



Arkansas Defense Force Bylaws



The Arkansas Defense Force is a legal tax exempt non-profit (501)(c3) unorganized civilian defense force as authorized by the U.S. Constitution Bill of Rights and the Constitution of the State of Arkansas.

Justification:

United States Constitution
Second Amendment
US Code Title 10, 311

Constitution of Arkansas
Article 2, Section 5
Article 11, Section 4
AR Code Title 12-61-101

The purpose of these bylaws is to explain the mission, goals and organizational structure, and discipline of the Arkansas Defense Force (ADF).

1. MISSION:

To support the ADF and defend the Constitution of the State of Arkansas and the Constitution of the United States of America, to uphold and to defend the Bill of Rights, seen as unalienable, and given by our creator to free men that they may remain free, support the County Sheriff's Departments and local law enforcement so long as the support is lawful, ensure that all citizens, regardless of race, color, religion, sex, sexual orientation, physical characteristics, or national origin, shall have the right and opportunity to due process of the law as established and guaranteed by the Constitution of the United States and the Constitution of the State of Arkansas.

2. GOALS:

It will be the goals of the ADF to:

- a) Present itself to the citizens of this region as a well-regulated, well-trained, well-equipped and knowledgeable Defense Force unit consisting of ordinary citizens and professionals.
- b) Assist citizens in the event of national disaster, civil defense and in the defense of self and state.
- c) Establish a cohesive command structure able to instruct and task as needs arise.
- d) Train its membership in many disciplines necessary to the function of the ADF as a whole, and as members individually.
- e) Educate its members that a knowledge of this nation's early history reveals man's will to be free and its role in developing the firm resolve for just laws, a high respect for strict morals, and our unalienable right of free choice, which becomes the envy of every nation on earth that yearned for freedom.
- f) Inform its members of local, national, and global events which would imperil the Constitution and impact the direction of the country.
- g) Encourage its members to stand against all tyranny which threatens to undermine our form of government and these United States of America.

h) Uphold the pure constitutional rule of law whereby all citizens have the right to trial by a jury of their peers in a court of law.

3. ORGANIZATIONAL STRUCTURE:

The ADF shall be commanded by an officer whom shall rank as Commander. The Commander is ultimately responsible for everything the ADF does or fails to do. He shall be assisted by a Lieutenant Commander and three Colonels whom shall command their respective divisions, and a support staff of officers whom shall coordinate various areas of the operation of the unit.

The Lieutenant Commander will be appointed by the Command Staff. The duties will be able to fill in the rank of Commander when needed or full time in the event of the Commander's death, disability or other situations that keep the Commander able to perform his duties. The Lieutenant Commander can fill in for the Commander as needed and fill in any role as deemed required and have the knowledge and ability to ensure the future of the ADF.

The ADF shall be divided into three distinct divisions each with its own focus. The Operations Division shall be responsible for the planning and execution of tactical tasks. The Information Division shall be responsible for gathering and processing intelligence through all sources to include reconnaissance, and communications within the force. The Support Division shall be responsible for logistics within the force to include medical support.

The Operations Division shall be overseen by a Colonel whom shall have charge over six battalions which themselves are composed of companies made up of platoons from the counties of the state. The battalions shall normally be commanded by officers with the rank of Major, the companies by officers with the rank of Captain, and the counties platoons by Lieutenants. The remaining table of organizational manning for the counties shall be determined by the CS.

The Support Division shall be commanded by a Colonel whom shall command the logistics efforts with the ADF. He shall organize and supervise his division to ensure he provides comprehensive coverage of the divisional functions for the entire force with a focus on supporting the other divisions and civil relief in the event of disaster.

The Information Division shall be commanded by a Colonel whom shall command the intelligence and communications apparatus of the ADF. He shall organize and supervise his division to ensure that he provides comprehensive coverage of the divisions functions while supporting the rest of the organization in regard to intelligence and communications.

Each divisional Colonel can appoint a Lieutenant Colonel with CS approval to act as executive officer of the division and assume the duties of the division and become Colonel of the division in the event of the acting Colonel is unable to perform his duties.

