

GANG VIOLENCE BILL

This bill targets gang violence issues through preventative measures, increased penalties, and rehabilitation.

PREVENTION:

- The State Education Department (SED) will develop guidelines for incorporating in-service training on gang violence for school personnel. The training shall consist of presentation of programs, instructions, and curriculum that will help educators develop competencies in interacting in a positive manner with children and youth to assist them in developing the values, self-esteem, knowledge, and skills necessary to lead productive and gang-free lives. The training shall also include components that will assist educators in their interaction with parents of at-risk youth. Further, SED will assist schools in qualifying for the receipt of federal and state funds to support their in-service training programs.
- The State Education Department (SED) and the Division of Criminal Justice (DCJS) will develop a model gang violence prevention curriculum for use in schools. In developing the curriculum, SED and DCJS will assess the current status of school-age crime, and identify appropriate strategies and programs that will provide high levels of school safety.
- A criminal street gang prevention fund is established and proceeds from gang-related forfeiture actions will be deposited into the fund. SED and DCJS will evaluate requests for funding for programs from the criminal street gang prevention fund. All funds are to be disbursed to not-for-profit agencies with missions of preventing youth involvement in gangs, crime, or violence.

PUNISHMENT:

- If a person is convicted of a participation in a criminal street gang related offense, the specified offense will be deemed to be one category higher than the specified offense they actually committed for sentencing purposes.
- A new crime of solicitation for participation in a criminal street gang is established to punish criminal street gang members who actively recruit new members. This crime is deemed an E felony.
- Any buildings used for criminal street gang activities are deemed to be a nuisance, and actions for abatement of the premise can be filed.

REHABILITATION:

- The Department of Corrections is given discretion to develop and implement an educational program, to be known as the Department of Corrections Gang Education and Prevention Program. Through this program, inmates will receive instruction concerning the impact of, and risks associated with, gang affiliation and receive support services in relation to the cessation of gang membership.