A REPORT ON

An Act to Reform the Statutes Relating to Driving Under the Influence of Intoxicating Liquor or Drugs

DEPARTMENT OF HUMAN SERVICES

March 1, 1983

MAINE DEPARTMENT OF HUMAN SERVICES

Prepared Under Contract
By the
Human Services Development Institute
Center for Research and Advanced Study
University of Southern Maine
Portland, Maine

Printed Under APPRO. 04325.5

STATE OF MAINE
DEPARTMENT OF HUMAN SERVICES
AUGUSTA, MAINE 04333

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March 1, 1983

Dear Governor Brennan:

In 1981 the 110th Maine Legislature enacted Chapter 468 of the Public Laws of 1980, "An Act to Reform the Statutes Relating to Driving Under the Influence of Intoxicating Liquor or Drugs", popularly known as the 1981 Drunk Driving Law.

Under the 1981 Drunk Driving Law, the Department of Human Services was ordered to submit a comprehensive written report on the enforcement of Maine's drunk driving laws "to the Chief Justice, the Governor, and the Legislature not later than March 1st of each year".

The Department of Human Services is pleased to submit the first such annual report. This report covers the first full year of operation under the new law, from September 18, 1981 through September 17, 1982.

The statistics contained in this first full year report clearly show that the new drunk driving law is having a substantial impact on persons who commit serious motor vehicle offenses in Maine. The number of Operating Under the Influence (OUI) cases that are dismissed by the courts has been dramatically reduced and OUI convictions have increased by a substantial percentage. Mandatory prison sentences are being widely and uniformly applied and thousands of persons have discovered that drinking and driving will indeed result in their spending some time in one of Maine's jails. In addition to much stronger and more uniform enforcement of drunk drivers, criminal convictions of habitual motor vehicle offenders and persons who operate after license suspensions have increased substantially.

In sum, although much remains to be done, after the first year of operation it appears that the 1981 Drunk Driving Law has had a substantial beneficial impact on the people of Maine.

Sincerely,

Michael R. Petit

Michael R. Petit
Commissioner

ACKNOWLEDGEMENTS

The project staff of the Human Services Development Institute at the Center for Research and Advanced Study (University of Southern Maine) wish to express their appreciation for the cooperation and assistance extended by the following:

Superior and District Court Judges

Superior and District Court Clerks

Administrative Office of the Courts

District Attorneys and Assistant District Attorneys

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SUMMARY OF FINDINGS

Statewide Convictions and Dismissals

-In Drinking and Driving in Maine, the Department of Human Services reported that 30% of all persons arrested for Operating Under the Influence (OUI) in Maine had their cases dismissed. 66% were found guilty and 6% were found not guilty.

In the first full year of operation under the 1981 OUI reform legislation, the number of defendants whose cases were dismissed was cut almost in half to 17%, the percentage of convictions increased from 66% to 80% and the number of persons found not guilty was cut in half.

Statewide Case Disposition of OUI Offenders: 1978 and 1981-82

	% 1978	% 1981-82
Dismissed	30	17
Guilty	66	80
Not guilty	4	2

Convictions and Dismissals - District Courts

-The study Drinking and Driving in Maine also reported a substantial variation in conviction and dismissal rates and plea bargaining procedures in the state's various District and Superior courts. For example, in 1978 in the Waterville District Court 93% of all OUI defendants were convicted and 5% of all OUI cases were dismissed, while in Biddeford District Court, 44% were convicted and 55% of all OUI cases were dismissed.

After a year under the new law, the wide variations in conviction and dismissal rates among various courts have been substantially reduced. This change has resulted from a dramatic increase in convictions in some courts and an equally significant decrease in the number of cases dismissed. For example:

	Biddeford District Court		Lewiston District Court		Bath District Court	
	% 1978	% 1981-82	% 1978	% 1981-82	% 1978	% 1981-82
Dismissed	55	35	41	24	41	14
Guilty	44	63	58	75	58	84
Not guilty	1	2	1	1	1	4

Convictions and Dismissals - Superior Courts

-Similar reductions in cases dismissed and increases in conviction rates were recorded in 1981-82 in the Superior Courts. For example:

	York County Superior Court		Cumberland County Superior Court		Aroostook County Superior Court	
	% 1978	% 1981-82	% 1978	% 1981-82	% 1978	% 1981-82
Dismissed	63	23	55	33	42	21
Guilty	28	75	44	66	55	79
Not guilty	9	2	1	1	3	0

Fines

-Almost 100% of all OUI convictions resulted in a fine being imposed by the court. The average fine for a civil conviction ($260) and for a criminal conviction ($375) was, in both instances, greater than the required mandatory minimum fines of $250 and $350 respectively.

Mandatory Jail Sentences

-In 1978, mandatory jail sentences were required in all second or subsequent OUI convictions, but Drinking and Driving in Maine reported that mandatory sentences were "actually imposed in less that 1 out of every 10 cases in which they were mandated".

In sharp contrast to 1978, in the first year under the new OUI law, mandatory jail sentences were imposed in more than 96% of the cases in which they were required. As a result of Maine's courts strictly complying with the new OUI legislation, almost 2,600 OUI offenders were sentenced to serve some time in one of Maine's jails from September 1981 to September 1982.

% of OUI Convictions in Which Mandatory Jail Sentences Were Actually Imposed in All District and Superior Courts	
1978	9%
1981-82	96%

Operating After Suspension

-The percentage of persons charged with Operating After Suspension (OAS), who were convicted of OAS, rose from 53% in 1978 to 60% in 1981-82.

In 95% of the OAS convictions, a fine that averaged $218 was imposed and one out of every five persons convicted of OAS received a jail sentence that averaged 14 days.

Habitual Offenders

-In 1978 only 13 persons were convicted of the very serious motor vehicle offense of operation by an habitual offender. Drinking and Driving in Maine concluded that "the Legislature's objectives of providing the maximum safety for all persons who travel or use the public highways of the state....are not being realized."

As a result of the low reported conviction rate for habitual offenders, the OUI reform legislation also included changes in the laws concerning habitual offenders. These reforms seem to have had a dramatic impact, for in the first full year of operation under the amended habitual offender law, the number of convictions has increased by more than 600%. In 1981-82, 95 persons were convicted of being an habitual offender, and were fined an average of $530 and sentenced to serve an average of 70 days in jail.

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PART 1

HIGHLIGHTS

This report focuses on the first twelve months (September 18, 1981 through September 17, 1982) of Maine's experience under the amended OUI statutes. Statements made about the statistics in this report are based on the data gathered and presented in the tables.

The key purposes that this statistical report can serve are: 1) for use as baseline data with which future statistics can be compared and 2) as a tool to generally assess the magnitude of the drinking-driving problem and its impact on the State. The major statistics are provided herein.

OPERATING UNDER THE INFLUENCE (OUI)

- Arrests. As of December 12, 1982 Northeast Laboratories of Maine had been notified of 9,859 OUI arrests for the period of September 18, 1982 - September 17, 1982. In 84% of the cases (8,314) the drivers agreed to submit to a blood-alcohol test (16% or 1,545 drivers refused).

- Complaints. Based on the data collected in Maine's courts, 10,407 OUI complaints were filed for offenses committed during the reporting period (September 18, 1981 - September 17, 1982).

  Of the total number of OUI complaints filed, 55% were civil (5,677), 39% were criminal complaints (4,067) and in 6% of the cases (663), civil-criminal was not specified on the dockets.

- Disposition. About 86% (85.6%) of all OUI cases (8,912) had been adjudicated as of data collection in the courts (November-December 1982). The statewide disposition of all OUI cases was:

. Guilty	80%
. Not Guilty	2%
. Dismissed - Plea to Lesser Charge	4%
. Dismissed	10%
. Other	4%

The statewide disposition of these same OUI cases, civil, criminal and civil-criminal unspecified was:

	Civil	Criminal	Not Specified
. Guilty	84%	83%	19%
. Not Guilty	2%	2%	7%
. Dismissed - Plea to Lesser Charge	4%	5%	5%
. Dismissed	7%	7%	57%
. Other	3%	3%	12%

- Civil Cases - Sentencing. In the 4,396 civil OUI cases which resulted in a court finding of guilty, fines were imposed by the courts in almost 100% (99.9%) of the convictions, licenses were suspended in 98% and, according to the data collected in the courts, jail sentences were imposed by the courts in 14 civil OUI convictions.

  The average fine imposed by the courts was $260 and the average license suspension period was 46 days. (The average jail sentence was 11 days.)

- Criminal Cases - Sentencing. In the 2,630 criminal OUI cases which resulted in a verdict of guilty, fines were imposed by the courts in almost 99% (98.8%) of the cases. Licenses were suspended in 94% and jail sentences were imposed by the courts in 96% of the convictions.

  The average fine imposed by the courts was $375, the average license suspension period was 96 days and the average jail sentence was found to be five days.

- Driver Education Evaluation Program (DEEP). As of December 23, 1982, Maine's Division of Motor Vehicles (DMV) reported that of the 7,517 OUI convictions it had on file for the reporting period (September 18, 1981 - September 17, 1982) 51% of this group (3,793) had met all the DEEP and other-related requirements if indicated (evaluation-rehabilitation) for licence resortation.

  Of this group of 3,793 DEEP completors, DMV had received notification of subsequent convictions for OUI (57 cases) and OAS (38 cases) reflecting a recidivism rate of 1.5% and 1.0%, respectively.

OPERATING AFTER SUSPENSION (OAS)

- Complaints. A total of 5,769 OAS complaints were identified in the courts for offenses committed September 18, 1981 through September 17, 1982. About 82% of these cases (4,718) had been adjudicated at the time of data collection in the courts.

- Disposition. Of the 4,718 OAS cases adjudicated during the reporting period, the statewide disposition was:

. Guilty	60%
. Not Guilty	2%
. Dismissed - Plea to Lesser Charge	8%
. Dismissed	18%
. Other	12%

- Sentencing. In the 2,846 cases which resulted in a verdict of guilty, fines were imposed by the courts in 95% of the convictions (2,701), jail sentences in 19% (539 cases) and additional license suspension periods were imposed by the courts in 7% of the convictions (186 cases).

  The average OAS fine was found to be $218, the average jail sentence was 14 days and the average (additional) license suspension period imposed by the courts was 303 days.

OPERATING AS AN HABITUAL OFFENDER (HO)

- Complaints-Indictments. A total of 409 cases of operating as an HO were identified in the courts for the reporting period (September 18, 1981 - September 17, 1982). At the time of data collection (November - December 1982), 55% of the cases (223) had been adjudicated.

- Disposition. The disposition of the HO cases adjudicated between September 18, 1981 and September 17, 1982 is shown below.

. Guilty	43%
. Not Guilty	2%
. Dismissed - Plea to Lesser Charge	3%
. Dismissed	29%
. Other	23%

- Sentencing. Of the total HO convictions (95 cases), fines were imposed by the courts in 30% of the convictions (28 cases), jail sentences in 93% (88 cases) and an additional license suspension period was imposed in 1% of the convictions (1 case).

  The average fine imposed by the courts was found to be $529, the average jail sentence was 70 days and the average (additional) license suspension period was 183 days.

PART II

BACKGROUND

In the Spring of 1981 the 110th Maine Legislature enacted Chapter 468 of The Public Laws of 1980, "AN ACT to Reform the Statutes Relating to Driving under the Influence of Intoxicating Liquor or Drugs." This legislation, proposed by the Governor of Maine, culminated an extensive Executive Branch review of the effectiveness of the Operating Under the Influence (OUI) laws -- an effort which included a detailed study entitled, Drinking and Driving in Maine: How Well is the Law Working? (Maine Department of Human Services, 1981)

Maine's reasons for amending its OUI statutes are not unlike those of other states in the nation -- increased OUI arrests and alcohol involvement in highway accidents, fatalities, serious injuries, as well as property damage. Maine's response to the growing problem, however, may differ somewhat from most states in that its approach to the problem is comprehensive. This is reflected by the changes made in the OUI statutes. The threatened consequences for OUI conviction are more unpleasant and the likelihood of arrest and conviction are greater: drivers may be requested, based on probable cause alone, to submit to a blood-alcohol test and, valid test results showing blood-alcohol content of 0.10% or greater can now be used by the State as "proof" of guilt rather than "evidence" ("illegal per se" law). The State's revision of the OUI statutes also included the creation of a civil offense (traffic infraction) -- these statutory changes result in four possible prosecutorial routes. (Figure 1 presents the penalties under the old and the new OUI statutes and related offenses and Figure 2 depicts the four prosecutorial routes available to the State under the new OUI law.)

The State's concern about the drinking-driving problem is further exemplified in the amended OUI statutes through a new reporting requirement which mandates that a written report will be submitted to "the Chief Justice, the Governor and the Legislature not later than March 1st of each year..., on the enforcement of laws relating to drinking and driving..." (M.R.S.A. 22§7106 (2) (8). The information to be contained in the annual OUI reports is also identified in the legislation:

(1) The number, by county, of arrests for operating under the influence or operating with an excessive blood-alcohol level;

(2) The number, by county, of criminal complaints filed for operating under the influence;

FIGURE 1

PENALTIES:
OPERATING UNDER THE INFLUENCE AND OPERATING WITH AN EXCESSIVE BAC AND OTHER OUI LAW–RELATED OFFENSES

	OLD LAW *(Arrested prior to 9/18/81)*	NEW LAW *(Arrested after 9/18/81)*
OPERATING UNDER THE INFLUENCE AND OPERATING WITH AN EXCESSIVE BAC	**CRIMINAL OFFENSE (T. 29 § 1312)** FINE / IMPRISONMENT 1st offense: Min - $250, Max - $1000 / No minimum, Max - 90 days 2nd offense: Min - $250, Max - $2000 / Min - 24 hours, Max - 6 months 3rd offense: Min - $250, Max - $2500 / Min - 48 hours, Max - 10 months LICENSE SUSPENSION 1st offense: Indefinite suspension of operator's license shortened to 30-day suspension upon successful completion of DEEP and, if required, treatment or rehabilitation program. 2nd offense: Indefinite suspension shortened to 6 months upon successful completion of DEEP and, if required, treatment or rehabilitation. 3rd offense: Indefinite suspension shortened to 2 years upon showing of abstention from alcohol and completion of treatment.	**CRIMINAL OFFENSE (T. 29 § 1312 - B)** FINE / IMPRISONMENT 1st offense: Min - $350, Max - $1000 / Min - 48 hours, Max - 364 days 2nd offense: Same as first offense. 3rd offense: Same as first offense. LICENSE SUSPENSION Suspension of operator's license for not less than 90 days, not more than 1 year. Suspension shortened to 2/3 of the suspension period upon successful completion of DEEP or treatment or rehabilitation. See Note 2. **CIVIL OFFENSE (T. 29 § 1312 - C)** FINE / IMPRISONMENT 1st offense: Min - $250, Max - $500 / None 2nd offense: Same as first offense. 3rd offense: Same as first offense. LICENSE SUSPENSION Suspension of operator's license for not less than 45 days, not more than 180 days. Suspension shortened to 2/3 of suspension period upon successful completion of DEEP or treatment or rehabilitation. See Note 2.
OPERATING AFTER LICENSE SUSPENSION (T. 29 § 2184)	**OLD LAW** *(Prior to 9/18/81)* FINE / IMPRISONMENT 1st offense: Min - $100, Max - $500 / No minimum, Max - 6 months 2nd offense: Min - $100, Max - $500 / Min - 2 days, Max - 11 months	**NEW LAW** *(After 9/18/81)* 1st and subsequent offenses FINE / IMPRISONMENT Min - $350 / No minimum Max - $2500 / Max - 364 days 1st and subsequent offenders whose suspension was the result of a conviction under § 1312(OUI), § 1312-B (Criminal OUI), or §1312(2) (Refusal to Take a Blood or Breath Test). FINE / IMPRISONMENT Min - $350 / Min 7 consecutive days Max - $250 / Max - 364 days LICENSE SUSPENSION Additional minimum suspension of 1 yr.; maximum 3 years.
HABITUAL OFFENDERS (T.29 § 2291 - 99)	**OLD LAW** *(Prior to 9/18/81)* **OPERATION BY AN HO** FINE / IMPRISONMENT Any offense: No minimum, Max - $2500 / No minimum, Max - 5 years	**NEW LAW** *(After 9/18/81)* **OPERATION BY AN HO** FINE / IMPRISONMENT Any offense: No minimum, Max - $2500 / No minimum, Max - 5 years Any offense for persons previously convicted of Criminal or Civil OUI FINE / IMPRISONMENT Min - $1000, Max - $5000 / Min - 60 days, Max - 5 years LICENSE SUSPENSION Additional minimum suspension of 3 yrs.
DRIVING TO ENDANGER (T.29 § 1314)	**OLD LAW** *(Prior to 9/18/81)* FINE / IMPRISONMENT Any offense: No minimum, Max - $500 / No minimum, Max - 6 months LICENSE SUSPENSION None	**NEW LAW** *(After 9/18/81)* FINE / IMPRISONMENT Any offense: No minimum, Max - $500 / No minimum, Max - 6 months LICENSE SUSPENSION Min - 30 days Max - 180 days

