

Wisconsin Marijuana Penalties

 conditional  drugged driving


		Incarceration	Fine
Possession			
Any amount (first offense)	misdemeanor	6 months*	\$1,000
Any amount (second or subsequent offense)	felony	3.5 years	\$10,000
*Conditional discharge available.			
Manufacture / Distribution / Delivery / Possession With Intent			
Less Than 200 g / 1-4 Plants	felony	3.5 years	\$10,000
200-1,000 g / 5-20 plants	felony	6 years	\$10,000
1,000-2,500 g / 21-50 plants	felony	10 years	\$25,000
2,500-10,000 g / 51-200 plants	felony	12.5 years	\$25,000
10,000 g or more / 200 plants or more	felony	15 years	\$25,000
Miscellaneous (paraphernalia, license suspensions, drug tax stamps, etc...)			
Paraphernalia possession	misdemeanor	30 days	\$500
Paraphernalia sale	misdemeanor	90 days	\$1,000
Paraphernalia sale to a minor	misdemeanor	9 months	\$10,000
For convictions of subsequent offenses the penalties double. Any conviction causes driver's license suspension for 6 months - 5 years.			
Details			
<p>Possession of marijuana is punishable by six months in jail and/or a fine of \$1,000 for the first offense, and for second or subsequent offenses (includes ANY prior controlled substance conviction), 3.5 years in jail and a fine of \$10,000. Conditional discharge is available for first offenders. Possession within 1,000 feet of a school, school bus, public park, public pool, youth center or community center adds an additional 100 hours of community service to the sentence for possession.</p> <p>Manufacture / Distribution / Delivery / Possession With Intent of 200 grams or less of marijuana is punishable by 3.5 years in prison and a fine of \$10,000. For amounts greater than 200 grams the penalty increases to 6 - 15 years in prison and a fine of \$10,000 - \$25,000.</p> <p>If a person 17 years of age or over delivers a controlled substance to a person 17 years of age or under who is at least 3 years his or her junior, the applicable maximum term of imprisonment may be increased by 5 years. Sale within 1,000 feet of a school, school bus, public park, public pool, youth center, community center, treatment facility, jail or public housing project adds five years to the maximum possible prison term. Distribution or sale on a public transit vehicle also increases the maximum possible prison sentence by five years.</p> <p>Possession of paraphernalia is punishable by up to 30 days in jail and a fine up to \$500. Delivery or possession with intent to distribute is punishable by up to 90 days in jail and a fine up to \$1,000, unless the sale or delivery was to a minor, in which case the penalties increase to a possible 9 months in jail and a fine</p>			


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up to \$10,000.

Upon conviction of a drug offense, the offender's driver's license is suspended for 6 months - 5 years.

 **Conditional release:** The state allows conditional release or alternative or diversion sentencing for people facing their first prosecutions. Usually, conditional release lets a person opt for probation rather than trial. After successfully completing probation, the individual's criminal record does not reflect the charge.

 **Drugged driving:** This state has a per se drugged driving law enacted. In their strictest form, these laws forbid drivers from operating a motor vehicle if they have any detectable level of an illicit drug or drug metabolite (i.e., compounds produced from chemical changes of a drug in the body, but not necessarily psychoactive themselves) present in their bodily fluids above a specific threshold. For more information, see state DUID laws. http://norml.org/index.cfm?Group_ID=6669

Also see Federal Laws http://norml.org/index.cfm?Group_ID=4575

About this Report

NORML's State Guide to Marijuana Penalties outlines most penalties for prohibited marijuana conduct in the 50 states, the District of Columbia, and under federal law. To view the list of prohibited conduct and penalties, click the map icon to the left to find your jurisdiction.

Marijuana laws and penalties change rapidly and are enforced and interpreted differently even in the same legal jurisdiction. Please consult a criminal defense lawyer if you have been busted or if you want to know how a particular conduct might be punished. If you spot an error or have information that should be included in NORML's State Guide to Marijuana Penalties, please inform the NORML Foundation (foundation@norml.org).

Please note:

- The guide does not list penalties for every marijuana offense nor every enhanced sentence such as possessing marijuana near a school, involving a minor, and automatic driver's or professional license suspension. Your state may require an enhanced sentence even if the enhancement is not in the guide.
- Unless otherwise specified, please assume that listed penalties apply only to first convictions. Prior convictions often place a defendant in a higher penalty range, and convictions while on probation for a previous offense may result in revocation of probation.
- Except where indicated otherwise, a listed fine is the maximum fine for the conviction and the minimum fine is zero.
- "Possession" usually means "possessing marijuana only for personal use". If the government accuses you of possessing marijuana for other reasons, the accompanying penalties will probably exceed those for possessing marijuana for personal use. Possessing large amounts of marijuana frequently results in more serious charges of "possession with intent to distribute", "trafficking", and/or "sale".
- Many factors contribute to a defendant's sentence. Factors include level of involvement in the prohibited conduct, location, age, presence or absence of minors, use or presence of weapons, conduct for which a person has been acquitted, and many other things.
- If you are in trouble, please know your rights and hire an attorney.

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Warning: The information contained in this report is for informational purposes only. Individuals are encouraged to confirm their state's laws before engaging in any particular behavior, or before going to court without a lawyer.

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Metric units to United States units of measurements:
One ounce (oz.) = 28.35 grams
One pound (lb.) = 16 ounces = 453.59 grams
One kilogram (kg.) = 1,000 grams (g) = 2.2 pounds (lbs.)