

GANG ABATEMENT AND PREVENTION ACT OF 2009

BILL SUMMARY

- The Gang Abatement and Prevention Act of 2009, is a comprehensive criminal bill to increase gang prosecution *and* prevention efforts. The Senate passed bill:
- Establishes an extended federal commitment to help fight criminal street gang violence nationwide, by authorizing more than \$1 billion over the next five years in a coordinated and balanced approach that will combine Federal, State and local law enforcement efforts, expanded witness protection, and services geared toward gang prevention;
- Sets aside at least \$411.5 million of its funding amount for gang prevention and intervention by schools, civic groups focused on at-risk youth, and other programs, modeled after the successful Operation Ceasefire strategy and other proven approaches, and with a new Gang Research, Evaluation and Policy Institute established to study and collect best practices for the prevention of gang violence;
- Establishes a new High Intensity Gang Activity Area (HIGAA) program, which is structured to facilitate cooperation between local, state and federal law enforcement agencies in identifying, targeting, and eliminating violent gangs in areas where gang activity is particularly prevalent, and with these law enforcement officers coordinating their efforts with local prevention and intervention organizations.
- Increases funding for the Justice Department, prosecutors, FBI agents and others to increase investigations and prosecutions of gangs and other violent offenders;
- Replaces the current federal law's mere sentencing enhancement for gang-related conduct – a provision rarely used – with new federal anti-gang laws that directly criminalize and substantially increase penalties for violent street gang crimes. However, there are no mandatory minimum sentences or death penalty provisions in the Senate-passed version of the bill.
- Creates new a federal crime for the recruitment of criminal street gang members, with extra punishments for recruiting of minors, or recruiting from inside prison;
- Increases the penalties for existing racketeering other violent crimes, creates a new federal crime for violence committed in furtherance of drug trafficking, and enacts various other changes to the federal criminal code designed to more effectively deter and punish violence by criminal street gangs and other violent criminals, and
- Sets aside \$270 million for witness protection, and establishes a new federal crime of interstate interference with witnesses in state criminal proceedings.