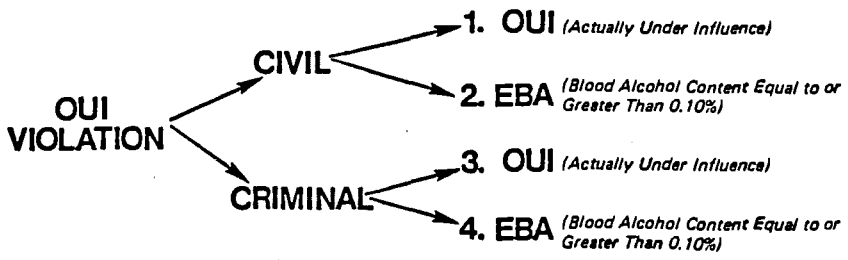
Note. 1. The District Attorney may decide whether a person will be charged with a criminal or civil offense. The DA's decision is "not subject to review." However, a defendant must be charged with a criminal violation under the following circumstances:

1. He or she had a BAC in excess of .20.
2. He or she has been convicted, within 5 years of the date of the arrest, for a violation of § 1312 (old OUI law), § 1312 - B (Criminal OUI), or § 1312 - C (Civil OUI).
3. He or she was driving more than 30 MPH over the speed limit while under the influence or with an excessive BAC.
4. He or she attempted to elude an officer. (See T 29 § 2501 - A).

2. Under the old law the suspension period was set by statute, but the new law requires the trial court to determine the suspension period. Although the Secretary of State may issue a license "after completion of the suspension imposed by the court" (see § 1312 - D(3)), the Secretary has indicated otherwise. In a memo to the Motor Vehicle Division, dated August 12, 1981, the Secretary stated that "all persons (convicted under § 1312 - D and § 1312 - C) must have completed both alcohol counseling and education at the Department of Human Services [and have] determined, prior to the reinstatement of any type of license whatsoever."

FIGURE 2

PROSECUTION ROUTES AVAILABLE UNDER THE NEW OUI LAW



(3) The number, by county, of criminal complaints filed for operating with an excessive blood-alcohol level;

(4) The number, by county, of complaints filed for the traffic infraction of operating under the influence;

(5) The number, by county, of complaints filed for the traffic infraction of operating with an excessive blood-alcohol level;

(6) The number, by county, of revocations of implied consent;

(7) The number, by county, of operating after suspension and habitual offender arrests;

(8) Rates of conviction, guilty pleas to lesser charges and dismissals by county for these offenses;

(9) The rates of successful completion of the Driver Education Evaluation Program and rates of recidivism for individuals completing the Driver Education Evaluation Program;

(10) The number, by county, of persons whose licenses were suspended; and

(11) The average fine, jail sentence and period of license suspension, by county, for each category of offense.

The responsibility of preparing the annual report was legislatively designated to the Office of Alcoholism and Drug Abuse Prevention (OADAP) within Maine's Department of Human Services (DHS).

In January 1982, OADAP contracted with the University of Southern Maine (Human Services Development Institute [HSDI] within the Center for Research and Advanced Study) to assist it in complying with the reporting mandate. As specified in the contract, this report contains statistics for the first twelve months (September 18, 1981-September 18, 1982) under the amended, comprehensive OUI statutes.

The three data sources for this report were: 1) Northeast Laboratories of Winslow, Maine provided OUI arrest and revocation of implied consent data; 2) Maine Division of Motor Vehicles (DMV) provided OUI convictions, Driver Education Evaluation Program (DEEP) and additional evaluation-counseling and recidivism data; and 3) all other data contained in this report were abstracted by HSDI project staff from court records (primarily dockets) in each of the 33 District and 16 Superior Courts in Maine.

The data collection in the courts was conducted during the month of November 1982 and the first two weeks of December 1982 by three data collectors. Each data collector was provided with a supply of forms (Appendix A), written data collection instructions and other pertinent materials (data collection schedule, court locations, etc.), as well as personal instruction in data collection. Each data collector was responsible for contacting assigned courts to identify a convenient date for the site visit. (For each Operating Under the Influence, Operating After Suspension [OAS] and operating after having been declared an Habitual Offender [HO] offense committed [between September 18, 1981 and September 17, 1982] and identified in the court dockets, 7 data elements could be gathered -- from complaint type, date of offense to sanctions imposed by the courts upon conviction. A total of 16,585 cases were identified: 10,407 OUI cases, 5,769 OAS cases and 409 HO cases.)

Within each county, data were gathered in District Court(s) first, then in the Superior Court. This approach was used in order to reduce double counting of cases which originated in District Court but were appealed, bound over or transferred to Superior Court. These cases are reported as Superior Court not District Court cases; cases dismissed in District Court for an indictment are also accounted for in the Superior Court data only.

In terms of data verification, several methods were employed: 1) Subsequent to coding raw data for keypunching, the codes were checked against the raw data to ensure accurate coding. 2) The data keypuncher was requested to verify keyed data with the raw data in order to reduce key-punch error. 3) A range check was done to insure that codes submitted were valid. For example, if the computer printout showed a criminal OUI fine of $250 rather than the mandatory minimum of $350 that case was identified via the computer and the raw data and the coding were checked. If a coding error was identified, the raw data file was then corrected. 4) Three courts (randomly selected) were re-visited and data re-collected on 180 cases in each court. These data were then compared to the original data gathered. (The error rate was found to be 3%.)

The intent of this report is to present the data required by statute -- it is not intended to be analytical in nature. Given the amount and type of data collected, it can be used for a variety of purposes and analyzed in different ways. For example, since the date of offense was one data element

collected for each case, the data can be analyzed for seasonal variation. Such analysis can be useful in planning media media compaigns intended to reduce the incidence of drinking-driving during critical periods. The data may also be analyzed in terms of rural versus urban incidence -- the findings may be useful for planning public education and information dissemination activities.

Statements in this report are based on the data gathered and presented in the tables of this report. Prior to reading this report, the reader should be aware of several factors:

- Court records reviewed for purposes of this report (primarily dockets) varied in content and detail as well as the availability of data. The most common problem encountered across all jurisdictions was the lack of information concerning the nature of the OUI charge. For example, rarely was a drunk-driving charge identified in the dockets as an OUI or EBA offense -- generally, an OUI offense was recorded as OUI-EBA, criminal (or civil). Also, in a sizeable number of cases only OUI-EBA was indicated while criminal or civil was not. The data concerning unspecified cases were inspected for compliance with the minimum mandatory penalties and re-classified as civil or criminal if two conditions were found to exist: 1) the conviction resulted in all mandatory penalties being imposed by the court and 2) each of the applicable penalties were precisely the minimum mandated under the criminal or civil statutes. For example, an OUI-EBA offense where criminal or civil was not indicated on the docket would have been recoded and counted as a criminal OUI if the case resulted in a guilty verdict and, the penalties imposed by the court and recorded on the docket were a $350 fine, a 90-day license suspension period and a 2-day (48 hours) jail sentence. However, if the conviction was recorded but data were missing for one or more of the three sanctions or, if at least one of the penalties imposed by the courts deviated from the mandated minimum, e.g., a fine of $300, the case would have remained in the unspecified category.

- Averages were calculated based on the sentencing information contained on dockets -- when a fine, license suspension or, if applicable, a jail sentence was not recorded on the docket such information was treated as "missing" (and excluded from the calculation) rather than as a zero fine, zero license, etc.

- In order to facilitate the review, interpretation and analysis of the data presented, both numbers and percents are given in most instances. Portions of one percent (greater than or equal to .5%) were rounded up to whole percents. Thus, in some instances the percentages may not add up to 100%.

- Caution should be used in making comparisons across counties or courts -- since 4% in Cumberland County may represent 54 cases while in Hancock County 4% may represent four cases. The total (base number) should be considered.

PART III

OPERATING UNDER THE INFLUENCE

SECTION A-

STATE STATISTICS

Of the 8,912 OUI cases adjudicated during the reporting period, 80% resulted in a verdict of guilty (civil, 49%; criminal, 30%; and unspecified, 1%). In terms of mandatory sentencing, particularly fines and license suspension, it appears (based on the data collected in the courts) that the penalties specified in the amended OUI statutes tended to be imposed by the courts with slightly greater uniformity in civil OUI convictions than in criminal convictions. In civil cases fines were imposed in almost 100% of the convictions and license suspension in 98% while in criminal cases, fines and license suspension were imposed in 99% and 96% of the convictions, respectively. Both the civil and criminal statewide average fines were greater than the mandated minimum (civil fine, $250 - average, $260; criminal, $350 - average, $375).

ARRESTS. According to the arrest information provided by Northeast Laboratories (Winslow, Maine), a total of 9,859 OUI arrests were made in Maine during the first twelve months under the new OUI law (September 18, 1981-September 17, 1982). In about 84% of the arrests (8,314), the drivers agreed to submit to a blood-alcohol test while 16% (1,545 drivers) refused. Aroostook County experienced the lowest refusal rate (10%) while Knox County experienced the highest, 25%.

Caution should be used in drawing conclusions based on the statistics shown in Table 1 or comparing arrest-refusal information with other data contained in this report. In attempting to clarify the disparity between the number of arrests (9,859) reported by Northeast Laboratories and the number of OUI complaints (10,407) identified through a review of court records for the same twelve-month period (September 18, 1981-September 17, 1982), Northeast Laboratories explained that the arrest statistics were based on information which had been received as of December 12, 1982. However, subsequent to the tabulation of the arrest-refusal information for purposes of this report, Northeast Laboratories received additional arrest-refusal information applicable to the reporting period (including information pertaining to arrests which occurred during the early part of 1981).

TABLE 1

OUI ARRESTS AND REVOCATION OF IMPLIED CONSENT BY COUNTY
(September 18, 1981 – September 17, 1982)

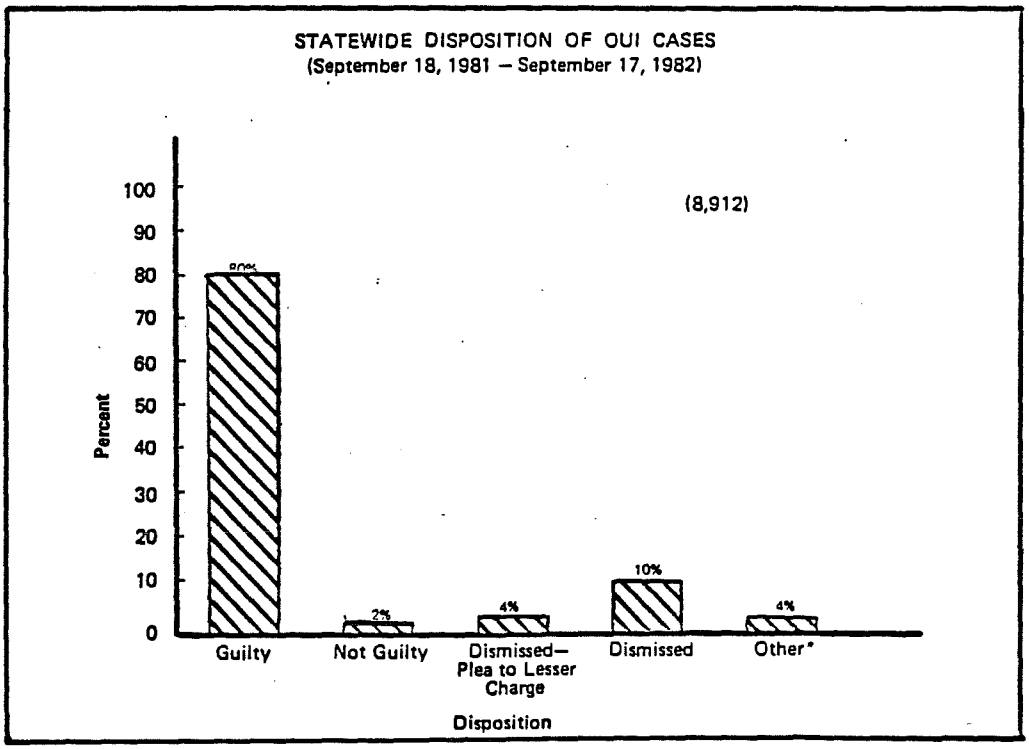
COUNTY	Test Not Refused		Revocation of Implied Consent		Total Arrests	
	No.	%	No.	%	No.	%
Androscoggin	640	82	139	18	779	8
Aroostook	835	90	90	10	925	9
Cumberland	1870	85	334	15	2204	22
Franklin	179	87	28	13	207	2
Hancock	157	78	44	22	201	2
Kennebec	823	84	158	16	981	10
Knox	141	75	48	25	189	2
Lincoln	219	84	42	16	261	3
Oxford	246	82	53	18	299	3
Penobscot	949	86	159	14	1108	11
Piscataquis	135	86	22	14	157	2
Sagadahoc	224	83	46	17	270	3
Somerset	368	85	67	15	435	4
Waldo	192	88	25	12	217	2
Washington	236	82	51	18	287	3
York	1100	82	239	18	1339	14
TOTAL	8314	84	1545	16	9859	100

Source: Northeast Laboratories (December 12, 1982)

COMPLAINTS. A review of court records revealed that a total of 10, 407 OUI complaints were filed during the first twelve months (September 18, 1981-September 17, 1982) under the new OUI law. Thirty-nine percent (4,067) of the complaints were filed under the criminal OUI statutes, 55% (5,677) under the civil statutes and 6% (663) of the OUI cases identified in the courts did not specify criminal or civil. At the time of data collection in the courts (November-December 1982) about 14% of the OUI cases (1,495) were still in a pending status.

DISPOSITION. Of the 8,912 OUI cases adjudicated during the reporting period, 80% (7,129 cases) resulted in a verdict of guilty (Figure 3).

FIGURE 3



*Other: Cases filed, defendant deceased or imprisoned, pleas of guilty to other charge (other charge not specified and greater charges), etc.

Fifty-eight percent of the 8,912 OUI cases adjudicated were civil, 36% were criminal and 6% of the cases were not

specified, criminal or civil. Table 2 and Figure 4 present the statewide disposition of OUI cases, civil, criminal and unspecified.

