

UNITED STATES DISTRICT COURT

DEC 22 1983

DISTRICT OF MAINE

WILLIAM S. BROWNELL, CLERK
BY:

ORDER FIXING PENALTIES FOR PETTY OFFENSES AT
VARIOUS COAST GUARD PROPERTIES AND VESSELS IN MAINE

DEPUTY CLERK

(Superseding order of February 13, 1978)

It appearing that numerous violations of Title 18, U.S. Code §§ 13 and 1382 occur on the grounds and premises under control of the Commander, Coast Guard Group Portland, which are within the jurisdiction of this Court, said violations generally being "petty offenses" as defined in 18 U.S.C. § 1(3), and

It further appearing that it would be for the benefit and convenience of all concerned to amend the plan previously established by this Court whereby persons charged with committing offenses as defined herein and listed on Schedule A below may, in lieu of appearance, post collateral in the amount indicated for the offense, waive appearance before a United States Magistrate, and consent to forfeiture of the collateral, it is

ORDERED, as follows:

1. That any Coast Guard official duly authorized to make arrests or issue violation notices at the various Coast Guard properties and vessels in Maine may do so for the offenses appearing on Schedules A and B, such violations to be issued on the Violation Notice in the form provided by law.

2. In the event of the commission of a minor offense appearing on the attached Schedule A, whenever it is the opinion of the Coast Guard official that the offense was of an

aggravated nature, the official may, in lieu of issuing a Violation Notice, bring the offender before the nearest United States Magistrate, or order the offender to appear before such Magistrate at a specified time and place.

3. It should be made clear to all offenders charged under Schedule A that they are entitled to a hearing before a United States Magistrate if they desire to contest the issuance of any violation notice against them.

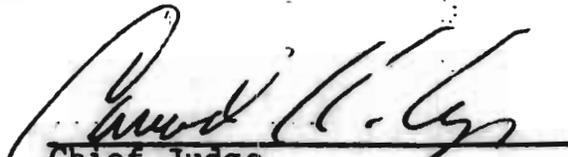
4. A person charged with an offense appearing on Schedule B must appear before the United States Magistrate. A person charged with an offense not listed on either schedule shall also appear before the Magistrate.

5. Nothing contained herein shall prohibit a law enforcement officer from arresting a person for the commission of any offense, including those for which collateral may be posted and forfeited, and requiring the person charged to appear before a United States Magistrate or upon arrest, taking him immediately before a United States Magistrate.

6. This order shall continue in effect pending further order of this Court.

Date:

December 20, 1983



Chief Judge
U. S. District Court

Date:

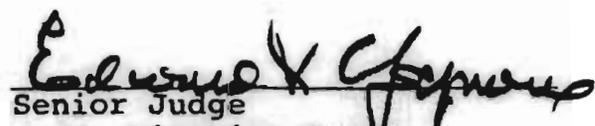
12/20/83



United States District Judge

Date:

12/22/83



Senior Judge
U. S. District Court

ATTEST: William S. Brownell, Clerk
BY  Deputy Clerk

Schedule A

Offenses and Amounts of Penalties Fixed Therefor at Various Coast Guard Properties and Vessels in Maine

Any person to whom a Violation Notice is issued at various Coast Guard properties and vessels in Maine, may request a hearing of the charges before a United States Magistrate, but may avoid the necessity of appearing for a hearing by payment before the scheduled hearing date of the penalty fixed under this Plan for the particular offense.

<u>Authority</u>	<u>Description of Violation</u>	<u>Penalty</u>
18 USC 1382	Reentering military installation after being ordered not to reenter by the base commander:	
	First offense	100.00
	Second offense	300.00
	Three or more offenses	500.00

Laws of the State of Maine Adopted for Areas Within Federal Jurisdiction by 18 U.S.C. § 13

<u>Authority</u>	<u>Description of Violation</u>	<u>Penalty</u>
17A MRSA 402	Criminal Trespass - remaining in any place in defiance of lawful order to leave	100.00
17A MRSA 404	Trespass by motor vehicle	50.00
17A MRSA 501(1)	Disorderly conduct in a public place	50.00
17A MRSA 501(3)	Disorderly conduct in a private place	50.00
17A MRSA 504	Unlawful assembly	50.00
17A MRSA 505	Obstructing public ways	50.00
17A MRSA 507	Desecration and defacement	100.00
29 MRSA 102	Operating an unregistered vehicle	50.00
29 MRSA 2183	Use of improper plates	75.00

Schedule B

A person charged with an offense listed below
must appear before a United States Magistrate

<u>Authority</u>	<u>Violation</u>
29 MRSA 530(1)(B)	Operating a vehicle without a license
29 MRSA 893	Failure to remain at scene after accident resulting in death or injury
29 MRSA 894	Failure to remain at scene after accident with damage to vehicle and property
29 MRSA 897	Failure to give notice upon striking an unattended vehicle
29 MRSA 898	Failure to report striking fixture on roadway
29 MRSA 1252(4)	Exceeding posted speed limit by 30 miles per hour or more
29 MRSA 1314	Driving to endanger
29 MRSA 2182(1)	Display of fictitious or altered operator's license
29 MRSA 2184	Operating after license suspension
29 MRSA 2184(1-A)	Operating after suspension due to previous OUI offense
29 MRSA 2501-A(2)	Failure to stop for a law enforcement officer
29 MRSA 2501-1(3)	Eluding a law enforcement officer
17A MRSA 853-A	Engaging in prostitution
17A MRSA 854	Public indecency