

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

IN THE MATTER OF)
)
COLLATERAL FORFEITURE SCHEDULES)

**ORDER REGARDING COLLATERAL FORFEITURE SCHEDULE FOR USE BY THE
UNITED STATES DEPARTMENT OF VETERANS AFFAIRS**

THIS MATTER comes before the Court on application of the United States of America pursuant to Local Rule 58.1(h) of the Criminal Rules of the United States District Court for the District of Colorado for approval of a collateral forfeiture schedule for use by the United States Department of Veterans Affairs.

HAVING considered the application, and being fully advised in the premises, the Court makes the following FINDINGS:

A. The proposed collateral forfeiture schedule was prepared according to the collateral forfeiture framework set out in D.C.COLO.LCrR 58.1.

B. The proposed collateral forfeitures for standard offenses fall within the presumptive forfeiture ranges set out in the collateral forfeiture framework.

C. The proposed collateral forfeitures for aggravated offenses fall within the presumptive collateral forfeiture ranges for aggravated offenses set out in the collateral forfeiture framework.

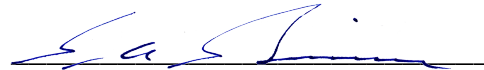
Therefore, pursuant to D.C.COLO.LCrR 58.1, the Court ORDERS as follows:

A. The Court approves the Collateral Forfeiture Schedule attached as Exhibit A to this Order for use by the United States Department of Veterans Affairs.

B. The approved Collateral Forfeiture Schedule shall be kept on file with the Clerk's office.

Dated at Denver, Colorado, this 2nd day of February, 2021.

BY THE COURT:

A handwritten signature in blue ink, appearing to read "Philip A. Brimmer", is written over a horizontal line.

PHILIP A. BRIMMER
Chief United States District Judge

Exhibit A

Collateral Forfeiture Schedule, Department of Veterans Affairs

Citation for Offense	Description of Offense	Collateral Forfeiture
38 C.F.R. § 1.218(b)	Preservation of Property	
(1)	Improper disposal of rubbish on property	\$200
(2)	Spitting on property	\$25
(3)	Throwing of articles from a building or the unauthorized climbing upon any part of a building	\$50
(4)	Willful destruction, damage, or removal of Government property without authorization	10x damage up to \$500, if over \$500, MA ¹
(5)	Defacement, destruction, mutilation or injury to, or removal, or disturbance of, gravemarker or headstone	10x damage up to \$500, if over \$500, MA
(6)	Failure to comply with signs of a directive and restrictive nature posted for safety purposes.	\$50
(7)	Tampering with, removal, marring, or destruction of posted signs	\$150
(8)	Entry into areas posted as closed to the public or others (trespass)	\$50
(9)	Unauthorized demonstration or service in a national cemetery or on other VA property	\$250
(10)	Creating a disturbance during a burial ceremony	\$250
(11)	Disorderly conduct which creates loud, boisterous, and unusual noise, or which obstruct 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
(12)	Failure to depart premises by unauthorized on property	\$50
(13)	Unauthorized loitering, sleeping or assembly on property	\$50
(14)	Gambling-participating in games of chances for monetary gain or personal property; the operation of gambling devices, a pool or lottery; or the taking or giving of bets	\$200
(15)	Operation of a vehicle under the influence of alcoholic beverages or non-prescribed narcotics drug, hallucinogens, marijuana, barbiturates, or amphetamines	MA

¹ "MA" stands for Mandatory Appearance.

Collateral Forfeiture Schedule, Department of Veterans Affairs

Citation for Offense	Description of Offense	Collateral Forfeiture
(16)	Entering premises under the influence of alcoholic beverages or narcotic drugs, hallucinogens, marijuana, barbiturates, or amphetamines	\$200
(17)	Unauthorized use on property of alcoholic beverages	\$300
	Unauthorized use on property of narcotic drugs, hallucinogens, marijuana, barbiturates, and/or amphetamines	MA
(18)	Unauthorized introduction on VA controlled property of alcoholic beverages or 1 ounce or less of marijuana.	\$75
	Unauthorized introduction on VA controlled property of narcotic drugs, hallucinogens, barbiturates, amphetamines or more than 1 ounce of marijuana, or the unauthorized giving of same to a patient or beneficiary	MA
(19)	Unauthorized solicitation of alms and contributions on premises	\$50
(20)	Commercial soliciting or vending, or the collection of private debts on property	\$50
(21)	Distribution of pamphlets, handbills, and flyers	\$25
(22)	Display of placards or posting of material on property	\$25
(23)	Unauthorized photography on premises	\$50
(24)	Failure to comply with traffic directions of VA police	\$25
(25)	Parking in spaces posted as reserved for physically disabled persons	\$50
(26)	Parking in no-parking areas, lanes, or crosswalks so posted or marked by yellow borders or yellow stripes	\$25
(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
(28)	Parking within an intersection or blocking a posted vehicle entrance or posted exit lane	\$25
(29)	Parking in spaces posted as reserved or in excess of a posted time limit	\$15

Collateral Forfeiture Schedule, Department of Veterans Affairs

Citation for Offense	Description of Offense	Collateral Forfeiture
(30)	Failing to come to a complete stop at a stop sign.	\$25
(31)	Failing to yield to a pedestrian in a marked and posted crosswalk	\$25
(32)	Driving in the wrong direction on a posted one-way street	\$25
(33)	Operation of a vehicle in a reckless or unsafe manner, too fast for conditions, drag racing, overriding curbs, or leaving the roadway	MA
(34)	Exceeding posted speed limits: <ul style="list-style-type: none"> • By up to 10 mph • By up to 20mph • By over 20mph 	\$25 \$50 \$100
(35)	Creating excessive noise in a hospital or cemetery zone by muffler cut out, excessive use of a horn, or other means	\$50
(36)	Failure to yield right of way to other vehicles	\$50
(37)	Possession of firearms, carried, either openly or concealed, whether loaded or unloaded (except by Federal or State law enforcement officers on official business	MA
(38)	Introduction or possession of explosives, or explosive devices which fire a projectile, ammunition, or combustibles	MA
(39)	Possession of knives which exceed a blade length of 3 inches; switchblade knives; any of the variety of hatchets, club and hand-held weapons; or brass knuckles	MA
(40)	The unauthorized possession of any of the variety of incapacitating liquid or gas-emitting weapons	MA
(41)	Unauthorized possession, manufacture, or use of keys or barrier card-type keys to rooms or areas on the property	\$200
(42)	The surreptitious opening, or attempted opening, of locks or card-operated barrier mechanisms on property	\$500
(43)	Soliciting for, or the act of, prostitution	\$250
(44)	Any unlawful sexual activity	\$250
(45)	Jogging, bicycling, sledding or any recreational physical activity conducted on cemetery grounds	\$50