

FILED

AUG 27 2019

Clerk, U.S. District Court
District Of Montana
Missoula

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MONTANA**

**IN THE MATTER OF
COLLATERAL FORFEITURE
SCHEDULE FOR THE UNITED
STATES DEPARTMENT OF
VETERANS ADMINISTRATION
POLICE FOR THE DISTRICT OF
MONTANA**

**ORDER ADOPTING UNIFORM
COLLATERAL FORFEITURE
SCHEDULE FOR MISDEMEANOR
OFFENSES COMMITTED
WITHIN THE JURISDICTION OF
THE UNITED STATES
DEPARTMENT OF VETERANS
ADMINISTRATION POLICE IN
THE DISTRICT OF MONTANA**

IT IS ORDERED that the attached Collateral Forfeiture Schedule of the United States Department of Veterans Affairs Police is effective as of the date of this Order.

DATED this 27th day of August, 2019.



Dana L. Christensen, Chief Judge
United States District Court

Cc: J. Thomas Bartleson ✓

DEPARTMENT OF VETERANS AFFAIRS POLICE

Citation for Offense	Description of Offense Title 38, CFR § 1.218(b)	Proposed Collateral Forfeiture Amount, District of Montana
38 C.F.R. § 1.218(b)(1)	Improper disposal of rubbish on property	\$200
38 C.F.R. § 1.218(b)(2)	Spitting on property	\$25
38 C.F.R. § 1.218(b)(3)	Throwing of articles from a building or the unauthorized climbing upon any part of a building	\$50
38 C.F.R. § 1.218(b)(4)	Willful destruction, damage, or removal of Government property without authorization	\$500
38 C.F.R. § 1.218(b)(5)	Defacement, destruction, mutilation or injury to, or removal, or disturbance of, gravemarker or headstone	\$500
38 C.F.R. § 1.218(b)(6)	Failure to comply with signs of a directive and restrictive nature posted for safety purposes	\$50
38 C.F.R. § 1.218(b)(7)	Tampering with, removal, marring, or destruction of posted signed	\$150
38 C.F.R. § 1.218(b)(8)	Entry into areas posed as closed to the public or others (trespass)	\$50
38 C.F.R. § 1.218(b)(9)	Unauthorized demonstration or service in a national cemetery or on other VA property	\$250
38 C.F.R. § 1.218(b)(10)	Creating a disturbance during a burial ceremony	\$250
38 C.F.R. § 1.218(b)(11)	Disorderly conduct which creates load, 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

38 C.F.R. § 1.218(b)(12)	Failure to depart premises by unauthorized persons	\$50
38 C.F.R. § 1.218(b)(13)	Unauthorized loitering, sleeping, or assembly on property	\$50
38 C.F.R. § 1.218(b)(14)	Gambling—participating in games of chance for monetary gain or person property; the operation of gambling devices, a pool or lottery; or the taking or giving of bets	\$200
38 C.F.R. § 1.218(b)(15)	Operation of a vehicle under the influence of alcoholic beverages or nonprescribed narcotic drugs, hallucinogens, marijuana, barbiturates, or amphetamines	\$500
38 C.F.R. § 1.218(b)(16)	Entering premises under the influence of alcoholic beverages or narcotic drugs, hallucinogens, marijuana, barbiturates, or amphetamines	\$200
38 C.F.R. § 1.218(b)(17)	Unauthorized use on property of alcoholic beverages or narcotic drugs, hallucinogens, marijuana, barbiturates, or amphetamines	\$300
38 C.F.R. § 1.218(b)(18)	Unauthorized introduction on VA property of alcoholic beverages or narcotic drugs, hallucinogens, marijuana, barbiturates, or amphetamines or the unauthorized giving of same to a patient or beneficiary	\$500
38 C.F.R. § 1.218(b)(19)	Unauthorized solicitation of alms and contributions on premises	\$50
38 C.F.R. § 1.218(b)(20)	Commercial soliciting or vending, or the collection of private debts on property	\$50
38 C.F.R. § 1.218(b)(21)	Distribution of pamphlets, handbills, and flyers	\$25
38 C.F.R. § 1.218(b)(22)	Display of placards or posting of material on property	\$25

