	Range High	No. Jailed	Avg. Jail Sent. (Days)	Range Low	Range High
Androscoggin	3	1	33.3			2	66.6	2	325	300	350	1	90	90	90	2	12	5	20		
Aroostook	1	1	100.0																		
Cumberland	21	7	33.3			14	66.6	13	388	300	600	14	129	90	365	8	6	1	30		
Franklin	6	3	50.0			3	50.0	3	350	350	350	3	90	90	90	3	2	2	2		
Hancock	2	1	50.0			1	50.0	1	350	350	350	1	90	90	90						
Kennebec	3					3	100.0	3	333	300	350	3	90	90	90	2	2	2	2		
Knox	6					6	100.0	6	358	300	500	6	135	90	365	4	3	1	7		
Lincoln	7	1	14.2			6	85.7	6	416	350	500	6	181	90	365	3	40	2	60		
Oxford																					
Penobscot	5					5	100.0	5	640	300	1500	5	273	90	730	5	55	2	180		
Piscataquis																					
Sagadahoc																					
Somerset	8					8	100.0	7	371	300	500	8	158	90	365	7	19	2	90		
Waldo	3	1	33.3			2	66.6	2	325	300	350	2	90	90	90	1	5	5	5		
Washington																					
York	6	3	50.0			1	16.6	2	33.3	2	425	350	500	2	90	90	90	2	2	2	2
STATEWIDE	71	18	25.3			1.	1.4	52	73.2	50	401	300	1500	51	145	90	730	37	17	1	180

APPENDIX B

1986 OAS STATISTICS

- Figure B-1 OPERATING AFTER SUSPENSION: COURT FINDINGS AND PENALTIES BY DISTRICT COURT
- Figure B-2 OPERATING AFTER SUSPENSION (OUI-RELATED): COURT FINDINGS AND PENALTIES BY DISTRICT COURT
- Figure B-3 OPERATING AFTER SUSPENSION (NOT OUI-RELATED): COURT FINDINGS AND PENALTIES BY DISTRICT COURT
- Figure B-4 OPERATING AFTER SUSPENSION: COURT FINDINGS AND PENALTIES BY SUPERIOR COURT
- Figure B-5 OPERATING AFTER SUSPENSION (OUI-RELATED): COURT FINDINGS AND PENALTIES BY SUPERIOR COURT
- Figure B-6 OPERATING AFTER SUSPENSION (NOT-OUI-RELATED): COURT FINDINGS AND PENALTIES BY SUPERIOR COURT

Figure B-1

OPERATING AFTER SUSPENSION: COURT FINDINGS AND PENALTIES BY DISTRICT COURT

(Violation Date: January 1 - December 31, 1986)

