

THE AMERICAN LEGION, DEPARTMENT OF MICHIGAN

RESOLUTION: #24-26

SUBMITTED BY: Finance Committee

SUBJECT: External Background Checks and Credit Checks for Elected Officers with Access to Funds and Investments

RESOLUTION

WHEREAS, The Department of Michigan is a multi-million dollar nonprofit corporation; and

WHEREAS, It is prudent that the Department take steps to protect its assets; and

WHEREAS, Recent events within the National Organization in the Departments of Idaho (loss of \$750,000) and Georgia (loss of \$100,000) have shed light on the need to be aware of the background of the individuals that have access to the Department's funds and investments; and

WHEREAS, Currently, there is nothing in place in the Department of Michigan to vet members that will have access to the funds and investments; now, therefore, be it

RESOLVED, By The American Legion, Department of Michigan, in annual Department Convention assembled in Sault Ste. Marie, Michigan, July 12-14, 2024, that any member of the Department of Michigan, that has declared they are a candidate for a Department position that involves the handling of Department funds and/or investments, must have a criminal background check and credit check completed before the election and paid for by the Department of Michigan; and, be it

FURTHER RESOLVED, Any member found to have adverse comments in the background check or credit check will be notified that a problem exists and asked to either remove themselves from consideration or sit before the Administrative Committee to explain the adverse comments in the background check or credit check; and, be it

FURTHER RESOLVED, If the member removes themselves from candidacy, no further action is needed; and, be it

FURTHER RESOLVED, If the member still wishes to remain a candidate they will then go before the Administrative Committee to explain the adverse comments in the background check or credit check; and, be it

FURTHER RESOLVED, If the Administrative Committee is satisfied with the explanation, no further action shall be taken; the Administrative Committee is to always lean towards the side of caution; and, be it

FURTHER RESOLVED, If the Administrative Committee is not satisfied with the explanation, or the candidate refuses to sit before the Administrative Committee, the member may remain a candidate; however, the adverse background check or credit check information shall be shared with the delegates of the Convention prior to the District Caucus; and, be it

FINALLY RESOLVED, That for the Legion year 2024-2025 only, the background checks and credit checks shall be performed after the election and any adverse reports will be brought to the attention of the Administrative Committee for review, with the opportunity for the elected official to defend against the report. Should the Administrative Committee determine there is justifiable cause for concern, the issue will be taken to the Department Executive Committee to hold trial to remove the officer from the office.

APPROVED, AS AMENDED