38 C.F.R. § 1.218(b)(23)	Unauthorized photography on premises	\$50
38 C.F.R. § 1.218(b)(24)	Failure to comply with traffic directions of VA police	\$25
38 C.F.R. § 1.218(b)(25)	Parking in spaces posted as reserved for physically disabled persons	\$50
38 C.F.R. § 1.218(b)(26)	Parking in no-parking areas, lanes, or crosswalks so posted or marked by yellow borders or yellow stripes	\$25
38 C.F.R. § 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
38 C.F.R. § 1.218(b)(28)	Parking within an intersection or blocking a posted vehicle entrance or posted exit lane	\$25
38 C.F.R. § 1.218(b)(29)	Parking in spaces posted as reserved or in excess of a posted time limit	\$15
38 C.F.R. § 1.218(b)(30)	Failing to come to a complete stop at a STOP sign	\$25
38 C.F.R. § 1.218(b)(31)	Failing to yield to a pedestrian in a marked and posted crosswalk	\$25
38 C.F.R. § 1.218(b)(32)	Driving the wrong direction on a posted one-way street	\$25
38 C.F.R. § 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	\$100
38 C.F.R. § 1.218(b)(34)	Exceeding posted speed limits	By up to 10 mph: \$25 By up to 20 mph: \$50 By over 20 mph: \$100
38 C.F.R. § 1.218(b)(35)	Creating excessive noise in a hospital or cemetery zone by	\$50

	muffler cut out, excessive use of a horn, or other means	
38 C.F.R. § 1.218(b)(36)	Failure to yield right of way to other vehicles	\$50
38 C.F.R. § 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)	\$500
38 C.F.R. § 1.218(b)(38)	Introduction or possession of explosives, or explosive devices which fire a projectile, ammunition, or combustibles	\$500
38 C.F.R. § 1.218(b)(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
38 C.F.R. § 1.218(b)(40)	The unauthorized possession of any of the variety of incapacitating liquid or gas-emitting weapons	\$200
38 C.F.R. § 1.218(b)(41)	Unauthorized possession, manufacture, or use of keys or barrier card-type keys to rooms or areas on the property	\$200
38 C.F.R. § 1.218(b)(42)	The surreptitious opening, or attempted opening, of locks or card-operated barrier mechanisms on property	\$500
38 C.F.R. § 1.218(b)(43)	Soliciting for, or the act of, prostitution	\$250
38 C.F.R. § 1.218(b)(44)	Any unlawful sexual activity	\$250
38 C.F.R. § 1.218(b)(45)	Jogging, bicycling, sledding or any recreation physical activity conducted on cemetery grounds	\$50

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**ATTORNEY FOR PLAINTIFF
UNITED STATES OF AMERICA**

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MONTANA**

**IN THE MATTER OF COLLATERAL
FORFEITURE SCHEDULE FOR THE
UNITED STATES DEPARTMENT OF
VETERANS ADMINISTRATION
POLICE FOR THE DISTRICT OF
MONTANA**

**MOTION TO ADOPT
UNIFORM COLLATERAL
SCHEDULE FOR
MISDEMEANOR OFFENSES
COMMITTED WITHIN THE
JURISDICTION OF THE
UNITED STATES
DEPARTMENT OF VETERANS
ADMINISTRATION POLICE IN
THE DISTRICT OF MONTANA**

The United States of America moves the Court for an order adopting the attached Collateral Forfeiture Schedule for misdemeanor offenses under the jurisdiction of the United States Department of Veterans Affairs Police.

The United States Department of Veterans Affairs Police are charged with the duty of managing, regulating use, and protecting the United States Department

of Veterans Affairs, and investigating criminal violations committed by employees, contractors, and veterans. This schedule was created and based on schedules existing in other jurisdictions, and a comparison of similar violations in those areas.

Based upon the foregoing, the United States respectfully requests that the attached Collateral Forfeiture schedule be adopted in the District of Montana.

DATED this 26th day of August, 2019.

KURT G. ALME
United States Attorney



J. THOMAS BARTLESON
Assistant U.S. Attorney