DISTRICT COURT (County) (Court)		COURT FINDINGS						PENALTIES														
		No. Cases	Dismissed No.	%	Dismissed Plea Lesser Charge No.	%	Not Guilty No.	%	Guilty No.	%	FINE			LICENSE SUSPENSION			JAIL SENTENCE					
											No. Fined	Avg. Fine	Range Low High	No. Lic. Susp.	Avg. Lic. Susp. (Days)	Range Low High	No. Jailed	Avg. Jail Sent. (Days)	Range Low High			
Androscoggin	Lewiston	425	6	1.4				419	98.5	399	89	25	500	10	365	365	365	36	47	2	364	
	Livermore Falls	48	12	25.0	1	2.0		35	72.9	35	141	50	500	3	50	30	60	4	12	7	30	
Aroostook	Caribou	63	5	7.9				58	92.0	51	169	50	600	7	338	180	365	18	13	2	30	
	Fort Kent	19	1	5.2				18	94.7	17	144	50	350	2	365	365	365	4	20	7	60	
	Houlton	75	17	22.6				58	77.3	46	88	50	350	1	365	365	365	13	142	4	999	
	Madawaska	10						10	100.0	9	100	50	200					1	2	2	2	
	Presque Isle	105	4	3.8				101	96.1	87	134	50	350	4	296	90	365	29	15	2	60	
	Van Buren	5						5	100.0	4	93	75	100					1	10	10	10	
Cumberland	Bridgton	74	1	1.3	1	1.3		72	97.2	71	97	50	500					7	4	2	10	
	Brunswick	171	50	29.2	4	2.3	3	114	66.6	108	115	50	350	4	365	365	365	17	10	2	30	
	Portland	1099	131	11.9	47	4.2	1	920	83.7	875	125	35	600	33	203	5	365	78	23	1	330	
Franklin	Farmington	64					64	100.0	61	258	100	500	8	254	30	365	13	50	1	364		
Hancock	Bar Harbor	38	11	28.9				27	71.0	24	118	50	350	2	20	10	30	3	7	5	10	
	Ellsworth	159	43	27.0	2	1.2		114	71.6	112	116	35	500	1	365	365	365	2	8	7	10	
Kennebec	Augusta	482	23	4.7	3	.6		456	94.6	378	139	35	1000	9	331	60	365	64	124	1	364	
	Waterville	201	16	7.9				185	92.0	167	141	50	1550	5	377	60	730	24	89	2	364	
Knox	Rockland	134	1	.7			3	2.2	130	97.0	122	143	50	500	4	45	30	60	18	19	2	180
Lincoln	Wiscasset	90	11	12.2				79	87.7	75	143	50	350	2	365	365	365	9	11	1	30	
Oxford	Rumford	59	9	15.2			1	1.6	49	83.0	49	97	50	350	3	70	60	90	2	7	7	7
	So. Paris	62	1	1.6				61	98.3	60	97	50	350	4	212	60	365	2	18	7	30	
Penobscot	Bangor	532	71	13.3			1	.1	460	86.4	387	153	50	750	12	263	30	365	113	13	1	180
	Lincoln	63	4	6.3			1	1.5	58	92.0	56	122	50	350	1	365	365	365	4	25	2	90
	Millinocket	43	7	16.2				36	83.7	33	130	50	500	2	365	365	365	6	28	2	90	
	Newport	71	4	5.6			2	2.8	65	91.5	57	161	35	500				14	16	2	181	
Piscataquis	Dover-Foxcroft	99	21	21.2			1	1.0	2	2.0	75	130	100	750	2	365	365	365	20	78	2	364
Sagadahoc	Bath	117	16	13.6			1	.8	99	84.6	91	139	25	500	1	365	365	365	14	17	2	60
Somerset	Skowhegan	133	10	7.5			1	.7	122	91.7	111	280	50	1000	12	173	60	365	27	24	3	120
Waldo	Belfast	106	17	16.0			2	1.8	87	82.0	78	103	35	350	1	365	365	365	10	8	2	25
Washington	Calais	59	11	18.6	1	1.6	4	6.7	43	72.8	37	202	50	750	18	147	30	730	7	16	2	60
	Machias	105	16	15.2	2	1.9	3	2.8	84	80.0	68	222	50	500	54	185	30	730	29	12	2	30
York	Biddeford	639	189	29.5	18	2.8	2	.3	430	67.2	414	118	35	750	14	317	30	365	31	23	2	270
	Kittery	369	46	12.4	4	1.0		319	86.4	314	108	35	550	10	349	30	730	17	19	2	180	
	Springvale	345	78	22.6	15	4.3		252	73.0	244	125	50	500	10	231	30	365	18	45	2	365	
STATEWIDE		6064	832	13.7	100	1.6	27	.4	5105	84.1	4700	132	25	1550	239	237	5	730	655	37	1	999

Figure B-2 OPERATING AFTER SUSPENSION (OUI-RELATED): COURT FINDINGS AND PENALTIES BY DISTRICT COURT (Violation Date: January 1 - December 31, 1986)

