**The American Legion Riders**

**Department of California**

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*For God and Country*

**DEC minutes**

November 18, 2021

1. **Called to Order** – Commander Autrey James @ 7:00pm
2. **Invocation** – Chaplain Fred Branson
3. **Commander Autrey James statement-**

Good evening for the record and for those of you who do not know I am Autrey James, the Commander of the American Legion, Department of California and all of its 32 programs including the American Legion Riders. My number one responsibility to this organization is to protect the name and reputation of the organization and its 82, 000 members. The department has attempted to let you work out the internal squabbles amongst yourselves. Members have repeatedly pointed out that they can self-govern and rail against being treated as “Children.” I was brought into this not by the elected leadership of the organization but by its members who have said to me “you should get rid of the current program and start all over,” “the program is imploding,” if you don’t do something soon, I will leave the organizations” All of this since Tuesday of this week.

So, I am here to address some of these issues and then I will tell you my plan to resolve these issues. First the title change mandated by the national organization from President to Director. I understand that many of you don’t like the name change for various reasons but when you joined this organization you all knew that there were rules and that those rules were likely to change over time. There is noting that I or this department can do on that issue. I am told California is the lone holdout on this issue. You used your best efforts to change the decision and you were unsuccessful. Now this organization must move forward. You may not like the decision of the National Organization but if you want this program to continue you must comply. Revolt or revolution is not a viable option because it ends with the shutdown of the entire program. Many of you have worked too hard to grow this program and make it what it is today I am asking you don’t let this program fail. Move forward and let’s focus on the issues that make a difference to veterans, their families, and our communities that we serve. Don’t let this personal preference prevent you and others from doing the good work you have done repeatedly.

Second, the fact that a member of the leadership of this program is a self-identified member of the “Proud Boys,” an organization that has been classified by many as a right-wing extremist group BUT not a group opposed to our form of government. I am not here to debate you on the pros and cons of this issue. Here are the facts, In May or June of this year I had a discussion with senior leadership of this organization in which I explained that we cannot kick an individual out of the organization because they are a member of a group that we don’t like, unless they are a member of an organization that is against our form of government. To my knowledge the Proud boys have been classified as by the Department of Justice as a right-wing extremist group not a group opposed to our form of government. Therefore, you cannot bring charges against such a member for belonging to said group. Our National Bylaws simply don’t allow it. To do so will cost the Department of California attorney’s fees and result in the individual being re-instated. You end up where you started but thousands of dollars less in your accounts to carry out your mission. In addition, where does this end? Do we remove someone because they don’t subscribe to the Christian faith? Do we remove someone because they are a member of a liberal group and many of us tend to be conservative? Do we remove someone because of a political party affiliation? Some of you may think these are extreme examples but have you looked at Facebook recently and observed how one side of any issue wants the other side to be destroyed and how America would better if the other side were gone. We Veterans who have literally fought, shed blood and died for the Constitution and the democratic way of life have to draw the line somewhere and wiser people than me picked the opposition to our form of government. Now you can say I’m being a coward, but the national organization is fully aware and let this person ride with proud boy gear on his person and his bike. How do we defend a cause of action in California when the national organization has allowed exactly what you want to charge him for?

Third, the issue that a member of this program may have been convicted of a sex offense that requires registration in the State of California. I have not reviewed the documents, so I don’t know the truth of these allegations. I also don’t know if this conviction was overturned, I don’t know if this person received a certificate of rehabilitation, I don’t know if this person was pardoned and most of you don’t either. We are quick to make assumptions. Only one person picked up the phone and called me to talk about this and that occurred Sunday the day before our department executive committee meeting on Monday. Had any of you taken the time to send me an email, call me on the phone or attend the recent department executive committee meetings you would have known that we at the department level have been working on a comprehensive plan to deal with these issues. Instead, you all put this out in public spaces and places specifically to seek retribution and embarrass the individual involved. Instead, you grabbed pitch forks and torches and went after this person as if they were the Frankenstein monster. In so doing, your actions hurt the name and reputation of the American Legion, this department and the Riders program as a whole not just California this could have a long-term effect on our abilities to receive donations and bring in new members to our organizations nationwide.

