

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TENNESSEE

FILED
CLERK'S OFFICE
United States District Court
Eastern District of Tennessee
Date: *Oct 20, 2020, 10:07 am*

IN RE:)
)
REVISION TO COLLATERAL) SO-20-03
FORFEITURE SCHEDULE FOR)
VETERAN'S ADMINISTRATION) Chief District Judge
) Travis R. McDonough
)

STANDING ORDER

In accordance with Rule 58(d)(1), Federal Rules of Criminal Procedure, all prior collateral forfeiture schedules for the Veteran's Administration are hereby **RESCINDED** and the attached schedule is hereby **ADOPTED**. Accordingly, collateral may be posted in lieu of the appearance of the offender in the amount indicated for the offenses listed in the attached schedule. Appearance before a United States Magistrate Judge may be waived, and forfeiture of the collateral may be consented to. Persons charged with offenses listed as "mandatory appearance violations" must appear for trial. Forfeiture will not be permitted on violations contributing to an accident with personal injury or when, in the opinion of the arresting or citing officer or agency, the offense charged was an aggravated offense.


Upon the failure of the person charged with an offense or offenses to appear before the United States Magistrate Judge for trial of the offenses listed below, except for those offenses denominated "mandatory appearance violations," the collateral in the amount listed opposite the offense shall be forfeited to the United States. The posting of the collateral shall signify that the offender does not contest the charge nor request a hearing before the designated United States Magistrate Judge.

If a defendant fails to post such collateral, request a hearing or appear in response to a citation or violation notice, the Central Violation Bureau or the Magistrate Judge may issue a notice for the defendant to appear before a Magistrate Judge on a date certain or to post collateral in lieu of appearance in accordance with the following schedules. If a defendant fails to respond to such notice, the Magistrate Judge may issue an arrest warrant or, if no warrant is requested by the attorney for the government, a summons in accordance with Rule 58(d)(3), Federal Rules of Criminal Procedure. Such arrest warrant or summons may provide that the defendant may pay a fixed sum, not to exceed the maximum fine which could be imposed upon conviction, in lieu of personal appearance before the Magistrate Judge.

The Magistrate Judge shall certify the record of any forfeiture of collateral for a moving traffic violation to the proper state authority.

Accordingly, it is hereby **ORDERED** that all prior collateral forfeiture schedules for the Veteran's Administration are hereby **RESCINDED** and the attached schedule is hereby **ADOPTED**.

SO ORDERED.



TRAVIS R. MCDONOUGH
CHIEF UNITED STATES DISTRICT JUDGE

United States District Court, Eastern District of Tennessee
Forfeiture of Collateral Schedule
United States Department of Veteran's Affairs
Adopted March 2020

Violation	Definition	Collateral
38 CFR 1.218(b)(1)	Improper disposal of rubbish on property	\$200.00
38 CFR 1.218(b)(2)	Spitting on property	\$25.00
38 CFR 1.218(b)(3)	Throwing of articles from a building or the unauthorized climbing upon any part of a building	\$50.00
38 CFR 1.218(b)(4)	Willful destruction, damage, or removal of Government property without authorization	Mandatory Appearance
38 CFR 1.218(b)(5)	Defacement, destruction, mutilation or injury to, or removal, or disturbance of, grave marker or headstone	\$500.00
38 CFR 1.218(b)(6)	Failure to comply with signs of a directive and restrictive nature posted for safety purposes	\$50.00
38 CFR 1.218(b)(7)	Tampering with, removal, marring, or destruction of posted signs	\$150.00
38 CFR 1.218(b)(8)	Entry into areas posted as closed to the public or others (trespass)	\$50.00
38 CFR 1.218(b)(9)	Unauthorized demonstration or service in a national cemetery or on other VA property	\$250.00
38 CFR 1.218(b)(10)	Creating a disturbance during a burial ceremony	\$250.00
38 CFR 1.218(b)(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
38 CFR 1.218(b)(12)	Failure to depart premises by unauthorized persons	\$50.00
38 CFR 1.218(b)(13)	Unauthorized loitering, sleeping or assembly on property	\$50.00
38 CFR 1.218(b)(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
38 CFR 1.218(b)(15)	Operation of a vehicle under the influence of alcoholic beverages or non-prescribed drugs, hallucinogens, marijuana, barbiturates, or amphetamines	Mandatory Appearance
38 CFR 1.218(b)(16)	Entering premises under the influence of alcoholic beverages or narcotic drugs, hallucinogens, marijuana, barbiturates or amphetamines	\$200.00

