

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MISSOURI

IN RE: )  
 ) COLLATERAL FORFEITURE  
 ) SCHEDULE – DEPARTMENT OF  
BUSINESS OF THE COURT ) VETERANS AFFAIRS  
 )

**GOVERNMENT’S MOTION TO AMEND THE SCHEDULE OF FIXED  
COLLATORAL FORFEITURE SUMS FOR PETTY OFFENSES OCCURRING AT  
DEPARTMENT OF VETERANS AFFAIRS FACILITIES**

COMES NOW the United States of America, by and through the United States Attorney for the Eastern District of Missouri, Richard G. Callahan, and Amanda Wick, 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 and Title 38, Code of Federal Regulations, Section 1.218(b) to amend, in part, the schedule of fixed sums of collateral that are subject to forfeiture for satisfaction of a petty offense violations without a court appearance occurring at Department of Veterans Affairs Facilities. 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 occurring at Department of Veterans Affairs facilities 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) The present order in effect from 2006 sets the fixed sums for Title 38 C.F.R., Sections 1.218(b)(1),(3),(4),(6-9),(11),(12),(16),(17),(19-34),(37-41),(44), and (45) in excess of the fixed sums authorized in the Code of Federal Regulations as codified in Title 38, C.F.R., Section 1.218(b). The attached proposed schedule details the amounts of the sum for the specific petty offenses listed and the proposed sums match the schedule of offenses and penalties codified in Title 38, C.F.R., Section 1.218(b).

4) The proposed schedule of fixed sums attached to this motion is in compliance with the law and no collateral amount exceeds the maximum fine authorized by law upon the conviction for a 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,

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Acting United States Attorney

/s/ Amanda Wick  
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UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MISSOURI

IN RE:	)	
	)	COLLATERAL FORFEITURE
	)	SCHEDULE – DEPT. OF VETERANS
BUSINESS OF THE COURT	)	AFFAIRS
	)	

**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 Veterans Affairs. **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 Veterans Affairs 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.

  
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 RODNEY W. SIPPEL  
 CHIEF UNITED STATES DISTRICT JUDGE

PENSIONS, BONUSES, AND VETERANS' AFFAIRS RELIEF  
DEPARTMENT OF VETERANS AFFAIRS  
GENERAL PROVISIONS  
**SECURITY AND LAW ENFORCEMENT AT DEPARTMENT OF VETERANS  
AFFAIRS FACILITIES**

Title 38, Code of Federal Regulations

<b>SECTION</b>	<b>VIOLATION</b>	<b>FINE IN LIEU OF APPEARANCE</b>
<b><u>PART 1.218(b)</u> GENERAL PROVISIONS</b>		
(1)	Improper disposal of rubbish on property.	\$200.00
(2)	Spitting on property.	\$25.00
(3)	Throwing of articles from a building or the unauthorized climbing upon any part of a building.	\$50.00
(4)	Willful destruction, damage, or removal of Government property without authorization.	\$500.00
(5)	Defacement, destruction, mutilation or injury to, or removal, or disturbance of, grave-marker or headstone.	\$500.00
(6)	Failure to comply with signs of a directive and restrictive nature posted for safety purposes.	\$50.00
(7)	Tampering with, removal, marring, or destruction of posted signs.	\$150.00
(8)	Entry into areas posted as closed to the public or others (trespass).	\$50.00
(9)	Unauthorized demonstration or service in a national cemetery or on other VA property.	\$250.00
(10)	Creating a disturbance during a burial ceremony.	\$250.00
(11)	Disorderly conduct which creates loud, boisterous, and unusual noise, or which obstructs the normal use of entrances, exits, foyers, offices, corridors, elevators, and stairways or which tends to impede or prevent the normal operation of a service or operation of the facility.	\$250.00