DISTRICT COURT (County) (Court)		COURT FINDINGS								PENALTIES												
		No. Cases	Dismissed No.	%	Dismissed Plea Lesser Charge		Not Guilty		Guilty		FINE				LICENSE SUSPENSION				JAIL SENTENCE			
					No.	%	No.	%	No.	%	No. Fined	Avg. Fine	Range Low	Range High	No. Lic. Susp.	Avg. Lic. Susp. (Days)	Range Low	Range High	No. Jailed	Avg. Jail Sent. (Days)	Range Low	Range High
Androscoggin	Lewiston	79	1	1.2				78	98.7	73	135	35	500	9	365	365	365	14	48	3	364	
	Livermore Falls	13	3	23.0				10	76.9	10	232	50	350					3	7	7	7	
Aroostook	Caribou	21						21	100.0	19	260	100	600	6	365	365	365	12	10	2	30	
	Fort Kent	9	1	11.1				8	88.8	7	192	50	350	2	365	365	365	4	20	7	60	
	Houlton	21	4	19.0				17	80.9	11	127	50	350	1	365	365	365	8	134	5	999	
	Madawaska	1						1	100.0	1	100	100	100									
	Presque Isle	37	2	5.4				35	94.5	27	230	50	350	3	365	365	365	21	16	5	60	
	Van Buren	2						2	100.0	2	100	100	100									
Cumberland	Bridgton	18			1	5.5		17	94.4	16	145	50	500					4	5	2	10	
	Brunswick	22	4	18.1	1	4.5		17	77.2	15	200	100	350	4	365	365	365	7	11	7	30	
	Portland	196	26	13.2	11	5.6		159	81.1	139	170	50	600	18	312	30	365	41	33	2	330	
Franklin	Farmington	14						14	100.0	13	311	200	500	4	303	120	365	7	64	2	364	
Hancock	Bar Harbor	8	4	50.0				4	50.0	3	116	100	150					1	5	5	5	
	Ellsworth	25	9	36.0	1	4.0		15	60.0	14	171	50	450	1	365	365	365	2	8	7	10	
Kennebec	Augusta	111	2	1.8	2	1.8		107	96.3	87	200	50	1000	8	365	365	365	37	123	2	364	
	Waterville	41	4	9.7				37	90.2	26	280	50	1550	4	456	365	730	14	116	7	364	
Knox	Rockland	36	1	2.7				35	97.2	34	191	50	500	1	30	30	30	7	34	3	180	
Lincoln	Wiscasset	25	2	8.0				23	92.0	23	217	100	350	2	365	365	365	4	5	1	7	
Oxford	Rumford	12	1	8.3				11	91.6	11	147	50	350	3	70	60	90	2	7	7	7	
	So. Paris	18						18	100.0	18	127	50	350	2	365	365	365	1	7	7	7	
Penobscot	Bangor	118	19	16.1				99	83.8	74	199	50	500	5	365	365	365	52	11	2	90	
	Lincoln	9	1	11.1				8	88.8	7	100	50	150					1	90	90	90	
	Millinocket	13	1	7.6				12	92.3	12	141	100	350	2	365	365	365	3	34	7	90	
	Newport	21	2	9.5				19	90.4	16	221	100	500					6	35	2	181	
Piscataquis	Dover-Foxcroft	34	10	29.4	1	2.9		23	67.6	14	225	100	750	2	365	365	365	14	106	2	364	
Sagadahoc	Bath	22						22	100.0	17	200	100	500	1	365	365	365	9	22	2	60	
Somerset	Skowhegan	35	3	8.5				32	91.4	26	414	75	1000	5	212	60	365	17	26	3	120	
Waldo	Belfast	27	6	22.2			1	3.7	20	74.0	15	180	50	350	1	365	365	365	7	9	3	25
Washington	Calais	18	2	11.1	1	5.5		15	83.3	13	234	100	750	8	193	30	730	3	24	7	60	
	Machias	28	3	10.7				25	89.2	17	276	100	500	16	376	30	730	17	12	2	30	
York	Biddeford	93	29	31.1	7	7.5		57	61.2	52	158	50	500	8	365	365	365	14	25	2	270	
	Kittery	57	9	15.7				84	84.2	48	152	50	550	8	387	180	730	9	25	3	180	
	Springvale	57	11	19.2	5	8.7		41	71.9	37	143	50	350	4	281	30	365	8	9	2	30	
STATEWIDE		1241	160	12.8	30	2.4	1	1050	84.6	897	191	35	1550	128	332	30	730	349	42	1	999	

Figure B-3 OPERATING AFTER SUSPENSION (NOT OUI-RELATED): COURT FINDINGS AND PENALTIES BY DISTRICT COURT (Violation Date: Jan. 1 - Dec. 31, 1986)

