



Combat Veterans Motorcycle Association®
National Board of Directors
11 East Kansas Street
Liberty, Missouri, 64068

NBOD

May 17, 2020

(20180124) Revision B

Expires: November 17, 2021

MEMORANDUM FOR RECORD

SUBJECT: COMBAT VETERANS MOTORCYCLE ASSOCIATION (CVMA®) POLICY ON DISCIPLINE

1. REFERENCES

- a. CVMA Bylaws
- b. CVMA National Policy letter, 3-1-12, Command and Staff Positions (Designates leadership positions within the CVMA.)

2. AUTHORITY

- a. Discipline may be enacted by the CVMA based on the clauses within the CVMA National Bylaws.

3. INVESTIGATIVE CONFIDENTIALITY OF FINDINGS AND REPORTS

- a. The investigative committee **WILL NOT** disclose any Investigative Findings or Reports to any non-Member or any Member outside of the Investigative Committee Chain.
- b. Confidentiality of Committee Reports or findings **WILL BE MAINTAINED AT ALL TIMES**, strictly within the Investigative Committee Chain, in order to protect any member that may be determined to be innocent of charges.

4. CVMA BUSINESS CONTINUES IAW WITH THE BYLAWS

- a. CVMA Business will not stop at any level due to an investigation.
- b. Members who are under Administrative Suspension or Punitive Suspension will have **NO SAY** in CVMA Business.
- c. Appeals are **NOT A REASON** to cease normal conduct of CVMA Business.

5. INITIATING AN INVESTIGATION

- a. The designated investigating officer (e.g. CC/CSAA/SR/SSAA) will complete an inquiry to determine if an investigation is required. Once complete, he/she will brief the CEB/SR on his or her findings. After proper notification **of the specific allegations** has been given to the member(s) to be investigated via the Chain of Command and to the NSAA, the Member(s) will be placed on Administrative Suspension.

6. ADMINISTRATIVE SUSPENSION

- a. **Definition:** Administrative suspension is a measure used to protect ALL Parties during an investigation by separating the investigated Member(s) from CVMA participation in order to prevent influence in any direction during the process. Administrative Suspension **IS NOT** a disciplinary action.
- b. Will not exceed 90 days unless the investigation is contingent on civil or criminal court action.
- c. Administrative suspension is not subject to Appeal.
- d. Member's "Good Standing" **WILL NOT** be affected.

7. MEMBER NOTIFICATION

- a. Will be written and presented to the member IN PERSON by the Chapter SAA, CEB member, SR/SSAA or NSAA where applicable.
- b. Can be sent via certified mail or email if geographic location prevents personal delivery.
- c. Comments placed in member's 201 file will be professional in nature and limited to the offense and duration of the infraction. Examples below:
 - i. "Member has been administratively suspended pending outcome of investigation."
 - 1. **Placed into the member's 201 file by the NSAA.**
 - ii. "Member Punitively Suspended for 90 days through NBOD sanction for violating CVMA By-Law, Article 3, Section 6, b. also, CVMA Policy 3-1-13. Member is NOT in good standing during duration of punitive suspension."
 - 1. **Placed in member's 201 file by the NSAA.**
 - iii. "Membership terminated and barred from reinstatement for violating CVMA By-Law, Article 3, Section 6b and CVMA policy 3-1-13."
 - 1. **Placed in member's 201 file by the NSAA.**

8. SUSPENSION

- a. Leadership will see a heading in red on the member's 201 file.
- b. The member does not have access to the National CVMA Webpage account or Members Only Facebook page.
- c. The member under administrative investigation, if required by his/her chapter or state leadership, will submit CVMA property (back patch) to the chain of command for the duration of the investigation.
- d. The administrative investigation **WILL NOT** exceed a period of 90 days unless the investigation is contingent on a civil or criminal court action. Any exceptions must be approved by the NSAA.

- e. Once under Administrative Suspension, the Member is **PROHIBITED** from:
- f. Wearing the CVMA Logo. This includes the Back Patch and any CVMA labeled clothing, patches, swag, etc. ***If it can be identified as CVMA it will not be worn or utilized.***
- g. Participating in any CVMA Business (i.e. Meetings, Events, E-Mail, Texts, or Social Media).
- h. Accessing any CVMA Facebook or Social Media pages. This is MANDATORY and must be enforced by the CEB.
- i. Congregating in areas (buildings, bars, etc.) where CVMA events are occurring.