(12)	Failure to depart premises by unauthorized persons.	\$50.00
(13)	Unauthorized loitering, sleeping or assembly on property.	\$50.00
(14)	Gambling-participating in games of chance for monetary gain or personal property; the operation of gambling devices, a pool or lottery; or the taking or giving of bets.	\$200.00
(15)	Operation of a vehicle under the influence of alcoholic beverages or non-prescribed narcotic drugs, hallucinogens, marijuana, barbiturates, or amphetamines.	\$500.00
(16)	Entering premises under the influence of alcoholic beverages or narcotic drugs, hallucinogens, marijuana, barbiturates or amphetamines.	\$200.00
(17)	Unauthorized use on property of alcoholic beverages or narcotic drugs, hallucinogens, marijuana, barbiturates, or amphetamines.	\$300.00
(18)	Unauthorized introduction on VA controlled property of alcoholic beverages or narcotic drugs, hallucinogens, marijuana, barbiturates, or amphetamines or the unauthorized giving of same to a patient or beneficiary.	\$500.00
(19)	Unauthorized solicitation of alms and contributions on premises.	\$50.00
(20)	Commercial soliciting or vending, or the collection of private debts on property.	\$50.00
(21)	Distribution of pamphlets, handbills, and flyers.	\$25.00
(22)	Display of placards or posting of material on property.	\$25.00
(23)	Unauthorized photography on premises.	\$50.00
(24)	Failure to comply with traffic directions of VA police.	\$25.00
(25)	Parking in spaces posted as reserve for physically disabled persons.	\$50.00
(26)	Parking in no-parking areas, lanes, or crosswalks so posted or marked by yellow borders or yellow stripes.	\$25.00
(27)	Parking in emergency vehicle spaces, areas and lanes	\$50.00

bordered in red or posted as EMERGENCY VEHICLES ONLY or FIRE LANE, or parking within 15 feet of a fire Hydrant.

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| (28) | Parking within an intersection or blocking a posted vehicle entrance or posted exit lane.   | \$25.00                        |
| (29) | Parking in spaces posted as reserved or in excess of a posted time limit.   | \$15.00                        |
| (30) | Failing to come to a complete stop at a STOP sign.  | \$25.00                        |
| (31) | Failing to yield to a pedestrian in a marked and posted Crosswalk   | \$25.00                        |
| (32) | Driving in the wrong direction on a posted one-way street.  | \$25.00                        |
| (33) | Operation of a vehicle in a reckless or unsafe manner, too fast for conditions, drag racing, overriding curbs, or leaving the roadway                             | \$100.00                       |
| (34) | Exceeding posted speed limits:<br>(i) By up to 10 mph.<br>(ii) By up to 20 mph.<br>(iii) By over 20 mph.  | \$25.00<br>\$50.00<br>\$100.00 |
| (35) | Creating excessive noise in a hospital or cemetery zone by muffler cut out, excessive use of a horn, or other means.  | \$50.00                        |
| (36) | Failure to yield right of way to other vehicles.  | \$50.00                        |
| (37) | Possession of firearms, carried either openly or concealed, whether loaded or unloaded (except by Federal or State law enforcement officers on official business. | \$500.00                       |
| (38) | Introduction or possession of explosives, or explosive devices which fire a projectile, ammunition, or combustibles.  | \$500.00                       |
| (39) | Possession of knives which exceed a blade length of 3 inches; switchblade knives; any of the variety of hatchets, clubs and hand-held weapons; or brass knuckles. | \$300.00                       |
| (40) | The unauthorized possession of any of the variety of incapacitating liquid or gas emitting weapons.   | \$200.00                       |

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| (41) | Unauthorized possession, manufacture, or use of keys or barrier card-type keys to rooms or areas on the property. | \$200.00 |
| (42) | The surreptitious opening, or attempted opening, of locks or card-operated barrier mechanisms on property.        | \$500.00 |
| (43) | Soliciting for, or the act of, prostitution.  | \$250.00 |
| (44) | Any unlawful sexual activity.   | \$250.00 |
| (45) | Jogging, bicycling, sledding or any recreational physical activity conducted on cemetery grounds.                 | \$50.00  |