DISTRICT COURT (County) (Court)		COURT FINDINGS								PENALTIES												
		No. Cases	Dismissed No.	%	Dismissed Plea Lesser Charge		Not Guilty		Guilty		FINE			LICENSE SUSPENSION			JAIL SENTENCE					
					No.	%	No.	%	No.	%	No. Fined	Avg. Fine	Range Low High	No. Lic. Susp.	Avg. Lic. Susp. (Days)	Range Low High	No. Jailed	Avg. Jail Sent. (Days)	Range Low High			
Androscoggin	Lewiston	346	5	1.4				341	98.5	326	79	25	350	1	365	365	365	22	46	2	270	
	Livermore Falls	35	9	25.7	1	2.8		25	71.4	25	105	50	500	3	50	30	60	1	30	30	30	
Aroostook	Caribou	42	5	11.9				37	88.0	32	114	50	500	1	180	180	180	6	19	2	30	
	Fort Kent	10						10	100.0	10	110	50	200									
	Houlton	54	13	24.0				41	75.9	35	76	50	100					5	154	4	335	
	Madawaska	9						9	100.0	8	100	50	200					1	2	2	2	
	Presque Isle	68	2	2.9				66	97.0	60	91	50	200	1	90	90	90	8	13	2	20	
	Van Buren	3						3	100.0	2	87	75	100					1	10	10	10	
Cumberland	Bridgton	56	1	1.7				55	98.2	55	83	50	250					3	4	3	5	
	Brunswick	149	46	30.8	3	2.0	3	2.0	97	65.1	93	102	50	300				10	9	2	30	
	Portland	903	105	11.6	36	3.9	1	.1	761	84.2	736	116	35	500	15	72	5	365	37	12	1	90
Franklin	Farmington	50						50	100.0	48	243	100	100	4	205	30	365	6	34	1	120	
Hancock	Bar Harbor	30	7	23.3				23	76.6	21	119	50	350	2	20	10	30	2	8	7	10	
	Ellsworth	134	34	25.3	1	.7		99	73.8	98	108	35	500									
Kennebec	Augusta	371	21	5.6	1	.2		349	94.0	291	120	35	600	1	60	60	60	27	126	1	364	
	Waterville	160	12	7.5				148	92.5	141	115	50	700	1	60	60	60	10	51	2	364	
Knox	Rockland	98			3	3.0		95	96.9	88	124	50	350	3	50	30	60	11	9	2	30	
Lincoln	Wiscasset	65	9	13.8				56	86.1	52	111	50	300					5	16	2	30	
Oxford	Rumford	47	8	17.0			1	2.1	38	80.8	38	83	50	200								
	So. Paris	44	1	2.2				43	97.7	42	83	50	150	2	60	60	60	1	30	30	30	
Penobscot	Bangor	414	52	12.5			1	.2	361	87.1	313	142	50	750	7	190	30	365	61	15	1	180
	Lincoln	54	3	5.5			1	1.8	50	92.5	49	125	100	350	1	365	365	365	3	4	2	7
	Millinocket	30	6	20.0				24	80.0	21	123	50	500					3	22	2	45	
	Newport	50	2	4.0			2	4.0	46	92.0	41	138	35	500				8	2	2	5	
Piscataquis	Dover-Foxcroft	65	11	16.9			2	3.0	52	80.0	46	102	100	150				6	13	2	45	
Sagadahoc	Bath	95	16	16.8	1	1.0	1	1.0	77	81.0	74	125	25	500				5	8	2	30	
Somerset	Skowhegan	98	7	7.1			1	1.0	90	91.8	85	239	50	800	7	146	60	365	10	21	4	60
Waldo	Belfast	79	11	13.9			1	1.2	67	84.4	63	85	35	200				3	5	2	10	
Washington	Calais	41	9	21.9			4	9.7	28	68.2	24	185	50	350	10	111	30	365	4	11	2	30
	Machias	77	13	16.8			3	3.8	59	76.6	51	204	50	350	38	105	30	730	12	11	2	30
York	Biddeford	546	160	29.3	11	2.0	2	.3	373	68.3	362	112	35	750	6	253	30	365	17	21	2	180
	Kittery	312	37	11.8	4	1.2			271	86.8	266	101	35	500	2	197	30	365	8	12	2	30
	Springvale	288	67	23.3	10	3.4			211	73.3	207	121	50	500	6	197	30	365	10	74	2	365
STATEWIDE		4823	672	13.9	70	1.4	26	.5	4055	84.0	3803	117	25	800	111	126	5	730	306	31	1	365

Figure B-4

OPERATING AFTER SUSPENSION: COURT FINDINGS AND PENALTIES BY SUPERIOR COURT

(Violation Date: January 1 - December 31, 1986)

SUPERIOR COURT	COURT FINDINGS								PENALTIES									
	No. Cases	Dismissed		Dismissed Plea Lesser Charge		Not Guilty		Guilty		FINE			LICENSE SUSPENSION			JAIL SENTENCE		
		No.	%	No.	%	No.	%	No.	%	No. Fined	Avg. Fine	Range Low High	No. Lic. Susp.	Avg. Lic. Susp. (Days)	Range Low High	No. Jailed	Avg. Jail Sent. (Days)	Range Low High
Androscoggin	11	4	36.3				7	63.6	5	250	100 500	1	365	365 365	4	49	4 180	
Aroostook	5	2	40.0				3	60.0	2	325	150 500				1	45	45 45	
Cumberland	80	36	45.0				44	55.0	40	204	50 500	3	273	90 365	9	91	5 364	
Franklin	25	9	36.0				16	64.0	13	196	100 400	1	365	365 365	7	36	1 180	
Hancock	8	4	50.0				4	50.0	3	383	150 500				3	5	5 7	
Kennebec	26	4	15.3				22	84.6	10	165	100 500	1	365	365 365	13	211	1 999	
Knox	12	1	8.3				11	91.6	8	234	75 350	1	365	365 365	6	14	5 20	
Lincoln	19	4	21.0				15	78.9	11	227	100 500	2	365	365 365	8	24	2 90	
Oxford	10	3	30.0				7	70.0	4	250	100 350	4	212	30 365	5	38	4 90	
Penobscot	47	16	34.0		1	2.1	30	63.8	22	286	100 750				15	79	2 364	
Piscataquis	1	1	100.0															
Sagadahoc	2	1	50.0				1	50.0										
Somerset	26	2	7.6				24	92.3	18	169	100 500	1	365	365 365	7	64	7 364	
Waldo	11	3	27.2				8	72.7	4	287	100 350	2	365	365 365	7	7	2 10	
Washington	2	2	100.0															
York	32	15	46.8				17	53.1	16	179	50 350	5	310	90 365	6	38	2 120	
STATEWIDE	317	107	33.7		1	.3	209	65.9	156	219	50 750	21	309	30 365	92	70	1 999	