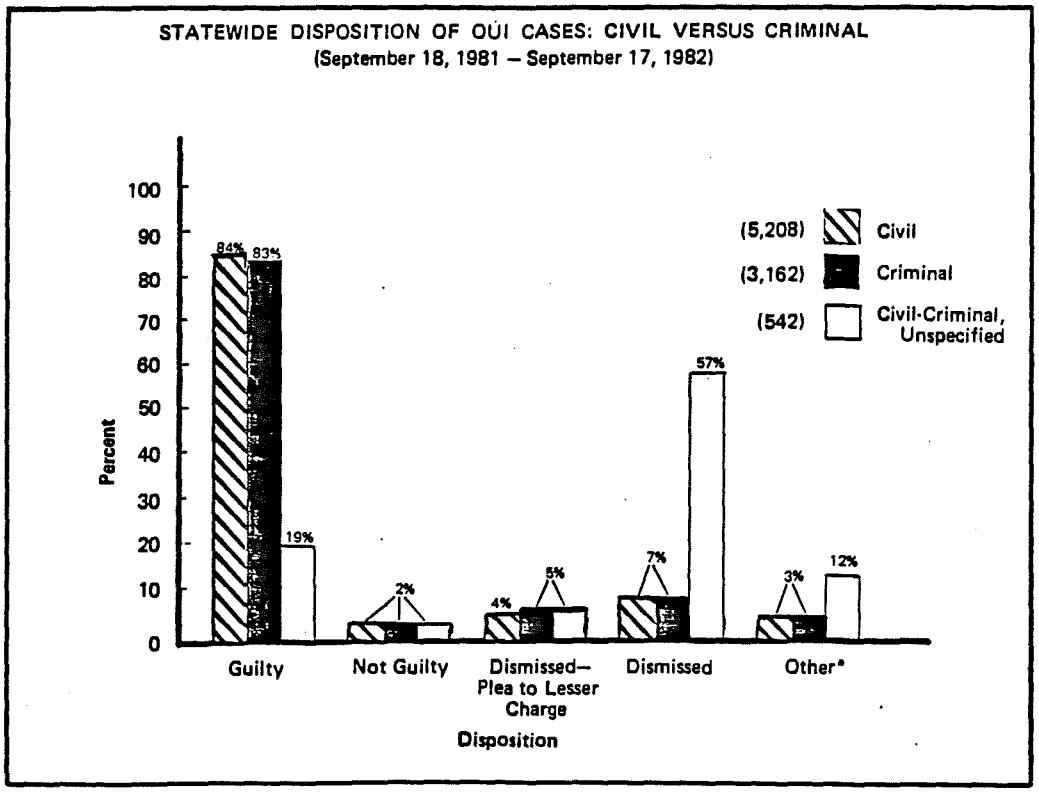
TABLE 2

STATEWIDE DISPOSITION OF OUI CASES: CIVIL VERSUS CRIMINAL

(September 18, 1981 – September 17, 1982)

DISPOSITION	CIVIL No.	%	CRIMINAL No.	%	UNSPECIFIED No.	%	TOTAL No.	%
Guilty	4396	49	2630	30	103	1	7129	80
Not Guilty	107	1	48	< 1	35	< 1	190	2
Dismissed – Plea to Lesser Charge	185	2	158	2	29	< 1	372	4
Dismissed	341	4	227	3	308	3	876	10
Other	179	2	99	1	67	1	635	4
TOTAL	5208	58	3162	36	542	6	8912	100

FIGURE 4



*Other: Cases filed, defendant deceased or imprisoned, pleas of guilty to other charge (other charge not specified and greater charges), etc.

SENTENCING. Almost 100% of the civil OUI convictions (4,396) resulted in fines. The average fine was found to be $260 and the range was from $50 to $500. License suspension occurred in 98% of the convictions (average: 46 days; range: 30-183). According to court records, 14 civil OUI convictions also resulted in jail sentences ranging from 2 to 60 days (average: 11 days).

Almost 99% (2,598) of the criminal OUI convictions (2,630) resulted in fines ranging from $50 to $1000, with the average fine being $375. Ninety-six percent of the convictions (2,532) resulted in an average 5-day jail sentence, ranging from 1 day to 304 days. License suspension occurred in almost 94% of the convictions (2,469) ranging from 30 to 365 days (average: 96 days).

of the 103 civil-criminal not specified cases resulting in a guilty verdict, the courts imposed fines in 95% of the convictions ranging from $75 to $750 (average: $339). License suspension occurred in 44% of the convictions (45) ranging from 30 to 365 days (average: 89 days) and jail sentences were imposed in 37% of the convictions (38) (range 1-45 days; average: 13 days).

SECTION B-

COUNTY STATISTICS

Of the 10,407 OUI complaints identified in the courts for the first twelve months under the new OUI law, 7,129 resulted in convictions (2,630 criminal, 4,396 civil and 103 civil-criminal not specified). Fines were imposed by the courts in almost 100% of the civil OUI convictions and 99% of the criminal convictions. Fines ranged from $50 to $500 in civil convictions and $50 to $1000 in criminal convictions. The overall average fine imposed by courts in civil OUI convictions was $260 and in criminal convictions the average was $375.

Ninety-eight percent (5,327) of the civil convictions resulted in an average license suspension period of 46 days -- ranging from 30 to 183 days. Licenses were suspended in 94% (2,469) of the criminal convictions for an average of 96 days and ranged from 30 to 365 days.

COMPLAINTS. It is not surprising that the greatest number of complaints were filed in the heaviest populated counties, Cumberland and York. These two counties accounted for 36% (3,783) of the total number of OUI complaints filed (10,407) for offenses committed during the reporting period.

At the time of data collection in the courts (November and December 1982), 14% (1,495) of all OUI complaints filed for offenses committed during the first twelve months under the new OUI law had not yet been adjudicated. Of the 1,495 pending cases, 61% (905) were criminal complaints, 31% or 469 complaints were civil and 8% or 121 cases were criminal-civil not specified. Androscoggin, Cumberland and York Counties had the greatest number of civil OUI cases in a pending status -- 110, 102 and 93 cases, respectively; the same three counties also had the greatest number of criminal OUI cases in a pending status.

CIVIL OUI: DISPOSITION AND SENTENCING. Conviction rates for civil OUI ranged from 96% (472 cases of the 493 adjudicated) in Kennebec County to 75% in York County (598 cases of 796 adjudicated). Dismissal rates ranged from a low of 2% (10 cases) in Kennebec County to a high of 12% each in Franklin (14 cases) and York (95 cases) Counties. Seven counties did not show a single dismissal of a civil OUI case for a plea to a lesser charge during the reporting period. As Table 3 shows, these counties were: Hancock, Kennebec, Lincoln, Piscataquis, Sagadahoc, Somerset and Waldo. The highest rates of dismissal-plea to lesser charge were found to be in Cumberland (10%; 116 cases), York (5%; 41 cases) and Androscoggin (5%, 14 cases). (The statewide rate for civil OUI in this dispostion category was 4% or 185 cases of the total 5,208 OUI cases adjudicated.)

TABLE 3

CIVIL OUI: DISPOSITION BY COUNTY
(September 18, 1981 – September 17, 1982)

COUNTY (Superior and District Courts)	COURT FINDINGS											
	Total Adjudications		Other		Dismissed		Dismissed Plea Lesser Charge		Not Guilty		Guilty	
	No.	%	No.	%	No.	%	No.	%	No.	%	No.	%
Androscoggin	320		26	8	32	10	15	5	4	1	243	76
Aroostook	480		3	1	34	7	1		8	2	434	90
Cumberland	1148		63	5	54	5	116	10	22	2	893	78
Franklin	118		10	8	14	12	2	2	1	1	91	77
Hancock	131				5	4			2	1	124	95
Kennebec	493		2		10	2			9	2	472	96
Knox	179		4	3	11	6	6	3	2	1	156	87
Lincoln	152		2	1	12	8			3	2	135	89
Oxford	108		7	6	7	6	2	2	2	2	90	83
Penobscot	566		2	1	26	4	1	1	13	2	524	92
Piscataquis	93		1	1	9	10			4	4	79	85
Sagadahoc	157		3	2	12	8			9	5	133	85
Somerset	224		2	1	7	3			7	3	208	93
Waldo	109		3	3	8	7			3	3	95	87
Washington	134		4	3	5	4	1	1	3	2	121	90
York	796		47	6	95	12	41	5	15	2	598	75
TOTAL	5208		179	3	341	7	185	4	107	2	4396	84

NOTE: Percentages are based on total number of cases adjudicated -- pending cases were excluded from calculations.

Of the 4,396 civil OUI convictions which occurred during the reporting period, only four convictions did not result in a fine -- one each in Androscoggin and Somerset Counties and two in Penobscot. County-wide average fines ranged from $309 in Franklin to $249 in Washington County. The overall statewide range was from $50 to $500.

Ninety-eight percent of the OUI convictions resulted in suspension of drivers license privileges. The statewide average license suspension period was 46 days. Statewide, the average license suspension period ranged from 30 to 183 days while county averages ranged from 45 days in ten counties to 54 days in Franklin County. In Knox County all findings of guilty resulted in the mandatory sentencing, fines and suspension of license.

It appears that 14 civil convictions (in six counties) also resulted in jail sentences ranging from 2 to 60 days with a statewide average sentence of 11 days. (Table B-1 in Appendix B presents the sentencing by county for civil OUI convictions.)

CRIMINAL OUI: DISPOSITION AND SENTENCING. Conviction rates ranged from 95% in Hancock County (55 out of 58 cases) to 74% in Franklin County (25 out of 34 adjudications).

TABLE 4

CRIMINAL OUI: DISPOSITION BY COUNTY
(September 18, 1981 – September 17, 1982)

COUNTY (Superior and District Courts)	COURT FINDINGS											
	Total Adjudications		Other		Dismissed		Dismissed Plea Lesser Charge		Not Guilty		Guilty	
	No.	%	No.	%	No.	%	No.	%	No.	%	No.	%
Androscoggin	181		9	5	19	11	9	5	4	2	140	77
Aroostook	297		4	1	16	5			2	1	275	93
Cumberland	667		47	7	38	5	66	10	5	1	511	77
Franklin	34				9	26					25	74
Hancock	58				3	5					55	95
Kennebec	351		1	1	10	2	1	1	7	2	332	94
Knox	118		1	1	12	10	6	5	4	3	95	81
Lincoln	81		1	1	6	7	3	4			71	88
Oxford	74		6	8	2	3	2	3	1	1	63	85
Penobscot	427				64	15	11	3	9	2	343	80
Piscataquis	61		2	3	3	5	2	3	2	3	52	85
Sagadahoc	61		2	3	3	5	2	3	1	2	53	87
Somerset	176		3	2	10	6	2	1	2	1	159	90
Waldo	72				1	1	5	7			66	92
Washington	81		1	1	4	5	3	4	3	4	70	86
York	423		22	5	27	6	46	11	9	2	320	76
TOTAL	3162		99	3	227	7	158	5	48	2	2630	83

NOTE: Percentages are based on total number of cases adjudicated -- pending cases were excluded from calculations.

A slightly higher percentage of criminal OUI adjudications resulted in a dismissal-plea to a lesser charge than in civil cases -- the statewide rate in this disposition category was 5% (158 cases). However, as with civil OUI cases, several counties did not show a single criminal OUI case in this disposition category: Aroostook, Franklin and Hancock Counties. As shown in Table 4, the dismissal-plea to lesser charge rate for the remaining 13 counties ranged from 11% (46 cases) and 10% (66 cases) in York and Cumberland Counties, respectively to 1% each in Kennebec (1 case) and Somerset County (2 cases).

Criminal OUI dismissal rates ranged from 1% in Waldo County (1 case) to 26% in Franklin County (9 cases). The dismissal rate for criminal-civil not specified ranged from 24% (14 cases in Cumberland County) to 90% (9 cases in Knox County).

Fines were imposed in almost 99% of all criminal OUI convictions which occurred during the reporting period, jail sentences in 96% and licenses were suspended in 94% of the convictions.

Statewide, the average fine was $375, the average jail sentence was 5 days and the average license suspension period was 96 days. County averages ranged from a fine of $347 (Androscoggin County) to $459 (Somerset County) while statewide, the fines ranged from $50 (Aroostook and Penobscot County) to $1000 in Kennebec, Knox and Somerset Counties.

In terms of license suspension, the county averages ranged from 89 days (Piscataquis and York County) to 115 days in Franklin County. License suspension periods ranged from 30 to 365 days with the state average being 96 days.

Jail sentences ranged from one day (Somerset County) to 304 days (Aroostook County). County averages ranged from 3 to 7 days and the statewide average was 5 days. (Sentencing statistics are presented by county in Table B-2 of Appendix B.)

CIVIL-CRIMINAL NOT SPECIFIED: DISPOSITION AND SENTENCING. Nineteen percent (103 cases) resulted in convictions, 5% (29 cases) were dismissed for a plea to a lesser charge -- one case each in Oxford, Penobscot, Waldo and Washington Counties and 16 and 9 cases in Cumberland and York, respectively.

Although a greater number of civil cases (341) were dismissed than were criminal cases (227), the statewide percentage for both was the same (7%) while the dismissal rate for OUI cases criminal-civil not specified, was 57% (308 cases).

TABLE 5

CIVIL - CRIMINAL OUI, NOT INDICATED:
DISPOSITION BY COUNTY
(September 18, 1981 – September 17, 1982)

COUNTY (Superior and District Courts)	COURT FINDINGS											
	Total Adjudications		Other		Dismissed		Dismissed Plea Lesser Charge		Not Guilty		Guilty	
	No.	%	No.	%	No.	%	No.	%	No.	%	No.	%
Androscoggin	24		5	21	10	42			1	4	8	33
Aroostook	42		6	14	31	74			1	2	4	10
Cumberland	59		15	25	14	24	16	27			14	24
Franklin	17		1	6	14	82					2	12
Hancock	21		3	14	14	67					4	19
Kennebec	98		4	4	55	56			12	12	27	28
Knox	10				9	90			1	1		
Lincoln	8				7	88					1	12
Oxford	12		2	17	7	58	1	8			2	17
Penobscot	69		3	4	48	70	1	1	4	6	13	19
Piscataquis	27		4	15	22	81					1	4
Sagadahoc	12		1	8	5	42					6	50
Somerset	1										1	100
Waldo	11		2	18	5	45	1	10			3	27
Washington	35		6	17	14	40	1	3	13	37	1	3
York	96		15	16	53	55	9	9	3	3	16	17
TOTAL	542		67	12	308	57	29	5	35	7	103	19

NOTE: Percentages are based on total number of cases adjudicated – pending cases were excluded from calculations.

Fines were imposed in 95% of the civil-criminal not specified OUI convictions, licenses were suspended in 44% and jail sentences in 37% of the convictions.

Statewide, fines ranged from $75 to $750, license suspension periods ranged from 30 to 365 days and jail sentences ranged from 1 to 45 days. County averages ranged from a fine of $250 (Somerset County) to $495 (Penobscot County); license suspension periods ranged from 30 days (Piscataquis County) to 180 days (Franklin County); and jail sentences ranged from 2 days (Oxford and Piscataquis Counties) to 45 days (Washington County). (County sentencing statistics may be found in Table B-3 of Appendix B.)

SECTION C-

DISTRICT COURT STATISTICS: DISPOSITION AND SENTENCING

CIVIL OUI. Of the 5,203 cases adjudicated in the District Courts during the reporting period, 84% resulted in a conviction (4,391 cases), ranging from a conviction rate of 100% in Bar Harbor to 70% in Biddeford District Court.

Four percent of the civil OUI cases (185) were dismissed for a plea of guilty to a lesser charge ranging from 1% (one case each in Calais, Bangor and Houlton) to 10% each in Bridgton (5 cases), Brunswick (22 cases) and Portland (89 cases). Seven percent of the civil cases (341) resulted in a straight dismissal -- ranging from a dismissal rate of 1% in Madawaska (1 case) to 19% in Livermore Falls (18 cases).

Of the 4,391 District Court civil OUI convictions during September 18, 1981-December 17, 1982, fines were imposed by the courts in all but 4 convictions ranging from $50 to $500. The court average ranged from a fine of $247 (Calais) to $309 (Farmington and Skowhegan).

An average of 46 days license suspension period was imposed by the courts in 4,322 civil convictions. Statewide, the license suspension periods ranged from 30 to 183 days while the District Court averages ranged from 45 to 54 days. Jail sentences appear to have been imposed by the courts in 14 convictions ranging from 2 to 60 days -- with an overall average jail sentence of 11 days. (Civil OUI statistics by District Court are provided in Table B-4 of Appendix B.)

