



# Military and Naval Affairs

**ANDREW M. CUOMO**  
Governor  
Commander-in-Chief

**RAYMOND F. SHIELDS, JR.**  
Major General  
The Adjutant General

MNAG-TAG

19 May 2020

## MEMORANDUM FOR SEE DISTRIBUTION

**SUBJECT:** Self Reporting by all Ranks and Grades of Arrests and Criminal Convictions Regardless of Classification (Felony or Misdemeanor)

### 1. References:

a. Memorandum, ARNG-HRZ, 18 November 2011, subject: Army Directive-Self-Reporting by Officers and Senior Enlisted Members of Criminal Convictions (ARNG-HRH Policy Memo#11-056).

b. Memorandum, SA, 21 September 2011, subject: Army Directive-Self-Reporting by Officers and Senior Enlisted Members of Criminal Convictions.

c. Memorandum, AASA, SAMA-MP, 24 March 2011, subject: Self-Reporting by Officers and Senior Enlisted Members of Criminal Convictions.

d. Memorandum, SAUS, Directive - Type Memorandum, 2 April 2008, subject: Self Reporting by Officers and Senior Enlisted Members of Criminal Convictions.

e. AR 600-20 Army Command Policy, 6 November 2014, subject: Soldier Conduct (4-4(2)d).

f. AFI 1-1 Air Force Culture, 12 November 2014 Change, subject: Air Force Standards (2.10, Self Reporting Criminal Conviction).

g. AFPD 36-29 Personnel, 11 April 2019, subject: Military Standards (2.7, Violations).

h. Instruction, NYNMINST 1001.B, 3 March 2017, subject: Administrative Manual.

i. Directive, NYNG 1325, 4 October 2015, subject: Misconduct.

2. **Applicability:** This policy is applicable to all service members assigned to the New York Army National Guard, the New York Air National Guard, the New York Naval Militia, and the New York State Guard.

## MNAG-TAG

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3. Effective Date: Date Policy Memorandum is signed.

4. Policy: New York Army National Guard, New York Air National Guard, New York Naval Militia, and New York State Guard Service Members of all ranks and pay grades will self-report to their chain of command any arrests, pending criminal court dates with jurisdictions to include Integrated Domestic Violence Courts, and criminal convictions that occur after the effective date of this policy memorandum. Initial reports may be either written or verbal, and will contain at a minimum the date and time of arrest, criminal charge(s) and the arresting agency's name. Reports of convictions or final adjudication must include a copy of the certificate of disposition issued by the court and, if applicable, the Order of Protection or Restraining Order. Active Guard Reserve (AGR) Service Members will submit their report to their chain of command on the next business day following their arrest and/or conviction. M-Day Service Members will submit their report by the next scheduled drill or within 30 days, whichever sooner, after their arrest and/or conviction. New York Naval Militia service members will submit their report to the Chief of Staff of the Naval Militia and New York State Guard Service members will submit their report to the G1 of the New York State Guard within 30 days of their arrest and/or conviction. Once notified the service member's chain of command will report through official correspondence in the Serious Incident Report (SIR) format to their respective higher headquarters.

5. Punitive Nature: Failure to adhere to the requirements of this Policy Memorandum may result in adverse administrative actions and/or disciplinary actions.

6. Definitions:

a. Arrest: For the purpose of this policy, the term "arrest" includes the detention, charging or otherwise by a police officer or peace officer when he or she has reasonable cause to believe that a crime was committed in his or her presence or otherwise.

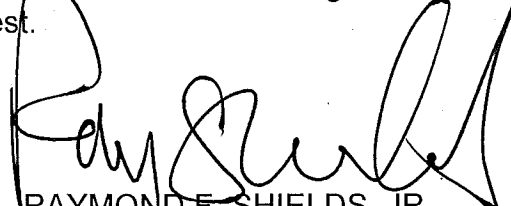
b. Crime: For the purpose of this policy, the term "crime" is defined as an action that constitutes a misdemeanor or felony offense contained in a state or federal penal code. Additionally, any arrests, fines or convictions for driving while intoxicated or impaired for the purpose of this policy are defined as a crime, whether or not they were charged as a violation, misdemeanor, or felony. Traffic infractions, other than alcohol related offenses, are not considered crimes.

c. Criminal Conviction: For the purpose of this policy, the term "criminal conviction" is defined as the outcome of a criminal prosecution which results in a judgment that the

MNAG-TAG

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accused is determined to be guilty of a criminal offense without regard to whether this  
was the result of a trial, a plea, or no contest.



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