FILED

JAN 28 1986

A. MARVIN HEWART
CLERK U. S. DISTRICT COURT
SOUTHERN DISTRICT OF ILLINOIS
BENTON OFFICE

IN THE UNITED STATES DISTRICT COURTS

FOR THE SOUTHERN DISTRICT OF ILLINOIS

| | | |
|---|---|---|
| IN THE MATTER OF: | ) | 8 |
| | ) | |
| SECOND AMENDED SPECIAL | ) | |
| ORDER NUMBER 2 | ) | |

**ORDER SUBSTITUTING ATTACHMENT NO. 4**
**TO SECOND AMENDED SPECIAL ORDER NO. 2**

The above-entitled cause having come before the Court upon motion of the United States to amend Special Order Number 2 by the addition of an offense 219(B)-45, and it further appearing that the United States has submitted a revised Attachment Number 4 which contains the additional offense, and the Court being fully advised in the premises, NOW, THEREFORE, IS

ORDERED that the revised Attachment Number 4 be, and it is hereby, substituted in place of the present Attachment Number 4. The Clerk shall distribute copies of the revised Attachment Number 4 to the usual distribution list.

Dated this 28th day of January, 1986.

James L. Foreman
CHIEF JUDGE

J. R. Beatty
U. S. DISTRICT JUDGE

UNITED STATES DISTRICT COURT

SOUTHERN DISTRICT OF ILLINOIS

## OFFENSE ON PROPERTY UNDER CHARGE AND CONTROL OF THE VETERANS ADMINISTRATION

| OFFENSE | | COLLATERAL FORFEITURE |
|---|---|---|
| 219(B)-1 | Improper disposal of rubbish on property. | $ 200.00 |
| 219(B)-2 | Spitting on property. | 25.00 |
| 219(B)-3 | Throwing of articles from a building or the unauthorized climbing upon any part of a building. | 50.00 |
| 219(B)-4 | Willful destruction, damage or removal of government property without authorization. | 500.00 |
| 219(B)-5 | Defacement, destruction, mutilation or injury to, or removal, or disturbance of, gravemarker or headstone. | 500.00 |
| 219(B)-6 | Failure to comply with signs of a directive and restrictive nature posted for safety purposes. | 50.00 |
| 219(B)-7 | Tampering with, removal, marring, or destruction of posted signs. | 150.00 |
| 219(B)-8 | Entry into areas posted as closed to the public or other (Trespass). | 50.00 |
| 219(B)-9 | Unauthorized demonstration or service in a national cemetery or on other VA property. | 250.00 |
| 219(B)-10 | Creating a disturbance during a burial ceremony. | 250.00 |

Schedule V

| OFFENSE | | COLLATERAL FORFEITURE |
|---|---|---|
| 219(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 |
| 219(B)-12 | Failure to depart premises by unauthorized persons. | 50.00 |
| 219(B)-13 | Unauthorized loitering, sleeping or assembly on property. | 50.00 |
| 219(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 |
| 219(B)-15 | Operation of a vehicle under the influence of alcoholic beverages or nonprescribed narcotic drugs, hallucinogens, marijuana, barbiturates or amphetamines. | 500.00 |
| 219(B)-16 | Entering premises under the influence of alcoholic beverages or nonprescribed narcotic drugs, hallucinogens, marijuana, barbiturates or amphetamines. | 200.00 |
| 219(B)-17 | Unauthorized use on property of alcoholic beverages or narcotic drugs, hallucinogens, marijuana, barbiturates or amphetamines. | 300.00 |
| 219(B)-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 |
| 219(B)-19 | Unauthorized solicitation of alms and contributions on premises. | 50.00 |
| 219(B)-20 | Commercial soliciting or vending, or the collection of private debts on property. | 50.00 |

