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IN REPLY REFER TO FILE NO.

Ms. Ataya Poonsapaya
1815 N. 73rd Court
Elmwood Park, Illinois 60707
ataya1@hotmail.com

EP-1

Re: Freedom of Information Act Request

Dear Ms. Poonsapaya:

On April 22, 2016, the Village of Elmwood Park received your Illinois Freedom of Information Act (5 ILCS 140/1 *et seq.*) ("FOIA") request for "16-489[.]"

Enclosed please find the records responsive to your FOIA request. However, please be advised that certain information in the records responsive to your FOIA request has been determined to be exempt from disclosure under FOIA. Accordingly, such information has been redacted from the records being provided.

Section 7(1)(b) of FOIA provides that "private information" is exempt from disclosure. "Private information" is defined in FOIA as, "unique identifiers, including a person's social security number, driver's license number, employee identification number, biometric identifiers, personal financial information, passwords or other access codes, medical records, home or personal telephone numbers, and personal email addresses. Private information also includes home address and personal license plates, except as otherwise provided by law or when compiled without possibility of attribution to any person." 5 ILCS 140/2(c-5). Consequently, certain unique identifiers, including home or personal telephone numbers, and home addresses, have been redacted from the records being provided.

Section 7(1)(c) of FOIA provides that, "[p]ersonal information contained within public records, the disclosure of which would constitute a clearly unwarranted invasion of personal privacy" is exempt from disclosure. Consequently, birthdates, and other personal information, the disclosure of which would constitute a clearly unwarranted invasion of personal privacy, including a victim's name and identifying information, the name of a third-party who incidentally appears in a police report, and the races of individuals, have been redacted from the records being provided.

STORINO, RAMELLO & DURKIN

Ms. Ataya Poonsapaya
April 27, 2016
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Section 7(1)(d)(iv) of FOIA provides that, “[r]ecords in the possession of any public body created in the course of administrative enforcement proceedings, and any law enforcement or correctional agency for law enforcement purposes” are exempt from disclosure, “but only to the extent that disclosure would: ... unavoidably disclose the identity of a confidential source, confidential information furnished only by the confidential source, or persons who file complaints with or provide information to administrative, investigative, law enforcement, or penal agencies.” Consequently, information that would reveal the identity of persons who filed complaints with or provided information to the Village of Elmwood Park Police Department has been redacted from the records being provided.

The person responsible for the decision to deny a portion of your FOIA request is the Village of Elmwood Park Freedom of Information Officer, Gina Pesko. In accordance with Section 9(a) of FOIA, you are hereby notified that you have the right to file a Request for Review regarding the decision made by the Village of Elmwood Park Freedom of Information Officer with the Public Access Counselor at the Illinois Attorney General’s Office. You can file your Request for Review with the Public Access Counselor by writing to:

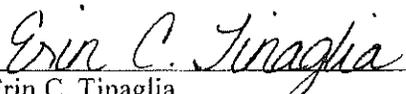
Sarah Pratt
Public Access Counselor
Office of the Attorney General
500 South 2nd Street
Springfield, Illinois 62706
Fax: 217-782-1396
E-mail: publicaccess@atg.state.il.us

If you choose to file a Request for Review with the Public Access Counselor, you must do so within 60 calendar days of the date of this letter. Please note that you must include a copy of your original FOIA request and this letter when filing a Request for Review with the Public Access Counselor.

You are also notified that you have the right to judicial review regarding the decision made by the Village of Elmwood Park Freedom of Information Officer pursuant to Section 11 of FOIA.

Sincerely,

STORINO, RAMELLO & DURKIN
Attorneys for the Village of Elmwood Park


Erin C. Tinaglia

Enclosures

INCIDENT/INVESTIGATION REPORT

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Agency Name <i>Elmwood Park Police Department</i>		Case# <i>16-00489</i>	
ORI <i>IL0163100</i>		Date / Time Reported <i>02/28/2016 22:24 Sun</i>	
Location of Incident <i>1815 73rd Ct, Elmwood Park IL 60707-</i>		Premise Type <i>Other Or Unknown</i>	Zone/Tract <i>E4</i>
		Last Known Secure <i>02/28/2016 22:24 Sun</i>	
		At Found <i>02/28/2016 22:24 Sun</i>	
#1	Crime Incident(s) <i>Domestic Dispute 4870</i>	(Com)	Weapon / Tools <i>PERSONAL (HANDS, FIST, FEET)</i>
			Activity
#2	Crime Incident	()	Weapon / Tools
			Activity
#3	Crime Incident	()	Weapon / Tools
			Activity

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# of Victims <i>1</i>		Type: <i>INDIVIDUAL</i>		Injury: <i>Apparent Minor Injury</i>	
VI	Victim/Business Name (Last, First, Middle) <i>JUVENILE</i>	Victim of Crime # <i>1</i>	DOB <i>//</i>	Race <i>W</i>	Sex <i>F</i>
		Age <i>18</i>		Relationship To Offender <i>IUR</i>	Resident Status <i>Resident</i>
Home Address				Home Phone	
Employer Name/Address			Business Phone	Mobile Phone	
VYR	Make	Model	Style	Color	Lic/Lis
					VIN

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CODES: V- Victim (Denote V2, V3) O = Owner (if other than victim) R = Reporting Person (if other than victim)

Type: <i>INDIVIDUAL</i>		Injury:	
Code	Name (Last, First, Middle)	Victim of Crime #	DOB
<i>RP</i>			<i>Age 42</i>
		Race	Sex
		<i>W</i>	<i>F</i>
Home Address		Relationship To Offender	Resident Status
		<i>IUR</i>	<i>Resident</i>
		Military Branch/Status	
Employer Name/Address			
		Business Phone	Mobile Phone
Type: <i>INDIVIDUAL</i>		Injury:	
Code	Name (Last, First, Middle)	Victim of Crime #	DOB
<i>IO</i>			<i>Age 18</i>
		Race	Sex
		<i>W</i>	<i>M</i>
Home Address		Relationship To Offender	Resident Status
			<i>Resident</i>
		Military Branch/Status	
Employer Name/Address			
		Business Phone	Mobile Phone