3.1 The Command Staff (CS):

The CS is made up of the Commander, Lieutenant Commander (appointed) and Colonels of the Operations, Information, and Support Divisions. The CS is responsible for decision making, reviewing and publishing regulations and guides, the application of discipline within the organization, and other activities which impact the ADF as a whole. The CS shall review recommendations for establishment or modifications of administrative and tactical standards. The CS shall meet either collectively or individually but in any instance all discussion and recommendations shall be shared among all members of the CS. If advice or clarifications are desired or needed the CS shall then contact necessary personnel to act as subject matter experts and temporary advisors. Once a recommendation has been discussed and any modifications agreed upon it shall be put up to a vote among the CS with a simple majority required to implement. If the council vote ends in a tie the senior CSS officer shall cast his/her vote to break the tie. On decision the recommender shall be notified of the approval or disapproval and any modifications either implemented or needed.

3.1a Command Support Staff (CSS):

The CSS shall be made up of officers appointed by the Commander whom shall rank as lieutenant or captain and shall execute duties which directly support the ADF as a whole and they answer to the Commander. The Division Colonels may petition duties, directives and/or procedures to the Commander regarding a CSS member duties. The Commander may create and delete these positions so long as they do not involve the organization having to take on a burden of time, or resources either material or financial, and their assigned duties remain in force until either altered or dismissed by the Commander.

CSS officers are not part of the election cycle and cannot hold an office outside the CSS while serving as a CSS officer, except for a short time in aiding their CSS replacement. Rank will be forfeited whether resignation or dismissal and the former CSS will return to their original division for placement by the divisional Colonel.

Directives and procedures from the CSS officer carry the same authorization as does the CS, as long as the Commander has approved the directive and/or procedures.

3.2 Field Officers:

All field officers ranks will be assigned according to the task performed and/or experience by the Colonel or Major in the battalion/company they reside and/or the Commander. All non-elected officer appointments must be approved by the divisional Colonel or highest divisional officer should a Colonel not be available before being sworn. The ranks of Major and Colonel must be approved by a majority of the CS before being sworn.

Recommendations for officer appointments outside of the CSS must be forwarded through the division chain of command to the respective Colonel for submission to the CS. The Commander has the authority to directly appoint officers to the CSS.

Senior Officers shall be responsible for the leadership development of their subordinate Officers.

Seniority among similarly ranked officers is determined first by the length of service with the ADF and if the same then by length of time in current rank.

3.3 Enlisted Personnel:

All squad leaders shall hold the rank of Sergeant, team leaders shall hold the rank of Corporal, and all other members will hold the rank of Defensemen. Each Squad will select who will be the Sergeant and Corporals and will relay that information up the chain of command. A Sergeant Major for each battalion of that division shall be elected or appointed to supervise all nco's within that battalion's division and will answer to the Major of that battalion, or in the event no Major holds office, the Colonel of their division or the Commander. Seniority among similarly ranked noncommissioned officers is determined first by the length of service with the ADF and if the same then by length of time in current rank.

3.4 Authority:

Officers and Noncommissioned Officers elected or appointed are given authority by the members of the ADF. Members are expected to support and follow the lawful orders and directives of the Chain of Command. Trust and teamwork are the cornerstones of this organization. If a member feels compelled to disobey or openly reject a lawful order given by a superior officer or noncommissioned officer that member should either report the illegal order up the chain of command or immediately withdraw from the ADF, without prejudice.

3.5 Advisory Committee:

Members of the ADF can also serve on the Advisory Committee which are appointed by the CS and/or a majority of the current Advisory Committee members. The duties of the committee is to determine the training performed by the ADF instructors, determine donations and expenditures of ADF financial resources, advise the CS of members desires and goals for the benefit of the ADF and any other duties the CS deems proper. There should be at least one representative from each battalion in the committee and the committee will meet at least weekly.

4. MEMBERSHIP:

Membership in the ADF shall be open to any citizen of Arkansas over the age of 17 regardless of sex, sexual orientation, race, religion, physical characteristics or national origin. Membership is voluntary, and will last until the member withdraws or is dismissed by proper authority in accordance with these Bylaws.

Individuals currently serving as Active Duty, National Guard, or Reserves of such are ineligible for membership in accordance with federal and state law.

