

IMPAIRMENT TO IMPRISONMENT

Operating While Intoxicated in Wisconsin

Incarceration for Operating While Intoxicated (OWI) offenses reached an all-time high in Wisconsin in 2024, with policy and behavioral shifts contributing to an increase in older adults, women, and Black residents in state prisons. Wisconsin's OWI penalties are generally less severe than those in neighboring states for initial offenses but harsher for fourth and subsequent offenses. These are important findings for policymakers to consider when addressing the social and human costs of intoxicated driving.

The number of people in Wisconsin state prisons for Operating While Intoxicated (OWI) offenses reached a record high in 2024 and remained elevated in 2025, according to Wisconsin Department of Corrections data. The state has also experienced a long-term rise in OWI incarceration, which has been influenced by both tougher penalties for the most serious cases and an increase in prison admissions for new offenses.

Wisconsin's penalties are generally less severe than those in neighboring states for initial OWI convictions, but among the most severe for the most serious convictions. The state stands out for treating first OWI offenses as civil rather than criminal offenses, while a number of state policy changes since 2000 have largely resulted in increased penalties for fourth and subsequent convictions and aggravated offenses.

These are among the key findings that emerge from the Wisconsin Policy Forum's analysis of OWI corrections, crash fatality, and arrest data from the state Department of Corrections (DOC), the National Highway Traffic Safety Administration, and the National Incident-Based Reporting System, as well as a detailed review of statutes in Wisconsin and neighboring states.

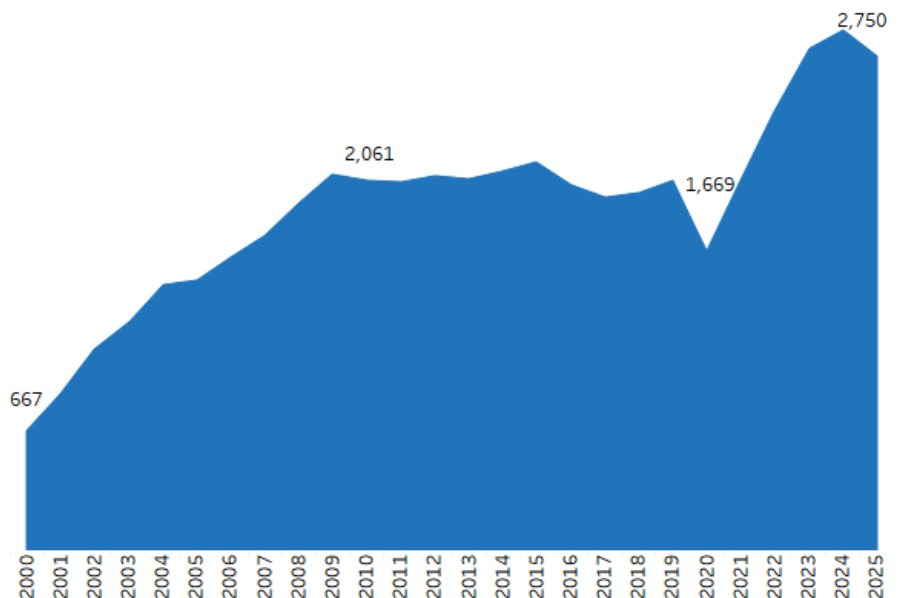
Wisconsin faces these trends in the context of a long-standing culture of binge drinking that costs the state [a substantial amount](#) through lost productivity, increased criminal justice and healthcare expenses, and other factors. Our previous

This report was made possible by the family of Norman N. Gill, who served as the director of the Milwaukee-based Citizens Governmental Research Bureau (now the Wisconsin Policy Forum) for 39 years. The Gill family's generous contribution has provided for the creation of the Norman N. Gill Civic Engagement Fellowship, under which the Forum annually hires a graduate student fellow to conduct research under the supervision of its staff.

The 2025-26 Norman N. Gill Fellow, Liam Farin, was the lead author of this report.

research also showed that in 2024 alone, [1,076 Wisconsinites died of alcohol-induced causes](#). While

Figure 1: Incarceration for Intoxicated Driving Near Record High
Number of adults in Wisconsin prisons for OWI offenses



Source: Wisconsin Department of Corrections

fewer residents are drinking overall, we have also found that the pre-existing trend of increasing alcohol consumption among the heaviest drinkers [further intensified during the pandemic](#).