38 CFR 1.218(b)(17)	Unauthorized use on property of alcoholic beverages, narcotic drugs, hallucinogens, marijuana, barbiturates, or amphetamines	Mandatory Appearance
38 CFR 1.218(b)(18)	Unauthorized introduction on VA controlled property of alcoholic beverages, narcotic drugs, hallucinogens, marijuana, barbiturates, or amphetamines or the unauthorized giving of same to a patient or beneficiary	Mandatory Appearance
38 CFR 1.218(b)(19)	Unauthorized solicitation of alms and contributions on premises	\$50.00
38 CFR 1.218(b)(20)	Commercial soliciting or vending, or the collection of private debts on property	\$50.00
38 CFR 1.218(b)(21)	Distribution of pamphlets, handbills, and flyers	\$25.00
38 CFR 1.218(b)(22)	Display of placards or posting of material on property	\$25.00
38 CFR 1.218(b)(23)	Unauthorized photography on premises	\$50.00
38 CFR 1.218(b)(24)	Failure to comply with traffic directions of VA Police	\$25.00
38 CFR 1.218(b)(25)	Parking in spaces posted as reserved for physically disabled persons	\$50.00
38 CFR 1.218(b)(26)	Parking in no-parking areas, lanes, or crosswalks so posted or marked by yellow borders or yellow stripes	\$25.00
38 CFR 1.218(b)(27)	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
38 CFR 1.218(b)(28)	Parking within an intersection or blocking a posted vehicle entrance or posted exit lanes	\$25.00
38 CFR 1.218(b)(29)	Parking in spaces posted as reserved or in excess of a posted time limit	\$15.00
38 CFR 1.218(b)(30)	Failing to come to a complete stop at a Stop sign	\$25.00
38 CFR 1.218(b)(31)	Failing to yield to a pedestrian in a marked and posted crosswalk	\$25.00
38 CFR 1.218(b)(32)	Driving in the wrong direction on a posted one-way street	\$25.00
38 CFR 1.218(b)(33)	Operation of a vehicle in a reckless or unsafe manner, too fast for conditions, drag racing, overriding curbs, or leaving the roadway	Mandatory Appearance
38 CFR 1.218(b)(34)	Exceeding posted speed limits: By up to 10 MPH By up to 20 MPH By over 20 MPH	\$25.00 \$50.00 \$100.00

38 CFR 1.218(b)(35)	Creating excessive noise in a hospital or cemetery zone by muffler cut out, excessive use of a horn, or other means	\$50.00
38 CFR 1.218(b)(36)	Failure to yield right of way to other vehicles	\$50.00
38 CFR 1.218(b)(37)	Possession of firearms, carried either openly or concealed, whether loaded or unloaded (except by Federal or State law enforcement officers on official business)	Mandatory Appearance
38 CFR 1.218(b)(38)	Introduction or possession of explosives, or explosive devices which fire a projectile, ammunition, or combustibles	Mandatory Appearance
38 CFR 1.218(b)(39)	Possession of knives which exceed a blade length of 3 inches; switchblade knives; any of the variety of hatches, clubs, and hand-held liquid or gas-emitting weapon	Mandatory Appearance
38 CFR 1.218(b)(40)	The unauthorized possession of any of the variety of incapacitating liquid or gas-emitting weapons	\$200.00
38 CFR 1.218(b)(41)	Unauthorized possession, manufacture, or use of keys or barrier card-type keys to rooms or areas on the property	\$200.00
38 CFR 1.218(b)(42)	The surreptitious opening, or attempted opening, of locks or card-operated barrier mechanisms on property	\$500.00
38 CFR 1.218(b)(43)	Soliciting for, or the act of, prostitution	\$250.00
38 CFR 1.218(b)(44)	Any unlawful sexual activity	\$250.00
38 CFR 1.218(b)(45)	Jogging, bicycling, sledding or any recreational physical activity conducted on cemetery grounds	\$50.00