

Resolution #2019-03

**Subject:** Charges against an officer that carries significant properties

**Source:** David Spencer, National Judge Advocate

**WHEREAS,** Each year there are officers who are brought up on charges; and

**WHEREAS,** Sometimes there is a significant concern of additional malfeasance occurring prior to being able to remove the member from office and/or membership; and

**WHEREAS,** The Constitution & By-laws does not have a method of protecting these properties, specifically in regards to the finances; therefore be it

**RESOLVED,** That the following verbiage in quotation marks shall be inserted into the National Constitution as Article IX, Section 6(c) with all subsequent subsections renumbered as needed: "In the event that an elected officer who is the subject of charges also carries significant properties of the Sons of AMVETS, such as the Finance Officer, the remaining members of the Executive Board at the level may, by majority vote, require that officer to turn over all Sons of AMVETS properties to another member. Said member shall be designated by the Executive Board at that level. Upon the completion of the hearing process, if the officer is found not guilty, all said materials shall be returned to the officer in question within 2 business days. If there is an appeal, the Executive Board at that level may choose to extend the confiscation of Sons of AMVETS Properties until the conclusion of the appeal process. The Officer retains all other rights and privileges of his rank with the exception that the Commander at that level may not sit in chair of his own hearing."