INCARCERATION ON THE RISE

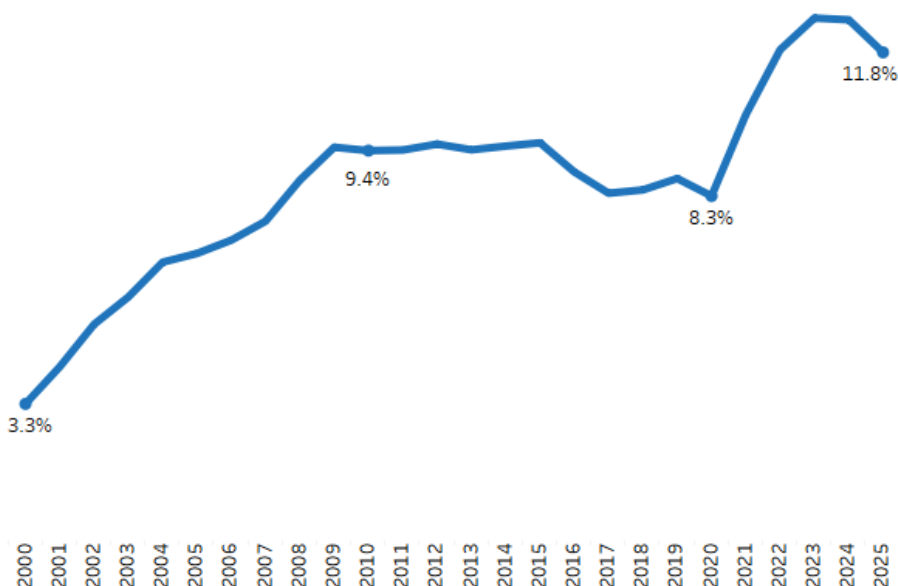
As of December 2025, a total of 2,750 adults were incarcerated in state prisons for OWI offenses, or enough to fill Wisconsin's two largest prisons. Although slightly below the record high of 2,899 in 2024, this remained among the highest levels on record (see Figure 1 on page 1). The state's OWI prison population was more than four times higher in 2025 than in 2000, when 667 individuals were incarcerated for an OWI. This increase far outpaces the modest growth of the state's population over this period. These figures do not include those incarcerated in local jails for lower-level offenses.

Two periods have driven the state's long-term rise in incarceration for OWI offenses. The population first climbed steeply from 2000 through 2009, potentially influenced by the 2003 reduction in the legal maximum blood alcohol concentration (BAC) from 0.10% to 0.08%. The population plateaued and remained relatively stable throughout the 2010s. A second sharp increase took place from 2020 to 2024, as the pandemic continued and then subsided, which may be in part due to a backlog of OWI cases in the court system, changes in behavior, and policies that increased penalties for fourth and subsequent OWI offenses.

The long-term increase in OWI incarceration is inconsistent with trends in the overall prison population, which rose slowly through 2019 before dropping significantly during [the pandemic](#). As a result, individuals with OWI convictions have generally made up an increasing share of those incarcerated in Wisconsin prisons. In 2000, just 3.3% of the state's prison population was incarcerated for an OWI conviction. This climbed to 9.4% in 2010 and remained steady through 2019, while the prison population grew modestly overall. However, this share spiked to 12.7% in 2023 and remained high at 11.8% in 2025 (see Figure 2).

Figure 2: OWI Offenses Make Up Larger Share of All Incarceration

Percentage of all adults in Wisconsin prisons incarcerated for OWI offenses



Source: Wisconsin Department of Corrections

Defining Operating While Intoxicated

Many states use driving under the influence (DUI) or driving while intoxicated (DWI) to refer to impaired driving due to the use of drugs or alcohol. Wisconsin uses the term Operating While Intoxicated (OWI), which includes "the physical manipulation or activation of any of the controls of a motor vehicle necessary to put it in motion," such as sitting in a parked car with the engine running. These terms are often used interchangeably, but in Wisconsin the charge is always referred to as OWI, which is why we use this terminology throughout this report.

More Older Adults Imprisoned for OWIs

Our [previous research](#) found that overall incarceration among Wisconsin adults aged 60 and over has increased sharply over the past two decades, while also rising among those in their 50s. This is especially true for OWI incarceration, where the largest increase has been among adults 55 and older. Historically, this age group was incarcerated at the lowest rate, but that has shifted in recent years. Since 2010, the per capita incarceration rate for adults 55 and older has more than tripled, reaching 4.2 per 10,000 in 2024, the most recent year for which U.S. Census Bureau population estimates are available (see Figure 3 on page 3). This trend is further reinforced by our [previous finding](#) that



those over age 45 have experienced the largest increases in alcohol-induced deaths.

As a result, in 2024, there were nearly twice as many adults aged 55 and older in Wisconsin prisons for OWIs as there were adults under age 35 (see Figure 4). The number of adults under 35 incarcerated for OWIs has remained largely consistent over the last fifteen years. While that number decreased slightly between 2015 and 2020, it had returned to pre-pandemic levels by 2024. That year, 3.0 of every 10,000 adults under 35 were incarcerated, the lowest rate among the three age ranges we examined.

Incarceration has also increased for adults aged 35 to 54, who make up the largest portion of the OWI prison population. In 2024, 11.0 of every 10,000 Wisconsin adults between 35 and 54 were incarcerated for an OWI.

