

1997 SESSION

SENATE SUBSTITUTE

971634112

HOUSE BILL NO. 2059

AMENDMENT IN THE NATURE OF A SUBSTITUTE

(Proposed by the Senate Committee for Courts of Justice
on February 16, 1997)

(Patron Prior to Substitute—Delegate Almand)

A BILL to amend the Code of Virginia by adding a section numbered 16.1-299.2, relating to youth gangs; reporting.

Be it enacted by the General Assembly of Virginia:

1. That the Code of Virginia is amended by adding a section numbered 16.1-299.2 as follows:

§ 16.1-299.2. Youth gangs; reporting.

When it is determined, either by admission or investigation, by a state or local law-enforcement agency or a regional multi-jurisdictional law-enforcement task force, that a juvenile who has been arrested is a member of a youth gang, the arresting officer shall enter the juvenile's name and other appropriate gang-related information required by the Department of State Police into the Youth Gang File of the Virginia Crime Information Network. The entry shall be made as soon as practicable after the determination is made.

For purposes of this section "youth gang" means an ongoing organization, association or group (i) having common characteristics, including but not limited to initiation practices, hand signals, structured style of dress, specific geographic territorial claim or identifiable leadership and (ii) consisting of three or more individuals, at least one of whom is a juvenile, who identify themselves as a group by a name or symbol and are involved in a pattern of recurrent felonious criminal conduct.

2. That prior to July 1, 1997, the Department of State Police shall develop policies and procedures governing implementation of this act, which shall include but not be limited to procedures for expunging information found to have been erroneously included

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