Figure 8-5 OPERATING AFTER SUSPENSION (OUI-RELATED): COURT FINDINGS AND RENALTIES BY SUPERIOR COURT (Violation Date: January 1- December 31, 1986)

SUPERIOR COURT	COURT FINDINGS						PENALTIES													
	No. Cases	Dismissed		Dismissed Plea Lesser Charge		Not Guilty		Guilty		FINE		LICENSE SUSPENSION		JAIL SENTENCE						
		No.	%	No.	%	No.	%	No.	%	No. Fined	Avg. Fine	Range Low	Range High	No. Lic. Susp.	Avg. Lic. Susp. (Days)	Range Low	Range High	No. Jailed	Avg. Jail Sent. (Days)	Range Low
Androscoggin	11	4	36.3			7	63.6	5	250	100	500	1	365	365	365	4	49	4	180	
Aroostook	5	2	40.0			3	60.0	2	325	150	500					1	45	45	45	
Cumberland	77	33	42.8			44	57.1	40	204	50	500	3	273	90	365	9	91	5	364	
Franklin	25	9	36.0			16	64.0	13	196	100	400	1	365	365	365	7	36	1	180	
Hancock	8	4	50.0			4	50.0	3	383	150	500					3	5	5	7	
Kennebec	26	4	15.3			22	84.6	10	165	100	500	1	365	365	365	13	211	1	999	
Knox	12	1	8.3			11	91.6	8	234	75	350	1	365	365	365	6	14	5	20	
Lincoln	19	4	21.0			15	78.9	11	227	100	500	2	365	365	365	8	24	2	90	
Oxford	10	3	30.0			7	70.0	4	250	100	350	4	212	30	365	5	8	4	90	
Penobscot	47	16	34.0		1	2.1	30	63.8	22	286	100	750				15	79	2	364	
Piscataquis	1	1	100.0																	
Sagadahoc	2	1	50.0			1	50.0									1	30	30	30	
Somerset	26	2	7.6			24	92.3	18	169	100	500	1	365	365	365	7	64	7	364	
Waldo	11	3	27.2			8	72.7	4	287	100	365	2	365	365	365	7	7	7	10	
Washington	2	2	100.0																	
York	32	15	46.8			17	53.1	16	179	50	350	5	310	90	365	6	38	2	120	
STATEWIDE	314	104	33.1		1	.3	209	66.5	156	219	50	750	21	309	30	365	92	70	1	999

Figure B-6 OPERATING AFTER SUSPENSION (NOT OUI-RELATED): COURT FINDINGS AND PENALTIES BY SUPERIOR COURT (Violation Date: January 1 - December 31, 1986)

SUPERIOR COURT	COURT FINDINGS						PENALTIES															
	No. Cases	Dismissed		Dismissed Plea Lesser Charge		Not Guilty		Guilty		FINE			LICENSE SUSPENSION			JAIL SENTENCE						
		No.	%	No.	%	No.	%	No.	%	No. Fined	Avg. Fine	Range Low	Range High	No. Lic. Susp.	Avg. Lic. Susp. (Days)	Range Low	Range High	No. Jailed	Avg. Jail Sent. (Days)	Range Low	Range High	
Androscoggin																						
Aroostook																						
Cumberland	3		3	100.0																		
Franklin																						
Hancock																						
Kennebec																						
Knox																						
Lincoln																						
Oxford																						
Penobscot																						
Piscataquis																						
Sagadahoc																						
Somerset																						
Waldo																						
Washington																						
York																						
STATEWIDE	3		3	100.0																		

APPENDIX C

1986 HO STATISTICS

- Figure C-1 OPERATING AFTER HO REVOCATION: COURT FINDINGS AND PENALTIES BY DISTRICT COURT
- Figure C-2 OPERATING AFTER HO REVOCATION (OUI-RELATED): COURT FINDINGS AND PENALTIES BY DISTRICT COURT
- Figure C-3 OPERATING AFTER HO REVOCATION (NOT OUI-RELATED): COURT FINDINGS AND PENALTIES BY DISTRICT COURT
- Figure C-4 OPERATING AFTER HO REVOCATION: COURT FINDINGS AND PENALTIES BY SUPERIOR COURT
- Figure C-5 OPERATING AFTER HO REVOCATION (OUI-RELATED): COURT FINDINGS AND PENALTIES BY SUPERIOR COURT
- Figure C-6 OPERATING AFTER HO REVOCATION (NOT OUI-RELATED): COURT FINDINGS AND PENALTIES BY SUPERIOR COURT

Figure C-1 OPERATING AFTER HO REVOCATION: COURT FINDINGS AND PENALTIES IMPOSED BY DISTRICT COURT (Violation Date: January 1 - December 31, 1986)