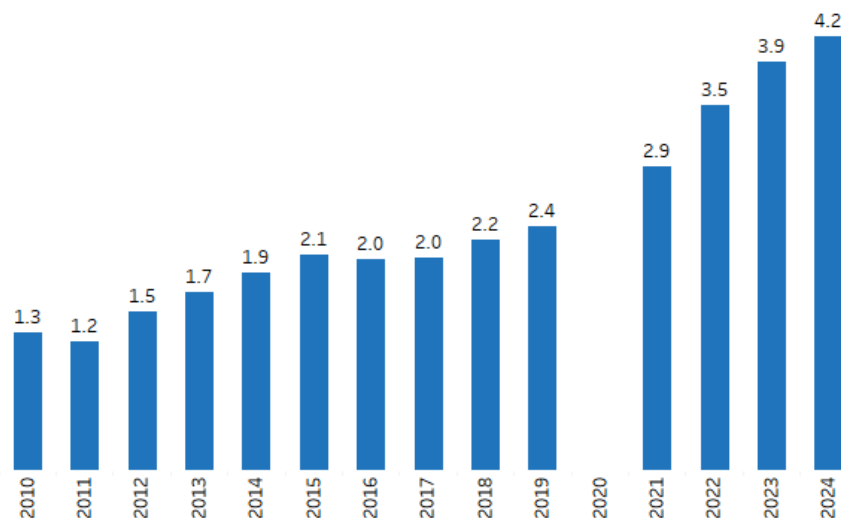
Racial Disparities in OWI Prison Rates

The racial makeup of those incarcerated for OWIs in Wisconsin has also changed over the past 25 years. In 2024, Black and American Indian adults were overrepresented in Wisconsin prisons for these convictions relative to their share of the state's population, while white and Asian adults were incarcerated at lower rates (see Figure 5 on page 4).

For many years, the state's American Indian population has had the highest OWI incarceration rate among the racial groups tracked by the DOC. At 18.4 per 10,000 residents, its OWI incarceration rate was more than twice the rate of the Black population and four times the rate of the white population in 2024.

The Black incarceration rate has risen considerably, reaching 8.3 per 10,000 residents in 2024, which was more than double what it was in 2010. Whereas Black residents used to be incarcerated at a rate similar to their white peers, the OWI incarceration rate for the state's

Figure 3: OWI Incarceration for Older Adults Has Tripled
Adults ages 55+ incarcerated for OWI offenses per 10,000 state residents in same age range



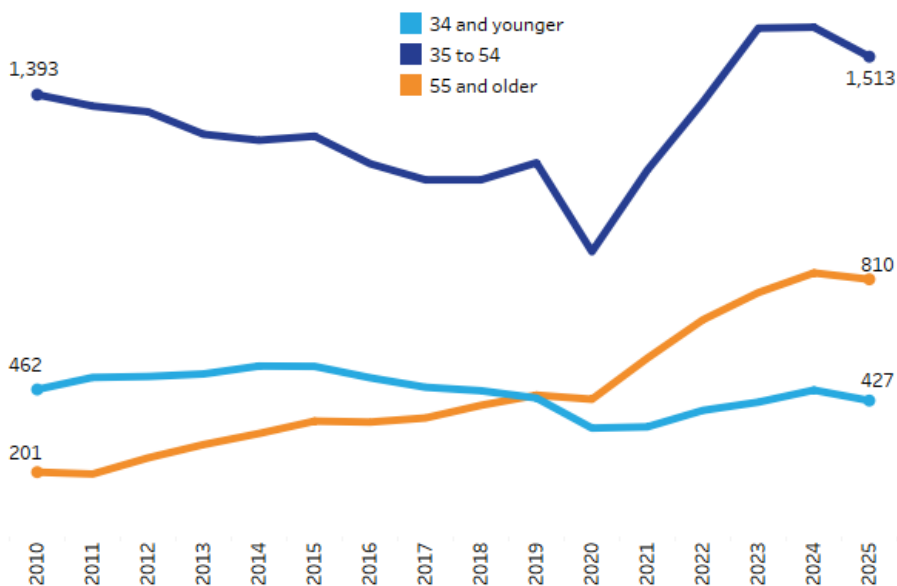
Source: Wisconsin Department of Corrections and U.S. Census Bureau

Note: The 2020 rate is missing because a Census population estimate is not available for that year. Population estimates for 2025 are not yet available.

Black population is now double the rate for the white population. The OWI incarceration rate for Wisconsin's Asian and Pacific Islander population has seen the largest percentage increase of any racial group since 2010 but remains the lowest among these groups at 1.0 per 10,000.

We were unable to analyze trends among Wisconsin's Hispanic or Latino residents due to data quality issues, as 27.7% of the prison population entries with OWIs

Figure 4: Growing Population of Older Adults Incarcerated for OWIs
Number of adults in Wisconsin prisons for OWI offenses, by age range



Source: Wisconsin Department of Corrections



Figure 5: Black, American Indian Adults Overrepresented in Prisons for OWI

Wisconsin's adult prison population with OWI convictions and total population, by race (2024)

White	Percent of OWI Prison Population	77.8%
	Percent of Wisconsin Population	85.9%
Black or African American	Percent of OWI Prison Population	13.3%
	Percent of Wisconsin Population	7.7%
American Indian/Alaska Native	Percent of OWI Prison Population	7.9%
	Percent of Wisconsin Population	2.1%
Asian or Pacific Islander	Percent of OWI Prison Population	0.9%
	Percent of Wisconsin Population	4.3%

Source: Wisconsin Department of Corrections and U.S. Census Bureau

between 2010 and 2024 had their ethnicity marked as “unknown.” However, prison admissions data have shown a substantial reduction in unknown entries since 2021, suggesting that more accurate analysis of the Hispanic or Latino population may be possible within the next five years.

More Women Imprisoned for OWIs

Women account for a small but growing share of those incarcerated for OWIs. (The DOC's data refer to biological sex rather than gender identity, so we refer only to sex in this report.) In 2000, women made up 6.4% of Wisconsinites incarcerated for an OWI, but by 2025 that had grown to 11.4%, even as the female share of the prison population overall remained constant (see Figure 6). In 2024, 1.1 women per 10,000 female Wisconsinites were incarcerated for OWIs, nearly 50% higher than the rate in 2010.