Equally problematic in all of this was that the current President of the program has been unable to perform his duties. On Sunday I was in an Area Five meeting in which a senior leader of this organization was asked by my if he had anything to report and was told no. The entire leadership of this organization failed to inform me of this development until Tuesday of this week including the members of the Riders Commission. Not only that, in reviewing recent Facebook posts many of the members of the organization were unaware of the President’s inability to perform his duties.

Finally, all of this has played out on social media platforms in which the name and emblems of the American Legion Riders were used thereby giving the impression that this conduct was acceptable by The American Legion and no leader of this organization took any action to stop this internal issue from being displayed in such a public forum.

For these reasons, I have lost faith in the ability of the leaders of this organization to continue to lead the American Legion Riders – Department of California. Now I am faced with three possibilities. I could choose to do nothing else other than read this letter. Acknowledging the problems without providing a solution is simply allowing to the problem to continue. I could use my authority and take the drastic measure of disbanding the American Legion Riders in California altogether. I believe that is like using a chain saw where a scalpel is needed and would punish individuals who were doing good work and had no control or ability to change the direction of the organization short of an election. That leaves me with using a scalpel to solve the problem which is what I have chosen to do.

Subject to my authority as the elected Commander of the Department of California and subject to ratification by the Department Executive Committee in a special meeting to be held on November 29, 2021, whose subject will be Department of California Riders leadership and XXXX The following is effective immediately.

1. The current office of President, vice President, Sergeant at Arms, and Judge Advocate are hereby vacated. This organization needs to move forward and I fear under your current leadership that will not happen.
2. Those individuals who currently occupy titles may now assume their title “Past or Junior Past” and shall be entitled to the rights and privileges of any member of the past office.
3. The current Junior Past President of this organization is hereby removed the Executive Committee of the American Legion Riders and may only be re-instated by majority vote of the American Legion Department Executive Committee. This will have no effect on his membership in his American Legion Post or Chapter of the American Legion Riders.
4. Pending Charges brought by members of The American Legion Riders Executive Committee based on the former Junior Past President’s affiliation with the Proud Boys are dismissed as he no longer holds a position on the American Legion Rider’s Department Executive Committee, and for all the aforementioned reasons.
5. If any of the above individuals have seats on any commissions and or committee of the American Legion Riders, they are also removed from those commissions and or committees.
6. If the American Legion Department of California ratifies the above actions, then the following plan will take place.
7. The current Secretary shall assume control of the day-to-day operations of The American Legion Riders until such time that the vacant offices are filled by election, by members of The American Legion Riders.
8. The election of new senior leadership shall take place no later than January 9,, 2022, in a manner and location to be determined.
9. The newly elected senior leadership of the Riders shall present themselves at the next American Legion Department of California Executive committee after election for ratification of their positions as Director, Assistant Director, and Sergeant-at-Arms.
10. The newly elected leaders will undergo a background check and Youth Protection Training as outlined in the Department of California Risk Management Policy or in accordance with the requirements of the American Legion Baseball Program.
11. Failure to complete the program or failure of the background check is grounds for disqualification to be seated as an elected officer.
12. The Position of Judge advocate shall be filled by The American Legion Department of California Judge Advocate or any person designated by the JA as an assistant.
13. A member of senior leadership shall attend every remaining American Legion Department executive committee and provide a written report for each meeting.
14. A committee shall be formed by the Department Commander to review and revise The American Legion Riders Bylaws.
15. The committee must provide Riders a voice therefore one member or the Riders who is also an American Legion member, one member who qualifies only as a member of the Sons of the American Legion and one member who only qualifies as a member of the American Legion Auxiliary shall be selected for this Committee. The remaining four members shall be selected by the Department Commander.
16. The Trial manual of The American Legion Riders of the Department of California is hereby superseded by the current version of The Department of California Administrative Hearing Manual, until such time as the bylaw’s revision has been completed.
17. For clarity purpose all references to Post in the Administrative Hearing Manual shall be deemed to apply to the Chapter, and all references to Department shall refer to The American Legion Riders Department of California.
18. Any discipline by a Chapter can be reviewed by the sponsoring Post.
19. Any such review is only to determine if the Chapter followed the Policies and procedures set forth in the Administrative Hearing Manual.
20. Social media operated by or under the control of The American Legion Riders Program shall not be used to post matters which could tarnish the reputation of the organization.
21. If such matters are posted, they shall be removed immediately.
22. If The American Legion Riders Department of California operates or control any social pages bearing the Name and emblems of the American Legion, they shall provide full administrative access to the Department of California.
23. These restrictions do not apply to social media platforms of individual members.
24. Pages operated by individuals should not give the impression or appearance, i.e. use of American Legion names or emblems, that the page is operated by any program of the American Legion without express permission of the American Legion.

