

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

3834--A

2011-2012 Regular Sessions

I N A S S E M B L Y

January 27, 2011

Introduced by M. of A. RAMOS -- read once and referred to the Committee on Codes -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

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

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

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1 MONIES, A DISTRICT ATTORNEY MUST SUBMIT AN APPLICATION TO THE COMMIS-
2 SIONER IN ACCORDANCE WITH GUIDELINES PRESCRIBED BY THE DIVISION. THE
3 APPLICATION SHALL AT A MINIMUM:
4 (A) INCLUDE AN ASSESSMENT OF GANG RELATED CRIMINAL ACTIVITIES IN THE
5 TARGETED AREA;
6 (B) OFFER A PLAN FOR STATE INTERVENTION AND PREVENTION OF SUCH ACTIV-
7 ITIES; AND
8 (C) PREVIEW A COORDINATED LAW ENFORCEMENT STRATEGY FOR SUPPRESSION OF
9 GANG RELATED ILLEGALITIES WITHIN THE AFFECTED COMMUNITY. FUNDS AWARDED
10 UNDER THIS SECTION MAY BE USED TO SUPPLEMENT FEDERAL, STATE OR LOCAL
11 FUNDS.
12 4. THE DIVISION SHALL ESTABLISH AND MAINTAIN A GANG CLEARINGHOUSE AS A
13 CENTRAL REPOSITORY OF INFORMATION, COMING INTO THE POSSESSION OF ANY
14 STATE OR LOCAL LAW ENFORCEMENT ENTITY, REGARDING ALL CRIMINAL GANGS
15 FOUND TO BE OPERATING WITHIN NEW YORK STATE. THE DIVISION SHALL ADOPT
16 AND PROMULGATE REGULATIONS PRESCRIBING REPORTING PROCEDURES FOR SUCH
17 STATE OR LOCAL LAW ENFORCEMENT AGENCIES, INCLUDING THE FORM FOR REPORT-
18 ING SUCH INFORMATION.
19 S 2. This act shall take effect immediately.