

118TH CONGRESS
1ST SESSION

H. R. 3769

To amend title 28, United States Code, to require the Attorney General to submit an annual report to Congress on gang activity, reporting, investigation, and prosecution, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

MAY 31, 2023

Mrs. HINSON (for herself, Ms. KAPTUR, and Mr. RUPPERSBERGER) introduced the following bill; which was referred to the Committee on the Judiciary

A BILL

To amend title 28, United States Code, to require the Attorney General to submit an annual report to Congress on gang activity, reporting, investigation, and prosecution, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Gang Activity Report-
5 ing Act of 2023”.

6 **SEC. 2. FINDINGS.**

7 Congress finds the following:

1 (1) The United States is experiencing an un-
2 precedented surge in violent crime, including an in-
3 crease of more than 30 percent in the rate of mur-
4 ders since 2020.

5 (2) The most recent Department of Justice
6 data regarding gangs and criminal activity, pub-
7 lished in the 2011 National Gang Threat Assess-
8 ment, indicated that gangs were responsible for an
9 average of 48 percent of violent crime in the United
10 States.

11 (3) Up-to-date, accurate, and consistent report-
12 ing from the relevant Federal agencies relating to
13 gang activity in the United States is a foundational
14 element in enabling policymakers to enact effective,
15 evidence-based policy that protects the people of the
16 United States from gang activity.

17 **SEC. 3. GANG REPORTING REQUIREMENT.**

18 (a) IN GENERAL.—Chapter 31 of title 28, United
19 States Code, is amended by adding at the end the fol-
20 lowing:

21 **“§ 530E. Report on gang activity, reporting, investiga-**
22 **tion, and prosecution**

23 “(a) REPORT.—

24 “(1) IN GENERAL.—Not later than 150 days
25 after the date of enactment of the Gang Activity Re-

1 reporting Act of 2023, and not later than the last day
2 of each fiscal year beginning after the date of enact-
3 ment, the Attorney General shall, in conjunction
4 with the Secretary of Homeland Security and the
5 Director of the Federal Bureau of Investigation, and
6 in coordination with State and local law enforcement
7 agencies, submit to the Committee on the Judiciary
8 and the Committee on Appropriations of the Senate
9 and the Committee on the Judiciary and the Com-
10 mittee on Appropriations of the House of Represent-
11 atives a report on gang activity, reporting, investiga-
12 tion, and prosecution.

13 “(2) CONTENTS.—The report described in
14 paragraph (1) shall include information relating
15 to—

16 “(A) the growth of local, national, and
17 transnational gangs during the 10-fiscal-year
18 period preceding the date on which the report
19 is submitted (referred to in this section as the
20 ‘submission date’)—

21 “(i) with specific numerical data;

22 “(ii) including changes and trends in
23 gang membership, location, and activities
24 and enterprises; and

1 “(iii) including relevant data from
2 State and local law enforcement agencies;

3 “(B) the tools, methods, or networks that
4 gangs are using to commit certain crimes, in-
5 cluding—

6 “(i) the extent to which gangs cooper-
7 ate; and

8 “(ii) an assessment of the kinds of
9 crimes on which gangs cooperate;

10 “(C) whether and to what extent State-
11 based reporting issues affect Federal data col-
12 lection and accuracy;

13 “(D) the initiatives the Department of
14 Justice, Department of Homeland Security, and
15 Federal Bureau of Investigation undertook dur-
16 ing the 5-fiscal-year period preceding the sub-
17 mission date to track gang growth and gang ac-
18 tivity and to investigate and prosecute related
19 unlawful activity, including—

20 “(i) the date on which each initiative
21 was undertaken; and

22 “(ii) if applicable, the date on which
23 each initiative was ended, with a detailed
24 explanation as to why the initiative was
25 ended;

1 “(E) the Federal resources allocated by
2 each agency described in subparagraph (D) to
3 investigating, prosecuting, and containing gangs
4 as of the submission date;

5 “(F) gang enforcement statistics from the
6 last fiscal year ending before the submission
7 date, including the quantity, changes, and
8 trends in—

9 “(i) gang-related arrests, including
10 comparisons to gang-related arrests during
11 the 5-fiscal-year period preceding the ap-
12 plicable fiscal year;

13 “(ii) the number of juveniles arrested
14 as a result of gang-related activity;

15 “(iii) the number of firearms seized by
16 law enforcement agencies during gang en-
17 forcement operations, including the num-
18 ber of firearms seized from juveniles; and

19 “(iv) the amount in weight of
20 fentanyl, methamphetamine, and other
21 synthetic opioids seized by law enforcement
22 agencies during gang enforcement oper-
23 ations, including the amount of fentanyl,
24 methamphetamine, and other synthetic
25 opioids seized from juveniles;

1 “(G) the data collection procedures utilized
2 by each agency described in subparagraph (D);
3 and

4 “(H) any changes to data collection proce-
5 dures of an agency described in subparagraph
6 (D) during the 18-month period preceding the
7 submission date, including explanations as to
8 why any procedures were changed.

9 “(b) CLASSIFICATION.—The report submitted under
10 subsection (a), or a portion thereof, may be classified, as
11 determined appropriate by the Attorney General, the Sec-
12 retary of Homeland Security, and the Director of the Fed-
13 eral Bureau of Investigation.”.

14 (b) TECHNICAL AMENDMENT.—The table of sections
15 for chapter 31 of title 28, United States Code, is amended
16 by adding at the end the following:

“530E. Report on gang activity, reporting, investigation, and prosecution.”.

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