9. REPRESENTING THE CVMA IN ANY FORM.

- a. Any notation regarding Administrative Suspension that fails to become substantiated through the course of the investigation, will be removed from the member's 201file by the NSAA; and the member will remain in "Good standing".
- b. A chapter can request an immediate 10-day Suspension from the State Rep to the NSAA if an urgent need is determined.

10. INVESTIGATED MEMBER IS A SPONSOR

- a. CVMA members under Administrative Suspension/Punitive Suspension are **PROHIBITED** from sponsoring another member.
- b. **AUXILIARY MEMBER SPONSOR.** The Auxiliary member will also be placed on administrative Suspension for the duration of the investigation pending the outcome.
- c. If the Administrative Suspension fails to become substantiated, the notation in the auxiliary members 201 file will be removed by the NSAA.
- d. An Auxiliary member under investigation will not impact the Full Members Sponsor status.
- e. **SUPPORT MEMBER SPONSOR.** The support member will be required to find an alternate sponsor **within 14 days** to maintain Membership within the CVMA.

11. INVESTIGATED MEMBER HOLDS A POSITION (ELECTED OR APPOINTED)

- a. **Chapter Officer Position**
 - i. Automatic State or Regional Investigation Committee will be instituted to conduct the investigation.
 - ii. Member will be temporarily removed from position and an interim member will be emplaced IAW the chapter bylaws.
 - iii. The interim officer will be responsible for all official duties and will have the same respect the position represents.
- b. **State Officer Position**
 - i. Automatic National Level investigation

- ii. The NSAA will temporarily remove the State Representative from his/her position while he or she is Administratively suspended. After notifying and polling the Chapter Commanders, the Regional Representative will appoint an Interim State Representative.
- iii. Chapter officers within the state will be notified of the identity of the interim State Representative.

c. Regional Officer Investigation

- i. Automatic National Level investigation
- ii. The NSAA will temporarily remove the Regional Representative from his/her position while he or she is Administratively suspended. After notifying and polling the State Representatives within the Region, the NBOD will appoint an Interim Region representative.
- iii. All Regional officers and State Reps within the applicable region will be notified of the identity of the interim Regional Representative.

d. NBOD Position

- i. The NSAA will hold any investigation at the NBOD level. In the event the NSAA is being investigated, the NPRES will appoint another NBOD officer to conduct the investigation.
- ii. The NBOD will appoint an Interim board member for the duration of the investigation to maintain good faith and confidence in the process. Nominations for the interim officer will be elicited from the Regional and State Representatives.

12. INVESTIGATIVE COMMITTEE MEMBERSHIP

a. Chapter Investigative Committee will consist of:

- i. Chapter Executive Board (CEB), command position officers **ONLY**. Chapter Commander (Committee Chair), Executive Officer, Secretary, Treasurer, Sergeant at Arms, and Public Relations Officer (if in a Command position) are eligible to serve on a Chapter Investigative Committee.
- ii. Staff Officers and non-CEB members **WILL NOT** be in attendance for any investigative committee activities or included on any investigative committee correspondence.
- iii. Detachment members will fall under the sponsoring chapter for investigative purposes.

b. State Investigative Committee

- i. Will consist of the State Representative (Committee Chair), State Sergeant at Arms (if applicable) and Chapter Commanders or Chapter/Detachment command officers will be appointed by the State Representative to get the committee to a minimum of five (5) members.
- ii. If a chapter officer is under investigation, that member's chapter CEB will be excluded from the State Investigative Committee.
- iii. May suspend a member for up to 6 months (180 days) with the majority approval of the member's CEB.

c. **Regional investigative Committee**

- i. Will consist of the Regional Representative (Committee Chair) and a minimum of three (3) State Representatives from within the Region.
- ii. If three (3) State Representatives are not available, State Sergeant at Arms from within the region are eligible.
- iii. If there are still not three (3) committee members available, Chapter Commanders from states within the region (except the same state as the investigated officer), are eligible.
- iv. The Regional Representative (Committee Chair) will send all findings to the NSAA with a recommendation of action.

d. **National Investigative Committee**

- i. Will consist of the NSAA (Committee Chair) and a minimum of four (4) Regional Representatives.