PRISON ADMISSIONS REACH NEW HIGH AS SENTENCES LENGTHEN

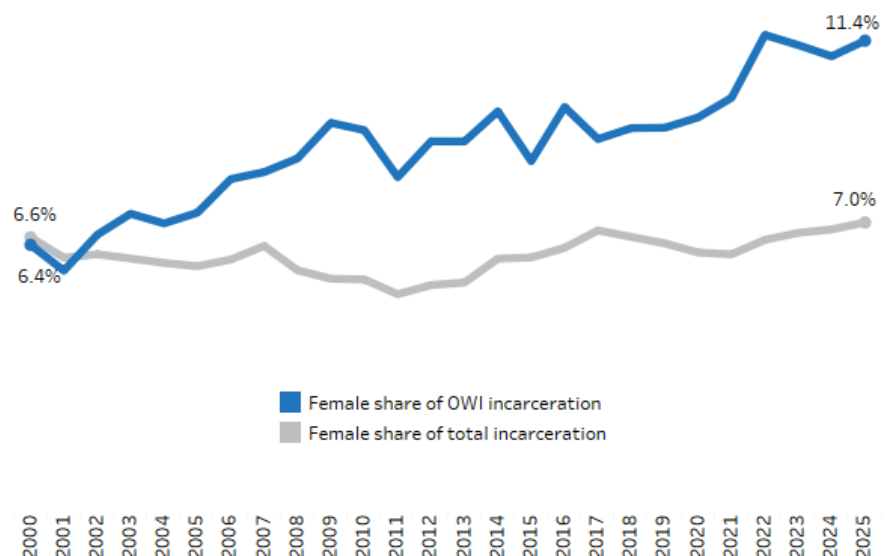
Admissions data may reveal why we are seeing this rise in incarceration. Our previous [research](#) found that total prison admissions for all offenses in Wisconsin hit a 20-year low in 2020, though they have since rebounded toward pre-pandemic levels. However, this has not been the case for OWI prison admissions. In 2023, a record 1,313 adults were admitted to Wisconsin prisons for OWIs, making up 16.2% of total prison admissions for the year (see Figure 7 on page 5). While admissions were down slightly in 2024, that year had the second-

highest number and rate of OWI prison admissions in data extending back to 2000. In other words, more people were being sent to prison for OWIs in recent years than ever before. OWI admissions were down again in 2025, however, suggesting that they may now be trending downward.

Longer sentences are another possible factor for the growing OWI prison population. State data show that sentences were becoming longer in the decade leading up to the pandemic before changing significantly between 2019 and 2023. In 2023, 38.4% of individuals admitted to prison for an OWI had sentences longer than two years, down from 20-year highs of 44.1% in 2018 and 43.9% in 2019. During the same period, the share of those with sentences between one and two years jumped from 34.2% to 43.6%, while the share of

Figure 6: Women Are a Growing Share of Adults Incarcerated for OWI, but Not for All Offenses

Percentage of adults in Wisconsin prisons who are female, by offense type



Source: Wisconsin Department of Corrections



individuals with sentences of less than one year decreased slightly from 18.9% to 17.9%. It is important to note that these prison sentences reflect penalties for OWI convictions but may also include sentences for other offenses.

Leading up to the pandemic, the proportion of individuals with sentences of more than two years was steadily increasing, while those with shorter sentences were trending downward. The lengthening of sentences leading up to the pandemic may have been due to increased minimum and maximum sentences, or to potential changes in behavior. However, it is unclear why sentences became shorter in the pandemic's wake.

OWI ARRESTS DOWN

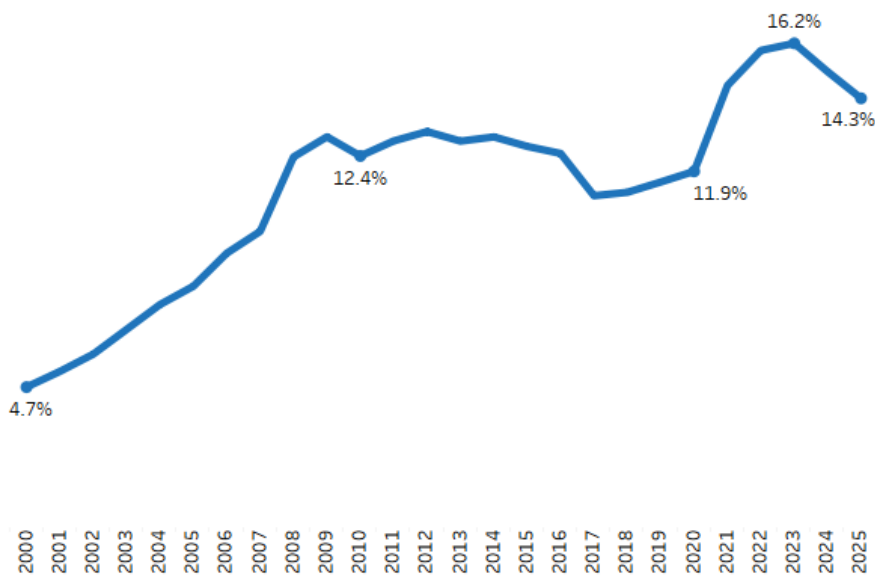
Although OWI incarceration is at an all-time high, OWI arrests have been falling since 2007, according to [FBI data](#). Over the past 20 years, the total number of arrests made by law enforcement agencies in Wisconsin for any offense has decreased by 60.7%. This is also true of OWI arrests: 2025 saw 18,637 arrests, which was less than half the 36,726 recorded in 2002 (see Figure 8). In tandem with incarceration trends, this suggests Wisconsin may be making fewer arrests for less severe drunk driving incidents but a greater number of arrests for more severe or repeat offenses.