DISTRICT COURT (County) (Court)		COURT FINDINGS								PENALTIES											
		No. Cases	Dismissed No.	%	Dismissed Plea Lesser Charge		Not Guilty		Guilty		FINE			LICENSE SUSPENSION			JAIL SENTENCE				
					No.	%	No.	%	No.	%	No. Fined	Avg. Fine	Range Low High	No. Lic. Susp.	Avg. Lic. Susp. (Days)	Range Low High	No. Jailed	Avg. Jail Sent. (Days)	Range Low High		
Androscoggin	Lewiston Livermore Falls	4	2	50.0				2	50.0	1	300	300	300				1	7	7	7	
Aroostook	Caribou	5	2	40.0				3	60.0					1	365	365	365	3	323	60	730
	Fort Kent																				
	Houlton	8	3	37.5				5	62.5								5	48	10	90	
	Madawaska Presque Isle Van Buren	10	4	40.0				6	60.0	3	666	500	1000	1	365	365	365	3	378	60	999
Cumberland	Bridgton																				
	Brunswick																				
	Portland	4	4	100.0																	
Franklin	Farmington																				
Hancock	Bar Harbor	2	2	100.0																	
	Ellsworth	7	4	57.1				3	42.8	1	500	500	500				3	60	60	60	
Kennebec	Augusta	11	5	45.4				6	54.5	1	100	100	100				5	290	180	364	
	Waterville	2	1	50.0				1	50.0								1	364	364	364	
Knox	Rockland	4						4	100.0								4	60	30	120	
Lincoln	Wiscasset	8	3	37.5				5	62.5								5	235	180	365	
Oxford	Rumford	1	1	100.0																	
	So. Paris	1						1	100.0	1	350	350	350				1	7	7	7	
Penobscot	Bangor	48	47	97.9				1	2.0								1	10	10	10	
	Lincoln																				
	Millinocket	1	1	100.0																	
	Newport																				
Piscataquis	Dover-Foxcroft	7	4	57.1				3	42.8								3	120	60	180	
Sagadahoc	Bath	2						2	100.0								2	20	20	20	
Somerset	Skowhegan	11	9	81.8				2	18.1	2	425	350	500	1	365	365	365	1	7	7	7
Waldo	Belfast	2	1	50.0				1	50.0								1	180	180	180	
Washington	Calais																				
	Machias	2	1	50.0				1	50.0								1	120	120	120	
York	Biddeford	19	16	84.2	1	5.2		2	10.5	2	425	350	500				2	150	90	210	
	Kittery	5	4	80.0	1	20.0															
	Springvale	10	6	60.0				4	40.0	2	325	150	500	1	365	365	365	4	113	7	310
STATEWIDE		174	120	68.9	2	1.1		52	29.8	13	430	100	1000	4	365	365	365	46	157	7	999

Figure C-2 OPERATING AFTER NO REVOCATION (OUI-RELATED): COURT FINDINGS AND PENALTIES IMPOSED BY DISTRICT COURT (Violation Date: Jan. 1 - Dec. 31, 1986)

DISTRICT COURT (County) (Court)		COURT FINDINGS								PENALTIES											
		No. Cases	Dismissed No.	%	Dismissed Plea Lesser Charge		Not Guilty		Guilty		FINE			LICENSE SUSPENSION			JAIL SENTENCE				
					No.	%	No.	%	No.	%	No. Fined	Avg. Fine	Range Low High	No.Lic. Susp.	Avg. Lic. Susp. (Days)	Range Low High	No. Jailed	Avg. Jail Sent. (Days)	Range Low High		
Androscoggin	Lewiston Livermore Falls																				
Aroostook	Caribou	5	2	40.0				3	60.0					1	365	365	365	3	323	60	730
	Fort Kent																				
	Houlton	4	1	25.0				3	75.0									3	70	60	90
	Madawaska																				
	Presque Isle	8	3	37.5				5	62.5	3	666	500	1000					2	529	60	999
	Van Buren																				
Cumberland	Bridgton																				
	Brunswick																				
	Portland	1	1	100.0																	
Franklin	Farmington																				
Hancock	Bar Harbor	2	2	100.0																	
	Ellsworth	6	3	50.0				3	50.0	1	500	500	500					3	60	60	60
Kennebec	Augusta	8	3	37.5				5	62.5									5	290	180	364
	Waterville	2	1	50.0				1	50.0									1	364	364	364
Knox	Rockland	2						2	100.0									2	90	60	120
Lincoln	Wiscasset	8	3	37.5				5	62.5									5	235	180	365
Oxford	Rumford																				
	So. Paris	1						1	100.0	1	350	350	350					1	7	7	7
Penobscot	Bangor	32	32	100.0																	
	Lincoln																				
	Millinocket	1	1	100.0																	
	Newport																				
Piscataquis	Dover-Foxcroft	4	2	50.0				2	50.0									2	120	60	180
Sagadahoc	Bath																				
Somerset	Skowhegan	8	6	75.0				2	25.0	2	425	350	500	1	365	365	365	1	7	7	7
Waldo	Belfast																				
Washington	Calais																				
	Machias	2	1	50.0				1	50.0									1	120	120	120
York	Biddeford	12	10	83.3				2	16.6	2	425	350	500					2	150	90	210
	Kittery	4	3	75.0	1	25.0															
	Springvale	3	1	33.3				2	66.6	1	500	500	500	1	365	365	365	2	67	60	75
STATEWIDE		113	75	66.3	1	.8		37	32.7	10	505	350	1000	3	365	365	365	33	193	7	999

