

AN ACT concerning criminal law.

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

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

(20 ILCS 2605/2605-580 new)

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

(a) The Department of State Police shall establish a pilot program from moneys available under which Internet Gang Crime Units shall be created in the Cook County Sheriff's Office, the City of Danville Police Department, and the Village of Round Lake Heights Police Department. Under the pilot program for the operation of Internet Gang Crime Units, 40% shall be allocated to the Cook County Sheriff's Office, 30% shall be allocated to the City of Danville Police Department, and 30% shall be allocated to the Village of Round Lake Heights Police Department.

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

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

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

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

recommendations that the Department deems appropriate.

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

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

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

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

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

(a) As used in this Section:

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

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

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

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

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

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

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

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

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

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

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