

8308

I N   S E N A T E

June 22, 2010

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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:

1     Section 1. The executive law is amended by adding a new section 837-s  
2     to read as follows:  
3     S 837-S. GANG ASSESSMENT, INTERVENTION, PREVENTION AND SUPPRESSION  
4     PROGRAM. 1. THERE IS HEREBY CREATED WITHIN THE DIVISION A GANG ASSESS-  
5     MENT, INTERVENTION, PREVENTION AND SUPPRESSION PROGRAM TO BE ADMINIS-  
6     TERED BY THE COMMISSIONER TO DISTRIBUTE FUNDS IN ACCORDANCE WITH THE  
7     PROVISIONS OF THIS SECTION FOR THE PURPOSE OF ELIMINATING THE SCOURGE OF  
8     GANG RELATED CRIMINAL ACTIVITY IN NEW YORK STATE.  
9     2. THE SUPERINTENDENT OF THE DIVISION OF STATE POLICE, IN COOPERATION  
10    WITH ALL LOCAL, STATE AND FEDERAL LAW ENFORCEMENT PERSONNEL, AND THE  
11    DISTRICT ATTORNEYS IN NEW YORK STATE, SHALL DEVELOP AND IMPLEMENT A  
12    STRATEGY FOR THE SUPPRESSION OF GANG RELATED CRIMINAL ACTIVITY. THE  
13    STRATEGY SHALL INCLUDE, BUT NOT BE LIMITED TO, IDENTIFYING AND PROSECUT-  
14    ING THE CORE LEADERSHIP OF CRIMINAL STREET GANGS WHO MAY BE VIOLATING  
15    FEDERAL, STATE OR LOCAL LAWS, AND COOPERATING WITH ALL FEDERAL LAW  
16    ENFORCEMENT AGENCIES AND APPROPRIATE PROSECUTORIAL AGENCIES AND LAW  
17    ENFORCEMENT AGENCIES IN OTHER STATES IN THE INVESTIGATION AND ENFORCE-  
18    MENT OF OUR PENAL LAWS. DISTRICT ATTORNEYS ARE AUTHORIZED AND DIRECTED  
19    TO ENTER INTO COLLABORATIVE AGREEMENTS WITH PROSECUTORIAL AND OTHER  
20    GOVERNMENTAL AGENCIES AND ENTITIES IN SUPPLIER STATES IN AN EFFORT TO  
21    STOP GANG RELATED CRIMINAL ACTIVITIES IN NEW YORK STATE.  
22    3. THE COMMISSIONER SHALL AWARD GRANT MONIES, AS AVAILABLE, TO  
23    DISTRICT ATTORNEYS FOR PROGRAMS WHICH ARE DESIGNATED TO STOP GANG  
24    RELATED CRIMINAL ACTIVITIES IN NEW YORK STATE. TO QUALIFY FOR SUCH GRANT  
25    MONIES, A DISTRICT ATTORNEY MUST SUBMIT AN APPLICATION TO THE COMMIS-  
26    SIONER IN ACCORDANCE WITH GUIDELINES PRESCRIBED BY THE DIVISION. THE  
27    APPLICATION SHALL AT A MINIMUM:

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

LBD17001-01-0

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

3 (B) OFFER A PLAN FOR STATE INTERVENTION AND PREVENTION OF SUCH ACTIV-  
4 ITIES; AND

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

9 4. THE SUPERINTENDENT OF THE DIVISION OF STATE POLICE SHALL ESTABLISH  
10 AND MAINTAIN WITHIN THE DIVISION A GANG CLEARINGHOUSE AS A CENTRAL  
11 REPOSITORY OF INFORMATION, COMING INTO THE POSSESSION OF ANY STATE OR  
12 LOCAL LAW ENFORCEMENT ENTITY, REGARDING ALL CRIMINAL GANGS FOUND TO BE  
13 OPERATING WITHIN NEW YORK STATE. THE SUPERINTENDENT OF THE DIVISION OF  
14 STATE POLICE SHALL ADOPT AND PROMULGATE REGULATIONS PRESCRIBING REPORT-  
15 ING PROCEDURES FOR SUCH STATE OR LOCAL LAW ENFORCEMENT AGENCIES, INCLUD-  
16 ING THE FORM FOR REPORTING SUCH INFORMATION.

17 S 2. This act shall take effect immediately.