CRIMINAL OUI. District Court conviction rates ranged from 62% in Livermore Falls (8 cases) to 100% in 4 District Courts (Fort Kent, 13 cases; Madawaska, 17 cases; Van Buren, 4 cases;and South Paris, 20 cases).

Dismissals for a plea to a lesser charge ranged from 1% (Waterville, Rockland and Bangor -- 1 case each) to 13% in Biddeford (20 cases). The average dismissal rate for all District Courts was 5% (140 cases).

A total of 180 cases adjudicated by the District Courts resulted in straight dismissals (7%). These dismissal rates ranged from 2% (Presque Isle and Belfast, 2 cases each; and Augusta, 3 cases) to 31% (Livermore Falls, 4 cases).

Fines were imposed by the District Courts in 99% of the criminal OUI convictions (2,200) and ranged from $50 to $1000 while the District Court averages ranged from $343 in Lewiston to $491 in Skowhegan District Court. The statewide average was $372.

Drivers licenses were suspended in 96% (2,135) of the criminal OUI convictions (range, 30-365 days; average, 95 days). District Court average for license suspension periods ranged from 86 days in the Springvale District Court to 121 days in Farmington and Skowhegan.

The District Courts imposed jail sentences in almost 96% of the convictions for criminal OUI. The jail sentences ranged from 1 day (Skowhegan) to 243 days (Presque Isle). The average jail sentence was 4 days and the District Court averages ranged from 2 days (14 District Courts) to 8 days in the Skowhegan District Court. (These statistics are provided by county in Appendix B, Table B-5.)

CIVIL-CRIMINAL NOT SPECIFIED. The District Court conviction rate for OUI cases which were not specified as civil or criminal was 18% (90 cases) -- 506 cases were adjudicated during the reporting period. The conviction rates ranged from 4% in Dover-Foxcroft (1 case) to 100% in Skowhegan (1 case). (It should be noted that although such cases were identified in all 33 of the District Courts, no convictions were identified in 10 courts at the time of data collections.)

Five percent (26 cases) of the unspecified cases were dismissed for a plea to a lesser charge and an additional 59% (301 cases) were straight dismissals. Dismissal rates in the District Courts ranged from 10% in Portland (2 cases) to 100% in Livermore Falls and Presque Isle (2 cases each) as well as in Madawaska and Bridgton, 1 and 5 cases respectively.

Of the 90 verdicts of guilty, fines were imposed by the courts in 86 convictions (96%), licenses were suspended in 43 convictions (48%) and jail sentencing occurred in 32 convictions (36%).

Fines ranged from $70 to $750, license suspension periods from 30 to 365 days and jail sentences ranged from 1 day to 45 days. District Court averages ranged as follows: fines, $250 (Kittery) to $750 (Newport); license suspension, 30 days (Dover-Foxcroft) to 180 days (Farmington); and jail sentences ranged from 2 days in four courts (Van Buren, Augusta, Rumford and Dover-Foxcroft) to 45 days (Machais).

The overall District Court averages in terms of the penalties imposed in the OUI unspecified, criminal-civil cases were: fine, $342; license suspension period, 90 days; and jail sentence, 11 days. (Table B-6 in Appendix B presents complaint, disposition and sentencing statistics for civil-criminal not specified OUI cases by District Court.)

SECTION D-

SUPERIOR COURT STATISTICS: DISPOSITION AND SENTENCING

CIVIL OUI. Twenty-three civil OUI cases were identified in 10 Superior Courts. Only 5 cases had been adjudicated at the time of data collection, all of which resulted in finding of guilty. In all five convictions, the courts imposed the mandatory fines ($250) and license suspension periods (45 days). (Table B-7 of Appendix B provides the statistics for these cases.)

CRIMINAL OUI. A total of 1,033 criminal OUI cases were identified in Maine's Superior Courts. At the time of data collection, 520 cases had been adjudicated: 414 cases (80%) resulted in a finding of guilty; 10 cases (2%), not guilty; 18 cases (3%) were dismissed; and 31 cases (6%) resulted in "other" dispositions.

Superior Court conviction rates ranged from 69% in both Cumberland (72 cases) and Franklin (9 cases) to 100% in both Hancock (5 cases) and Washington (4 cases).

Jail sentences were imposed by the courts in 98% of the convictions (407 cases) -- ranging from 2 days to 304 days. The statewide average was a 9-day jail sentence ranging from an average of 2 days (Waldo) to 48 days (Washington). Fines were imposed by the courts in 96% of the convictions and ranged from $250 to $1000 with Superior Court averages ranging from $347 (Somerset) to $475 (Piscataquis). License suspension periods ranged from 30 to 365 days and were imposed by the courts in 81% of the convictions (334 cases). Court averages in terms of license suspension periods ranged from 88 days (Penobscot) to 114 days (Waldo); ninety-nine days was the state average for Superior Courts. (Table B-8 in Appendix B presents criminal OUI statistics by Superior Court.)

OUI, CIVIL-CRIMINAL NOT SPECIFIED. A total of 66 OUI complaints were identified in the Superior Courts which were not specified criminal or civil. At the time of data collection, thirty-six of these cases had been adjudicated and the disposition was as follows: findings of guilty, 36% (13 cases); dismissed for a plea to a lesser charge 8% (3 cases); and dismissed, 19% (7 cases).

Of the 13 convictions, the courts imposed fines in 12 convictions (92%), licenses were suspended in 2 convictions (15%) and jail sentencing occurred in 6 convictions (46%). Fines ranged from $250 to $500 with the overall court average being $317; license suspension periods ranged from 40 to 90 days with an overall average of 65 days; and jail sentences ranged from 2 to 45 days with the Superior Court average being 22 days. (Table B-9, Appendix B, presents Superior Court statistics for civil-criminal-not specified OUI cases.)

SECTION E-

DRIVER EDUCATION EVALUATION PROGRAM (DEEP)

Although participation in and successful completion of DEEP for license restoration is not required by statute, Maine's Secretary of State, in a memo issued August 12, 1981, stated that "all people (convicted under §1312-D and §1312-C) must have completed such alcohol counseling and education as the Department of Human Services shall have prescribed, prior to the restoration of any type of license whatsoever."

The Division of Motor Vehicles (DMV) is notified by Maine's courts concerning OUI convictions -- based on such information, DMV then notifies drivers convicted of an OUI offense of the DEEP requirement. Upon successfully completing DEEP and any other requirements such as additional evaluation and counseling when indicated, DEEP notifies DMV of successful completion. Therefore, since DMV receives and stores OUI conviction and DEEP completion information, the data contained in Table 6 were all provided by DMV.

It should be noted that all activity represented in Table 6 (convictions and subsequent convictions by DEEP completors as well as DEEP completion, etc.) occurred during the reporting period. Stated differently, in order for a statistic to be included in Table 6, the OUI offense, conviction, completion of DEEP and other related requirements and subsequent OUI, OAS, or HO offense must have occurred between September 18, 1981 and September 17, 1982.

TABLE 6

OUI CONVICTIONS, DRIVER EDUCATION EVALUATION PROGRAM (DEEP) COMPLETION & RECIDIVISM RATES FOR PROGRAM COMPLETORS BY COUNTY

(September 18, 1981 – September 17, 1982)

COUNTY	Number OUI Convictions	DRIVER EDUCATION EVALUATION AND REHABILITATION						SUBSEQUENT CONVICTIONS (DEEP COMPLETORS)					
		Completion of DEEP (9 Hr.) and (if required) Add'l Evaluation & Rehabilitation		DEEP Referrals (Add'l Evaluation - Rehabilitation)		Completion by DEEP Referrals of Add'l Eval.- Rehabilitation		RECIDIVISM RATES BY OFFENSE					
								OUI		OAS		Habitual Offender	
		No.	%[1]	No.	%[2]	No.	%[3]	No.	%	No.	%	No.	%
Androscoggin	428	202	47	72	36	57	79	2	1.0	3	1.5		
Aroostook	737	384	52	134	35	97	72	10	2.6	5	1.3		
Cumberland	1493	812	54	320	39	287	90	11	1.4	13	1.6		
Franklin	129	69	54	20	29	15	75						
Hancock	192	110	57	38	35	29	76	2	1.8				
Kennebec	907	470	52	167	36	136	81	9	1.9	6	1.3		
Knox	257	123	48	52	42	44	85	2	1.6				
Lincoln	224	114	51	34	30	26	77						
Oxford	170	98	58	33	34	24	73	4	4.1				
Penobscot	903	460	51	225	49	185	82	1	0.2	3	0.7		
Piscataquis	134	72	54	32	44	26	81	2	2.8				
Sagadahoc	188	94	50	31	33	16	52	1	1.1	3	3.2		
Somerset	391	188	48	81	43	66	82	2	1.1	1	0.5		
Waldo	157	102	65	50	49	43	86			2	2.0		
Washington	193	80	42	25	31	22	88	2	1.0				
York	1014	415	41	133	32	107	81	9	2.2	2	0.5		
TOTAL	7517	3793	51	1447	38	1180	82	57	1.5	38	1.0		

Source: Division of Motor Vehicles

1 Based on total number of OUI convictions.
2 Based on participation-completion of DEEP (9-Hr. Program).
3 Based on total number of DEEP referrals made.

As shown in Table 6, DMV received notification of 7,517 OUI convictions during the first twelve months under the new OUI law. As of September 17, 1982, DEEP and other related requirements for license restoration were met in 51% of the convictions (3,793) -- included in this group were 1,447 instances when the Department of Human Services identified and required completion of additional evaluation and possibly, alcohol-related counseling, prior to reporting "successful" completion to DMV for purposes of license restoration. Of the total number of referrals (1,447) made by DEEP instructors, the additional requirements were met in 82% of the cases (1,180). (It should be noted that the DEEP completion data presented in this report do not

include drivers who may have been in the process of meeting DEEP and other related requirements on September 17, 1982 or those who may have begun and completed the requirements subsequent to that date.)

As is apparent from Table 6, DEEP county completion rates ranged from 41% in York (1,014 convictions; 415 completions) to 65% in Waldo (157 convictions; 102 completions). DEEP referral rates for additional evaluation and, if indicated, counseling ranged from 29% in Franklin (69 total participation; 20 referrals made) to 49% in Penobscot (460 total participation; 225 referrals made). The completion of additional requirements was 52% in Sagadahoc (16 out of 31 referrals) and 90% in Cumberland County (287 referrals out of 320).

Of the total number of successful DEEP completions (3,793), fifty-seven subsequent OUI offenses - convictions occurred (1.5% recidivism rate). Additionally, 38 OAS violations (1.0%) by OUI offenders-DEEP completors were reported to DMV by the courts.

PART IV

OPERATING AFTER SUSPENSION

SECTION A-

STATE STATISTICS

COMPLAINTS AND DISPOSITION. A total of 5,769 OAS complaints were identified in Maine's District and Superior Courts for violations committed between September 18, 1981 and September 17, 1982. At the time of data collection in the courts (November-December 1982), eighteen percent of these OAS cases (1,051) were still in a pending status.

The disposition of the 4,718 OAS cases adjudicated was:

- 60% - Guilty
- 2% - Not Guilty
- 8% - Dismissed, Plea to Lesser Charge
- 18% - Dismissed
- 12% - Other

SENTENCING. Of the 2,846 cases which resulted in a verdict of guilty, the courts imposed fines in 95% of the convictions (2,701 cases), jail sentences in 19% (539 cases) and additional license suspension periods were imposed in 7% of the convictions (186 cases). Fines ranged from $25 to $1000 and the statewide average was $218. Jail sentences ranged from 1 day to 335 days with a statewide average of 14 days while additional license suspension periods ranged from 7 days to 3 years with the average suspension period being 303 days.

SECTION B-

COUNTY STATISTICS

COMPLAINTS AND DISPOSITION. OAS conviction rates ranged from seventy-nine percent (83 cases) in Knox County to 49% in York County (431 cases). Dismissals for a plea to a lesser charge ranged from 1% in five counties (Aroostook, 4 cases; Knox, 1 case; Penobscot, 2 cases; Waldo, 1 case; and Washington, 2 cases) to 17% (Cumberland County, 213 cases).

Straight dismissal rates ranged from 13% in Cumberland (171 cases) to 30% in Waldo County (28 cases). (Table 7 presents the disposition of OAS cases by county.)

TABLE 7

OPERATING AFTER SUSPENSION: DISPOSITION BY COUNTY

(September 18, 1981 – September 17, 1982)

COUNTY (Superior and District Courts)	COURT FINDINGS											
	Total Adjudications		Other		Dismissed		Dismissed Plea Lesser Charge		Not Guilty		Guilty	
	No.	%	No.	%	No.	%	No.	%	No.	%	No.	%
Androscoggin	328		54	17	53	16	28	8			191	59
Aroostook	327		62	19	47	14	4	1	5	2	209	64
Cumberland	1258		160	13	171	13	213	17	9	1	703	56
Franklin	55		6	11	9	16	2	4	1	2	37	67
Hancock	126		9	7	33	26	2	2	3	2	79	63
Kennebec	375		20	5	58	15			10	3	287	77
Knox	105				21	20	1	1			83	79
Lincoln	77		4	5	22	29	4	5	1	1	46	60
Oxford	106		8	8	22	21	8	7			68	64
Penobscot	523		24	5	143	27	2	1	23	4	331	63
Piscataquis	56		8	14	13	23	1	2			34	61
Sagadahoc	154		4	2	37	24	3	2	6	4	104	68
Somerset	134		11	8	22	16			2	2	99	74
Waldo	94		3	3	28	30	1	1	1	1	61	65
Washington	132		8	6	30	23	2	1	9	7	83	63
York	872		180	21	162	19	89	10	10	1	431	49
TOTAL	4718		561	12	871	18	360	8	80	2	2846	60

NOTE: Percentages are based on total number of cases adjudicated – pending cases were excluded from calculations.

SENTENCING. Fines ranged from an average of $158 in Washington County to $320 in Somerset County. Additional license suspension periods ranged from an average of 60 days in Oxford to 438 days in Waldo County while jail sentences ranged from a county-wide average of 6 days in 3 counties (Piscataquis, Sagadahoc and York) to 33 days in Lincoln County. (Table C-1, Appendix C, presents OAS complaints, disposition and penalties data by county.)

SECTION C-
DISTRICT COURT STATISTICS

COMPLAINTS AND DISPOSITION. Of the 4,718 OAS cases adjudicated during the reporting period, 94% of the adjudications (4,443 cases) occurred in District Courts while 6% were adjudicated (275 cases) in Superior Courts.

In the District Courts, dismissals for a plea to a lesser charge ranged from 1% in 4 courts (Presque Isle, 2 cases; Rockland, Belfast and Calais, 1 case each) to 17% in Portland (161 cases). Straight dismissals ranged from 4% in Presque Isle (3 cases) to 38% in Millinocket (12 cases). Conviction rates ranged from 41% in Biddeford (134 cases) to 81% in Waterville (96 cases).

SENTENCING. Fines were imposed by the courts in 96% of the convictions, additional license suspension periods in 7% and jail sentences were imposed in 16% of the OAS convictions.

District Court fines ranged from an average of $81 in Van Buren to $298 in Skowhegan -- the statewide average for District Courts was $214 and the range was from $25 to $1000.

Additional license suspension periods (imposed in 7% of the convictions) ranged from 45 days in Fort Kent to 548 days in Calais. The statewide average for District Courts was 301 days and the statewide range was 7 days to 3 years.

The average jail sentence imposed by the courts was 11 days and ranged from 1 day to 184 days. District Court averages ranged from 3 days (Springvale) to 23 days (Skowhegan). (Disposition and sentencing data are presented by District Court in Table C-2, Appendix C.)

SECTION D-

SUPERIOR COURT STATISTICS

COMPLAINTS AND DISPOSITIONS. Maine's 16 Superior Courts adjudicated 275 OAS cases during the twelve-month reporting period -- 55% of which (150 cases) resulted in convictions, 9% were dismissed for a plea to a lesser charge (25 cases) and 20% or 56 cases were dismissed.