Individuals whom have a conviction that would legally preclude their ability to own and utilize arms shall not be assigned to elements within the organization which require that activity.

All ADF members will be required to provide information about his/her self in order to best utilize their experience and background. Information provided will be kept confidential and will be used only for the functioning of the ADF.

All ADF members understand and agree that any and all injuries, whether minor or severe, including death, are not a responsibility of the ADF and no lawsuits or claims can be levied against the ADF, either by the member or the members family, or to any land owner (if applicable) where the injury or death took place.

Members who serve in the Operations Division shall be free from permanent disability which precludes their effective training and employment as a member of that Division.

All ADF members understand and agree that photos and videos can and will be taken and it is the responsibility of the member to inform the photographer/videographer that they do not wish to be photographed or captured on video at the time it is being done and that all pictures, videos, or graphic work or any other material or product produced by any member for the ADF becomes the property of the ADF with all rights.

4.1 Concurrent Membership:

Members may be members of other informal organizations with similar structure and goals however they may not hold either elected or appointed positions within either organization. Members may not concurrently be members of other organizations that have a command structure or unit type organization. This does not apply to active law enforcement.

4.2 Withdraw/Dismissal:

A member may voluntarily withdraw his or her membership in the ADF at any time by notifying the CS, in writing, of their decision. If a member is in good standing the resignation will be without prejudice. A member may only be forcibly dismissed from membership after the procedures in paragraph 4.3 of these bylaws have been taken. Any time served and/or seniority will remain with the member if they return to the ADF.

4.3 Conduct:

The ADF is established as an organization that promotes the lawful exercise and retention of unalienable individual and collective rights as recognized by the Constitutions of the United States and the State of Arkansas. We also promote the right of individuals to be safe and secure in their property and safety within these rights. As such we oppose Socialism, Fascism, Communism, government and public corruption, militarization of law enforcement, and tyranny at any level of government. We do not advocate the violent usurpation of lawfully elected officials or the government.

ADF members are highly encouraged to live exemplary lives as an example for their fellow citizens and obey the laws of the United States and the State of Arkansas. Blatant violation of the law places the legitimacy of the ADF at risk. Just one member can jeopardize the organization by illegal acts when those wishing to discredit us look for such opportunity.

Actions which have a detrimental effect on the organization and its members shall be referred to as offenses and are as follows:

1. Willful violation of a federal, state, or local law.
2. Bigotry, slander, libel, or any action which disparages another individual ADF member based on their personal beliefs.
3. Willful usurpation of the ADF Bylaws, Code of Conduct, or Chain of Command. This shall include attempting to pass false operating procedures or other items which are not in the bylaws or policies as being part of the bylaws.
4. Willful attempts to create division within the ADF along group lines.
5. The discussion of an illegal activity such as the use or manufacture of explosives, the intentional targeting on an individual or illegal use of force against any entity.
6. Knowingly making false allegations against an ADF member.
7. Willful disrespect of the ADF or an ADF member regardless of rank or duty position or a Arkansan while performing public duties.
8. The repeated commission of minor offenses.
9. Interfering with the duties of any member, instructing members not to have contact with another member, or conspiracy to remove or otherwise impair a member of their duties.
10. Failure to follow established ADF procedures, guidelines or policies. This includes promoting a different training program, philosophy contrary to the ADF procedures and guidelines, or willful violation of policies.
11. Failure to obey a lawful order or directive from a superior officer or noncommissioned officer in relation to ADF activities. This includes refusing to give information that you know.
12. Failure to adequately safeguard ADF sensitive information as directed by the chain of command. This includes personally identifiable information (PII) of an ADF member, tactical techniques and procedures, and capabilities of the ADF in general including but not limited to ADF software.
13. Disagreements, squabbles, fighting or other forms performed in a public form such as the forum, conference calls or during public ADF events.

In the instance any ADF member witnesses one of these offenses occurring they have the responsibility and authority to order the individuals involved to immediately cease such activities. If the individuals cease such activity then no further action is required. If the individuals involved fail to do so the member then has the responsibility to report this to the chain of command. This report shall be in a statement that includes who did the action, the date, time, and location where it occurred, and other ADF members present. Those officers that have multiple charges will constitute an additional charge of conduct unbecoming of an officer.