I take these actions because I believe they are the least intrusive acts that can be taken that will allow the organization to refocus its efforts on the mission and purpose they exist. In addition, I take these actions to protect the name and reputation of the American Legion and the members of the Department of California.

I have consulted with The Department judge Advocate as to the limits of my authority and believe that I am acting within those limits. I have consulted with the National Judge Advocate as to the limits of my authority and I believe that I am within those limits. I have also consulted with five of the six Department of California Vice Commanders, none of whom have indicated that I am outside my authority as Department Commander. I have also consulted with several Past Department Commanders to determine if my actions were outside the limits of my authority and learned that in the past a similar action has been taken by a Department Commander in regard to a program of the American Legion Department of California to protect that name and reputation of the entire organization.

1. **Roll Call** - Secretary Debbie Proffitt

**President** - Rey Ruiz

**Vice President** – Gene Hobdy

**Sergeant-At-Arms** – Cory Wattenbarger

**Treasurer** - Leonard Phillips

**Secretary** - Debbie Proffitt

**Chaplain** – Fred Branson

**Judge Advocate** - Mark Rice

**Jr Past** - Mick Sobczak

**Safety Officer** - Mike Killion

**Service Officer** - George Smith

**Webmaster/Public Relations** - Jim Oxley

**Quartermaster** - Mike Clement

**Membership/ Legacy Run** - Rochelle Billet-Smith

**Convention & Rally** – Mike Smith

**PPC** - Ken Sutton

**Ways and Means** - Kathleen McClary

**Historian** – John Smartt

**Parliamentarian-**James Adames

**Area 1 VP** – Pete DePalma **Area 2 VP** – Robert Lopez

**Area 3 VP** - Ralph Wenzinger **Area 4 VP** – Joel Lopez

**Area 5 VP** – Edmund Arguello **Area 6 VP** – Cris Molina

 **Guests:** Commander Autrey James; Legion Adjutant Barbara Lombrano; Legion Judge Advocate Chris Yates; A5 Commissioner Tracy Dalton; Past President Jim Banakus

1. **New Business**
2. Vote on new chapter 147 Clovis

Roll call of Area VPs was taken and all 6 Area VPs were present.

Motion to accept Chapter 147, Clovis, as the newest ALRDOC chapter by Ralph Wenzinger. 2nd by James Adames. Passed by vote of DEC.

1. **Adjournment** Commander Autrey James @ 8:24pm

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1. **Sick / Memorial**

Ill/injured:

\*Rey Ruiz-ALRDOC President is recovering.

\*Joe Carrillo-Ch 716-knee replacement.

\*Phillip “Tiny” Stuart, Chapter 872 – Hughson and Past Commander of the SAL Detachment of California, cancer diagnosis

\*Earl Sieler – Chapter 221 – Tehachapi, long term illness

\*311 does have a Rider who went down a couple of days ago. Rider was t-boned and has been in the hospital.

\*180 has a friend from 112 – Misty – She is working on healing right now and doing pretty good.

\* G.G. a member of Chapter 262, sprained ankle

\*Guido is off crutches and/or cane

Rider Everlasting:

1. **Good of the Riders**

 Ralph-The fog has rolled back into the Central Valley. This past Monday it was the worst the southern valley has seen in several years. Please consider looking at the following before riding or driving:

Caltrans Road Information page at roads.dot.ca.gov (input a highway number for conditions)

CHP communications centers page at cad.chp.ca.gov (for central valley look at Bakersfield, Fresno, Merced, and Stockton centers for current calls/collisions and hazard reports)

1. **Next Meeting Date** – 16 December 2021 1900 or 7:00 PM
2. **Benediction** - Fred Branson
3. **Adjournment** – President Rey Ruiz/Vice President Gene Hobdy @