

General Order No. 17-6

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS**

**GENERAL ORDER ADOPTING THE COLLATERAL FORFEITURE SCHEDULE FOR
THE DEPARTMENT OF VETERANS AFFAIRS IN THE EASTERN DISTRICT OF
TEXAS**

Attached to this General Order is a copy of Title 38 Code of Federal Regulations § 1.218 which defines certain terms, sets out a list of offenses which are prohibited, and assigns a penalty for each. The penalties assigned to each of said offenses, as defined, are hereby ADOPTED as the Collateral Forfeiture Schedule for the Department of Veterans Affairs, in the Eastern District of Texas. Offenses for which collateral may be posted in lieu of appearance and the amount of said collateral shall be the offenses set out in the Code of Federal Regulations and the value of the collateral to be posted that is subject to forfeiture shall be the amount of the penalty assigned to each offense.

Under Federal Rule of Criminal Procedure 58(d)(1) collateral may be posted in lieu of personal appearance of a person charged with certain petty offenses under the laws or regulations of the United States. Upon the failure of the person charged with a petty offense violation to appear before the United States Magistrate Judge for trial of the offense, collateral in the appropriate amount, as shown on the attached Schedule, shall be forfeited to the United States and serve as the fine for said offense. The posting of collateral shall signify that the person does

not contest the charge or request a hearing. Collateral forfeiture shall constitute an admission of guilt. This general order supersedes General Order 09-11.

Signed _____ March 31 _____, 2017,

FOR THE COURT



RON CLARK
Chief Judge

COLLATERAL FORFEITURE SCHEDULE
 VETERANS ADMINISTRATION
 EASTERN DISTRICT OF TEXAS

<u>VIOLATION</u>	<u>COLLATERAL FORFEITURE</u>	<u>38 C.F.R. 1.218</u>
Improper disposal of rubbish on property.	200.00	(1)
Spitting on property.	25.00	(2)
Throwing of articles from a building or the unauthorized climbing upon any part of a building.	50.00	(3)
Willful destruction, damage, or removal of Government property without authorization.	500.00*	(4)
Defacement, destruction, mutilation or injury to, or removal, or disturbance of, grave marker or headstone.	500.00	(5)
Failure to comply with signs of a directive and restrictive nature posted for safety purposes.	50.00	(6)
Tampering with, removal, marring, or destruction of posted signs.	150.00	(7)
Entry into areas posted as closed to the public or others (trespass)	50.00	(8)
Unauthorized demonstration or service in a national cemetery or on other VA property.	250.00	(9)
Creating a disturbance during a burial ceremony.	250.00	(10)
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	(11)
Failure to depart premises by unauthorized persons.	50.00	(12)
Unauthorized loitering, sleeping or assembly on property.	50.00	(13)

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	(14)
Operation of a vehicle under the influence of alcoholic beverages or non-prescribed narcotic drugs, hallucinogens, marijuana, barbiturates, or amphetamines.	500.00**	(15)
Entering premises under the influence of alcoholic beverages or narcotic drugs, hallucinogens, marijuana, barbiturates, or amphetamines.	200.00	(16)
Unauthorized use on property of alcoholic beverages or narcotic drugs, hallucinogens, marijuana, barbiturates, or amphetamines.	300.00	(17)
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	(18)
Unauthorized solicitation of alms and contributions on premises.	50.00	(19)
Commercial soliciting or vending, or the collection of private debts on property.	50.00	(20)
Distribution of pamphlets, handbills, and flyers.	25.00	(21)
Display of placards or posting of material on property.	25.00	(22)
Unauthorized photography on premises.	50.00	(23)
Failure to comply with traffic directions of VA police.	25.00	(24)
Parking in spaces posted as reserved for physically disabled persons.	50.00	(25)
Parking in no-parking areas, lanes, or crosswalks so posted or marked by yellow borders or yellow stripes.	25.00	(26)

Parking in emergency vehicle spaces, areas and lanes bordered in red or posted as EMERGENCY VEHICLES ONLY or FIRE LANE, or parking within 15 feet of a fire hydrant.	50.00	(27)
Parking within an intersection or blocking a posted vehicle entrance or posted exit lane.	25.00	(28)
Parking in spaces posted as reserved or in excess of a posted time limit.	15.00	(29)
Failure to come to a complete stop at a STOP sign.	25.00	(30)
Failing to yield to pedestrian in a marked and posted crosswalk.	25.00	(31)
Driving in the wrong direction on a posted one-way street.	25.00	(32)
Operating of a vehicle in a reckless or unsafe manner, too fast for conditions, drag racing, overriding curbs, or leaving the roadway.	100.00	(33)
Exceeding posted speed limits:		
By up to 10 MPH	25.00	(34)
By up to 20 MPH	50.00	
By over 20 MPH	100.00	
Creating excessive noise in a hospital or cemetery zone by muffler cut out, excessive use of a horn, or other means.	50.00	(35)
Failure to yield right-of-way to other vehicles.	50.00	(36)
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**	(37)
Introduction or possession of explosives, or explosive devices which fire a projectile, ammunition, or combustibles.	500.00	(38)
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	(39)
The unauthorized possession of any of the variety of incapacitating liquid or gas-emitting weapons.	200.00	(40)
Unauthorized possession, manufacture or use of keys or barrier card-type keys to rooms or areas on the property.	200.00	(41)

The surreptitious opening, or attempted opening, of locks or card-operated barrier mechanisms on property.	500.00	(42)
Soliciting for, or the act of, prostitution.	250.00	(43)
Any unlawful sexual activity.	250.00	(44)
Jogging, bicycling, sledding or any recreational activity conducted on cemetery grounds.	50.00	(45)

*Alternatively, the fine may be up to ten times the retail or restoration cost of the property stolen or damaged up to a maximum of \$500

** Requires a mandatory court appearance