NEW YORK STATE Department of Corrections and Community Supervision **DIRECTIVE**	TITLE **Report of Criminal Charges**		NO. 2112 DATE 11/17/2025
SUPERSEDES DIR #2112 Dtd. 01/03/23	DISTRIBUTION A	PAGES PAGE 1 OF 2	DATE LAST REVISED
REFERENCES (Include but are not limited to) Directive #4004	APPROVING AUTHORITY		

I. POLICY: A "Report of Criminal Charges" must be filed when an employee is charged with the commission of:

- A felony or misdemeanor, or
- A violation which alleges possession and/or use of a controlled substance, or
- A domestic related incident and/or Order of Protection (current).

Supervisory staff shall make no statements or commitments concerning disciplinary action or suspension to an employee charged with a criminal offense. If, however, the charges are of such a serious nature to warrant consideration of suspension without pay, contact the Bureau of Labor Relations.

II. PROCEDURE

A. An employee charged as above must report the following information in writing to their immediate supervisor before returning to duty:

1. Time, date, and location of the incident which forms the basis of the charge.
2. Time, date, and location of the arrest.
3. The specific charge(s).
4. The arresting agency.
5. The court in which the criminal action is pending.
6. Disposition of the charge(s) if available.

NOTE: The employee should attach a copy of any documentation available from the court which shows the disposition. If a disposition has not been rendered by the time the initial report is filed, the employee must report it in writing to the Superintendent or Area Office/Division Head within one week of the date of disposition.

B. The supervisor receiving a report of criminal charges from an employee shall promptly transmit that report to the Superintendent or Area Office/Division Head.

C. The Superintendent or Area Office/Division Head receiving the report shall:

1. Contact the appropriate police or court authorities to determine the alleged circumstances of the charge(s), to obtain a copy of the police/arrest report, including a narrative of the allegations, and, if possible, to obtain copies of any statements made to police by the employee and witnesses.
2. Prepare a report containing the following:
   a. A copy of police/arrest report.

b. A summary of the information requested in subsection II-A.

c. A summary evaluation of the employee's work history with particular attention to similar incidents. Note if employee is in probationary status.

3. Transmit the report, and supplemental reports as subsequent information is obtained, to the Deputy, Associate, or Assistant Commissioner in charge of the division to which the employee is assigned, with copies to the Bureau of Labor Relations, Bureau of Personnel, and the Office of Special Investigations.

4. Prepare and submit an Unusual Incident Report in accordance with the provisions of Directive #4004, "Unusual Incident Report."