Figure C-3 OPERATING AFTER HO REVOCATION (NOT OUI-RELATED): COURT FINDINGS AND PENALTIES BY DISTRICT COURT (Violation Date: Jan. 1 - Dec. 31, 1986)

DISTRICT COURT (County) (Court)		COURT FINDINGS								PENALTIES												
		No. Cases	Dismissed		Dismissed Plea Lesser Charge		Not Guilty		Guilty		FINE				LICENSE SUSPENSION				JAIL SENTENCE			
			No.	%	No.	%	No.	%	No.	%	No. Fined	Avg. Fine	Range Low	Range High	No. Lic. Susp.	Avg. Lic. Susp. (Days)	Range Low	Range High	No. Jailed	Avg. Jail Sent. (Days)	Range Low	Range High
Androscoggin	Lewiston	4	2	50.0				2	50.0	1	300	300	300					1	7	7	7	
	Livermore Falls																					
Aroostook	Caribou																					
	Fort Kent																					
	Houlton	4	2	50.0				2	50.0									2	15	10	20	
	Madawaska																					
	Presque Isle	2	1	50.0				1	50.0					1	365	365	365	1	75	75	75	
	Van Buren																					
Cumberland	Bridgton																					
	Brunswick																					
	Portland	3	3	100.0																		
Franklin	Farmington																					
Hancock	Bar Harbor																					
	Ellsworth	1	1	100.0																		
Kennebec	Augusta	3	2	66.6				1	33.3	1	100	100	100									
	Waterville																					
Knox	Rockland	2						2	100.0									2	30	30	30	
Lincoln	Wiscasset																					
Oxford	Rumford	1	1	100.0																		
	So. Paris																					
Penobscot	Bangor	16	15	93.7				1	6.2									1	10	10	10	
	Lincoln																					
	Millinocket																					
	Newport																					
Piscataquis	Dover-Foxcroft	3	2	66.6				1	33.3									1	120	120	120	
Sagadahoc	Bath	2						2	100.0									2	20	20	20	
Somerset	Skowhegan	3	3	100.0																		
Waldo	Belfast	2	1	50.0				1	50.0									1	180	180	180	
Washington	Calais																					
	Machias																					
York	Biddeford	7	6	85.7	1	14.2																
	Kittery	1	1	100.0																		
	Springvale	7	5	71.4				2	28.5	1	150	150	150					2	158	7	310	
STATEWIDE		61	45	73.7	1	1.6		15	24.5	3	183	100	300	1	365	365	365	13	64	7	310	

Figure C-4 OPERATING AFTER HO REVOCATION: COURT FINDINGS AND PENALTIES BY SUPERIOR COURT (Violation Date: January 1 - December 31, 1986)

SUPERIOR COURT	COURT FINDINGS								PENALTIES												
	No. Cases	Dismissed No.	Dismissed %	Dismissed Plea Lesser Charge		Not Guilty		Guilty		FINE			LICENSE SUSPENSION			JAIL SENTENCE					
				No.	%	No.	%	No.	%	No. Fined	Avg. Fine	Range Low	Range High	No. Lic. Susp.	Avg. Lic. Susp. (Days)	Range Low	Range High	No. Jailed	Avg. Jail Sent. (Days)	Range Low	Range High
Androscoggin	17	1	5.8					16	94.1	2	400	300	500					16	260	60	730
Aroostook	20	1	5.0					19	95.0	1	240	240	240					19	405	5	999
Cumberland	89	28	31.4					61	68.5	14	335	250	500	1	365	365	365	61	444	30	999
Franklin	12	3	25.0					9	75.0	2	350	350	350					9	241	7	365
Hancock	10	2	20.0					8	80.0	5	560	300	1000					8	72	5	195
Kennebec	25							25	100.0	4	1025	350	1500	3	730	730	730	23	709	60	999
Knox	5							5	100.0	1	75	75	75					5	195	5	365
Lincoln	15							15	100.0	1	200	200	200					14	203	20	770
Oxford	15	2	13.3					13	86.6	4	450	300	500					12	146	5	730
Penobscot	66	13	19.6			2	3.0	51	77.2	26	494	200	1000					50	101	10	540
Piscataquis	7	2	28.5					5	71.4	1	200	200	200	1	365	365	365	4	187	60	540
Sagadahoc	3							3	100.0									3	375	30	730
Somerset	14					1	7.1	13	92.8					1	365	365	365	13	434	60	999
Waldo	10	1	10.0					9	90.0									9	71	60	120
Washington	7	2	28.5					5	71.4	1	700	700	700					5	87	60	120
York	12	9	75.0					3	25.0	3	450	250	750	1	365	365	365	3	251	60	365
STATEWIDE	327	64	19.5			3	.9	260	79.5	65	469	75	1500	7	521	365	730	254	307	5	999

