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**HOUSE BILL NO. 255**

Offered January 13, 2010

Prefiled January 11, 2010

A *BILL to amend and reenact § 52-8.6 of the Code of Virginia, relating to criminal street gang reporting.*

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Patron—Miller, P.J.

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Referred to Committee on Militia, Police and Public Safety**Be it enacted by the General Assembly of Virginia:****1. That § 52-8.6 of the Code of Virginia is amended and reenacted as follows:****§ 52-8.6. Criminal street gang reporting.**

When it is determined, by a state or local law-enforcement agency, regional jail, the Department of Corrections, *the Department of Juvenile Justice*, or a regional multijurisdictional law-enforcement task force, that a person is a member of a criminal street gang, as defined in § 18.2-46.1 by means of (i) an admission of membership in a gang; (ii) an observation by a law-enforcement officer that a person frequents a known gang area, associates with known gang members and demonstrates gang style of dress, tattoos, hand signals, or symbols; or (iii) being arrested on more than one occasion with known gang members for offenses consistent with gang activities, the agency shall enter the person's name and other appropriate gang-related information required by the Department of State Police into the information system known as the Organized Criminal Gang File of the Virginia Criminal Information Network (VCIN), established and maintained by the Department pursuant to Chapter 2 (§ 52-12 et seq.) of this title, and the Violent Criminal Gang File of the National Crime Information Center (NCIC), maintained by the Federal Bureau of Investigation. The entry shall be made as soon as practicable after determining that a person is a member of an organized criminal gang. All records contained in these information systems shall be entered, retained, and validated in accordance with established VCIN and NCIC policies.

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