



Rep. Ed Sullivan Jr.

**Filed: 4/25/2007**

09500HB2853ham001

LRB095 06109 WGH 35417 a

1 AMENDMENT TO HOUSE BILL 2853

2 AMENDMENT NO. \_\_\_\_\_. Amend House Bill 2853 by replacing  
3 everything after the enacting clause with the following:

4 "Section 5. The Department of State Police Law of the Civil  
5 Administrative Code of Illinois is amended by adding Section  
6 2605-580 as follows:

7 (20 ILCS 2605/2605-580 new)

8 Sec. 2605-580. Pilot program; Internet Gang Crime Units.

9 (a) The Department of State Police shall establish a pilot  
10 program under which Internet Gang Crime Units shall be created  
11 in the Cook County Sheriff's Office, the Vermilion County  
12 Sheriff's Office, and the Village of Round Lake Heights Police  
13 Department. Of the moneys available under the pilot program for  
14 the operation of Internet Gang Crime Units, 40% shall be  
15 allocated to the Cook County Sheriff's Office, 30% shall be  
16 allocated to the Vermilion County Sheriff's Office, and 30%

1 shall be allocated to the Village of Round Lake Heights Police  
2 Department.

3 (b) Under the pilot program, the Internet Gang Crime Units  
4 shall investigate criminal activities of organized gangs that  
5 involve the use of the Internet. For the duration of the pilot  
6 program and in accordance with protocols for  
7 inter-jurisdictional cooperation established by the Department  
8 of State Police, peace officers in each Internet Gang Crime  
9 Unit shall, notwithstanding any other provision of law, have  
10 extra-jurisdictional authority to conduct investigations and  
11 make arrests anywhere in the State of Illinois regarding  
12 criminal activities of organized gangs that involve the use of  
13 the Internet.

14 (c) Notwithstanding any other provision of law, if any  
15 criminal statute of this State authorizes the distribution of  
16 all or a portion of the proceeds realized from property seized  
17 or forfeited under that statute to participating law  
18 enforcement agencies or the delivery of property forfeited and  
19 seized under that statute to participating law enforcement  
20 agencies, a law enforcement agency in which an Internet Gang  
21 Crime Unit has been created is eligible to receive such a  
22 distribution or delivery if that law enforcement agency  
23 participated through its Internet Gang Crime Unit, regardless  
24 of the jurisdiction in which the seizure or forfeiture occurs.

25 (d) The Cook County Sheriff's Office, the Vermilion County  
26 Sheriff's Office, and the Village of Round Lake Heights Police

1 Department shall report to the Department of State Police on a  
2 quarterly basis on the activities of their Internet Gang Crime  
3 Units in accordance with reporting guidelines established by  
4 the Department of State Police. The Department of State Police  
5 shall file a consolidated report on a quarterly basis with the  
6 General Assembly and the Governor. The Department's  
7 consolidated report may also contain any evaluations or  
8 recommendations that the Department deems appropriate.

9 (e) The pilot program shall terminate on July 1, 2010.

10 (f) As used in this Section, "organized gang" has the  
11 meaning ascribed to it in Section 10 of the Illinois Streetgang  
12 Terrorism Omnibus Prevention Act.

13 Section 10. The Code of Criminal Procedure of 1963 is  
14 amended by changing Section 107-4 as follows:

15 (725 ILCS 5/107-4) (from Ch. 38, par. 107-4)

16 Sec. 107-4. Arrest by peace officer from other  
17 jurisdiction.

18 (a) As used in this Section:

19 (1) "State" means any State of the United States and  
20 the District of Columbia.

21 (2) "Peace Officer" means any peace officer or member  
22 of any duly organized State, County, or Municipal peace  
23 unit, any police force of another State, or any police  
24 force whose members, by statute, are granted and authorized

1 to exercise powers similar to those conferred upon any  
2 peace officer employed by a law enforcement agency of this  
3 State.

4 (3) "Fresh pursuit" means the immediate pursuit of a  
5 person who is endeavoring to avoid arrest.

6 (4) "Law enforcement agency" means a municipal police  
7 department or county sheriff's office of this State.

8 (a-3) Any peace officer employed by a law enforcement  
9 agency of this State may conduct temporary questioning pursuant  
10 to Section 107-14 of this Code and may make arrests in any  
11 jurisdiction within this State ~~if~~: (1) if the officer is  
12 engaged in the investigation of an offense that occurred in the  
13 officer's primary jurisdiction and the temporary questioning  
14 is conducted or the arrest is made pursuant to that  
15 investigation; or (2) if the officer, while on duty as a peace  
16 officer, becomes personally aware of the immediate commission  
17 of a felony or misdemeanor violation of the laws of this State;  
18 or (3) if the officer, while on duty as a peace officer, is  
19 requested by an appropriate State or local law enforcement  
20 official to render aid or assistance to the requesting law  
21 enforcement agency that is outside the officer's primary  
22 jurisdiction; or (4) in accordance with Section 2605-580 of the  
23 Department of State Police Law of the Civil Administrative Code  
24 of Illinois. While acting pursuant to this subsection, an  
25 officer has the same authority as within his or her own  
26 jurisdiction.

1           (a-7) The law enforcement agency of the county or  
2 municipality in which any arrest is made under this Section  
3 shall be immediately notified of the arrest.

4           (b) Any peace officer of another State who enters this  
5 State in fresh pursuit and continues within this State in fresh  
6 pursuit of a person in order to arrest him on the ground that  
7 he has committed an offense in the other State has the same  
8 authority to arrest and hold the person in custody as peace  
9 officers of this State have to arrest and hold a person in  
10 custody on the ground that he has committed an offense in this  
11 State.

12           (c) If an arrest is made in this State by a peace officer  
13 of another State in accordance with the provisions of this  
14 Section he shall without unnecessary delay take the person  
15 arrested before the circuit court of the county in which the  
16 arrest was made. Such court shall conduct a hearing for the  
17 purpose of determining the lawfulness of the arrest. If the  
18 court determines that the arrest was lawful it shall commit the  
19 person arrested, to await for a reasonable time the issuance of  
20 an extradition warrant by the Governor of this State, or admit  
21 him to bail for such purpose. If the court determines that the  
22 arrest was unlawful it shall discharge the person arrested.

23           (Source: P.A. 93-232, eff. 1-1-04; 94-846, eff. 1-1-07.)

24           Section 99. Effective date. This Act takes effect July 1,  
25 2007."