Two Superior Courts had a 100% conviction rate (Waldo and Washington) while Cumberland's conviction rate was 30%. Piscataquis had a dismissal rate of 100% (2 cases) while the lowest dismissal rate was in Androscoggin, 5% or 1 case. Of the 4 OAS cases dismissed for a plea to a lesser charge, 15 were in Cumberland, eight in York and 1 each in Lincoln and Oxford. Straight dismissal rates ranged from 6% (Lincoln) to 30% (Cumberland).

SENTENCING. The Superior Courts imposed fines in 79% of the convictions (119 cases), additional license suspension periods in 8% (12 cases) and jail sentences were imposed in 47% of the convictions. The average fine was $296 (range: $50 to $600), license suspension period was 334 days (range: 90 to 548 days) and the average jail sentence was 33 days (range: 2 to 335 days). (Table C-3, Appendix C, shows OAS disposition and sentencing information by Superior Court.)

In summary, of the total 5,769 OAS cases identified as having occurred during the reporting period, 82% of them (4,718) had been adjudicated at the time of data collection in the courts (November-December 1982). Statewide disposition of the 4,718 OAS cases was as follows: conviction rate, 60%; dismissal rate, 18%; dismissal-plea to lesser charge rate, 8%; not guilty rate, 2%; and other disposition rate, 12%. Courts imposed fines in 95% of the convictions (average fine, $218; range $25 to $1000); additional license suspension periods were imposed in 7% of the convictions (average, 303 days; range, 7 days to 3 years); and jail sentences in 19% (average, 14 days; range, 1 day to 335 days).

PART V

OPERATING AS AN HABITUAL OFFENDER (HO)

SECTION A-

STATEWIDE STATISTICS

COMPLAINTS-INDICTMENTS AND DISPOSITION. A total of 409 cases of operating as an HO were identified in Maine's courts for the reporting period -- 63% were identified in Superior Courts and 27% in District Courts. At data collection, 45% (186 HO's) were found to be in a pending status.

Of the 223 HO cases adjudicated, the disposition was:

- 43% - Guilty
- 2% - Not Guilty
- 3% - Dismissed-Plea to Lesser Charge
- 29% - Dismissed
- 23% - Other

The disposition of OUI cases by county is depicted in the table below.

TABLE B

HABITUAL OFFENDER: DISPOSITION BY COUNTY
(September 18, 1981 – September 17, 1982)

COUNTY (Superior and District Courts)	COURT FINDINGS											
	Total Adjudications		Other		Dismissed		Dismissed Plea Lesser Charge		Not Guilty		Guilty	
	No.	%	No.	%	No.	%	No.	%	No.	%	No.	%
Androscoggin	38		11	29	12	31					15	40
Aroostook	13		2	15	4	31					7	54
Cumberland	57		18	31	7	13			1	2	31	54
Franklin												
Hancock	9				3	33					6	67
Kennebec	8		1	13	4	50	1	12	1	12	1	12
Knox	6		1	17							5	83
Lincoln												
Oxford	3		1	33	2	67						
Penobscot	24				17	171					7	29
Piscataquis	1				1	100						
Sagadahoc	2										2	100
Somerset	13		8	61							5	38
Waldo	9				1	11					8	89
Washington	8				1	12			2	25	5	62
York	32		10	31	12	38	7	22			3	9
TOTAL	223		52	23	64	29	8	3	4	2	95	43

NOTE: Percentages are based on total number of cases adjudicated – pending cases were excluded from calculations.

SENTENCING. The courts imposed fines in 30% of the HO convictions -- ranging from $100 to $1000 with the average being $529. Jail sentences and additional license suspension periods were imposed in 93% and 1% of the HO convictions, respectively. The average jail sentence was 70 days and sentences ranged from 2 to 365 days. One HO conviction resulted in an additional license suspension period being imposed (183 days). (Complaints, disposition and sentencing data are presented by county in Table D-1, Appendix D.)

SECTION B-
DISTRICT COURT STATISTICS

COMPLAINTS AND DISPOSITION. As previously noted, 37% of all HO cases (152) were identified in Maine's District Courts -- 70% of which had been adjudicated (106 cases) at the time the data were collected.

Of the total number of cases adjudicated, the conviction rate was 13% (14 cases), the dismissal rate was 51% (54 cases) and the dismissal rate for a plea to a lesser charge was 6% (6 cases) -- an additional 1% (2 cases) resulted in a verdict of not guilty and 28% (30 cases) had "other" disposition.

SENTENCING. An average fine of $415 was imposed by the District Courts in 71% of the convictions (10 cases) and ranged from a fine of $100 to $1000. An additional license suspension period of 183 days was imposed in one conviction and jail sentences were imposed in 8 of the 14 convictions (57%) ranging from 10 to 75 days. The average jail sentence was 42 days. (Table D-2, Appendix D, presents HO complaints, disposition and sentencing information by District Court.)

SECTION D-
SUPERIOR COURT STATISTICS

COMPLAINTS-INDICTMENTS AND DISPOSITION. Of the 257 HO cases identified in the Superior Courts, 117 cases had been adjudicated at the time of data collection (November-December 1982).

The disposition of the 117 cases was as follows: finding of guilty, 69% (81 cases); dismissed for a plea to lesser charge, 2% (2 cases); straight dismissals, 9% (10 cases) not guilty, 2% (2 cases); and "other" disposition, 20% (24 cases).

SENTENCING. Of the 81 cases resulting in conviction, fines were imposed by the courts in 22 convictions (22%) ranging from $200 to $1000 with the average being $592. Jail sentencing occurred in 80 convictions (almost 99%). The average jail sentence was found to be 73 days -- ranging from 2 to 365 days. Based on the records reviewed in the courts (primarily the dockets), it appears that additional license suspension periods were not handed down in any of the 81 HO convictions. (HO statistics, by Superior Court, are presented in Table D-3 in Appendix D.)

PART VI
APPENDICES

APPENDIX A
DATA COLLECTION FORM

(1,41) _
(2,42) _ _ _ _

DATA COLLECTOR: _____ DATE: _____

DISTRICT COURT:	SUPERIOR COURT: (7,47) _ _
Docket No.: _____ Date of Offense: _____	Docket No.: _____ Date of Offense: _____
OFFENSE: OUI – EBA ☐ Criminal ☐ Civil ☐ Not Indicated ☐ Operating After Suspension (OAS) ☐ Habitual Offender (HO)	OFFENSE: OUI – EBA: ☐ Criminal ☐ Civil ☐ Not Indicated ☐ OAS ☐ HO
FOUND: ☐ Guilty ☐ Not Guilty ☐ Dismissed ☐ Dismissed – Plea to Other Charge or Indictment (Specify _____) ☐ Pending ☐ Other (Specify _____)	FOUND: ☐ Guilty ☐ Not Guilty ☐ Dismissed ☐ Dismissed – Plea to Other Charge (Specify _____) ☐ Pending ☐ Other (Specify _____)
SENTENCE: $ _____ Fine _____ Jail (Days Unsuspended) _____ Days (Unsuspended) License Suspended	SENTENCE: $ _____ Fine _____ Jail (Days Unsuspended) _____ Days (Unsuspended) License Suspended
☐ Case Transferred/Bound Over to Superior Court ☐ Case Appealed to Superior Court _____ Date Sent to Superior Court	

(10,50) _
(16,56) _
(22,62)
(25,65)
(28,68) _
(33,73) _
(37,77) _

(1,41) _
(2,42) _ _ _ _

DISTRICT COURT:	SUPERIOR COURT: (7,47)
Docket No.: _____ Date of Offense: _____	Docket No.: _____ Date of Offense: _____
OFFENSE: OUI – EBA ☐ Criminal ☐ Civil ☐ Not Indicated ☐ Operating After Suspension (OAS) ☐ Habitual Offender (HO)	OFFENSE: OUI – EBA: ☐ Criminal ☐ Civil ☐ Not Indicated ☐ OAS ☐ HO
FOUND: ☐ Guilty ☐ Not Guilty ☐ Dismissed ☐ Dismissed – Plea to Other Charge or Indictment (Specify _____) ☐ Pending ☐ Other (Specify _____)	FOUND: ☐ Guilty ☐ Not Guilty ☐ Dismissed ☐ Dismissed – Plea to Other Charge (Specify _____) ☐ Pending ☐ Other (Specify _____)
SENTENCE: $ _____ Fine _____ Jail (Days Unsuspended) _____ Days (Unsuspended) License Suspended	SENTENCE: $ _____ Fine _____ Jail (Days Unsuspended) _____ Days (Unsuspended) License Suspended
☐ Case Transferred/Bound Over to Superior Court ☐ Case Appealed to Superior Court _____ Date Sent to Superior Court	

(10,50) _
(16,56) _
(22,62)
(25,65)
(28,68) _
(33,73) _
(37,77) _

(1,41) _
(2,42) _ _ _ _

DISTRICT COURT:	SUPERIOR COURT: (7,47) _ _
Docket No.: _____ Date of Offense: _____	Docket No.: _____ Date of Offense: _____
OFFENSE: OUI – EBA ☐ Criminal ☐ Civil ☐ Not Indicated ☐ Operating After Suspension (OAS) ☐ Habitual Offender (HO)	OFFENSE: OUI – EBA: ☐ Criminal ☐ Civil ☐ Not Indicated ☐ OAS ☐ HO
FOUND: ☐ Guilty ☐ Not Guilty ☐ Dismissed ☐ Dismissed – Plea to Other Charge or Indictment (Specify _____) ☐ Pending ☐ Other (Specify _____)	FOUND: ☐ Guilty ☐ Not Guilty ☐ Dismissed ☐ Dismissed – Plea to Other Charge (Specify _____) ☐ Pending ☐ Other (Specify _____)
SENTENCE: $ _____ Fine _____ Jail (Days Unsuspended) _____ Days (Unsuspended) License Suspended	SENTENCE: $ _____ Fine _____ Jail (Days Unsuspended) _____ Days (Unsuspended) License Suspended
☐ Case Transferred/Bound Over to Superior Court ☐ Case Appealed to Superior Court _____ Date Sent to Superior Court	

(10,50) _
(16,56) _
(22,62)
(25,65)
(28,68) _
(33,73) _
(37,77) _

APPENDIX B
OUI STATISTICS

TABLE B-1

CIVIL OUI: COURT FINDINGS AND PENALTIES BY COUNTY

September 18, 1981 – September 17, 1982

COUNTY (Superior and District Courts)	COURT FINDINGS												PENALTIES								
													FINE			LICENSE SUSPENSION			JAIL SENTENCE		
	Complaints* No.	%	Pending No.	%	Dismissed No.	%	Dismissed Plea Lesser Charge No.	%	Not Guilty No.	%	Guilty No.	%	No. Fined	Ave. Fine	Range Low - High	No. Lic. Susp.	Ave. Lic. Susp. (Days)	Range Low - High	No. Jailed	Ave. Jail Sent. (Days)	Range Low - High
Androscoggin	430	95	110	26	32	8	15	4	4	1	243	56	242	251	200 - 500	242	45	30 - 90	1	2	2 - 2
Aroostook	497	100	17	3	34	7	1	1	8	2	434	87	434	254	250 - 450	426	45	45 - 120	1	10	10 - 10
Cumberland	1250	94	102	8	54	4	116	9	22	2	893	71	893	255	250 - 400	884	45	30 - 183	5	5	2 - 15
Franklin	137	93	19	14	14	10	2	2	1	1	91	66	91	309	250 - 480	88	54	45 - 180	1	3	3 - 3
Hancock	140	100	9	7	5	4			2	1	124	88	124	255	250 - 500	123	45	45 - 90			
Kennebec	509	100	16	3	10	2			9	2	472	93	472	256	250 - 500	455	45	30 - 180	2	2	2 - 2
Knox	188	98	9	5	11	6	6	3	2	1	156	83	156	295	250 - 500	156	46	45 - 180			
Lincoln	155	99	3	2	12	8			3	2	135	87	135	294	250 - 400	135	45	30 - 45			
Oxford	145	95	37	26	7	5	2	1	2	1	90	62	90	256	250 - 400	89	45	45 - 60			
Penobscot	578	100	12	2	26	4	1	1	13	2	524	91	522	251	150 - 500	513	45	30 - 90	4	27	2 - 60
Piscataquis	94	99	1	1	9	10			4	4	79	84	79	251	250 - 300	76	45	45 - 45			
Sagadahoc	165	98	8	5	12	7			9	5	133	81	133	262	250 - 350	132	46	45 - 90			
Somerset	252	100	28	11	7	3			7	3	208	83	207	308	250 - 500	204	51	45 - 180			
Waldo	111	98	2	2	8	7			3	3	95	86	95	252	200 - 400	94	45	45 - 45			
Washington	137	97	3	2	5	4	1	1	3	2	121	88	121	249	50 - 300	119	47	45 - 180			
York	889	95	93	10	95	11	41	5	15	2	598	67	598	251	75 - 500	591	46	30 - 180			
TOTAL	5677	96	469	8	341	6	185	3	107	2	4396	77	4392	260	50 - 500	4327	46	30 - 183	14	11	2 - 60

* No. of Complaints represents total number of cases identified in the courts; the percent, however, represents the total number of cases as shown in the remaining five columns (pending, dismissals, dismissals for a plea to a lesser charge, not guilty and guilty). If the percent is less than 100%, such as 96%, the difference represents "OTHER" findings of the court (e.g., cases filed, defendant deceased or imprisoned, plea of guilty to greater charge, plea of guilty to other charge [other charge not specified] etc.)

TABLE B-2

CRIMINAL OUI: COURT FINDINGS AND PENALTIES BY COUNTY
September 18, 1981 – September 17, 1982

COUNTY (Superior and District Courts)	COURT FINDINGS												PENALTIES								
													FINE			LICENSE SUSPENSION			JAIL SENTENCE		
	Complaints* No.	%	Pending No.	%	Dismissed No.	%	Dismissed Plea Lesser Charge No.	%	Not Guilty No.	%	Guilty No.	%	No. Fined	Ave. Fine	Range Low - High	No. Lic. Susp.	Ave. Lic. Susp. (Days)	Range Low - High	No. Jailed	Ave. Jail Sent. (Days)	Range Low - High
Androscoggin	305	97	124	41	19	6	9	3	4	1	140	46	139	347	100 - 500	137	92	30 - 365	133	3	2 - 60
Aroostook	349	99	52	14	16	5			2	1	275	79	269	355	50 - 600	247	91	90 - 180	270	7	2 - 304
Cumberland	903	95	236	26	38	4	66	7	5	1	511	57	509	356	250 - 500	493	93	30 - 365	486	3	2 - 183
Franklin	63	100	29	46	9	14					25	40	22	421	350 - 680	20	115	45 - 183	25	6	2 - 40
Hancock	80	100	22	27	3	4					55	69	53	357	350 - 500	52	98	90 - 365	55	7	2 - 182
Kennebec	426	100	75	17	10	2	1	1	7	2	332	78	329	412	250-1000	306	95	45 - 365	324	4	2 - 90
Knox	152	100	34	22	12	8	6	4	4	3	95	63	93	440	300-1000	94	108	45 - 180	94	5	2 - 60
Lincoln	99	99	18	18	6	6	3	3			71	72	71	403	250 - 650	66	113	45 - 365	68	6	2 - 90
Oxford	136	97	62	46	2	2	2	2	1	1	63	46	62	377	350 - 900	58	91	45 - 183	61	6	2 - 60
Penobscot	461	99	34	7	64	14	11	2	9	2	343	74	340	364	50 - 750	320	90	30 - 365	327	3	2 - 184
Piscataquis	69	97	8	12	3	4	2	3	2	3	52	75	51	365	350 - 600	50	89	45 - 90	52	4	2 - 90
Sagadahoc	78	98	17	22	3	4	2	3	1	1	53	68	52	374	350 - 500	48	95	45 - 182	52	4	2 - 45
Somerset	214	99	38	18	10	5	2	1	2	1	159	74	154	459	300-1000	140	113	30 - 365	153	6	1 - 90
Waldo	82	100	10	12	1	1	5	6			66	81	65	355	350 - 500	65	95	90 - 365	66	3	2 - 60
Washington	108	100	27	25	4	4	3	3	3	3	70	65	69	350	350 - 350	69	107	90 - 365	70	5	2 - 185
York	542	97	119	22	27	5	46	9	8	2	320	59	320	352	150 - 700	304	89	30 - 183	296	3	2 - 60
TOTAL	4067	98	905	22	227	6	158	4	48	1	2630	65	2598	375	50 - 1000	2469	96	30 - 365	2532	5	1 - 304

* No. of Complaints represents total number of cases identified in the courts; the percent, however, represents the total number of cases as shown in the remaining five columns (pending, dismissals, dismissals for a plea to a lesser charge, not guilty and guilty). If the percent is less than 100%, such as 96%, the difference represents "OTHER" findings of the court (e.g., cases filed, defendant deceased or imprisoned, plea of guilty to greater charge, plea of guilty to other charge [other charge not specified] etc.)

