

American Legion  
Horace Orr Post 29  
Marietta, Georgia 30060

MEMBER DISCIPLINARY POLICY

20 December 2023

1. This policy describes the process for suspension from the Social Quarters (lower levels of the Post). Members so processed will remain members of the post, with rights to attend official meetings of their respective unit organizations. Suspension or Expulsion of membership is a separate process, covered in the Constitution and Bylaws of Horace Orr Post 29.
2. Violations of House Rules, any incident involving harm or a threat of physical harm to an individual, damage to Legion property, safety violations, inappropriate physical contact with staff, members, or guests, or other unacceptable conduct on Post property shall be reported by the staff on duty at the time.
3. Incidents are reported to the EC in writing within 48 hours and shall be handled as follows:
  - a. At no time will the bartender attempt to break up or get involved in the incident.
  - b. The bartender on duty will gather all witness statements and submit them as a formal incident report to the Social Quarters Manager. The Social Quarters Manager will notify and brief the Post Judge Advocate. The Judge Advocate will confirm all witness statements and speak to the member(s) that is the subject of incident report. If the incident is observed by a Legion Officer, that Officer shall gather the witness statements and submit the incident report to the Judge Advocate.
  - c. If the incident report is submitted by a Post member, other than a Legion Officer, the Judge Advocate will confirm all witness statements and speak to the member(s) that is the subject of incident report. In this and all incidents, the Judge Advocate will have the discretion whether to bring it to the Executive Committee. The Judge Advocate shall send a certified, return receipt requested letter to all individuals involved, suspending them immediately from all areas of the Post, except the Legion Hall during official Legion meetings, pending review and action by the Executive Committee.
  - d. The incident will be presented in an Executive Session at the next Executive Committee meeting. The Judge Advocate will preside and not have a vote in the Executive Committee (EC) on disciplinary matters.
  - e. Executive Sessions of the EC are closed meetings for only the EC members. When a disciplinary issue against a Legion Family member comes to the EC, the “Chairperson” of the applicable organization will be notified of the complaint.
  - f. Action taken by the EC shall be communicated to the members involved, in writing. Written notification shall include information on the members’ right to appeal to the EC, if applicable.

4. Serious Offenses: If a member commits any of the following offenses, that member shall be barred from the Social Quarters (all lower-level areas of the Post), halls and all Post activities a minimum of 270 days. These offenses include but are not limited to:
- a. Physical, verbal or sexual harassment of a guest, member or Post employee anywhere on the premises of the post or the premises of a Post function if not being held at the Post.
  - b. Any type of threat, either verbal or physical toward a guest, member, or Post employee while on the premises of the Post or on the premises of a Post function if the function is not being held at the Post.

Offenses: Anytime a member displays excessive intoxication (in the opinion of the bartender or Bar Manager) or engages in disruptive behavior (e.g., foul language, loud and obnoxious conversation), conduct unbecoming of a member, or violation of House Rules, the following action shall be taken:

- a. First Offense: Barred from the Social Quarters (all lower-level areas of the Post) for a minimum of 90 days. If such period extends into a new Legion year, the new EC will revisit the suspension in their first meeting.
  - b. Second Offense: Barred from the Social Quarters (all lower-level areas of the Post) for a minimum of 180 days.
  - c. Third Offense: Barred from the Social Quarters (all lower-level areas of the Post) for the remainder of the Legion Year with a recommendation to continue the Ban for the next Legion Year and a review of the case each year thereafter.
5. Suspended members will be entitled to appeal their punishment in person at a later EC Executive Session.
6. The EC may adjust the above guidelines to fit the unique circumstances of each incident, as well as the severity of the situation.
7. The policy listed above may be amended, changed, or modified at any time by the Executive Committee as the need arises. On update of any rule, the header date will reflect the most current modified date; the Executive Committee at that date is the approval authority.
8. The point of contact for this document is the undersigned. Questions and comments can be directed to: [dave.thomas@post29marietta.org](mailto:dave.thomas@post29marietta.org)

FOR THE COMMANDER:

David Thomas  
Judge Advocate