VETERANS OF FOREIGN WARS.

15.25

April 17, 2019

Ingeborg A. Conley, Commander
Department of Texas, VFW
8503 North IH-35
Austin, TX 78753

Dear Commander Conley:

This Headquarters is in receipt of a disciplinary action file from the Department of Texas regarding Stephanie D. Pino ostensibly for the Commander-in-Chief to issue a special order pursuant to Section 907 of the National Bylaws. The accused failed to request a hearing in accordance with Section 903, but appealed the penalty, as recommended by you, to the Commander-in-Chief.

With respect to appeals from the imposition of penalties where no hearing was properly requested, the accused shall be entitled to appeal only the severity of the penalty and not the commission of the offense; however, during our initial review of the file, it was noted the initiation of the action was inconsistent with the requirements of our Manual of Procedure, specifically, Section 903(d) which states "[t]he Commander or the designated member initiating a disciplinary action should do so by issuing a Special Order (Form DA-1) which will have attached to it the Charges and Specifications (Form DA-2), signed incident report, the investigative report, and Request for Hearing (Form DA-6)."

Confirmed by the Department Adjutant, the accused, and subsequent file review, the action initiated by Department of Texas Special Order No. 19, dated February 6, 2019, lacked copies of the required signed incident report and the investigative report.

Accordingly, it is apparent the action was not properly initiated; therefore, the indicated penalty is declared invalid, the subsequent appeal vacated, and the disciplinary action remanded back to the Department of Texas, VFW, for proper initiation pursuant to Section 903.

Sincerely,

Vincent B.J. Lawrence
Commander-in-Chief

By:

Kevin C. Jones
Adjutant General

KCJ:dep
cc: Daniel L. West, Adjutant/Quartermaster, Department of Texas, VFW
Stephanie D. Pino, Accused Member, Department of Texas Member-At-Large