TABLE B-3

CIVIL-CRIMINAL OUI, NOT INDICATED: COURT FINDINGS AND PENALTIES BY COUNTY

September 18, 1981 – September 17, 1982

COUNTY (Superior and District Courts)	COURT FINDINGS												PENALTIES								
													FINE			LICENSE SUSPENSION			JAIL SENTENCE		
	Complaints*		Pending		Dismissed		Dismissed Plea Lesser Charge		Not Guilty		Guilty		No. Fined	Ave. Fine	Range Low - High	No. Lic. Susp.	Ave. Lic. Susp. (Days)	Range Low - High	No. Jailed	Ave. Jail Sent. (Days)	Range Low - High
	No.	%	No.	%	No.	%	No.	%	No.	%	No.	%									
Androscoggin	37	87	13	35	10	27			1	3	8	22	8	306	200 - 500				1	30	30 - 30
Aroostook	43	85	1	2	31	72			1	2	4	9	4	300	250 - 350	1	90	90 - 90	2	3	2 - 4
Cumberland	71	79	12	17	14	20	16	22			14	20	12	327	250 - 500	9	86	30 - 365	4	16	2 - 30
Franklin	18	95	1	6	14	78					2	11	2	425	350 - 500	2	180	180 - 180	2	26	7 - 45
Hancock	35	91	14	40	14	40					4	11	4	418	250 - 720	2	68	45 - 90	2	10	3 - 17
Kennebec	123	96	25	20	55	45			12	9	27	22	25	285	75 - 500	7	58	45 - 90	6	16	2 - 45
Knox	11	100	1	9	9	82			1	9											
Lincoln	8	100			7	88					1	12	1	350	350 - 350	1	45	45 - 45			
Oxford	14	85	2	14	7	50	1	7			2	14	2	450	350 - 550	1	40	40 - 40	2	2	2 - 2
Penobscot	73	96	4	5	48	66	1	1	4	6	13	18	11	495	100 - 750	10	118	30 - 365	10	9	2 - 30
Piscataquis	28	87	1	4	22	79					1	4	1	350	350 - 350	1	30	30 - 30	1	2	2 - 2
Sagadahoc	14	93	2	14	5	36					6	43	6	308	250 - 500	2	113	45 - 180			
Somerset	2	100	1	50							1	50	1	250	250 - 250						
Waldo	13	85	2	15	5	39	1	8			3	23	3	317	100 - 500	1	45	45 - 45			
Washington	45	86	10	22	14	31	1	2	13	29	1	2							1	45	45 - 45
York	128	88	32	25	53	41	9	7	3	2	16	13	16	327	225 - 500	8	84	45 - 180	7	7	1 - 30
TOTAL	663	90	121	18	308	47	29	4	35	5	103	16	98	339	75 - 750	45	89	30 - 365	38	13	1 - 45

* No. of Complaints represents total number of cases identified in the courts; the percent, however, represents the total number of cases as shown in the remaining five columns (pending, dismissals, dismissals for a plea to a lesser charge, not guilty and guilty). If the percent is less than 100%, such as 96%, the difference represents "OTHER" findings of the court (e.g., cases filed, defendant deceased or imprisoned, plea of guilty to greater charge, plea of guilty to other charge (other charge not specified) etc.)

TABLE B-4

CIVIL OUI: COURT FINDINGS AND PENALTIES BY DISTRICT COURT

September 18, 1981 – September 17, 1982

DISTRICT COURT		COURT FINDINGS												PENALTIES								
														FINE			LICENSE SUSPENSION			JAIL SENTENCE		
(County)	(Court)	*Complaints No.	%	Pending No.	%	Dismissed No.	%	Dismissed Plea Lesser Charge No.	%	Not Guilty No.	%	Guilty No.	%	No. Fined	Ave. Fine	Range Low - High	No. Lic. Susp.	Ave. Lic. Susp. (Days)	Range Low - High	No. Jailed	Ave. Jail Sent. (Days)	Range Low - High
Androscoggin	Lewiston	371	93	94	25	24	7	13	3	4	1	212	57	211	252	200 - 500	211	45	30 - 90	1	2	2 - 2
	Livermore Falls	58	97	15	26	8	14	2	3			31	54	31	250	250 - 250	31	45	45 - 45			
Aroostook	Caribou	131	99	1	1	4	3			3	2	122	93	122	252	250 - 350	119	45	45 - 45			
	Fort Kent	38	97			3	8					34	89	34	256	250 - 350	32	46	45 - 90			
	Houlton	129	100	8	6	19	15	1	1	3	2	98	76	98	253	250 - 350	98	46	45 - 120			
	Madawaska	48	100	3	6	4	8			1	2	40	84	40	262	250 - 350	38	46	45 - 90	1	10	10 - 10
	Presque Isle	141	99	3	2	3	2			1	1	133	94	133	254	250 - 450	132	45	45 - 45			
	Van Buren	7	100			1	14					6	86	6	254	250 - 275	6	45	45 - 45			
Cumberland	Bridgton	60	98	9	15	5	8	5	8	1	2	39	65	39	251	250 - 300	39	45	45 - 45			
	Brunswick	253	100	38	15	4	2	22	8	1	1	186	74	186	257	250 - 400	185	45	45 - 90	1	2	2 - 2
	Portland	933	94	51	5	45	5	89	10	20	2	668	72	668	254	250 - 400	660	45	30 - 183	4	6	2 - 15
Franklin	Farmington	137	93	19	14	14	10	2	2	1	1	91	66	91	309	250 - 480	88	54	45 - 180	1	3	3 - 3
Hancock	Bar Harbor	36	100									36	100	36	263	250 - 500	35	45	45 - 45			
	Ellsworth	103	100	8	8	5	5			2	2	88	85	88	252	250 - 350	88	46	45 - 90			
Kennebec	Augusta	329	100	4	1	5	2			5	2	315	95	315	255	250 - 500	301	45	30 - 45			
	Waterville	176	99	8	5	5	3			4	2	157	89	157	258	250 - 400	154	46	45 - 180	2	2	2 - 2
Knox	Rockland	188	98	9	5	11	6	6	3	2	1	156	83	156	295	250 - 500	156	46	45 - 180			
Lincoln	Wiscasset	155	99	3	2	12	8			3	2	135	87	135	294	250 - 400	135	45	30 - 45			
Oxford	Rumford	109	94	35	32	6	6	2	1	1	1	59	54	59	255	250 - 400	59	45	45 - 45			
	South Paris	35	97	1	3	1	3			1	3	31	88	31	258	250 - 400	30	46	45 - 60			
Penobscot	Bangor	404	100	5	1	20	5	1	1	11	3	367	90	365	251	150 - 500	359	45	30 - 60	2	53	45 - 60
	Lincoln	56	100	5	9	1	2			1	2	49	87	49	252	250 - 350	49	46	45 - 90	1	2	2 - 2
	Millinocket	60	97	1	2	3	5			1	2	53	88	53	254	250 - 350	51	46	45 - 90	1	2	2 - 2
	Newport	58	100	1	2	2	3					55	95	55	251	250 - 300	54	45	45 - 45			
Piscataquis	Dover-Foxcroft	94	99	1	1	9	10			4	4	79	84	79	251	250 - 300	76	45	45 - 45			
Sagadahoc	Bath	164	98	8	5	12	7			9	5	132	81	132	262	250 - 350	131	46	45 - 90			
Somerset	Skowhegan	246	99	24	10	7	3			7	3	206	83	205	309	250 - 500	202	51	45 - 180			
Waldo	Belfast	110	97	2	2	8	7			3	3	94	85	94	252	200 - 400	93	45	45 - 45			
Washington	Calais	76	97	2	3	4	5	1	1			67	88	67	247	50 - 300	65	45	45 - 45			
	Machias	61	97	1	2	1	2			3	5	54	88	54	251	250 - 300	54	50	45 - 180			
York	Biddeford	401	92	45	11	53	13	14	4	8	2	249	62	249	251	75 - 350	245	46	30 - 180			
	Kittery	299	96	35	11	17	5	15	5	5	2	219	73	219	255	250 - 500	218	46	45 - 180			
	Springvale	188	96	12	6	25	13	12	6	2	1	130	70	130	250	250 - 350	128	45	45 - 90			
TOTAL		5654	97	451	8	341	6	185	3	107	2	4391	78	4387	260	50 - 500	4322	46	30 - 183	14	11	2 - 60

* No. of Complaints represents total number of cases identified in the courts; the percent, however, represents the total number of cases as shown in the remaining five columns (pending, dismissals, dismissals for a plea to a lesser charge, not guilty and guilty). If the percent is less than 100%, such as 96%, the difference represents "OTHER" findings of the court (e.g., cases filed, defendant deceased or imprisoned, plea of guilty to greater charge, plea of guilty to other charge (other charge not specified) etc.)

CRIMINAL OUI: COURT FINDINGS AND PENALTIES BY DISTRICT COURT

September 18, 1981 — September 17, 1982

DISTRICT COURT		COURT FINDINGS												PENALTIES								
														FINE			LICENSE SUSPENSION			JAIL SENTENCE		
(County)	(Court)	*Complaints No.	%	Pending No.	%	Dismissed No.	%	Dismissed Plea Lesser Charge No.	%	Not Guilty No.	%	Guilty No.	%	No. Fined	Ave. Fine	Range Low - High	No. Lic. Susp.	Ave. Lic. Susp. (Days)	Range Low - High	No. Jailed	Ave. Jail Sent. (Days)	Range Low - High
Androscoggin	Lewiston	242	97	89	37	14	6	9	4	3	1	119	49	118	343	100 - 500	119	92	30 - 365	113	2	2 - 90
	Livermore Falls	15	93	2	13	4	27					8	53	8	359	350 - 425	8	90	90 - 90	8	2	2 - 2
Aroostook	Caribou	73	100	5	7	3	4			1	1	64	88	64	352	250 - 450	57	91	90 - 120	60	3	2 - 10
	Fort Kent	14	100	1	7							13	93	13	354	350 - 400	13	92	90 - 120	13	2	2 - 2
	Houlton	51	100	6	12	4	8					41	80	40	351	350 - 400	38	90	90 - 95	41	4	2 - 30
	Madawaska	19	100	2	10							17	90	17	353	350 - 400	17	90	90 - 90	17	2	2 - 2
	Presque Isle	110	98	4	4	2	2			1	1	101	92	101	355	50 - 600	92	92	90 - 180	100	7	2 - 243
	Van Buren	4	100									4	100	4	350	350 - 350	3	90	90 - 90	4	2	2 - 2
Cumberland	Bridgton	36	98	6	17	2	6	2	6			25	69	25	358	350 - 500	25	94	90 - 182	25	3	2 - 15
	Brunswick	119	100	27	23			8	7			83	70	83	361	350 - 500	82	95	90 - 182	83	3	2 - 30
	Portland	484	95	43	9	29	6	51	10	3	1	331	69	329	356	250 - 500	324	92	30 - 365	306	3	2 - 45
Franklin	Farmington	24	100	3	12	5	21					16	67	14	461	350 - 680	16	121	45 - 183	16	6	2 - 16
Hancock	Bar Harbor	12	100	2	17	1	8					9	75	9	350	350 - 350	9	100	90 - 180	9	2	2 - 5
	Ellsworth	49	100	6	12	2	4					41	84	40	358	350 - 500	39	98	90 - 365	41	5	2 - 60
Kennebec	Augusta	198	100	12	6	3	2			2	1	181	91	181	416	250-1000	171	91	45 - 182	175	4	2 - 45
	Waterville	117	99	10	8			1	1	2	2	103	88	102	412	350 - 750	93	95	45 - 365	101	3	2 - 30
Knox	Rockland	93	99	13	14	9	10	1	1	4	4	65	70	65	445	300-1000	65	110	45 - 180	64	4	2 - 60
Lincoln	Wiscasset	61	99			4	7	1	2			55	90	55	419	250 - 650	55	114	45 - 365	52	4	2 - 30
Oxford	Rumford	68	92	22	32	2	3	2	3			37	54	37	369	350 - 500	36	90	90 - 90	36	5	2 - 30
	South Paris	20	100									20	100	20	373	350 - 500	19	90	90 - 90	20	4	2 - 30
Penobscot	Bangor	281	100	11	4	48	17	1	1	8	3	213	76	213	359	50 - 750	207	90	45 - 365	203	3	2 - 184
	Lincoln	46	100	8	18	3	6	3	6			32	70	30	358	350 - 600	28	90	90 - 90	30	3	2 - 30
	Millinocket	37	100	2	5	3	8	1	3			31	84	31	366	250 - 500	28	88	45 - 90	29	2	2 - 4
	Newport	54	100	3	5	2	4	5	9	1	2	43	80	43	363	350 - 700	41	88	45 - 90	43	2	2 - 9
Piscataquis	Dover-Foxcroft	58	96	3	6	2	3	2	3	2	3	47	81	47	355	350 - 600	47	89	45 - 90	47	2	2 - 2
Sagadahoc	Bath	44	100	4	9	2	5			1	2	37	84	36	378	350 - 500	34	97	45 - 182	36	5	2 - 45
Somerset	Skowhegan	100	98	14	14	5	5	2	2			77	77	73	491	300 - 750	73	121	45 - 365	73	8	1 - 90
Waldo	Belfast	65	100	7	11	1	1	4	6			53	82	52	354	350 - 500	52	90	90 - 90	53	3	2 - 60
Washington	Calais	46	100	1	2					1	2	44	96	44	350	350 - 350	44	108	90 - 365	44	2	2 - 15
	Machias	39	97	7	18	4	10	3	8	2	5	22	56	22	350	350 - 350	22	107	90 - 365	22	2	2 - 7
York	Biddeford	203	94	45	22	15	7	20	10	4	2	108	53	108	346	150 - 700	105	89	30 - 183	98	2	2 - 10
	Kittery	152	98	27	18	4	3	14	9	2	1	103	67	103	355	250 - 700	102	91	45 - 183	97	2	2 - 18
	Springvale	100	98	7	7	7	7	10	10	1	1	73	73	73	353	250 - 700	71	86	45 - 90	66	2	2 - 7
TOTAL		3034	98	392	13	180	6	140	5	38	1	2216	73	2200	372	50 - 1000	2135	95	30 - 365	2125	4	1 - 243

* No. of Complaints represents total number of cases identified in the courts; the percent, however, represents the total number of cases as shown in the remaining five columns (pending, dismissals, dismissals for a plea to a lesser charge, not guilty and guilty). If the percent is less than 100%, such as 96%, the difference represents "OTHER" findings of the court (e.g., cases filed, defendant deceased or imprisoned, plea of guilty to greater charge, plea of guilty to other charge (other charge not specified) etc.)