Review Process:

On receiving statements of allegation the Commander shall convene a review board consisting of the members of the CS and shall review the statements and determine what offenses are alleged to occur and by whom. They shall then interview the alleged offenders to determine if they admit such allegations are true. If these allegations are admitted to as being true then the CS shall determine appropriate corrective actions in accordance with these bylaws.

If the accused parties deny the actions then the CS shall attempt to gather any further required information and convene to discuss the allegations. The discovery of further information shall include the interviewing of any contradicting witnesses the accused shall wish to be named. To determine guilt of an offense in the case of denial by the alleged a majority of the CS must agree that the allegations are true. Failure to do so will result in the allegations being dismissed.

In the event that the CS has direct evidence of an offense and is the party which is bringing the charges to an ADF member, the review process will only include the CS gathering required information and convening to discuss the corrective action.

If the allegations are deemed by majority to be factual then the CS shall determine the appropriate level of corrective action required weighed against the merit of the member. The merit of the member shall be based directly on their active involvement with the ADF.

Allowable corrective actions for offences include:

1. Dismissal from the ADF with prejudice (permanent barring from ADF membership).
2. Dismissal from the ADF without prejudice (the former member may reapply after a period of time set by the Commander).
3. Reduction of rank or removal from a leadership position.
4. Establishment of a probationary period for the member to last no less than 30 days or exceed 180 days depending on the merit of the member and severity of the offense. If during this time frame the member commits another offense, whether major or minor, it shall be reviewed in the same manner as an initial offense. If that instance is found to be substantiated then the member shall be removed from the ADF immediately with prejudice.
5. Establishment of a suspension period for the member to last no more than 90 days. During this time, the member will not attend any training or events, have contact with other ADF members except those designated by the CS. If at the time of the suspension period has ended, and the designated members report back to the CS that the situation has not been rectified in regard to the suspension, the member will be dismissed with prejudice. During the suspension period, any violation of ADF members violating contacting the suspended member and discussing ADF matters will result in immediate dismissal with prejudice and if the suspended member violates contacting any ADF member not designated by the CS during the time of suspension and ADF matters were discussed, that ADF member should immediately report it to the CS.

If the member wishes to appeal a decision due to mitigating evidence including merit the appeal shall be reviewed by the CS in a timely manner. One appeal shall be allowed.

Members may voluntarily withdraw from the ADF at any time in lieu of the stated procedures however they will be considered to having withdrawn with prejudice and shall no longer be eligible for membership in the ADF. If an individual withdraws any equipment they do not personally own but have possession of must be returned to its rightful owner immediately.

In the event of willful non-participation a member may be removed from membership without prejudice after a period of inactivity. Willful non-participation is defined as having no presence within the ADF including logging into the forums, making conference calls, or answering emails.

Willful non-participation excludes circumstances created through work, family demands, or medical reasons when the member's chain of command has been notified prior to the period of inactivity. In any instance the period of willful non-participation must be more than 60 days.

In the event a member is charged in a criminal court with a felony they shall immediately be placed in a probationary status pending the outcome of their trial. If the charges are dismissed the member shall immediately be removed from probation. If the member is convicted then they shall immediately be removed from the ADF with prejudice.

In any instance the presence and actions of any investigation and corrective actions shall be treated as a sensitive issue and details of these actions shall not be exposed outside of the CS or the direct chain of command. Individuals violating this directive shall be subject to corrective action under this paragraph with the offense being treated as a minor offense.

4.4 Recruitment:

Under no circumstances are ADF members to discredit the ADF by pressuring citizens to join or to contribute material or financial support. All material and financial contributions will be accepted with the clear understanding that the unalienable rights of all shall be protected without qualification.

4.5 Marriage:

While the ADF encourages spouses/partners and family members to participate together in the organization, spouses and partners cannot hold offices within the same division whereupon one has authority over the other one. Nor shall both be part of the CS and/or CSS in the same capacity. Should a couple agree to marry and the marriage would result in this scenario, one of the parties would have to resign their position. The best way to avoid this scenario is for both parties to be in different divisions.

