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August 15, 2016

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IN REPLY REFER TO FILE NO.

EP-1

Mr. Joe Novelli
2640 Erie Street
River Grove, Illinois 60171
joe.novelli1031@gmail.com

Re: Freedom of Information Act Request

Dear Mr. Novelli:

On August 8, 2016, the Village of Elmwood Park received your Illinois Freedom of Information Act (5 ILCS 140/1 *et seq.*) ("FOIA") request for the following records:

"8-7-16- AT NIGHT
- JOEY VINCENT NOVELLI
- JILLIAN HALTEMAN[.]" 16-1924

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.

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August 15, 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>16-01924</i>		
ORI <i>IL0163100</i>		Date / Time Reported <i>08/07/2016 23:10 Sun</i>		
Location of Incident <i>2136 74th Ct Apt. 1, Elmwood Park IL 60707-</i>		Premise Type <i>Residence / Home</i>	Zone/Tract <i>E3</i>	
		Last Known Secure <i>08/07/2016 20:00 Sun</i>		
		At Found <i>08/07/2016 22:45 Sun</i>		
#1	Crime Incident(s) <i>Information For The Police 9938</i>	(Com)	Weapon / Tools <i>NONE</i>	
			Activity	
			Entry	Exit
#2	Crime Incident	()	Weapon / Tools	
			Activity	
			Entry	Exit
#3	Crime Incident	()	Weapon / Tools	
			Activity	
			Entry	Exit

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# of Victims <i>0</i>	Type:	Injury:							
V1	Victim/Business Name (Last, First, Middle)	Victim of Crime #	DOB	Race	Sex	Relationship To Offender	Resident Status	Military Branch/Status	
		Age							
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: INDIVIDUAL										Injury:				
Code	Name (Last, First, Middle)	Victim of Crime #	DOB	Race	Sex	Relationship To Offender	Resident Status	Military Branch/Status						
<i>IO</i>			<i>Age 13</i>		<i>M</i>		<i>Resident</i>							
Home Address								Home Phone						
Employer Name/Address						Business Phone		Mobile Phone						
Type: INDIVIDUAL										Injury:				
Code	Name (Last, First, Middle)	Victim of Crime #	DOB	Race	Sex	Relationship To Offender	Resident Status	Military Branch/Status						
<i>IO</i>			<i>Age 33</i>		<i>F</i>		<i>Resident</i>							
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 Frm/To	Value	OJ	QTY	Property Description	Make/Model	Serial Number

Officer/ID# <i>PAVONE, M. (PATL, PAT) (EP0358)</i>	Invest ID# <i>KLISZ, R. (INV, INV) (EP7134)</i>	Supervisor <i>RIEGER, M. (PATL, SUPV) (EP9114)</i>
Status	Complainant Signature	Case Status <i>Reviewed By Investigations 08/08/2016</i>
		Case Disposition: <i>V 08/08/2016</i>

Incident Report Additional Name List

Elmwood Park Police Department

OCA: 16-01924

Additional Name List

Name Code/#	Name (Last, First, Middle)	Victim of Crime #	DOB	Age	Race	Sex
1) IO 3	[REDACTED]		[REDACTED]	34	[REDACTED]	M
	Address ,		H: [REDACTED]			
	Empl/Addr		B: - -			
			Mobile #: - -			

INCIDENT/INVESTIGATION REPORT

Elmwood Park Police Department

Case # 16-01924

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

Suspect Hate / Bias Motivated:

NARRATIVE

REPORTING OFFICER NARRATIVE

Elmwood Park Police Department

OCA 16-01924
Date / Time Reported Sun 08/07/2016 23:10

Victim

Offense
INFORMATION FOR THE POLICE

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

ON 08/07/16, AT APPROXIMATELY 2310 HOURS, I WAS ASSIGNED A STATION REPORT IN REFERENCE TO INFORMATION FOR POLICE.

I SPOKE TO JUVENILE [REDACTED] (M [REDACTED] (TX [REDACTED] [REDACTED] APPEARED UPSET AND FRIGHTENED. [REDACTED] STATED HIS PARENTS WERE DIVORCED AND LIVED IN ELMWOOD PARK WITH HIS MOTHER, [REDACTED] (F [REDACTED]) (TX [REDACTED] STATED HE HAD SPENT THE WEEKEND WITH HIS FATHER, [REDACTED] (M [REDACTED] (TX [REDACTED]), IN CHICAGO, AND HIS FATHER DROPPED HIM OFF AT HOME AT APPROXIMATELY 1900 HOURS. [REDACTED] STATED HE, HIS SISTER AND MOTHER THEN WENT OUT FOR ICE CREAM SHORTLY AFTER HE ARRIVED HOME. [REDACTED] STATED HE AND HIS MOTHER BEGAN TO ARGUE, SCREAM AND YELL ABOUT WHO HE WANTED TO LIVE WITH DURING HIS HIGH SCHOOL YEARS. [REDACTED] STATED HE WAS ENTERING 8TH GRADE AT ELM MIDDLE SCHOOL AND WOULD NOT BE STARTING HIGH SCHOOL FOR ANOTHER YEAR. [REDACTED] STATED THE ARGUING CONTINUED FOR A COUPLE OF HOURS. [REDACTED] STATED HIS MOTHER THEN TOOK HIS PHONE AWAY FROM HIM AND SLAMMED HIS BEDROOM DOOR. [REDACTED] STATED HE GOT UPSET ABOUT HIS PHONE, DIDN'T WANT TO HEAR ANYMORE ARGUING, RAN OUT OF THE APARTMENT WITHOUT SHOES AND WALKED DIRECTLY TO THE ELMWOOD PARK POLICE STATION (HEREINAFTER "STATION") IN HIS SOCKS.

AT APPROXIMATELY 2330 HOURS, I CONTACTED [REDACTED] MOTHER, [REDACTED], VIA TELEPHONE TO INFORM HER OF [REDACTED] WHEREABOUTS. [REDACTED] STATED THE SAME VERSION OF THE INCIDENT AS [REDACTED] DID. HOWEVER, [REDACTED] STATED [REDACTED] WAS THE MOST UPSET WHEN SHE TOOK AWAY HIS PHONE. [REDACTED] STATED SHE PAYS FOR HIS PHONE AND DID NOT WANT HIM TALKING/TEXTING ALL NIGHT LONG. [REDACTED] STATED SHE WAS UNABLE TO LEAVE THE APARTMENT BECAUSE HER DAUGHTER WAS ASLEEP FOR THE NIGHT.

IN ORDER TO PREVENT FUTURE INCIDENTS SUCH AS THIS, I ADVISED BOTH [REDACTED] AND [REDACTED] NOT TO DISCUSS HIGH SCHOOL FOR A FEW MORE MONTHS BECAUSE A LOT COULD CHANGE UNTIL THEN.

AT APPROXIMATELY 0000 HOURS ON 08/08/16, I TRANSPORTED [REDACTED] HOME TO [REDACTED] WHERE [REDACTED] MET US AT THE FRONT DOOR.

I COMPLETED ALL PAPERWORK AND RETURNED TO DUTY.