| OFFENSE | | COLLATERAL FORFEITURE |
|---|---|---|
| 219(B)-21 | Distribution of pamphlets, handbills and flyers. | $ 25.00 |
| 219(B)-22 | Display of placards or posting of material on property. | 25.00 |
| 219(B)-23 | Unauthorized photography on premises. | 50.00 |
| 219(B)-24 | Failure to comply with traffic directions or hospital police. | 25.00 |
| 219(B)-25 | Parking in spaces posted as reserved for physically disabled persons. | 50.00 |
| 219(B)-26 | Parking in no parking areas, lanes or crosswalks so posted or marked by yellow borders or yellow stripes. | 25.00 |
| 219(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 |
| 219(B)-28 | Parking within an intersection or blocking a posted vehicle entrance or posted exit lane. | 25.00 |
| 219(B)-29 | Parking in spaces posted as reserved or in excess of a posted time limit. | 15.00 |
| 219(B)-30 | Failing to come to a complete stop at a STOP sign. | 25.00 |
| 219(B)-31 | Failing to yield to a pedestrian in a marked and posted crosswalk. | 25.00 |
| 219(B)-32 | Driving in the wrong direction on a posted one way street. | 25.00 |
| 219(B)-33 | Operation of a vehicle in a reckless or unsafe manner, drag racing, overriding curbs, or leaving the roadway. | 100.00 |

| OFFENSE | | COLLATERAL FORFEITURE |
|---|---|---|
| 219(B)-34 | Exceeding posted speed limits:<br><br>By up to 10 mph - $25.00<br>By up to 20 mph - $50.00<br>By over 20 mph -$100.00 | |
| 219(B)-35 | Creating excessive noise in a hospital or emergency zone by muffler cut out, excessive use of a horn, or other means. | $ 50.00 |
| 219(B)-36 | Failure to yield right of way to other vehicles. | 50.00 |
| 219(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). | 500.00 |
| 219(B)-38 | Introduction or possession of explosives, or explosive devices which fire a projectile, ammunition, or combustibles. | 500.00 |
| 219(B)-39 | Knives which exceed a blade length of three inches; switchblade knives; any of the variety to hatchets, clubs and hand held weapons; and brass knuckles. | 300.00 |
| 219(B)-40 | The unauthorized possession of any of the variety of incapacitating liquid or gas emitting weapons. | 200.00 |
| 219(B)-41 | Unauthorized possession, manufacture, or use of keys or barrier card type keys to rooms or areas on the property. | 200.00 |
| 219(B)-42 | The surreptitious opening, or attempted opening, of locks or card operated barrier mechanisms on property. | 500.00 |
| 219(B)-43 | Soliciting for, or the act of, prostitution. | 250.00 |
| 219(B)-44 | Any unlawful sexual activity. | 250.00 |
| 219(B)-45 | Jogging, bicycling, sledding or any recreational physical activity conducted on cemetery grounds. | 50.00 |

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF ILLINOIS

FILED
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| | | |
|---|---|---|
| IN THE MATTER OF: | ) | |
| ESTABLISHMENT OF CENTRAL VIOLATIONS BUREAU | ) | SECOND ~~THIRD~~ AMENDED SPECIAL ORDER NO. 2 ~~MISC E-86-64~~ |

MOTION TO AMEND SPECIAL ORDER NUMBER 2

Comes now the United States of America by and through its attorneys, Frederick J. Hess, United States Attorney for the Southern District of Illinois, and Richard H. Lloyd, Assistant United States Attorney and moves this Honorable Court to amend Special Order Number 2 to reflect changes in 38 C.F.R. 1.218 et seq. effective July 10, 1985 (attached hereto) concerning the Veterans Administration to increase the maximum penalty for violations of rules prescribed for the protection of persons and property from a $50 fine and one month imprisonment to a $500 fine and imprisonment not to exceed six months.

The United States also requests that the Court add offense 219(B)-45 to the schedule to wit:

> Jogging, bicycling, sledding or any recreational physical activity conducted on cemetery grounds, $50.

WHEREFORE, the United States prays that Special Order may be

amended as reflected in the attached offense and collateral forfeiture schedule.

Respectfully submitted,

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