

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI

IN RE:)
) COLLATERAL FORFEITURE
) SCHEDULE – FEDERAL PROTECTIVE
BUSINESS OF THE COURT) SERVICE
)

**GOVERNMENT’S MOTION TO AMEND THE SCHEDULE OF FIXED SUMS FOR
PETTY OFFENSES INVESTIGATED BY THE DEPARTMENT OF HOMELAND
SECURITY - FEDERAL PROTECTIVE SERVICE**

COMES NOW the United States of America, by and through the Acting United States Attorney for the Eastern District of Missouri, Carrie Costantin, and Gwen Carroll, Assistant United States Attorney for said District, and for the reasons set forth below, moves this Court pursuant to Local Rule 9.03(B) of the United States District Court for the Eastern District of Missouri to amend, in part, the schedule of fixed sums of collateral that are subject to forfeiture for satisfaction of a petty offense violation without a court appearance investigated by the Department of Homeland Security – Federal Protective Service. In support of its motion the Government states as follows:

1) On January 11, 2006, United States District Court Judge Carol E. Jackson issued an administrative order pursuant to Local Rule 9.03(b)(2) setting a schedule of fixed sums that a defendant charged with a petty offenses may post to satisfy the charge without a court appearance.

2) Local Rule 9.03(B)(2) of the United States District Court for the Eastern District of Missouri states that type of petty offense and amount to be paid shall be determined as “provided by law or set forth in schedules approved and subsequently amended from time to time by order of the Court.”

3) On November 13, 2014, Chief United States District Judge Michael J. Reagan for the United States District Court in the Southern District of Illinois ordered and approved a new collateral fee schedule for that district. The Government requests the same fee schedule and fee amounts approved in the Southern District of Illinois be adopted and approved in this District.

4) The attached proposed schedule details the amounts of the sum for the specific petty offenses listed. The sums proposed do not exceed the maximum fine authorized by law upon conviction for the specific listed violation.

WHEREFORE, for the reasons stated above, the government requests that this motion to amend the schedule of fixed sums for petty offenses be granted or any other relief the court deems proper.

Respectfully submitted,

CARRIE COSTANTIN
Acting United States Attorney

/s/ Gwen Carroll
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(314) 539-2200

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI

IN RE:)	
)	COLLATERAL FORFEITURE
BUSINESS OF THE COURT)	SCHEDULE – FEDERAL PROTECTIVE
)	SERVICE
)	

ADMINISTRATIVE ORDER

WHEREAS, the government has filed a motion pursuant to Local Rule 9.03(B) seeking approval of a revised schedule of collateral subject to forfeiture in relation to petty offenses and misdemeanors prosecuted by citation or violation notice, affecting conduct on federal properties administered by the Department of Homeland Security, Federal Protective Service. **AND WHEREAS**, the court finds that the schedule is in compliance with law and that no collateral amount exceeds the maximum fine authorized by law upon conviction for a listed violation.

IT IS HEREBY ORDERED that the motion of the government is **granted**, and the schedule of collateral appended to this order is approved and established. This schedule shall supersede all previous schedules relating to listed offenses committed on federal property administered by the Department of Homeland Security, Federal Protective Service located within the jurisdiction of the Eastern District of Missouri. The clerk of court is directed to make this schedule available for public inspection at the courthouses in the Eastern District of Missouri and electronically on the district court’s web site.

SO ORDERED this 15th day of May, 2017.



