

LAW OFFICES

**STORINO, RAMELLO & DURKIN**

9501 WEST DEVON AVENUE  
ROSEMONT, ILLINOIS 60018

(847) 318-9500

FACSIMILE (847) 318-9509

DONALD J. STORINO  
MICHAEL K. DURKIN  
RICHARD J. RAMELLO  
NICHOLAS S. PEPPERS  
THOMAS M. BASTIAN  
ANGELO F. DEL MARTO  
JAMES E. MACHOLL  
BRIAN W. BAUGH  
ANTHONY J. CASALE  
ANDREW Y. ACKER  
PETER A. PACIONE  
MELISSA M. WOLF  
MATTHEW G. HOLMES  
MICHAEL R. DURKIN

April 25, 2016

THOMAS J. HALLERAN  
ERIN C. TINAGLIA  
ADAM R. DURKIN

JOSEPH G. KUSPER  
MARK R. STEPHENS  
BRYAN J. BERRY  
ANN M. WILLIAMS  
LEONARD P. DIORIO  
RICHARD F. PELLEGRINO  
DONALD J. STORINO II

OF COUNSEL

IN REPLY REFER TO FILE NO.

Michael A. Borrero  
5412 W. Hanson Avenue  
Chicago, Illinois 60639  
borreromichael4@gmail.com

EP-1

**Re: Freedom of Information Act**

Dear Mr. Borrero:

On April 18, 2016, the Village of Elmwood Park received your Illinois Freedom of Information Act (5 ILCS 140/1 *et seq.*) ("FOIA") request "Police Report # 16-887[.]"

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 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.

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

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Mr. Michael A. Borrero  
April 25, 2016  
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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 2<sup>nd</sup> 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

Agency Name <i>Elmwood Park Police Department</i>			Case# <i>16-00887</i>		
ORI <i>IL0163100</i>			Date / Time Reported <i>04/18/2016 15:58 Mon</i>		
Location of Incident <i>2639 76th Ct, Elmwood Park IL 60707-</i>			Premise Type <i>Residence / Home</i>	Zone/Tract <i>E2</i>	Last Known Secure <i>04/18/2016 15:00 Mon</i>
At Found <i>04/18/2016 15:58 Mon</i>			Activity		
I N C I D E N T  D A T A	#1	Crime Incident(s) <i>Information For The Police 9938</i>	(Com)	Weapon / Tools <i>NONE</i>	
	Entry		Exit	Security	
	#2	Crime Incident	( )	Weapon / Tools	
Entry		Exit	Security		
#3	Crime Incident	( )	Weapon / Tools		
Entry		Exit	Security		

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# of Victims <i>0</i>	Type:	Injury:						
Victim/Business Name (Last, First, Middle)		Victim of Crime #	DOB Age	Race	Sex	Relationship To Offender	Resident Status	Military Branch/Status
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 <i>RP</i>	Name (Last, First, Middle)	Victim of Crime #	DOB Age	Race	Sex	Relationship To Offender	Resident Status	Military Branch/Status
Home Address							Home Phone	
Employer Name/Address					Business Phone <i>708-386-3800</i>		Mobile Phone	
Type: <i>INDIVIDUAL</i>		Injury:						
Code <i>IO</i>	Name (Last, First, Middle)	Victim of Crime #	DOB Age	Race	Sex	Relationship To Offender	Resident Status	Military Branch/Status
Home Address							Home Phone	
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 From/To	Value	OJ	QTY	Property Description	Make/Model	Serial Number

Officer/ID# <i>RODRIGUEZ, C. (PATL, PAT) (EP6361)</i>	Supervisor <i>BROWN, T. (PATL, PAT) (EP9026)</i>
Invest ID# <i>(0)</i>	Case Disposition: <i>04/18/2016</i>
Status Complainant Signature	Case Status <i>Pending / Active</i>

# INCIDENT/INVESTIGATION REPORT

Elmwood Park Police Department

Case # 16-00887

Status Codes 1 = None 2 = Burned 3 = Counterfeit / Forged 4 = Damaged / Vandalized 5 = Recovered 6 = Seized 7 = Stolen 8 = Unknown

	IBR	Status	Quantity	Type Measure	Suspected Type	
D R U G S						

Assisting Officers

Suspect Hate / Bias Motivated:

NARRATIVE

**REPORTING OFFICER NARRATIVE**

*Elmwood Park Police Department*

OCA 16-00887
Date / Time Reported Mon 04/18/2016 15:58

Victim

Offense  
*INFORMATION FOR THE POLICE*

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

On April 18, 2016, at 1620 hours, I responded to the Public Safety Building for a report.

Upon my arrival, I met [REDACTED] M [REDACTED]

[REDACTED] said on today's date, at 1500 hours, he arrived at 2639 N. 76th Court to pick up his son [REDACTED]

M [REDACTED] for his court ordered visit.

[REDACTED] said his former girl-friend/mother of [REDACTED] F/ [REDACTED] and [REDACTED] were not home.

I contacted [REDACTED] by telephone, [REDACTED]

[REDACTED] said she was not home today and already made an arrangement with [REDACTED]

[REDACTED] said she agreed to extend [REDACTED] visit with [REDACTED] on April 24, 2016. Instead of returning at 1730 hours,

will bring [REDACTED] at 2000 hours.

I ended my conversation with [REDACTED]

[REDACTED] requested that I document the above incident.

I gave [REDACTED] the report number.

Nothing Further.