

## Discipline at the Post Level

### Authority:

- National By-laws Article IV, Sections 1 and 2
- Oklahoma By-laws Article XII

### Discipline Process:

- Signed charges are presented to Commander or Adjutant
- Commander or Adjutant should establish a hearing date no less than 15 days from the date the accused is served.
- The accused member is to be served notice of the charges to include the time and place of the hearing.
- The accused member has a right to demand a hearing within 30 days from receipt of the notice.
- The accused member has a right to counsel and to cross-examine all witnesses at the hearing.
- If found guilty by 2/3 majority of the members present and voting, the accused member may appeal to the Department Executive Committee in writing within 30 days.

### Basis of Charges:

- Disloyalty
- Neglect of Duty
- Dishonesty
- Conduct unbecoming a member of the American Legion
- Misfeasance or Malfeasance is included in the Oklahoma By-laws but not the National By-laws

### Penalties:

- Acquittal
- Reprimand
- Suspension
- Expelled from the Legion

### Suspension from use of Post Facilities:

Oklahoma By-laws Article XII, Section 7 permits the Post to suspend a member from use of Post facilities for up to 90 days **with or without a hearing** to maintain order and decorum within the Post facilities. The member has a right to appeal such a decision in writing within 10 days after being advised of such suspension and a hearing shall be held within 10 days to the Post Executive Committee of Post members and a hearing must be held within 10 days of the Post being notified.

### Removal of Post Officers:

Oklahoma By-laws Article XII, Section 8 permits a Post Officer to be removed from office for neglect of duty, or conduct unbecoming the office the member holds after being given 30-day notice by a 2/3 vote of members present and voting at a regular meeting. **No formal charges** are necessary to initiate such removal **provided the officer knows the reason for the action** and upon request is given the opportunity to be heard in their own defense at a regular meeting.