4.6 Transfers:

A member can transfer to another division at will with the permission of that Division's Colonel or their current Division coordinator. If the member has rank, the Colonel of the accepting transfer can withdraw the rank or alter it according to the skill set of the applicant. The transferee should assume the loss of rank during a transfer.

4.7 Forum:

The ADF forum, although a private one, cannot be confused with any other forum, or other social related sites such as Facebook, Twitter etc. The primary purpose of the forum is to provide training dates and information, details regarding civil projects, recommendations (usually in the form of links) to provide an educational value, educational topics of interest to the ADF, intelligence of events occurring in and out of the State, direct orders and procedures, training materials and procedures, coordination of the membership to participate in ADF activities, and other proper social communications. It is required for all ADF members to log into the forum at least once a month, as repeated non forum use will result in termination without prejudice.

However, since it is regarded as public to the ADF membership, under no circumstances will the CS allow activities that violate offences 4, 6, 7 or 13 in the forum use. Corrective measures will be taken on the first offense by notification and probation and any topic and/or post that is improper will be deleted upon discovery. Repeated violations will result in termination of the ADF with prejudice.

During any poll or otherwise voting event, there will be no discussion on the forum or phone conferences about the related material while the voting is taking place. Questions and comments may be made during the reasonable time window on the forum or during the phone conference, but will be deleted at the starting time of voting and any other posts posted during the election period will be deleted.

4.8 Youth Auxiliary:

Persons that meet the criteria for membership but are under the age of 17 shall be allowed to be members of the ADF Youth Auxiliary provided at least one parent or court appointed guardian is an ADF member. At any and all times the parent or guardian member shall be responsible for the safety and behavior of their auxiliary member. Auxiliary members may not hold rank, do not have a vote in elections, and are restricted to attending meetings that their parent/guardian that are present at. Auxiliary members may wear the ADF uniform (without rank insignia) and earn qualification badges which they shall be authorized to wear. Their duties shall be restricted to those of the Support or Information Divisions. Auxiliary members shall not swear an oath until they attain the age of 17 and become a full member.

5. OATH OF THE ADF MEMBER:

All ADF members will be required to take the oath to uphold the Constitution of the United States and the Constitution of the state of Arkansas and to protect it from all enemies.

5.1 Oath For Noncommissioned Members:

I, (Name), do solemnly swear that I will support and defend the Constitution of the United States and the Constitution of the state of Arkansas against all enemies, both foreign and domestic; that I will bear true faith and allegiance to the same; and that I will obey the lawful orders of those appointed over me, for conscience sake; So Help Me God.

5.2 For Commissioned Officers:

I, (Name), having been (elected/appointed) an officer in the Arkansas Defense Force, in the rank of (rank), do solemnly swear that I will support and defend the Constitution of the United States and the Constitution of the state of Arkansas against all enemies, both foreign and domestic; that I will bear true faith and allegiance to the same; that I will take this obligation freely, without any mental reservation or purpose of evasion; and that I will willingly and faithfully discharge the duties of the office upon which I am about to enter; So Help Me God.

6. UNIFORMS AND EQUIPMENT:

6.1 Insignia:

The organizational insignia of the ADF shall be a diamond shape which contains twenty five stars to denote Arkansas entry into the union as the twenty fifth state. Within this field of stars shall be contained four additional stars which represent the four nations Arkansas has been a part of: Spain, France, the Confederacy, and the United States. Among these four stars shall be a Bowie knife and an AR15 rifle to represent the tools of militiamen throughout time. These symbols shall be depicted as the barrel and blade being upraised to signify a state of readiness to defend the state and its citizens.

Rank and other insignia shall be prescribed by regulation and guidance published by the CS.

6.2 Uniforms:

Uniforms shall be worn to comply with the law of land warfare. Composition of uniforms shall be prescribed by regulation and guidance published by the CS.

6.3 Equipment:

Possession of certain uniforms or equipment shall not be a requisite for membership however the possession of certain items of equipment is necessary for the functions of Defensemen within their divisions. As such the Colonels of the Division may create and publish a recommended list of items Defensemen should possess.

6.4 Firearms:

Defensemen are encouraged to obtain and maintain adequate arms, ammunition, and equipment and practice with such to defend themselves and their fellow citizens. In no instance shall this construe that a person barred by law from possessing firearms be encouraged to possess such.

