



THE ADVOCATE...

DECEMBER 2017

THIS EDITION: REINSTATEMENT AFTER CONVICTION OF FELONY OR OTHER CRIME
APPLICANTS FOR MEMBERSHIP IN THE ORDER WHO HAVE CRIMINAL
RECORDS
PETITION FOR REINSTATEMENT

Welcome to *The Advocate* ... a newsletter dedicated to all Council Advocates but should also be shared with everyone in your Council and our jurisdiction. It is also available on the State web site at www.kofc.ab.ca under Publications.

This month we look at Part 2 ... after a member or applicate is convicted of felony or other crime.

These topics contains excerpts and sections from the Officer's Desktop Reference.

REINSTATEMENT AFTER CONVICTION OF FELONY OR OTHER CRIME

A former member of our Order whose membership was terminated because of a criminal conviction may be reinstated by the Supreme Council Board of Directors.

Section 169(b) requires the former member to file a petition and to show cause why he should be eligible for reinstatement. See the section below titled "Petitions for Reinstatement."

A petition for reinstatement may be submitted only upon full completion of the criminal sentence including, but not limited to, any parole or probation requirement, any term of good behavior or conditional discharge, and payment of any fine, fee, or restitution. An obligation to register as a sex offender or child offender constitutes the continuation of a court sentence, causing a petitioner to remain ineligible for reinstatement.

A petition for reinstatement would be considered by the Board of Directors in cases where the conviction has been annulled or expunged, pardoned, or reclassified from a crime to a civil infraction.

APPLICANTS FOR MEMBERSHIP IN THE ORDER WHO HAVE CRIMINAL RECORDS

With respect to men who were convicted of a crime before applying for membership in the Order, the council's admissions committee should ask whether an applicant has ever been convicted of a crime and whether the applicant is a registered child or sex offender.

Conviction of a crime is not an absolute bar to membership. The admissions committee should investigate the facts and circumstances of an applicant's particular case before determining whether he is fit for membership. The council's admissions committee should carefully weigh several factors before making a recommendation to the council including, but not limited to:

1. The nature of the offense of conviction (e.g., violent crime, crimes against children, sex assault crimes, crimes of dishonesty);
2. The age of the man when the criminal offense occurred;
3. The age and circumstances of the victim, if there was someone specifically harmed;
4. Whether the man has served his sentence in its entirety;
5. If the sentence included a term of incarceration, the date on which the man was released from jail or prison;
6. Whether the man has satisfactorily completed any term of probation or parole;
7. Whether the man has completed all court-mandated programs and/or has paid, in full, any court-imposed costs or fees;
8. Whether the man has shown remorse and has lived an exemplary life for a reasonable period of time after the completion of his sentence;
9. Whether the man is required to register as a convicted sex offender or child offender; and
10. Whether other convictions appear on the applicant's criminal record.

This list is not exhaustive.

In the absence of extraordinary circumstances, an applicant must have completed his sentence before he may gain admission to the Knights of Columbus. Men required to register as sex offenders or child offenders are not permitted to join the Order.

Finally, if there are criminal charges pending against an applicant, the admissions committee should suspend the application process until such time as the charges have been resolved by trial, plea, dismissal, or some other disposition.

PETITION FOR REINSTATEMENT

A member who has been suspended for a *definite* period of time does not need to petition the Board of Directors for reinstatement. That is because a man suspended for a definite period of time automatically regains his good standing as a member once the period of suspension expires and once he pays the full amount of any assessments, dues, and/or fines that may be due.

A member who has been suspended for an *indefinite* period of time for cause other than nonpayment of assessments, contributions, dues or fines, or a member who has been expelled from the Order for any reason may petition the Supreme Board of Directors for reinstatement. A man may submit a petition for reinstatement at any time, and he is not

required to prove that the suspension, expulsion, or forfeiture was unjust. The petitioner must, however, address the actions or conduct that caused his separation from the Knights of Columbus, explaining why he should be readmitted to the Order.

The petitioner must submit the following documents in one packet to the Director of Membership Records at the Supreme Council Office:

- A letter of support from the State Deputy addressed to the Board of Directors.
- A letter from the petitioner addressed to the Board of Directors requesting reinstatement.
- A Form 100 with the date of election indicated, signed by the Grand Knight and Financial Secretary.
- A letter from the Grand Knight of the petitioner's council addressed to the Board of Directors stating that a majority of the council's members voted at a regular business meeting to support the petitioner's request for re-entry into that council.
- If the petitioner was a 4th Degree member, a letter from the Faithful Navigator of the petitioner's assembly addressed to the Board of Directors stating that a majority of the assembly's members voted at a regular business meeting to support the petitioner's request for re-entry into that assembly.
- If the petitioner wishes to join a new council, a letter signed by the Grand Knight and Financial Secretary of the former council addressed to the Board of Directors certifying that the former council supports the petitioner's request for re-entry and that the petitioner is not obligated to the former council in any manner.
- If the petitioner was convicted of a felony, documentation clearly reflecting that the petitioner had (1) been released from prison, (2) satisfied all of the terms and conditions of his parole/probation, (3) completed any and all court mandated programs, and (4) paid, in full, any court imposed costs/fees or required restitution.
- Copies of all relevant documents relating to the suspension/expulsion/forfeiture.

Petitioners should use this checklist when submitting the packet.

All of the documents must be submitted together in one packet. For further information or where to submit these documents please reference the Officer's Desktop Reference located at www.kofc.org.

Once all of these materials have been received, the Supreme Advocate will prepare a detailed report and recommendation for the Board of Directors for their consideration.

Your feedback is invaluable. If anyone has any questions or comments drop me a line. Also, if there is a topic you wish covered in future newsletters just send a note to SA2017@kofc.ab.ca

Thank you for your attention...and God Bless.

Vivat Jesus

Sir Knight John Onyskiw

State Advocate