 RODNEY W. SIPPEL
 CHIEF UNITED STATES DISTRICT JUDGE

RULES AND REGULATIONS
GOVERNING CONDUCT ON FEDERAL PROPERTY
FEDERAL MANAGEMENT REGULATION
DEPARTMENT OF HOMELAND SECURITY FEDERAL PROTECTIVE SERVICE

Title 41, Code of Federal Regulations

SECTION	VIOLATION	FINE IN LIEU OF APPEARANCE
PART 102-74 <u>Subpart C</u>	GENERAL PROVISIONS	
370	Refusal to permit inspection of packages, briefcases and other containers.	\$250.00
375	Failure to comply with restrictions on entry upon federal property, or to display credentials when requested.	\$250.00
380(a)	Improperly disposing of rubbish on property.	\$250.00
380(b)	Willfully destroying or damaging property.	\$500.00
380(c)	Stealing property.	\$500.00
380(d)	Creating any hazard on property to persons or things.	\$250.00
380(e)	Throwing articles of any kind from or at a building or the climbing upon statues, fountains or any part of the building.	\$250.00
385	Failure to comply with official signs of a prohibitory, regulatory or directory nature and with the lawful direction of Federal police officers.	\$200.00
390(a)	Creating loud or unusual noise or a nuisance.	\$500.00
390(b)	Unreasonably obstructing the usual use of entrances, foyers, lobbies, corridors, offices, elevators, stairways, or parking lots.	\$500.00
390(c)	Impeding or disrupting the performance of official duties by Government employees.	\$500.00
390(d)	Preventing the general public from obtaining the	\$500.00

	administrative services provided on the property in a timely manner.	
395	Gambling on federal property.	\$200.00
395(a)	Participating in games for money or other personal property.	\$200.00
395(b)	Operating gambling devices.	\$200.00
395(c)	Conducting a lottery or pool.	\$200.00
395(d)	Selling or purchasing of numbers tickets.	\$200.00
400(a)	Being under the influence, using or possessing any narcotic drugs, hallucinogens, marijuana, barbiturates, or amphetamines.	\$500.00
400(b)	Operating a motor vehicle on the property while under the influence of alcoholic beverages, narcotic drugs, hallucinogens, marijuana, barbiturates, or amphetamines.	\$500.00
405	Alcoholic beverages - being under the influence or using alcoholic beverages.	\$500.00
410	Soliciting alms (including money and non-monetary items), commercial or political donations; vending merchandise of all kinds; displaying or distributing commercial advertising, or collecting private debts.	\$150.00
415(a)	Distributing free samples of tobacco products in or around Federal buildings.	\$75.00
415(b)	Posting or affixing materials, such as pamphlets, handbills, or flyers, on bulletin boards or elsewhere on GSA controlled property, except as authorized.	\$75.00
415(c)	Distributing materials, such as pamphlets, handbills, or flyers, without permission.	\$75.00
420	Photographs in violation of security regulations, rules, orders, or Federal court order.	\$150.00
425	Bringing dogs or other animals on Federal property for other than official business, except seeing eye	\$150.00

	dogs, other guide dogs, and animals used or being trained to guide or assist handicapped persons.	
430(a)	Failure to drive in a careful and safe manner at all times.	\$200.00
430(b)	Failure to comply with the signals and directions of Federal police officers or other authorized individuals.	\$200.00
430(c)	Failure to comply with all posted traffic signs.	\$50.00
430(d)	Failure to comply with any additional posted traffic directives approved by the GSA Regional Administrator.	\$100.00
430(e)	Blocking entrances, driveways, walks, loading platforms, or fire hydrants.	\$100.00
430(f)	Parking on Federal property without a permit. Parking without authority, parking in unauthorized locations or in locations reserved for other persons, or parking contrary to the direction of posted signs (Vehicles parked in violation, where warning signs are posted, are subject to removal at the owner's risk and expense).	\$100.00
435	Carry or possess explosives, or items intended to be used to fabricate an explosive or incendiary device, either openly or concealed.	\$500.00
440	Unauthorized possession of firearms or other dangerous weapons in Federal facilities and Federal court facilities. (The term "dangerous weapon" means a weapon, device, instrument, material, or substance, animate or inanimate, that is used for, or is readily capable of, causing death or serious bodily injury, except that such term does not include a pocket knife with a blade of less than 2 ½ inches in length).	\$500.00
445	Discrimination because of race, creed, religion, age, sex, color, disability or national origin.	\$150.00