STATE OF NEW YORK

7447

2021-2022 Regular Sessions

IN SENATE

October 18, 2021

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

AN ACT to amend the criminal procedure law, in relation to protective orders

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

Section 1. Section 245.70 of the criminal procedure law is amended by adding a new subdivision 4-a to read as follows:

4-a. Where the people have established reasonable cause to believe that the defendant is associated with a criminal street gang, as defined in section 10-170 of the administrative code of the city of New York or a criminal enterprise, as defined in section 460.10 of the penal law and that the offense is connected to criminal street gang or criminal enterprise activity, there shall be a presumption that good cause exists for the court to authorize the withholding by the people of the names, adequate contact information, and statements of any victim or eyewitness to the charged offense.

§ 2. This act shall take effect immediately.

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

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