While Wisconsin is making fewer arrests than in the past, law enforcement in the state are consistently making arrests for OWIs at a per capita rate 50% higher than the national average. In 2024, 31.1 OWI arrests were made per 10,000 residents in Wisconsin, compared to just 21.5 arrests nationally.

Black Wisconsinites were arrested for OWIs at a particularly high rate in 2024, with 46.0 arrests per 10,000 Black residents compared to 28.7 arrests per 10,000 white residents. This disparity was significantly wider than the gap between white and Black residents nationally, which

Figure 7: Share of Prison Admissions with OWIs Set Record High in 2023

Percentage of all adults entering Wisconsin prisons who were admitted for OWI offenses

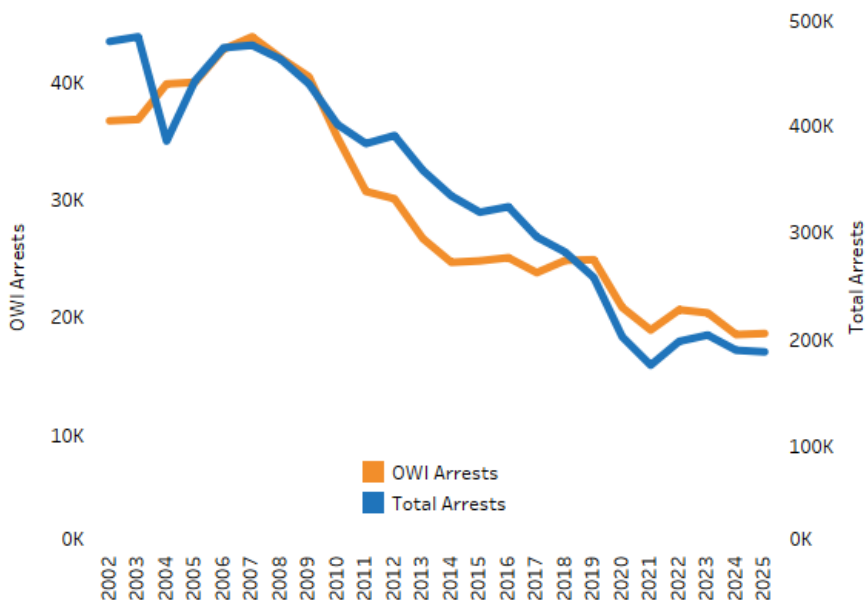


Source: Wisconsin Department of Corrections

had a difference of just 1.4 arrests per 10,000. That same year, American Indian Wisconsinites were arrested at a rate of 29.8 per 10,000 residents, a similar rate as white Wisconsinites but double the rate of American Indians nationally. Asian Wisconsinites were arrested at a rate of 14.6 per 10,000, which was almost three times the national rate. This data source did not report numbers for the Hispanic or Latino population.

Figure 8: Arrests for OWI and All Offenses Have Fallen in Tandem

Number of arrests in Wisconsin for OWIs and all offenses



Source: Federal Bureau of Investigation, National Incident-Based Reporting System



WISCONSIN OWI PENALTIES DIFFER FROM NEIGHBORING STATES

Wisconsin has a complex penalty structure for OWI offenses. The severity of an OWI charge ranges from a civil offense for an individual’s first infraction to a Class C felony for committing a homicide while operating under the influence for an individual with a prior OWI conviction. Second and third OWI offenses are treated as misdemeanors, while fourth and subsequent offenses are felonies. Every offense can result in driver’s license revocation, and the legal limit for those with more than three previous offenses is a BAC of 0.02%, making Wisconsin the only state among its neighbors to reduce the BAC limit for repeat offenses. Other aggravating factors, such as whether there was a passenger under 16 years old or whether the driver caused bodily harm to another person, qualify for more severe penalties.

In 2003, in response to federal incentives, Wisconsin became the 43rd state to pass legislation reducing the legal maximum alcohol concentration from 0.10% to 0.08%. Our previous [research](#) found that changes to drunk driving statutes since 2003 have generally increased penalties for the most extreme offenses. For example, Acts [371](#) (2016), [172](#) (2018), and [107](#) (2019) each increased the penalties for fourth and subsequent OWI offenses, including by upgrading a fourth offense from a misdemeanor to a Class H felony and requiring the lifetime revocation of driver’s licenses for people convicted of fourth and subsequent offenses

if their most recent conviction occurred within the last 15 years.

