

**NATIONAL ORGANIZATION
SONS OF UNION VETERANS OF THE CIVIL WAR**

IN RE Eric D. Richhart, PDC

**Findings of the Hearing Council
September 12, 2022**

On or about June 10, 2022, a Hearing Council was duly convened by Brother Bruce D. Frail, PDC, under his authority as then Senior Vice Commander-In-Chief, pursuant to the order of then Commander-In-Chief Michael Paquette, in accordance with Chapter IV of the National Regulations, to hear evidence and make recommendations as the result of a complaint duly filed by CinC Paquette against Brother Eric D. Richhart, PDC, Department of Colorado/Wyoming. Brother Joe Hall, Department of Rhode Island, was appointed chairman of the council.

The Complaint

On April 22, 2022, CinC Paquette charged Brother Eric D. Richhart, PDC, Department of Colorado/Wyoming, with the following:

Count I

DISOBEDIENCE OF POLICIES OR LAWFUL ORDERS OF THE SUVCW, EMANATING FROM PROPER AUTHORITY

Specification 1: Fraudulently modifying the Thomas D. Osborne Camp 43, Department of Colorado and Wyoming Bylaws after they had been signed by the Camp's officers.

Specification 2: Using a signature page of a previous signed version of the Thomas D. Osborne Camp 43, as the signature page for a fraudulently modified version of the camp's Bylaws.

Specification 3: Attesting the signature of an individual not authorized to sign the modified Thomas D. Osborne Camp 43 Bylaws in violation of CC&R Article XIV, Bylaws Section 1.

Count II

CONDUCT UNBECOMING A BROTHER IN HIS RELATION TO THE ORDER

Specification 1: Repeated uncharitable correspondence with Brothers at the Camp level.

Count III

CONDUCT PREJUDICIAL TO GOOD ORDER AND DISCIPLINE

Specification 1: Demeaning behavior with Camp Chapman Compliment #2 camp members resulting in the resignation of four camp officers.

Specification 2: Demeaning behavior with Camp Chapman Compliment #2 Camp members resulting in multiple members of the Camp terminating their membership in the SUVCW.

Specification 3: Intentionally misleading Brothers of the Camp Chapman Compliment #2 in stating that members residing within the confines of the Department could not belong to another Department.

The Hearing

Chairman Hall convened an organizational meeting of the council via Zoom on June 20, 2022. Thereafter, the council met via Zoom with the parties in attendance for the purpose of receiving additional evidence and in-person testimony of witnesses on July 11th, July 25th, and August 8th.

The council noted that, in accordance with commonly understood adjudication procedures throughout the nation, the burden of proving each of the charges fell to CinC Paquette as the complaining party.

CinC Paquette first presented the case against Brother Richhart, referring to various documents filed with the council which included national, departmental and camp policies, bylaws and other governance documents. He also directed the council's attention to various emails and written correspondence likewise filed with the council. Brother Richhart was given the opportunity to cross-examine and question the evidence placed before the council by CinC Paquette. The council asked questions and received answers to its satisfaction from the CinC.

Brother Richhart then presented his case, which included the testimony via Zoom of several brothers from the Department of Colorado/Wyoming. CinC Paquette was permitted to cross-examine the witnesses and the evidence placed before the council by Brother Richhart. The council asked questions and received answers to its satisfaction from the witnesses and Brother Richhart. Brother Richhart concluded his portion of the case at the council meeting on August 8, 2022. The council then took the case under advisement.

The council also reviewed Chapter IV of the National Regulations and Article XIV of the National Charter, Constitution and Regulations.

The council met to discuss and make a determination of each of the charges of the complaint via Zoom on September 12, 2022.

The Council's Findings

Count I, Specification 1:

Held: Not guilty. The council believed Brother Richhart's unrefuted testimony that his department commander had directed him to make the modifications that were made, so could not find that his actions were fraudulent.

Count I, Specification 2:

Held: Not guilty. The council believed Brother Richhart's unrefuted testimony that his department commander had directed him to make the modifications that were made, so could not find that his actions were fraudulent.

Count I, Specification 3:

Held: Guilty. The council found that Brother Richhart—who was serving as the Department Secretary at the time—technically did not attest to any signature, because he admitted in his testimony that he “attested to” an unsigned approval form [Exhibit 5, p. 9]. Further, Article XIV of the CC&R did not require him to attest to the department commander’s signature approving any camp bylaws. However, since he chose to attest to the approval, his execution of the unsigned bylaws approval form was a violation of the spirit of the regulation, because his attestation served as a verification in writing to a reader that the commander actually did sign the form confirming that he had approved the camp bylaws and found them to be in compliance with department bylaws and the National Constitution and Regulations—which he clearly did not do.

Count II, Specification 1:

Held: Not guilty. The council saw only one piece of correspondence that it agrees was “uncharitable”. [Exhibit 22] While Brother Richhart testified that Exhibit 22 was a personal letter sent in response to an uncharitable and personal accusation and argued that it was, therefore, not relevant, the fact that he used the title PDC after his name in that letter tended to make it department business. However, since this was the only correspondence presented to the council, and since the word “repeated” is used in the specification, the council could not find that his actions violated the regulation.

Count III, Specification 1:

Held: Not guilty. The council heard no testimony concerning Brother Richhart’s behavior that showed that his behavior ever sank to the level of “demeaning.” Further, his department commander testified that he was unaware of any such behavior that sank to that level.

Count III, Specification 2:

Held: Not guilty. The council heard no testimony concerning Brother Richhart’s behavior that showed that his behavior ever sank to the level of “demeaning.” Further, his department commander testified that he was unaware of any such behavior that sank to that level.

Count III, Specification 3:

Held: Not guilty. The council believed Brother Richhart’s testimony that he never intentionally misled any brother about dual membership across two departments. After hearing the testimony and reviewing the exhibits, the council was convinced this was a simple misunderstanding.

The Council’s Recommendation

Having found Brother Richhart guilty on only one specification of one count, it recommends that his administrative suspension be immediately lifted and he be given a reprimand for attesting a blank form without witnessing the Department Commander’s signature, as it was his duty as Department Secretary to do so, having chosen to so attest.

You may appeal this decision in writing within 30 days of receipt of this notice. The appeal must be filed in writing with the Commander-in-Chief. Failure to appeal within the 30 days will terminate your right to appeal.

Respectfully submitted:

Joseph S. Hall, Jr.
Chairman
Hearing Council
Department of Rhode Island