TABLE B-6

CIVIL - CRIMINAL OUI, NOT INDICATED: COURT FINDINGS AND PENALTIES BY DISTRICT COURT

September 18, 1981 – September 17, 1982

DISTRICT COURT		COURT FINDINGS											PENALTIES								
													FINE			LICENSE SUSPENSION			JAIL SENTENCE		
(County)	(Court)	Complaints* No.	%	Pending No.	%	Dismissed No.	%	Dismissed Plea Lesser Charge No.	%	Not Guilty No.	%	Guilty No.	%	No. Fined	Ave. Fine	Range Low - High	No. Lic. Susp.	Ave. Lic. Susp. (Days)	Range Low - High	No. Jailed	Ave. Jail Sent. (Days)	Range Low - High
Androscoggin	Lewiston	14	100	4	29	8	57					2	14	2	275	200 - 350						
	Livermore Falls	2	100			2	100															
Aroostook	Caribou	16	69			10	63			1	6											
	Fort Kent	9	100			9	100															
	Houlton	10	90	1	10	7	70					1	10	1	350	350 - 350	1	90	90 - 90	1	4	4 - 4
	Madawaska	1	100			1	100															
	Presque Isle	2	100			2	100															
	Van Buren	4	100			1	25					3	75	3	283	250 - 350				1	2	2 - 2
Cumberland	Bridgton	5	100			5	100															
	Brunswick	27	78	2	7	6	22	8	30			5	19	5	290	250 - 350	5	60	45 - 90			
	Portland	24	75	3	13	2	8	6	25			7	29	7	357	250 - 500	4	118	30 - 365	2	6	2 - 10
Franklin	Farmington	18	94	1	6	14	77					2	11	2	425	350 - 500	2	180	180 - 180	2	26	7 - 45
Hancock	Bar Harbor	20	85	7	35	7	35					3	15	3	473	350 - 720	2	68	45 - 90	2	10	3 - 17
	Ellsworth	12	100	4	33	7	58					1	9	1	250	250 - 250						
Kennebec	Augusta	76	96	12	16	36	47			10	13	15	20	15	290	100 - 500	3	60	45 - 90	1	2	2 - 2
	Waterville	36	97	8	22	16	44					11	31	10	278	75 - 350	3	45	45 - 45	4	13	2 - 45
Knox	Rockland	11	100	1	9	9	82			1	9											
Lincoln	Wiscasset	8	100			7	87					1	13	1	350	350 - 350	1	45	45 - 45			
Oxford	Rumford	9	89	1	11	6	67					1	11	1	550	550 - 550				1	2	2 - 2
	South Paris	3	66			1	33	1	33													
Penobscot	Bangor	31	100	2	7	24	77			1	3	4	13	3	533	350 - 750	4	105	60 - 180	4	10	2 - 30
	Lincoln	12	92			8	67					3	25	2	300	100 - 500	1	90	90 - 90	1	9	9 - 9
	Millinocket	9	89	1	11	6	67					1	11	1	300	300 - 300	1	30	30 - 30			
	Newport	18	94			9	50	1	6	3	17	4	22	4	650	350 - 750	4	159	90 - 365	4	8	5 - 20
Piscataquis	Dover-Foxcroft	28	86	1	4	22	78					1	4	1	350	350 - 350	1	30	30 - 30	1	2	2 - 2
Sagadahoc	Bath	11	91	1	9	4	36					5	46	5	320	250 - 500	2	113	45 - 180			
Somerset	Skowhegan	2	100	1	50							1	50	1	250	250 - 250						
Waldo	Belfast	11	82			5	46	1	9			3	27	3	317	100 - 500	1	45	45 - 45			
Washington	Calais	25	96	9	36	7	28	1	4	7	28											
	Machias	17	71			7	41			4	24	1	6							1	45	45 - 45
York	Biddeford	102	89	30	29	38	37	7	7	2	2	14	14	14	331	225 - 500	8	84	45 - 180	7	7	1 - 30
	Kittery	10	90	2	20	4	40	1	10	1	10	1	10	1	250	250 - 250						
	Springvale	14	79			11	79															
TOTAL		597	89	91	15	301	50	26	4	30	5	90	15	86	342	75 - 750	43	90	30 - 365	32	11	1 - 45

* No. of Complaints represents total number of cases identified in the courts; the percent, however, represents the total number of cases as shown in the remaining five columns (pending, dismissals, dismissals for a plea to a lesser charge, not guilty and guilty). If the percent is less than 100%, such as 96%, the difference represents "OTHER" findings of the court (e.g., cases filed, defendant deceased or imprisoned, plea of guilty to greater charge, plea of guilty to other charge (other charge not specified) etc.)

CIVIL OUI: COURT FINDINGS AND PENALTIES BY SUPERIOR COURT

September 18, 1981 – September 17, 1982

Superior Court	COURT FINDINGS										PENALTIES								
											FINE			LICENSE SUSPENSION			JAIL SENTENCE		
	Complaints* No.	%	Pending No.	%	Dismissed No.	%	Dismissed Plea Lesser Charge No.	%	Not Guilty No.	%	Guilty No.	%	No. Fined	Ave. Fine	Range Low - High	No. Lic. Susp.	Ave. Lic. Susp. (Days)	Range Low - High	No. Jailed	Ave. Jail Sent. (Days)	Range Low - High
Androscoggin	1	100	1	100																	
Aroostook	3	100	2	67							1	33	1	250	250 - 250	1	45	45 - 45			
Cumberland	4	100	4	100																	
Franklin																					
Hancock	1	100	1	100																	
Kennebec	4	100	4	100																	
Knox																					
Lincoln																					
Oxford	1	100	1	100																	
Penobscot																					
Piscataquis																					
Sagadahoc	1	100									1	100	1	250		1	45	45 - 45			
Somerset	6	100	4	67							2	33	2	250		2	45	45 - 45			
Waldo	1	100									1	100	1	250		1	45	45 - 45			
Washington																					
York	1	100	1	100																	
TOTAL	23	100	18	78							5	21	5	250	250 - 250	5	45	45 - 45			

* No. of Complaints represents total number of cases identified in the courts; the percent, however, represents the total number of cases as shown in the remaining five columns (pending, dismissals, dismissals for a plea to a lesser charge, not guilty and guilty). If the percent is less than 100%, such as 96%, the difference represents "OTHER" findings of the court (e.g., cases filed, defendant deceased or imprisoned, plea of guilty to greater charge, plea of guilty to other charge [other charge not specified] etc.)

TABLE B-8

CRIMINAL OUI: COURT FINDINGS AND PENALTIES BY SUPERIOR COURT

September 18, 1981 – September 17, 1982

Superior Court	COURT FINDINGS											PENALTIES								
												FINE			LICENSE SUSPENSION			JAIL SENTENCE		
	Complaints* No.	%	Pending No.	%	Dismissed No.	%	Dismissed Plea Lesser Charge No.	%	Not Guilty No.	%	Guilty No.	%	No. Fined	Ave. Fine	Range Low - High	No. Lic. Susp.	Ave. Lic. Susp. (Days)	Range Low - High	No. Jailed	Ave. Jail Sent. (Days)	Range Low - High
Androscoggin	48	100	33	69	1	2			1	2	13	27	13	369	350 - 500	10	90	90 - 90	12	8	2 - 60
Aroostook	78	98	34	44	7	9					35	45	30	373	350 - 500	27	96	90 - 180	35	21	2 - 304
Cumberland	264	94	160	61	7	3	5	2	2	1	72	27	72	352	250 - 500	62	90	90 - 90	72	6	2 - 183
Franklin	39	100	26	67	4	10					9	23	8	350	350 - 350	4	90	90 - 90	9	6	2 - 40
Hancock	19	100	14	74							5	26	4	350	350 - 350	4	90	90 - 90	5	38	2 - 182
Kennebec	111	100	53	47	7	6			3	3	48	44	46	402	350 - 500	42	108	90 - 365	48	9	2 - 90
Knox	59	100	21	34	3	5	5	8			30	53	28	429	350 - 1000	29	107	90 - 180	30	8	2 - 48
Lincoln	38	99	18	47	2	5	2	5			16	42	16	347	300 - 500	11	107	90 - 182	16	11	2 - 90
Oxford	48	98	40	83					1	2	6	13	5	460	350 - 900	3	106	45 - 183	5	19	2 - 60
Penobscot	43	100	10	23	8	19	1	2			24	56	23	417	350 - 750	16	88	30 - 183	22	5	2 - 30
Piscataquis	11	100	5	45	1	9					5	46	4	475	400 - 500	3	90	90 - 90	5	20	2 - 90
Sagadahoc	34	94	13	38	1	3	2	6			16	47	16	366	350 - 500	14	90	90 - 90	16	3	2 - 20
Somerset	114	99	24	21	5	4			2	2	82	72	81	431	300 - 1000	67	106	30 - 365	80	5	2 - 60
Waldo	17	100	3	18			1	6			13	76	13	362	350 - 500	13	114	90 - 365	13	2	2 - 5
Washington	23	100	19	83							4	17	3	350	350 - 350	3	90	90 - 90	4	48	2 - 185
York	87	91	40	46	1	1	2	2	1	1	36	41	36	357	350 - 500	26	96	60 - 183	35	6	2 - 60
TOTAL	1033	97	513	50	47	4	18	2	10	1	414	40	398	389	250 - 1000	334	99	30 - 365	407	9	2 - 304

* No. of Complaints represents total number of cases identified in the courts; the percent, however, represents the total number of cases as shown in the remaining five columns (pending, dismissals, dismissals for a plea to a lesser charge, not guilty and guilty). If the percent is less than 100%, such as 96%, the difference represents "OTHER" findings of the court (e.g., cases filed, defendant deceased or imprisoned plea of guilty to greater charge, plea of guilty to other charge (other charge not specified) etc.)

TABLE B-9

CIVIL - CRIMINAL OUI, NOT INDICATED: COURT FINDINGS AND PENALTIES BY SUPERIOR COURT

September 18, 1981 – September 17, 1982

Superior Court	COURT FINDINGS											PENALTIES								
												FINE			LICENSE SUSPENSION			JAIL SENTENCE		
	Complaints* No.	%	Pending No.	%	Dismissed No.	%	Dismissed Plea Lesser Charge No.	%	Not Guilty No.	%	Guilty No.	%	No. Fined	Ave. Fine	Range Low - High	No. Lic. Susp.	Ave. Lic. Susp. (Days)	Range Low - High	No. Jailed	Ave. Jail Sent. (Days)	Range Low - High
Androscoggin	21	77	9	43					1	5	6	29	6	317	250 - 500				1	30	30 - 30
Aroostook	1	100			1	100															
Cumberland	15	80	7	47	1	7	2	13			2	13	2	300	300 - 300				2	25	20 - 30
Franklin																					
Hancock	3	100	3	100																	
Kennebec	11	100	5	46	3	27			2	18	1	9				1	90	90 - 90	1	45	45 - 45
Knox																					
Lincoln																					
Oxford	2	100	1	50							1	50	1	350	350 - 350	1	40	40 - 40	1	2	2 - 2
Penobscot	3	99	1	33	1	33					1	33	1	350	350 - 350				1	2	2 - 2
Piscataquis																					
Sagadahoc	3	99	1	33	1	33					1	33	1	250	250 - 250						
Somerset																					
Waldo	2	100	2	100																	
Washington	3	100	1	33					2	67											
York	2	100					1	50			1	50	1	350	350 - 350						
TOTAL	66	88	30	45	7	11	3	4	5	8	13	20	12	317	250 - 500	2	65	40 - 90	6	22	2 - 45

* No. of Complaints represents total number of cases identified in the courts; the percent, however, represents the total number of cases as shown in the remaining five columns (pending, dismissals, dismissals for a plea to a lesser charge, not guilty and guilty). If the percent is less than 100%, such as 96%, the difference represents "OTHER" findings of the court (e.g., cases filed, defendant deceased or imprisoned plea of guilty to greater charge, plea of guilty to other charge [other charge not specified] etc.)

APPENDIX C
OAS STATISTICS

TABLE C-1

OPERATING AFTER SUSPENSION: COURT FINDINGS AND PENALTIES BY COUNTY
September 18, 1981 – September 17, 1982

COUNTY (Superior and District Courts)	COURT FINDINGS											PENALTIES								
												FINE			LICENSE SUSPENSION			JAIL SENTENCE		
	Complaints* No.	%	Pending No.	%	Dismissed No.	%	Dismissed Plea Lesser Charge No.	%	Not Guilty No.	%	Guilty No.	%	No. Fined	Ave. Fine	Range Low - High	No. Lic. Susp.	Ave. Lic. Susp. (Days)	Range Low - High	No. Jailed	Ave. Jail Sent. (Days)	Range Low - High
Androscoggin	509	90	183	36	53	10	28	6			191	38	178	221	25 - 500	12	365	365 - 365	34	18	2 - 183
Aroostook	367	83	40	11	47	13	4	1	5	1	209	57	195	210	25 - 500	8	382	45-1096	43	19	2 - 335
Cumberland	1503	89	247	16	171	11	213	14	9	1	703	47	688	204	25 - 550	22	222	30 - 365	61	7	1 - 32
Franklin	95	94	40	42	9	10	2	2	1	1	37	39	32	269	100 - 590	4	251	90 - 365	12	14	4 - 45
Hancock	154	93	28	18	33	21	2	1	3	2	79	51	68	270	100 - 400	2	188	10 - 365	15	14	4 - 45
Kennebec	481	96	106	22	58	12			10	2	287	60	264	237	25-1000	16	294	60 - 365	60	15	1 - 60
Knox	131	100	26	20	21	16	1	1			83	63	82	266	50 - 500	7	391	365 - 548	15	9	2 - 30
Lincoln	82	95	5	6	22	27	4	5	1	1	46	56	44	277	100 - 750	6	260	7 - 365	14	33	5 - 182
Oxford	143	95	37	26	22	15	8	6			68	48	65	231	50 - 350	1	60	60 - 60	14	18	7 - 70
Penobscot	569	96	46	8	143	25	2	1	23	4	331	58	320	220	25 - 500	58	342	14 - 365	84	11	2 - 184
Piscataquis	65	88	9	14	13	20	1	2			34	52	32	231	100 - 350	4	365	365 - 365	7	6	2 - 7
Sagadahoc	177	98	23	13	37	21	3	2	6	3	104	59	104	236	50 - 500	6	202	30 - 365	10	6	2 - 10
Somerset	159	93	25	16	22	14			2	1	99	62	76	320	50 - 850	7	326	90 - 365	47	28	2 - 250
Waldo	118	98	24	20	28	24	1	1	1	1	61	52	56	267	50 - 350	5	438	365 - 730	12	12	4 - 30
Washington	147	94	15	10	30	20	2	1	9	6	83	57	81	158	25 - 350	9	426	180 - 730	16	10	7 - 45
York	1069	82	197	18	162	15	89	8	10	1	431	40	416	176	25 - 500	19	141	45 - 365	45	6	2 - 30
TOTAL	5769	89	1051	18	871	15	360	6	80	1	2846	49	2701	218	25-1000	186	303	7-1096	539	14	1 - 335

* No. of Complaints represents total number of cases identified in the courts; the percent, however, represents the total number of cases as shown in the remaining five columns (pending, dismissals, dismissals for a plea to a lesser charge, not guilty and guilty). If the percent is less than 100%, such as 96%, the difference represents "OTHER" findings of the court (e.g., cases filed, defendant deceased or imprisoned, plea of guilty to greater charge, plea of guilty to other charge [other charge not specified] etc.)