Fees and Surcharges in Wisconsin

All OWI offenses in Wisconsin are punishable by a minimum and maximum fine, a \$435 surcharge, and revocation of the person’s driver’s license. Fines range from \$150 to \$300 for a first offense to a maximum of \$100,000 for homicide while operating under the influence. Other fees and surcharges, such as the Driver Improvement Surcharge (\$535), the Safe Ride Program Surcharge (\$50), and the Ignition Interlock Surcharge (\$50), are used as ways to fund OWI-related programs or as general revenue sources.

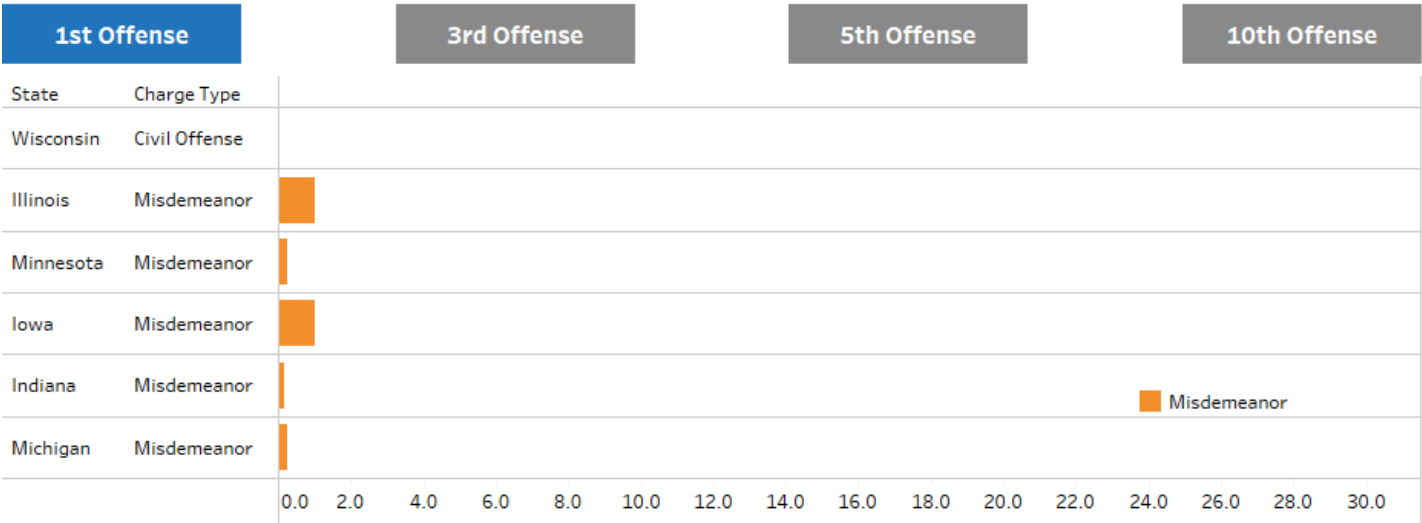
People who commit an offense face additional fines if their BAC exceeds 0.17%. These escalations double, triple, and quadruple minimum and maximum fines for those with excessively high BAC levels, although in practice these fees are not always imposed.

Comparison of Penalties by State

Wisconsin’s OWI penalties are generally less severe than those in the neighboring states of Illinois, Indiana, Iowa, Michigan, and Minnesota for initial OWI offenses, but more severe than several of those states for fourth and subsequent offenses (see Figure 9). While Wisconsin law prosecutes first OWI offenses as civil infractions, in each of our neighboring states they are treated as misdemeanor criminal offenses that may result in confinement. Wisconsin is the only state in

Figure 9: Wisconsin OWI Penalties Less Severe for First Three Offenses, More Severe Thereafter

Sentencing ranges in years for OWI convictions by state and offense number



Source: WPF data analysis of state statutes from Wisconsin, Illinois, Minnesota, Iowa, Indiana, and Michigan.
Note: This graphic is an interactive dashboard and is best viewed online. Click anywhere on the chart to open the online version.



which a first OWI offense alone is never punished with jail time. Sentence maximums in neighboring states range from sixty days to one year, although judges may choose not to impose a jail sentence for first offenses.

Wisconsin and most of its neighbors treat second OWI offenses as misdemeanors. The only exception is Indiana, where a second offense within seven years of the first is a felony.

Whereas third OWI offenses are treated as misdemeanors in Wisconsin and Minnesota, the other neighboring states treat them as felonies. In Wisconsin, third offenses carry sentences of 45 days to one year in jail or prison. By comparison, a third offense in Michigan carries a minimum mandatory sentence of one year, and in Illinois the mandatory minimum sentence is three years.

By a fifth offense, Wisconsin's penalties are more severe than all of its neighbors except Illinois. Wisconsin statutes delineate fourth, fifth and sixth, seventh through ninth, and tenth or subsequent offenses. Thus, penalties continue to escalate through a tenth offense in Wisconsin. By comparison, our neighboring states cap penalties between a second and sixth offense. For example, in Michigan and Iowa, all third and subsequent OWI offenses receive the same charge. However, it should be noted that this is a highly nuanced area of law in both Wisconsin and our neighboring states, and the practical realities of enforcing those laws sometimes diverge from what the statutes suggest.