7. COMMUNICATIONS:

Communications is a primary function of the ADF and as such is critical to the organization's mission success. The ADF shall utilize various commercial off the shelf systems to include the internet, telephone services, radio bands, and other methods of communications within the organization. Members shall be encouraged and assisted to obtain licenses to lawfully utilize the various means of communications where and when required.

The CS shall prescribe methods of communications and their techniques that shall apply across the force.

8. MUSTERS:

Assembly meetings (musters) shall be held across the state monthly to promote coordination, training, and fidelity among the members. Members coordinating musters must inform the chain of command of such activity to obtain ADF endorsement. At a minimum the Division Colonel must be notified.

Training musters involving tactics, techniques, and procedures shall not be open to non members regardless of affiliation. Training musters involving individual tasks not directly related to the tactics, techniques, and procedures of the ADF may be open to non-members to promote

recruiting. In any instance where non members are present all members shall refrain from discussing the tactics, techniques, and procedures of the ADF.

8.1 Conduct of musters:

All musters (with the exception of recruiting efforts and indoor training) shall follow this format:

1. Posting of the colors as published by the CS.
2. Roll call and/or report.
3. Presentation of matter, information, or other activity.
4. After action review for training musters.
5. Retirement of the colors as published by the CS.

8.2 Recruiting meetings:

Recruiting is a cornerstone of growing the ADF. All members are authorized to hold recruiting events and are encouraged to do so. In any instance it is advised that members refrain from hosting such events at their home due to personal security issues. Members shall use only recruiting material that has been approved for use. In no instance shall a member give any specifics during these meetings regarding the tactics, techniques, and procedures used in an operational environment by the ADF.

8.2a Public Engagement both in recruitment and information:

Public engagement in social media and the internet is critical to the functions of recruiting and informing the public of our presence and mission. Since public engagement can do great good or harm members are directed to refrain from posting any unsubstantiated information in connection with the ADF. This is defined as offering such information while presenting the individual as a member or representative of the organization regardless of medium. In any instance of public engagement members shall ensure they use plain English free of grammatical errors containing only factual information.

9. ELECTIONS:

Elections shall be held every October for the purpose of electing the CS and changing or amending the Bylaws and Code of Conduct as a rule. Elections will be held through electronic media or the forum. Election results shall be publicly posted for examination for the remainder of the year until the next election cycle. The Commander is the primary officer of responsibility for elections.

9.1 Candidacy:

Personnel wishing to run for an elected officer or proposing changes to the Bylaws or Code of Conduct shall inform the Commander of their desire for candidacy or desired changes within the window for submissions as stated by the Commander prior to the election. Submissions after this period shall be returned without action.

If candidates wish to debate they shall consult the Commander to coordinate the time and place of the debate. The debate may be held telephonically. If the candidacy involves the position of Commander the Support Colonel or designate shall handle the coordination for such a debate. Candidates must not be members of another organization which is related to or has a similar purpose, mission, goals, or objectives as the ADF.

Additionally candidates at the time of the election must not:

- Have been convicted of a crime of violence to include domestic violence.
- Not be under indictment for any crime.
- Be subject to a restraining order.
- Not have been adjudicated by a court as mentally defective.
- Be under obligation to the active and reserve military forces. This does not include being registered for an involuntary draft.

Prior to election to office of Commander or Division Colonel the member must have served faithfully as an elected officer within the organization for no less than one full year at the rank of Lieutenant or higher or by CS approval. The CS reserves the right to withdraw a candidate that is deemed unqualified to the office they wish to obtain, or if the election of that office by the candidate would be detrimental to the ADF.

Any rank that is appointed prior to the election cycle will void the time served limitation.

In the event that no new candidates desire to run for office the CS and CSS can decide to withdraw the election process for that year.

9.2 Conduct of the Election:

No later than the 1st of September of each year the Commander shall announce the election cycle timeline and format. This announcement shall include the deadlines for candidacy and recommending changes to the Bylaws and Code of Conduct. The deadline shall be no earlier than two weeks after the timeline announcement. Voting shall commence no later than the first Monday of October and conclude no later than ten days after the voting window opens. No later than seven days prior to voting, all candidates and measures shall be made available for review by the members.

