

Sentencing Issues

DWI Special Topic Seminar
UNC School of Government
March, 2007

I will allow out of state community
service

1. Yes
2. No

Community service outside NC

1. Unsupervised
2. Only if supervised
by probation or
equivalent
3. Yes with
documentation
from nonprofits

Please make your selection...

1. Choice One
2. Choice Two
3. Choice Three
4. Choice Four

Sentence is

1. Credit for treatment
2. No credit for treatment, minimum sentence
3. Longer split
4. Close to max. active
5. Other

Limited Driving Privilege violation is G.A.F.

1. Yes
2. No

CVR older than 30 days is GAF:

1. Yes
2. No
3. Depends

Sentence in #3

1. Credit for treatment
2. No credit, minimum split
3. Longer split
4. Max or close to max, active
5. Other

Please make your selection...

1. Choice One
2. Choice Two
3. Choice Three
4. Choice Four

Sentence in 4

1. Credit for treatment
2. Minimum split of 30 days
3. Maximum split
4. Active time

Please make your selection...

1. Choice One
2. Choice Two
3. Choice Three
4. Choice Four

Treatment credit

1. Once only
2. Every time the person is eligible
3. Depends, but lean toward credit
4. Depends but lean against credit

Sentence in case #6

1. Community service, fine, treatment, minimum amount
2. Same as 1, but above minimum
3. Split active time
4. One of above, but require compliance checks in court for treatment

Case #7—Do you grant the privilege?

1. Yes
2. No, based on his record
3. No, based on his age
4. No, based on his lack of treatment
5. No, based on 2-4

Case 8, level of punishment is

1. Level 2
2. Level 3
3. Level 4
4. Level 5

Case 8, only injury is chipped tooth:

1. Level 2
2. Level 3
3. Level 4
4. Level 5
5. Depends on size of chip

Ruling, case #9

1. State met burden of proof on child's age
2. State failed to meet burden
3. I would evaluate age myself, if witness is present

Case 9, child in infant seat

1. State meets burden
2. State fails burden
3. Other