Every state considers whether a person convicted of an OWI offense has had a previous OWI conviction during a specified "look-back" period, but the length of this period varies by state. Wisconsin has a look-back period of ten years for a second offense, and lifetime for all other offenses. This means that if a person is arrested for a second OWI more than 10 years after their first, the person will again be charged with a first offense, whereas if they are arrested for a third offense, the state counts all offenses on the person's record. Michigan, on the other hand, has a seven-year look-back period for second offenses and a lifetime look-back for third and subsequent offenses. Minnesota has a 10-year look-back period for all OWIs other than felonies.

All six states we examined increase penalties for specific aggravating factors, such as whether the driver caused injuries in a crash, was driving with a minor in the vehicle, or was operating a school bus, which vary by state. Each state also has a penalty enhancement for excessive BAC levels. As previously noted, this threshold is 0.17% in Wisconsin, which is the same as in Michigan. In Illinois and Minnesota, the threshold is 0.16% and in Iowa and Indiana it is 0.15%. While the 0.02% difference in the threshold between Wisconsin and Iowa and Indiana may seem insignificant, readers should note that reducing the legal BAC limit from 0.10% to 0.08% has been associated with a [10.4% decrease](#) in fatal crashes involving a drunk driver nationwide. We were unable to find more information about the effects that reducing the aggravated charge threshold might have on fatal crashes involving drunk drivers, and this policy change warrants future research.

Wisconsin, Illinois, Indiana, and Minnesota all restricted or effectively eliminated parole between 1977 and 2000, making Iowa and Michigan our only neighbors that offer the possibility of parole to reduce time in prison. All states may also offer work release or credits for good behavior.

One unique feature of Wisconsin's law is that prosecutors [are not allowed](#) to amend or dismiss OWI charges without the express approval of the court. The court may approve such a request only if it finds that the amendment or dismissal is consistent with the public's interest in deterring OWIs. Wisconsin's neighboring states do not have such a law, meaning their prosecutors have more discretion when it comes to dismissing or amending impaired driving charges.

FATAL CRASHES REMAIN STEADY

Between 2015 and 2023, 1,716 Wisconsinites were killed in crashes involving a driver with a BAC above 0.08%. This is according to data from the [National Highway and Traffic Safety Administration's annual drunk driving report](#), which allowed us to compare alcohol-involved crash fatalities in Wisconsin to neighboring states. Among alcohol-involved crash fatalities, 67.1% resulted from incidents involving a driver with a BAC over 0.15%. The [Cleveland Clinic](#) characterizes this level of intoxication as causing a loss of balance and muscle control, confusion, drowsiness, reduced reaction time, slowed thinking, and difficulty



detecting danger. We were unable to obtain data prior to 2015 due to changes in data reporting.

By some measures, Wisconsin performs worse than average for drunk driving crash fatalities. In 2023, Wisconsin crash fatalities involving a drunk driver made up 31% of total crash fatalities, which was above the national proportion of 29%.

Other indicators are less discouraging. Since 2021, there has been a national spike in fatality rates for both alcohol-involved and total crashes that has affected all of our neighboring states, but Wisconsin's rates have remained consistent with pre-pandemic levels. Additionally, between 2021 and 2023, Wisconsin's alcohol-involved and total crash fatality rates ranked second- or third-lowest among the six neighboring states.

While it is encouraging that fatalities from crashes involving a drunk driver have decreased in Wisconsin since their peak in 2020, the reduction has been modest, and impaired driving still claims more than 170 lives each year. This reaffirms the need for a sustainable, long-term reduction in fatalities from alcohol-involved crashes.

It is also important to note that a majority of drunk drivers involved in crashes resulting in a death or serious injury do not have a prior OWI, demonstrating the need for preventative measures to limit the largest source of drunk-driving fatalities. The Wisconsin Department of Transportation found that in 2017 (the most recent year for which this has been calculated), 64% of alcohol-impaired drivers in fatal and serious injury crashes had no previous OWI history. However, as discussed above, recent OWI-related policy changes have focused on those convicted of multiple offenses.

HEAVY ALCOHOL USE ON THE RISE

Readers may wonder whether changes in alcohol use and drunk driving account for rising OWI incarceration. While 2024 data from the [Wisconsin Department of Health Services](#) show that fewer Wisconsinites are using alcohol overall and that many of those who do use alcohol are drinking less than they did ten years ago, this decline has been uneven. Those who use alcohol frequently drink significantly more than they once did. The data show that binge drinking, or the consumption of four-to-five alcoholic drinks or more, is trending up. Wisconsinites also use alcohol and binge drink at higher

rates (59.5% and 20.1%, respectively) than national averages (51.1% and 15.5%), while perceiving less risk from binge drinking (40.8% compared to 46.3% nationally). Public health experts we interviewed for this research also warned of an increase in [high-intensity drinking](#), or the consumption of eight-to-ten drinks or more in one sitting. These forms of excessive alcohol use are associated with [behaviors](#) such as domestic violence and drunk driving.

State data show that [the demographics of drinkers](#) are also changing. Older adults, particularly those over the age of 55, drink more frequently and in larger quantities than they once did. While young adults are consuming less alcohol than in the past, the rate of alcohol use among [underage Wisconsinites](#) is on the rise, and high school girls are now consuming more alcohol than high school boys. Additionally, the use of alcohol before driving is trending up among [high school students](#), according to a 2025 analysis by the Wisconsin Alcohol Policy Project. These changes in behavior are concerning, as previous research shows that alcohol use among children is closely associated with dangerous alcohol-related behaviors later in life.