Ballots and results shall be kept confidential until the conclusion of the voting. Upon conclusion of voting results shall be tallied and a public announcement made of all results.

Candidates unopposed shall be elected to their position provided that a vote of confidence is greater than 30%.

Candidates shall only need a simple majority of member's votes to be elected. In the event of a tie (no clear simple majority has been achieved by one candidate) then if one of the candidates is an incumbent they shall continue to serve. If there is no incumbent then the person with the most seniority in time as a member of the ADF shall be considered elected.

In the event an officer seeks candidacy for a higher office and is defeated they may retain the previous office until the next election cycle. In this instance the CS may not appoint an officer to supersede the aforementioned officer.

Officers shall take office immediately upon being sworn in. Until that time currently serving officers shall continue in their positions.

Prior to the end of October the ADF shall hold a muster with the specific purpose of swearing in officers and signing the Bylaws. This muster may be either open or closed to the public as determined by a consensus among the newly elected CS. The muster format shall follow the outline as prescribed in these bylaws.

A member found to be unduly influencing the election process shall be subject to paragraph 4.3 of these bylaws and if found guilty they shall be immediately discharged with prejudice. Undue influence includes tampering with ballots regardless of medium or offering compensation for a members vote regardless of the type of compensation (including advanced position within the organization).

10. EMERGENCIES REGARDING COMMAND:

Should a member of the CS or any officer no longer be able to serve his/her office due to resignation, death, or other reasons, the CS may appoint or promote his/her replacement by use of an Emergency Appointment (EA), or by a special election. In the case of the Commander, the Lieutenant Commander will assume command immediately. The special election will be held no later than two weeks either before or after the vacancy. If the vacancy is that of the Commander and it is not feasible to hold the election two weeks before due to sudden departure or any kind, and there is not a Lieutenant Commander the Commander can appoint any member who will assume the role of Commander until the election is performed within two weeks.

In regard to other officers, the next highest officer can initiate an EA. The CS upon review in accordance with these Bylaws shall appoint or promote Majors, Captains, and Lieutenants to fill vacancies through an EA.

10.1 Removal of officers and noncommissioned officers by petition:

In the event members feel that an officer is no longer serving the ADF faithfully they may petition the CS for removal of that officer for reason. Petitions must contain a minimum of 75% of the members within the area of purview that the officer oversees. This is defined as a county for Lieutenants, Company areas for Captains, Battalions for Majors, Divisions for Colonels, and force wide for the Commander. CSS serves at the leisure of the Commander and as such are not subject to this clause.

Upon receipt of a petition for removal the CS shall verify every single affirmation to ensure its accuracy. Upon confirmation the officer in question shall be given the choice to resign their office without prejudice. If they fail to do so then the procedures in paragraph 4.3 of these Bylaws shall be followed.

Sergeants and Corporals may be administratively reduced in rank for inefficiency by their supervising officer either unilaterally or as a result of petition by the Defense men the noncommissioned officer directly supervises. In this instance prior to reduction the request for reduction or removal shall be reviewed by the Commander and relative Division Colonel for concurrence.

In any instance removal of an officer or noncommissioned officer shall be treated as a sensitive issue and details of these actions shall not be exposed outside of the CS or the direct chain of command. Individuals violating this directive shall be subject to corrective action under paragraph 4.3 of these bylaws with the offense being treated as a minor offense.

11. MODIFICATIONS TO THESE BYLAWS:

In the event it becomes necessary to modify the Bylaws outside of the normal election cycle then the CS shall notify all members of this requirement and schedule a vote. Prior to holding this vote the proposed or required changes shall be published for member's inspection for a reasonable period prior to the vote.

Changes to the Bylaws that are approved shall be immediate and the Bylaws updated and posted as soon as possible. Any policies that contradict the contents of the Bylaws shall either require a vote from the membership accepting the contradiction or the policy be modified to remove or alter the contradiction so that it is no longer in conflict with the Bylaws.

For State Muster purposes:

Signed and notarized this ___th day of October, 20__:

Officers
Name

Rank

Witnesses
Name

Rank
