

1 AN ACT concerning criminal law.

2 **Be it enacted by the People of the State of Illinois,**
3 **represented in the General Assembly:**

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 from moneys available under which Internet Gang Crime
11 Units shall be created in the Cook County Sheriff's Office, the
12 City of Danville Police Department, and the Village of Round
13 Lake Heights Police Department. Under the pilot program for the
14 operation of Internet Gang Crime Units, 40% shall be allocated
15 to the Cook County Sheriff's Office, 30% shall be allocated to
16 the City of Danville Police Department, and 30% shall be
17 allocated to the Village of Round Lake Heights Police
18 Department.

19 (b) Under the pilot program, the Internet Gang Crime Units
20 shall investigate criminal activities of organized gangs that
21 involve the use of the Internet. For the duration of the pilot
22 program and in accordance with protocols for
23 inter-jurisdictional cooperation established by the Department

1 of State Police, peace officers in each Internet Gang Crime
2 Unit shall, notwithstanding any other provision of law, have
3 extra-jurisdictional authority to conduct investigations and
4 make arrests anywhere in the State of Illinois regarding
5 criminal activities of organized gangs that involve the use of
6 the Internet.

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

18 (d) The Cook County Sheriff's Office, the City of Danville
19 Police Department, and the Village of Round Lake Heights Police
20 Department shall report to the Department of State Police on a
21 quarterly basis on the activities of their Internet Gang Crime
22 Units in accordance with reporting guidelines established by
23 the Department of State Police. The Department of State Police
24 shall file a consolidated report on a quarterly basis with the
25 General Assembly and the Governor. The Department's
26 consolidated report may also contain any evaluations or

1 recommendations that the Department deems appropriate.

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

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

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

8 (725 ILCS 5/107-4) (from Ch. 38, par. 107-4)

9 Sec. 107-4. Arrest by peace officer from other
10 jurisdiction.

11 (a) As used in this Section:

12 (1) "State" means any State of the United States and
13 the District of Columbia.

14 (2) "Peace Officer" means any peace officer or member
15 of any duly organized State, County, or Municipal peace
16 unit, any police force of another State, or any police
17 force whose members, by statute, are granted and authorized
18 to exercise powers similar to those conferred upon any
19 peace officer employed by a law enforcement agency of this
20 State.

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

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

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

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

23 (b) Any peace officer of another State who enters this
24 State in fresh pursuit and continues within this State in fresh
25 pursuit of a person in order to arrest him on the ground that
26 he has committed an offense in the other State has the same

1 authority to arrest and hold the person in custody as peace
2 officers of this State have to arrest and hold a person in
3 custody on the ground that he has committed an offense in this
4 State.

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

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

17 Section 99. Effective date. This Act takes effect July 1,
18 2007.