13. INVESTIGATIVE COMMITTEE ACTIVITIES (FOLLOWING PROPER NOTIFICATION)

a. **Conduct of Investigation**

- i. The State or Chapter SAA will be appointed as the lead investigator for all investigations.
- ii. The committee will gather and weigh all pertinent information and evidence (this includes re-interviewing witnesses and complainants if necessary). All findings will be sent to the Committee Chair in writing for review.

b. **Submission of report(s)**

- i. The Committee findings will be compiled by the Committee Chair.
- ii. Reports will include (at a minimum):
 1. A written outline of the alleged infraction. **This will be given to the member being investigated.**
 2. A copy of all evidence obtained (sworn statements, pictures, e-mails, etc.) relevant to the investigation.
 3. The findings of the committee (including all votes of members of the committee).
 4. The committee Chair's recommendation.

14. DISCIPLINE

- a. **None.** Administrative suspension served. The administrative suspension will be removed from the members 201 file **by the NSAA.** The Chain of Command and the member will be notified of the findings.

b. **Probation- Chapter, State and Region function only**

- i. Probation is reserved for the Chapter/State /Regional level when it is decided that a period of supervision over a member is warranted instead of a suspension.
- ii. May be served consecutively or concurrently with other discipline.

- iii. Probation allows a member to return to normal CVMA activities, but with a caveat indicating that any further disciplinary actions will result in a **recommendation of removal** from the CVMA to the NBOD.
- iv. Probation will have an assigned duration.
- v. The probation duration will be added to the members 201 file by a **Chapter, State, or Regional officer.**

c. Punitive suspension (MEMBER WILL BE REQUIRED TO SUBMIT CVMA PROPERTY)

- i. Member will be removed from administrative Suspension and placed on Punitive suspension following the conclusion of investigative committee.
- ii. Duration of the suspension will be determined. The administrative suspension may be counted as time served (or not) at the discretion of Discipline authority.
- iii. The member and his or her chain of command will be notified of the punitive suspension and its duration.
- iv. The Punitive Suspension will also be **annotated on the members 201 file by the NSAA.**

d. Removal from CVMA (MEMBER WILL BE REQUIRED TO SUBMIT CVMA PROPERTY)

- i. Expulsion (duration) – Allows a member to potentially reapply for membership in the future. A duration must be assigned which will be **annotated on the members 201 file by the NSAA.**
- ii. Banned permanently - The member is barred from rejoining the CVMA at any future time and is considered “Out Bad.” This will be **annotated on the members 201 file by the NSAA.**
- iii. Member may NOT represent the CVMA in any manner.

15. MEMBERSHIP RENEWAL

- a. Members who are suspended during the month of June may not be able to pay their National dues.
- b. The chair of the investigative committee may accept the annual dues from the member and pay them on their behalf.
- c. Chapter dues will be handled at chapter level.

16. APPEALS

- a. Appeals may only be submitted to the next higher authority for reversal of the decision of the lower investigative committee. Appeals must include evidence directly related to the alleged charge(s). **NO OTHER NEW TOPICS** will be entertained.
- b. Investigated findings:
 - i. Chapter investigations will be appealed to the State level.
 - ii. State investigations will be appealed to the Region level.
 - iii. Region investigations will be appealed to the NBOD level.
 - iv. Removal from the CVMA will be appealed to the NBOD level.

- v. Member will be notified in writing (e-mail) the findings of the investigative committee.
 - vi. Member will have seven (7) days from the date the email was sent to appeal to the next higher authority.
- c. All appeals must be submitted via email through their chain of command to the next higher authority. Appeals will not be accepted after the seven (7) day time period.
- i. **Note: Examples of Investigative forms can be found under the Repository Tab on the National Website.**

17. POINT OF CONTACT IS THE NSAA

Gary Lujan
National Sergeant at Arms
Combat Veterans Motorcycle Association.