S T A T E O F N E W Y O R K

8308

I N S E N A T E

June 22, 2010

Introduced by Sen. FOLEY -- read twice and ordered printed, and when printed to be committed to the Committee on Rules

AN ACT to amend the executive law, in relation to establishing a gang assessment, intervention, prevention and suppression program

THE PEOPLE OF THE STATE OF NEW YORK, REPRESENTED IN SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

Section 1. The executive law is amended by adding a new section 837-s to read as follows:

S 837-S. GANG ASSESSMENT, INTERVENTION, PREVENTION AND SUPPRESSION PROGRAM. 1. THERE IS HEREBY CREATED WITHIN THE DIVISION A GANG ASSESSMENT, INTERVENTION, PREVENTION AND SUPPRESSION PROGRAM TO BE ADMINISTERED BY THE COMMISSIONER TO DISTRIBUTE FUNDS IN ACCORDANCE WITH THE PROVISIONS OF THIS SECTION FOR THE PURPOSE OF ELIMINATING THE SCOURGE OF GANG RELATED CRIMINAL ACTIVITY IN NEW YORK STATE.

2. THE SUPERINTENDENT OF THE DIVISION OF STATE POLICE, IN COOPERATION WITH ALL LOCAL, STATE AND FEDERAL LAW ENFORCEMENT PERSONNEL, AND THE DISTRICT ATTORNEYS IN NEW YORK STATE, SHALL DEVELOP AND IMPLEMENT A STRATEGY FOR THE SUPPRESSION OF GANG RELATED CRIMINAL ACTIVITY. THE STRATEGY SHALL INCLUDE, BUT NOT BE LIMITED TO, IDENTIFYING AND PROSECUTING THE CORE LEADERSHIP OF CRIMINAL STREET GANGS WHO MAY BE VIOLATING FEDERAL, STATE OR LOCAL LAWS, AND COOPERATING WITH ALL FEDERAL LAW ENFORCEMENT AGENCIES AND APPROPRIATE PROSECUTORIAL AGENCIES AND LAW ENFORCEMENT AGENCIES IN OTHER STATES IN THE INVESTIGATION AND ENFORCEMENT OF OUR PENAL LAWS. DISTRICT ATTORNEYS ARE AUTHORIZED AND DIRECTED TO ENTER INTO COLLABORATIVE AGREEMENTS WITH PROSECUTORIAL AND OTHER GOVERNMENTAL AGENCIES AND ENTITIES IN SUPPLIER STATES IN AN EFFORT TO STOP GANG RELATED CRIMINAL ACTIVITIES IN NEW YORK STATE.

3. THE COMMISSIONER SHALL AWARD GRANT MONIES, AS AVAILABLE, TO DISTRICT ATTORNEYS FOR PROGRAMS WHICH ARE DESIGNATED TO STOP GANG RELATED CRIMINAL ACTIVITIES IN NEW YORK STATE. TO QUALIFY FOR SUCH GRANT MONIES, A DISTRICT ATTORNEY MUST SUBMIT AN APPLICATION TO THE COMMISSIONER IN ACCORDANCE WITH GUIDELINES PRESCRIBED BY THE DIVISION. THE APPLICATION SHALL AT A MINIMUM:

EXPLANATION--Matter in ITALICS (underscored) is new; matter in brackets [ ] is old law to be omitted.

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(A) INCLUDE AN ASSESSMENT OF GANG RELATED CRIMINAL ACTIVITIES IN THE TARGETED AREA;

(B) OFFER A PLAN FOR STATE INTERVENTION AND PREVENTION OF SUCH ACTIVITIES; AND

(C) PREVIEW A COORDINATED LAW ENFORCEMENT STRATEGY FOR SUPPRESSION OF GANG RELATED ILLEGALITIES WITHIN THE AFFECTED COMMUNITY. FUNDS AWARDED UNDER THIS SECTION MAY BE USED TO SUPPLEMENT FEDERAL, STATE OR LOCAL FUNDS.

4. THE SUPERINTENDENT OF THE DIVISION OF STATE POLICE SHALL ESTABLISH AND MAINTAIN WITHIN THE DIVISION A GANG CLEARINGHOUSE AS A CENTRAL REPOSITORY OF INFORMATION, COMING INTO THE POSSESSION OF ANY STATE OR LOCAL LAW ENFORCEMENT ENTITY, REGARDING ALL CRIMINAL GANGS FOUND TO BE OPERATING WITHIN NEW YORK STATE. THE SUPERINTENDENT OF THE DIVISION OF STATE POLICE SHALL ADOPT AND PROMULGATE REGULATIONS PRESCRIBING REPORTING PROCEDURES FOR SUCH STATE OR LOCAL LAW ENFORCEMENT AGENCIES, INCLUDING THE FORM FOR REPORTING SUCH INFORMATION.

S 2. This act shall take effect immediately.