Figure C-5 OPERATING AFTER HO REVOCATION (OUI-RELATED): COURT FINDINGS AND PENALTIES BY SUPERIOR COURT (Violation Date: Jan. 1 - Dec. 31, 1986)

SUPERIOR COURT	COURT FINDINGS								PENALTIES											
	No. Cases	Dismissed		Dismissed Plea Lesser Charge		Not Guilty		Guilty		FINE			LICENSE SUSPENSION			JAIL SENTENCE				
		No.	%	No.	%	No.	%	No.	%	No. Fined	Avg. Fine	Range Low	Range High	No. Lic. Susp.	Avg. Lic. Susp. (Days)	Range Low	Range High	No. Jailed	Avg. Jail Sent. (Days)	Range Low
Androscoggin	15	1	6.6			14	93.3	1	500	500	500				14	232	60	540		
Aroostook	19	1	5.2			18	94.7	1	240	240	240				18	418	5	999		
Cumberland	49	10	20.4			39	79.5	11	322	250	500				39	454	60	999		
Franklin	6	1	16.6			5	83.3	1	350	350	350				5	274	10	365		
Hancock	7	2	28.5			5	71.4	2	650	300	1000				5	111	60	195		
Kennebec	19					19	100.0	2	550	350	750	3	730	730	730	19	705	60	999	
Knox	4					4	100.0								4	242	60	365		
Lincoln	9					9	100.0	1	200	200	200				8	285	25	770		
Oxford	8	1	12.5			7	87.5	2	400	300	500				7	132	10	540		
Penobscot	48	10	20.8			38	79.1	20	495	300	1000				38	97	30	365		
Piscataquis	6	2	33.3			4	66.6					1	365	365	365	4	187	60	540	
Sagadahoc	2					2	100.0								2	547	365	730		
Somerset	12				1	8.3	11	91.6				1	365	365	365	11	430	60	999	
Waldo	10	1	10.0			9	90.0								9	71	60	120		
Washington	6	1	16.6			5	83.3	1	700	700	700				5	87	60	120		
York	10	8	80.0			2	20.0	2	500	250	750	1	365	365	365	2	195	60	330	
STATEWIDE	230	38	16.5		1	.4	191	83.0	44	446	200	1000	6	547	365	730	190	314	5	999

Figure C-6 OPERATING AFTER HO REVOCATION (NOT OUI-RELATED): COURT FINDINGS AND PENALTIES BY SUPERIOR COURT (Violation Date: Jan. 1 - Dec. 31, 1986)

SUPERIOR COURT	COURT FINDINGS								PENALTIES												
	No. Cases	Dismissed		Dismissed Plea Lesser Charge		Not Guilty		Guilty		FINE			LICENSE SUSPENSION			JAIL SENTENCE					
		No.	%	No.	%	No.	%	No.	%	No. Fined	Avg. Fine	Range Low	Range High	No. Lic. Susp.	Avg. Lic. Susp. (Days)	Range Low	Range High	No. Jailed	Avg. Jail Sent. (Days)	Range Low	Range High
Androscoggin	2						2	100.0	1	300	300	300					2	455	180	730	
Aroostook	1						1	100.0									1	180	180	180	
Cumberland	40	18	45.0				22	55.0	3	383	250	500	1	365	365	365	22	427	30	999	
Franklin	6	2	33.3				4	66.6	1	350	350	350					4	199	7	365	
Hancock	3						3	100.0	3	500	500	500					3	7	5	10	
Kennebec	6						6	100.0	2	1500	1500	1500					4	727	180	999	
Knox	1						1	100.0	1	75	75	75					1	5	5	5	
Lincoln	6						6	100.0									6	95	20	365	
Oxford	7	1	14.2				6	85.7	2	500	500	500					5	167	5	730	
Penobscot	18	3	16.6			2	11.1	13	72.2	6	491	200	750				12	115	10	540	
Piscataquis	1						1	100.0	1	200	200	200									
Sagadahoc	1						1	100.0									1	30	30	30	
Somerset	2						2	100.0									2	455	180	730	
Waldo																					
Washington	1	1	100.0																		
York	2	2	50.0				1	50.0	1	350	350	350					1	365	365	365	
STATEWIDE	97	26	26.8			2	2.0	69	71.1	21	517	75	1500	1	365	365	365	64	286	5	999