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1 = None 2 = Burned 3 = Counterfeit / Forged 4 = Damaged / Vandalized 5 = Recovered 6 = Seized 7 = Stolen 8 = Unknown
("OJ" = Recovered for Other Jurisdiction)

VI #	Code	Status Fin/To	Value	OJ	QTY	Property Description	Make/Model	Serial Number

Officer/ID#	<i>LONI, M. (PATL, PAT) (EP0048)</i>	Supervisor	<i>RIEGER, M. (PATL, SUPV) (EP9114)</i>
Invest ID#	<i>ASTRELLA, M. (INV, INV) (EP9645)</i>	Case Disposition:	<i>7</i>

Status	Complainant Signature	Case Status <i>Exceptionally Cleared Adult</i>	<i>04/07/2016</i>	<i>04/07/2016</i>	Page 1
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Incident Report Additional Name List

Elmwood Park Police Department

OCA: 16-00489

Additional Name List

Name Code/#	Name (Last, First, Middle)	Victim of Crime #	DOB	Age	Race	Sex
1) RP 2	[REDACTED]		[REDACTED]	37	[REDACTED]	M
	Address		H:			
	Empl/Addr		B: - -			
			Mobile #: - -			

INCIDENT/INVESTIGATION REPORT

Elmwood Park Police Department

Case # 16-00489

Status Codes 1 = None 2 = Burned 3 = Counterfeit / Forged 4 = Damaged / Vandalized 5 = Recovered 6 = Seized 7 = Stolen 8 = Unknown							
D R U G S	IBR	Status	Quantity	Type Measure	Suspected Type		

Assisting Officers
LONI, M. (EP0048), LONI, M. (EP0048), PAVONE, M. (EP0358)

Suspect Hate / Bias Motivated:

NARRATIVE

REPORTING OFFICER NARRATIVE

Elmwood Park Police Department

OCA 16-00489
Date / Time Reported Sun 02/28/2016 22:24

Victim JUVENILE	Offense DOMESTIC DISPUTE
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THE INFORMATION BELOW IS CONFIDENTIAL - FOR USE BY AUTHORIZED PERSONNEL ONLY

On 02/28/16 at 2224 hours Ofc. Pavone and I were dispatched to 1815 73rd Ct. regarding a domestic disturbance. Upon arrival I spoke with the callers [REDACTED] m [REDACTED] and [REDACTED] f [REDACTED] and [REDACTED] stated their daughter, now identified as [REDACTED] f [REDACTED] came home at 2200 hours with a black eye. [REDACTED] stated [REDACTED] was very upset and would not tell him any information regarding how it happened.

Ofc. Pavone and I spoke with [REDACTED] had a swollen black and blue left eye. I asked [REDACTED] if she needed medical attention and she stated no. [REDACTED] was not cooperative with answering questions regarding what happened to her. [REDACTED] stated she left her house earlier this morning to meet up with one of her girl friends. [REDACTED] stated she and her friend got into a fight with five other girls today, which is how she obtained her black eye. [REDACTED] stated the fight did not occur in Elmwood Park. [REDACTED] would not share any further information regarding what happened.

Ofc. Pavone took pictures of [REDACTED] injuries. See Connecting pictures.

[REDACTED] was asked to give the police department a call if she would like to share any further information.

I spoke with [REDACTED] parents who refused any medical treatment for her daughter. They stated they would contact the police department if they received any further information from [REDACTED]

End of report.

CASE SUPPLEMENTAL REPORT

Printed: 04/22/2016 09:31

Elmwood Park Police Department

OCA: 1600489

THE INFORMATION BELOW IS CONFIDENTIAL - FOR USE BY AUTHORIZED PERSONNEL ONLY

Case Status: EXCEPTIONALLY CLEARED Case Mng Status: EXCEPTIONALLY CLEARED Occurred: 02/28/2016
Offense: DOMESTIC DISPUTE

Investigator: LONI, M. (EP0048) Date / Time: 04/04/2016 05:25:06, Monday
Supervisor: RIEGER, M. (EP9114) Supervisor Review Date / Time: 04/04/2016 06:37:48, Monday
Contact: [REDACTED] Reference: Evidence Report

On 04/03/16 at 0620 hours, [REDACTED] f/ [REDACTED] came into the station with information regarding case number 16-00489. See connecting report.

[REDACTED] daughter [REDACTED] f/ [REDACTED] was battered on 02/28/16. [REDACTED] suffered a bruised left eye, which she stated she received in a fight with some unknown girls. [REDACTED] was not cooperative with giving information regarding her injuries and who she received them from.

[REDACTED] stated to me on 04/03/16, she noticed her daughter left her Facebook page up on her computer screen. [REDACTED] located a conversation from Facebook between her daughter and her ex-boyfriend [REDACTED] m. [REDACTED] states several times in the conversation to [REDACTED] how he was the one who punched her in the face. [REDACTED] states in the conversation "first off whyu saying that over fb...." See connecting pictures of the Facebook conversation.

[REDACTED] stated to me there is an active case she is pursuing against [REDACTED] for her daughter. [REDACTED] did not explain the full story, but stated as of right now, [REDACTED] is not allowed to make any form of contact with [REDACTED]

[REDACTED] asked me to add the Facebook conversation photos to the report 16-00489.

End of report.

Investigator Signature

Supervisor Signature