



## Texas Military Department

# DIRECTIVE

**NUMBER 1300.02**

18 August 2021

---

NGTX-GC

SUBJECT: Requirement for Self-Reporting of Arrests or Criminal Charges

References. NA

1. PURPOSE. To monitor and maintain the personnel readiness, welfare, safety, and deployability of members of the Texas Military Department, Soldiers and Airmen subject to this Directive are required to report arrests and criminal charges.
2. APPLICABILITY AND SCOPE. This Directive applies to all uniformed members of the Texas Army National Guard (TXARNG), Texas Air National Guard (TXANG) and Texas State Guard (TXSG).
3. POLICY.
  - a. Guardsmen arrested or criminally charged by civilian authorities will advise their immediate commander of the arrest and/or charge(s). The term arrest includes an arrest or detention. The term charge includes criminal complaints or indictments filed against the Guardsman. Guardsmen are only required to disclose the date of the arrest or criminal charge(s), the arresting or charging authority, any bond conditions imposed and the offense(s) for which they were arrested and/or charged. No person is under a duty to disclose any of the underlying facts concerning the basis for their arrest or criminal charge(s).
  - b. Disclosures of arrest or criminal charges is not an admission of guilt and is not intended to elicit an admission from the person self-reporting. No person subject to the Texas Code of Military Justice (TCMJ) may question a person self-reporting an arrest or criminal charge(s) regarding any aspect of the self-report.
  - c. Nothing in this Directive limits the existing reporting requirements related to a Soldier's or Airman's security clearance.

4. DEFINITIONS. NA

5. RESPONSIBILITIES.

a. Traditional Guardsmen are required to make a report to their immediate Commander the first day of drill following an arrest.

b. Traditional Guardsmen are required to make a report to their immediate Commander the first day of drill following notification of being criminally charged by civilian authorities.

c. Guardsmen subject to this Directive who serve in a full-time duty status are required to make a report to their immediate commander within twenty-four (24) hours following an arrest.

d. Guardsmen subject to this Directive who serve in a full-time duty status are required to make a report to their immediate commander within twenty-four (24) hours following notification of being criminally charged by civilian authorities.

e. Commanders may impose disciplinary action for failure to self-report arrest(s) or criminal charge(s). However, when a service member does self-report, pursuant to a valid self-reporting requirement, Commanders will not impose disciplinary action for the underlying offense unless such disciplinary action is based solely on evidence derived independently of the self-report. Commanders should consult a Judge Advocate prior to imposing disciplinary action.

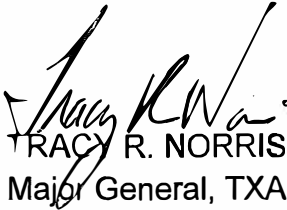
f. Commanders will not include additional self-reporting requirements. However, Commanders and Supervisors may continue to request information on arrests or criminal charges as part of an application or screening process.

6. INFORMATION REQUIREMENTS. NA

7. RELEASABILITY. Unlimited

8. EFFECTIVE DATE. This Directive is effective immediately and will expire 2 years from the date of publication unless sooner rescinded or superseded.

9. POINT OF CONTACT. The Office of the General Counsel at (512) 782-5057.

  
TRACY R. NORRIS  
Major General, TXARNG  
Adjutant General

DISTRIBUTION:

A

  
INGRID W. YAUGER  
GS-13, TMDD  
J1 - Issuance