TABLE C-2

OPERATING AFTER SUSPENSION: COURT FINDINGS AND PENALTIES BY DISTRICT COURT
September 18, 1981 – September 17, 1982

DISTRICT COURT		COURT FINDINGS												PENALTIES								
														FINE			LICENSE SUSPENSION			JAIL SENTENCE		
(County)	(Court)	Complaints* No.	%	Pending No.	%	Dismissed No.	%	Dismissed Plea Lesser Charge No.	%	Not Guilty No.	%	Guilty No.	%	No. Fined	Ave. Fine	Range Low - High	No. Lic. Susp.	Ave. Lic. Susp. (Days)	Range Low - High	No. Jailed	Ave. Jail Sent. (Days)	Range Low - High
Androscoggin	Lewiston	441	91	163	37	47	11	28	6			165	37	158	226	25 - 500	12	365	365 - 365	27	9	2 - 30
	Livermore Falls	27	78			5	19					16	59	16	172	100 - 350						
Aroostook	Caribou	85	89	4	5	8	9			1	1	63	74	59	181	25 - 500	6	487	365 - 1098	10	8	7 - 10
	Fort Kent	25	92	2	8	6	24			3	12	12	48	12	138	50 - 350	1	45	45 - 45			
	Houlton	100	70	10	10	17	17	2	2	1	1	40	40	39	223	25 - 350	1	90	90 - 90	5	8	7 - 10
	Madawaska	12	84			2	17					8	67	8	94	50 - 100						
	Presque Isle	93	82	8	9	3	3	1	1			64	69	58	245	50 - 350				24	14	2 - 60
	Van Buren	9	99	2	22	2	22	1	11			4	44	4	81	25 - 100						
Cumberland	Bridgton	90	90	15	17	6	7	5	5	2	2	53	59	53	197	50 - 350	2	365	365 - 365	10	7	7 - 7
	Brunswick	242	93	38	16	21	9	32	13	1	1	131	54	130	233	25 - 500	8	249	30 - 365	11	7	4 - 10
	Portland	1053	89	126	12	139	13	161	15	5	1	504	48	494	196	25 - 550	12	180	30 - 365	34	5	1 - 15
Franklin	Farmington	66	93	17	26	7	11	2	3	1	2	34	51	29	282	100 - 590	4	251	90 - 365	12	14	4 - 45
Hancock	Bar Harbor	21	76	3	14	3	14	2	10			8	38	8	288	200 - 350						
	Ellsworth	126	97	20	16	29	23			3	2	70	56	59	267	100 - 400	2	365	365 - 365	15	14	4 - 45
Kennebec	Augusta	268	96	31	12	42	16			7	3	175	65	162	241	25 - 1000	9	301	60 - 365	29	17	2 - 60
	Waterville	155	97	37	24	13	9			3	2	96	62	89	218	25 - 750	7	286	90 - 365	24	12	1 - 60
Knox	Rockland	98	99	13	13	19	19	1	1			65	66	64	275	50 - 500	5	365	365 - 365	10	9	2 - 30
Lincoln	Wiscasset	62	94			18	29	3	5	1	2	36	58	36	265	100 - 750	5	293	7 - 365	6	11	5 - 30
Oxford	Rumford	79	94	21	27	11	14	6	7			36	46	34	263	100 - 350				8	13	7 - 30
	South Paris	47	96	5	11	9	19	1	2			30	64	30	201	100 - 350	1	60	60 - 60	5	20	7 - 70
Penobscot	Bangor	370	96	21	6	94	25			15	4	224	61	216	219	25 - 500	45	342	14 - 365	59	12	2 - 184
	Lincoln	72	96	10	14	15	21	1	1	3	4	40	56	38	204	100 - 350	2	365	365 - 365	5	12	7 - 30
	Millinocket	32	91			12	38			1	3	16	50	16	219	50 - 350	3	263	60 - 365	3	7	7 - 7
	Newport	75	96	9	12	13	17	1	1	4	5	46	61	45	236	50 - 350	8	365	365 - 365	14	10	7 - 30
Piscataquis	Dover-Foxcroft	61	87	7	11	11	18	1	2			34	56	32	231	100 - 350	4	365	365 - 365	7	6	2 - 7
Sagadahoc	Bath	149	99	11	7	34	23	3	2	5	3	94	63	94	232	50 - 500	6	203	30 - 365	8	6	2 - 10
Somerset	Skowhegan	115	93	18	16	14	12			1	1	73	64	56	298	50 - 850	1	365	365 - 365	30	23	2 - 183
Waldo	Belfast	104	98	13	13	28	27	1	1	1	1	58	56	55	266	50 - 350	4	456	365 - 730	9	9	4 - 30
Washington	Calais	75	94	4	5	18	24	1	1	6	8	42	56	41	155	50 - 350	2	548	365 - 730	5	8	7 - 10
	Machias	68	94	8	12	12	18	1	1	3	4	40	59	39	157	25 - 350	7	391	180 - 730	10	11	7 - 45
York	Biddeford	437	82	110	25	74	17	35	8	4	1	134	31	127	194	25 - 400	2	68	45 - 90	14	7	2 - 15
	Kittery	355	86	48	14	47	13	21	6	5	1	184	52	182	164	25 - 500	10	136	45 - 365	15	5	2 - 20
	Springvale	230	83	25	11	36	16	25	11	1	1	101	44	99	165	25 - 375	5	90	90 - 90	10	3	2 - 7
TOTAL		5242	89	799	15	815	16	335	6	77	1	2696	51	2582	214	25 - 1000	174	301	7 - 1096	419	11	1 - 184

* No. of Complaints represents total number of cases identified in the courts; the percent, however, represents the total number of cases as shown in the remaining five columns (pending, dismissals, dismissals for a plea to a lesser charge, not guilty and guilty). If the percent is less than 100%, such as 96%, the difference represents "OTHER" findings of the court (e.g., cases filed, defendant deceased or imprisoned, plea of guilty to greater charge, plea of guilty to other charge [other charge not specified] etc.)

TABLE C-3

OPERATING AFTER SUSPENSION: COURT FINDINGS AND PENALTIES BY SUPERIOR COURT

September 18, 1981 – September 17, 1982

Superior Court	COURT FINDINGS												PENALTIES								
													FINE			LICENSE SUSPENSION			JAIL SENTENCE		
	Complaints* No.	%	Pending No.	%	Dismissed No.	%	Dismissed Plea Lesser Charge No.	%	Not Guilty No.	%	Guilty No.	%	No. Fined	Ave. Fine	Range Low - High	No. Lic. Susp.	Ave. Lic. Susp. (Days)	Range Low - High	No. Jailed	Ave. Jail Sent. (Days)	Range Low - High
Androscoggin	41	99	20	49	1	2					10	24	4	219	100 - 350				7	52	10 - 183
Aroostook	43	96	14	33	9	21					18	42	15	303	100 - 500				4	92	2 - 335
Cumberland	118	89	68	58	5	4	15	13	1	1	15	13	11	282	100 - 400				6	18	5 - 32
Franklin	29	96	23	79	2	7					3	10	3	150	100 - 250						
Hancock	7	99	5	71	1	14					1	14	1	350	350 - 350						
Kennebec	58	99	38	66	3	5					16	28	13	323	100 - 400				7	17	7 - 60
Knox	33	100	13	39	2	6					18	55	18	236	100 - 500	2	457	365 - 548	5	7	5 - 7
Lincoln	20	100	5	25	4	20	1	5			10	50	8	331	200 - 350	1	90	90 - 90	8	50	5 - 182
Oxford	17	95	11	65	2	12	1	6			2	12	1	50	50 - 50				1	45	45 - 45
Penobscot	20	100	6	30	9	45					5	25	5	290	50 - 350				3	8	7 - 10
Piscataquis	4	100	2	50	2	50															
Sagadahoc	28	93	12	43	3	11			1	3	10	36	10	270	100 - 350				2	6	2 - 10
Somerset	44	95	7	16	8	18			1	2	26	59	20	380	300 - 600	6	319	90 - 365	17	37	7 - 250
Waldo	14	99	11	79							3	21	1	350	350 - 350	1	365	365 - 365	3	22	7 - 30
Washington	4	100	3	75							1	25	1	350	350 - 350				1	7	7 - 7
York	47	83	14	30	5	11	8	17			12	25	8	284	50 - 500	2	365	365 - 365	6	15	5 - 30
TOTAL	527	93	252	48	56	11	25	5	3	1	150	28	119	296	50 - 600	12	334	90 - 548	70	33	2 - 335

* No. of Complaints represents total number of cases identified in the courts; the percent, however, represents the total number of cases as shown in the remaining five columns (pending, dismissals, dismissals for a plea to a lesser charge, not guilty and guilty). If the percent is less than 100%, such as 96%, the difference represents "OTHER" findings of the court (e.g., cases filed, defendant deceased or imprisoned, plea of guilty to greater charge, plea of guilty to other charge [other charge not specified] etc.)

APPENDIX D
HO STATISTICS

TABLE D-1

HABITUAL OFFENDER: COURT FINDINGS AND PENALTIES BY COUNTY

September 18, 1981 – September 17, 1982

COUNTY (Superior and District Courts)	COURT FINDINGS											PENALTIES								
												FINE			LICENSE SUSPENSION			JAIL SENTENCE		
	Complaints* No.	%	Pending No.	%	Dismissed No.	%	Dismissed Plea Lesser Charge No.	%	Not Guilty No.	%	Guilty No.	%	No. Fined	Ave. Fine	Range Low - High	No. Lic. Susp.	Ave. Lic. Susp. (Days)	Range Low - High	No. Jailed	Ave. Jail Sent. (Days)	Range Low - High
Androscoggin	57	80	19	33	12	21					15	26	5	280	250 - 300				15	24	4 - 60
Aroostook	21	90	8	38	4	19					7	33	3	700	100-1000				6	65	30-120
Cumberland	138	88	81	59	7	5			1	1	31	23									
Franklin																					
Hancock	26	100	17	65	3	12					6	23	2	750	500-1000				6	94	10-365
Kennebec	20	95	12	60	4	20	1	5	1	5	1	5	1	350	350 - 350				1	45	45 - 45
Knox	12	92	6	50							5	42	3	617	200-1000				4	31	2 - 60
Lincoln	1	100	1	100																	
Oxford	4	75	1	25	2	50															
Penobscot	29	100	5	17	17	59					7	24	1	350	350 - 350				7	130	2 - 304
Piscataquis	2	100	1	50	1	50															
Sagadahoc	2	100									2	100	1	1000	1000-1000				1	2	2 - 2
Somerset	20	60	7	35							5	25	3	483	350 - 750	1	183	183-183	5	56	10 - 90
Waldo	10	100	1	10	1	10					8	80	3	833	500-1000				8	29	10 - 60
Washington	20	100	12	60	1	5			2	10	5	25	2	475	200 - 750				5	108	2 - 365
York	47	79	15	32	12	26	7	15			3	6	3	417	150 - 600						
TOTAL	409	87	186	45	64	16	8	2	4	1	95	23	28	529	100-1000	1	183	183 - 183	58	70	2 - 365

* No. of Complaints represents total number of cases identified in the courts; the percent, however, represents the total number of cases as shown in the remaining five columns (pending, dismissals, dismissals for a plea to a lesser charge, not guilty and guilty). If the percent is less than 100%, such as 96%, the difference represents "OTHER" findings of the court (e.g., cases filed, defendant deceased or imprisoned, plea of guilty to greater charge, plea of guilty to other charge [other charge not specified] etc.)

TABLE D-2

HABITUAL OFFENDER: COURT FINDINGS AND PENALTIES BY DISTRICT COURT

September 18, 1981 – September 17, 1982

DISTRICT COURT		COURT FINDINGS												PENALTIES								
												FINE			LICENSE SUSPENSION			JAIL SENTENCE		
(County)	(Court)	*Complaints No.	%	Pending No.	%	Dismissed No.	%	Dismissed Plea Lesser Charge No.	%	Not Guilty No.	%	Guilty No.	%	No. Fined	Ave. Fine	Range Low - High	No. Lic. Susp.	Ave. Lic. Susp. (Days)	Range Low - High	No. Jailed	Ave. Jail Sent. (Days)	Range Low - High
Androscoggin	Lewiston	20	80	8	40	8	40															
	Livermore Falls	4	100	1	25	2	50					1	25	1	250	250 - 250				1	10	10 - 10
Aroostook	Caribou	1	100									1	100	1	100	100 - 100						
	Fort Kent	1	100									1	100							1	30	30 - 30
	Houlton	2	50									1	50							1	60	60 - 60
	Madawaska																					
	Presque Isle	2	50			1	50															
	Van Buren	1	100			1	100															
Cumberland	Bridgton	3	100	2	67																	
	Brunswick	2	100	1	50							1	50	1	100	100 - 100						
	Portland	28	75	16	57	5	18															
Franklin	Farmington																					
Hancock	Bar Harbor																					
	Ellsworth	5	100	2	40	3	60															
Kennebec	Augusta	3	100			2	67			1	33											
	Waterville	7	86	4	58			1	14			1	14	1	350	350 - 350				1	45	45 - 45
Knox	Rockland	1	100	1	100																	
Lincoln	Wiscasset																					
Oxford	Rumford	3	100	1	33	2	67															
	South Paris																					
Penobscot	Bangor	18	100	3	17	15	83															
	Lincoln	2	100	1	50	1	50															
	Millinocket																					
	Newport	1	100			1	100															
Piscataquis	Dover-Foxcroft	1	100			1	100															
Sagadahoc	Bath	1	100									1	100	1	1000	1000-1000						
Somerset	Skowhegan	13	38	2	15							3	23	2	550	350 - 750	1	183	183 - 183	3	38	10 - 60
Waldo	Belfast	1	100			1	100															
Washington	Calais	2	100							1	50	1	50							1	75	75 - 75
	Machias																					
York	Biddeford	20	75	4	20	9	45	2	10													
	Kittery	2	100			1	50	1	50													
	Springvale	8	75			1	12	2	25			3	38	3	417	150 - 600						
TOTAL		152	80	46	30	54	36	6	4	2	1	14	9	10	415	100 - 1000	1	183	183 - 183	8	42	10 - 75

* No. of Complaints represents total number of cases identified in the courts; the percent, however, represents the total number of cases as shown in the remaining five columns (pending, dismissals, dismissals for a plea to a lesser charge, not guilty and guilty). If the percent is less than 100%, such as 96%, the difference represents "OTHER" findings of the court (e.g., cases filed, defendant deceased or imprisoned, plea of guilty to greater charge, plea of guilty to other charge (other charge not specified) etc.)

TABLE D-3

HABITUAL OFFENDER: COURT FINDINGS AND PENALTIES BY SUPERIOR COURT

September 18, 1981 – September 17, 1982

Superior Court	COURT FINDINGS											PENALTIES								
												FINE			LICENSE SUSPENSION			JAIL SENTENCE		
	Complaints* No.	%	Pending No.	%	Dismissed No.	%	Dismissed Plea Lesser Charge No.	%	Not Guilty No.	%	Guilty No.	%	No. Fined	Ave. Fine	Range Low - High	No. Lic. Susp.	Ave. Lic. Susp. (Days)	Range Low - High	No. Jailed	Ave. Jail Sent. (Days)	Range Low - High
Androscoggin	33	79	10	30	2	6					14	43	4	288	250 - 300				14	25	4 - 60
Aroostook	14	100	8	57	2	14					4	29	2	1000	1000-1000				4	75	30 - 120
Cumberland	105	89	62	59	2	2			1	1	30	27							30	92	10 - 365
Franklin																					
Hancock	21	100	15	71							6	29	2	750	500 - 1000				6	94	10 - 365
Kennabec	10	100	8	80	2	20															
Knox	11	91	5	45							5	45	3	617	200 - 1000				4	31	2 - 60
Lincoln	1	100	1	100																	
Oxford	1	100																			
Penobscot	8	100	1	12							7	88	1	350	350 - 350				7	130	2 - 304
Piscataquis	1	100	1	100																	
Sagadahoc	1	100									1	100							1	2	2 - 2
Somerset	7	100	5	71							2	29	1	350	350 - 350				2	83	75 - 90
Waldo	9	100	1	11							8	89	3	833	500 - 1000				8	29	10 - 60
Washington	18	100	12	66	1	6			1	6	4	22	2	475	200 - 750				4	117	2 - 365
York	17	83	11	65	1	6	2	12													
TOTAL	257	92	140	54	10	4	2	1	2	1	81	32	18	592	200 - 1000				80	73	2 - 365

* No. of Complaints represents total number of cases identified in the courts; the percent, however, represents the total number of cases as shown in the remaining five columns (pending, dismissals, dismissals for a plea to a lesser charge, not guilty and guilty). If the percent is less than 100%, such as 96%, the difference represents "OTHER" findings of the court (e.g., cases filed, defendant deceased or imprisoned, plea of guilty to greater charge, plea of guilty to other charge [other charge not specified] etc.)