Alcohol use patterns have also shifted across race and gender. While Black Wisconsinites drink less than their white peers, alcohol use rates among Black residents have risen. On average, Wisconsin women likewise drink much more than they did in the past, which may be a factor in the rising proportion of women incarcerated for OWI offenses.

These changes in alcohol consumption may be contributing to the rise in OWI incarceration, but the increase may also be influenced by other factors such as how the justice system responds to it, whether through enforcement priorities, sentencing procedures, or changes in state law. In any case, a broader understanding of alcohol use is important for developing a more complete picture of drunk driving in Wisconsin.

CONCLUSION

Wisconsin is seeing a near-record number of people incarcerated for OWI offenses, while fatal crashes involving alcohol remain steady. The state also faces prison overcrowding, rising financial and human costs of the prison system, and a relationship with alcohol use that many public health leaders view as problematic.



If state and local policymakers wish to address the issue of drunk driving without further increasing OWI incarceration, they could consider the range of measures below. While the Wisconsin Policy Forum is not advocating for any one of these options, they are strategies being used in other states that have been shown to reduce alcohol consumption or drunk driving behavior.

- To improve local data to address drunk driving, communities may consider implementing a [Place of Last Drink \(POLD\) program](#), which enables police to identify bars and restaurants where individuals last consumed alcohol before committing an OWI. Thirty-five communities across Wisconsin have initiated POLD programs to work directly with businesses to reduce drunk driving and overconsumption.
 - Wisconsin [taxes beer](#) at \$2 per 31-gallon barrel – a rate that has remained unchanged since [1977](#) – and levies separate per liter [taxes](#) on wine and intoxicating liquor. Researchers have [consistently found](#) that increases to alcohol taxes or overall prices are associated with reductions in excessive drinking, including by underage individuals. Lawmakers could consider raising one or more of these taxes to reduce alcohol consumption.
 - Municipal officials could consider limiting alcohol licenses for retailers, or the state could consider reducing alcohol permits, to decrease the density of alcohol establishments. While the national average is one alcohol outlet per 1,000 people, [Wisconsin has one outlet per 345 people](#). High outlet densities have been [strongly associated](#) with increased motor vehicle crashes and pedestrian collisions, the most fatal crash type. It is important to acknowledge that any reduction in alcohol permits could have economic impacts, as many businesses rely on alcohol sales to remain in operation. However, municipalities or state regulators could lower the density of alcohol outlets gradually by limiting the issuance of new permits or licenses, or by declining to reissue them to a new establishment after an older establishment closes, though that could also
- affect the value of a property.
- Alcohol age compliance checks have been found to [reduce underage drinking](#); however, they are typically funded by federal grants that have been less reliably available to communities. The state may choose to allocate funding to local municipalities to continue or expand alcohol age compliance check programs.
 - Reducing the days and hours during which retailers can sell alcohol [could also help reduce](#) excessive drinking. Wisconsin law [provides](#) that retail businesses with Class A liquor licenses, such as grocery or convenience stores, must stop selling wine and liquor at 9 PM and beer at 12 AM. All alcohol sales may restart at 6 AM. State lawmakers may choose to narrow those hours.
 - Wisconsin has 38 [OWI or hybrid OWI and drug courts](#), which help connect high-risk, high-need individuals charged with OWIs to programs or resources that may be more effective at preventing recidivism than traditional court sentences. State and local policymakers may choose to create OWI or hybrid courts in areas where they are less common, such as northern Wisconsin.
 - Lawmakers may consider improving access to substance use programs available in Wisconsin prisons by increasing funding to expand them. While Wisconsin prisons offer several treatment and substance use programs, our [previous research](#) found that the number of individuals completing these programs has remained relatively constant despite the sharp increase in OWI incarceration.
 - Another potential strategy is to improve alternative transportation options after someone has consumed alcohol, particularly in rural areas. This may include improving the geographic reach and frequency of nighttime transit services or expanding Wisconsin's existing [safe ride program](#), which provides free rides home for patrons at participating establishments, with the state



covering up to 80% of the cost through a surcharge on OWI convictions. A partner organization covers the remaining cost. The [Tavern League of Wisconsin](#) is the state's largest safe ride partner, but the Department of Transportation also [partners](#) with counties and municipalities through the Bar Buddies program or to cover specific events.

- Policymakers may consider reducing the legal BAC limit from 0.08% to 0.05%, as [recommended](#) by the National Transportation Safety Board. The national decrease of the limit from 0.10% to 0.08% has been linked to a [sharp drop](#) in drunk driving fatalities, and [data](#) from other states and countries suggest that lowering the BAC limit to 0.05% could further reduce drunk driving and fatal crashes. Indeed, Utah has seen significantly [larger reductions](#) in alcohol-involved fatal crashes than its neighboring states since lowering its BAC limit to 0.05% in 2018. However, a lower threshold could also result in more people being arrested and incarcerated for intoxicated driving.

We acknowledge that some of these measures may be politically fraught and challenging to implement or may carry steep financial or economic costs. However, not acting on this issue carries its own costs given Wisconsin's high rates of binge drinking and intoxicated driving. These measures offer policymakers options to consider that could help to reduce the number of Wisconsin residents who are incarcerated for OWI offenses or who are killed in preventable alcohol-involved crashes.