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IN REPLY REFER TO FILE NO.

Mr. Jorge Rogel  
2313 N. Mulligan Avenue  
Chicago, Illinois 60639

EP-1

**Re: Freedom of Information Act Request**

Dear Mr. Rogel:

On August 15, 2016, the Village of Elmwood Park received your Illinois Freedom of Information Act (5 ILCS 140/1 *et seq.*) ("FOIA") request for "16-1983[.]"

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 that 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 for law enforcement purposes" are exempt from disclosure, "but only to the extent that disclosure would:

**STORINO, RAMELLO & DURKIN**

Mr. Jorge Rogel  
August 22, 2016  
Page 2

... 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](mailto: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

I N C I D E N T  D A T A	Agency Name <i>Elmwood Park Police Department</i>			Case# <i>16-01983</i>		
	ORI <i>IL0163100</i>			Date / Time Reported <i>08/14/2016 19:46 Sun</i>		
	Location of Incident <i>2538 75th Av - G, Elmwood Park IL 60707-</i>			Premise Type <i>Residence / Home</i>	Zone/Tract <i>E2</i>	Last Known Secure <i>08/14/2016 19:20 Sun</i>
	#1	Crime Incident(s) <i>Information For The Police</i>		Weapon / Tools <i>NONE</i>		Activity
		<i>9938</i>		Entry	Exit	Security
	#2	Crime Incident ( )		Weapon / Tools		Activity
			Entry	Exit	Security	
#3	Crime Incident ( )		Weapon / Tools		Activity	
			Entry	Exit	Security	

M O	MO									
	# of Victims <i>0</i>		Type:		Injury:					
	Victim/Business Name (Last, First, Middle)									
	V1	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				

O T H E R S	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 Age	Race	Sex	Relationship To Offender	Resident Status	Military Branch/Status
	IO	[REDACTED]				39	[REDACTED]	M		Non-Resident	
	Home Address							Home Phone			
Employer Name/Address					Business Phone		Mobile Phone				
I N V O L V E D	Type: INDIVIDUAL										
	Injury:										
	Code	Name (Last, First, Middle)			Victim of Crime #	DOB Age	Race	Sex	Relationship To Offender	Resident Status	Military Branch/Status
	IO	[REDACTED]				29	[REDACTED]	F		Resident	
	Home Address							Home Phone			
	Employer Name/Address					Business Phone		Mobile Phone			

1 = None 2 = Burned 3 = Counterfeit / Forged 4 = Damaged / Vandalized 5 = Recovered 6 = Seized 7 = Stolen 8 = Unknown ("OJ" = Recovered for Other Jurisdiction)									
P R O P E R T Y	VI #	Code	Status Fmt/To	Value	OJ	QTY	Property Description	Make/Model	Serial Number

Officer/ID# <i>PANKEY, C. (PATL, PAT) (EP7091)</i>			Invest ID# <i>(0)</i>			Supervisor <i>PANKEY, C. (PATL, PAT) (EP7091)</i>		
Complainant Signature		Case Status <i>Pending / Active</i>		Case Disposition:		Page 1		
		<i>08/14/2016</i>						

# Incident Report Additional Name List

Elmwood Park Police Department

OCA: 16-01983

## Additional Name List

Name Code/#	Name (Last, First, Middle)	Victim of Crime #	DOB	Age	Race	Sex
1) IO 3	[REDACTED]		[REDACTED]	24	[REDACTED]	M
	Address		H: [REDACTED]			
	Empl/Addr		B: - -			
			Mobile #: - -			

# INCIDENT/INVESTIGATION REPORT

Elmwood Park Police Department

Case # 16-01983

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  
*BROWN, T. (EP9026)*

Suspect Hate / Bias Motivated:

NARRATIVE

**REPORTING OFFICER NARRATIVE**

Elmwood Park Police Department

OCA 16-01983
Date / Time Reported Sun 08/14/2016 19:46

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

On 08/14/16, at 1946 hours, [REDACTED] (f [REDACTED]) and [REDACTED] (m [REDACTED]) entered the lobby of EPPD to report a money dispute.

I spoke to [REDACTED].

[REDACTED] said she lives at [REDACTED] in Elmwood Park. At approximately 1920 hours, on 08/14/16, [REDACTED] came to her apartment building, and repeatedly knocked on her door and rang her doorbell while demanding money. She told [REDACTED] to leave, and stop bothering her. She exited her building and began walking to EPPD. As she left the building and walked down the street, [REDACTED] "just appeared" behind her, and followed her all the way to EPPD. [REDACTED] has never had a relationship with [REDACTED]. She knows [REDACTED] only as a friend of her ex-boyfriend, [REDACTED] (m [REDACTED]).

[REDACTED] explained that she dated and lived with [REDACTED] two years ago, and [REDACTED] borrowed money from [REDACTED] to obtain furniture for their apartment. [REDACTED] was paying [REDACTED] back, but she did not know how much had been borrowed or how much [REDACTED] had repaid to [REDACTED]. She said she did not know why [REDACTED] was coming to her for the money, when he had been loaning money to [REDACTED] the entire time. She wanted to report the matter to the police because [REDACTED] told her that her children would suffer, if she did not repay him. [REDACTED] wanted [REDACTED] to stay away from her residence and her children. She asked how she could obtain an order of protection against [REDACTED].

I explained the process of obtaining an order of protection to [REDACTED], and gave her the report number. I told her the money issue between her and [REDACTED] was civil, and could not be handled by police. I advised her to call police if [REDACTED] comes to her residence uninvited.

[REDACTED] left EPPD.

I spoke to [REDACTED] using Auxiliary Officer Robles as an interpreter.

[REDACTED] said two years ago, [REDACTED] was living with his now ex-friend, [REDACTED]. He loaned [REDACTED] \$2000 so she could retrieve her impounded vehicle. He also co-signed a loan for her to obtain \$1600 in furniture from a local furniture store. He has not received any type of repayment from [REDACTED] or [REDACTED] since in the two year period since. He sent [REDACTED] several text messages over the past week, requesting she repay the \$2000 she borrowed for her car. [REDACTED] never answered any of his messages. On 08/14/16, at 1920 hours, [REDACTED] went to [REDACTED] apartment, and asked repay the money he loaned her. [REDACTED] said she was going to call the police on him if he did not leave. He exited the building, and saw [REDACTED] walking out of the building. He walked behind her, trying to talk to her. She said she was walking to EPPD to report him to the police. He followed her to EPPD to tell police he had not done anything wrong.

I explained to [REDACTED] that the police could not assist him with any type of repayment from [REDACTED]. I advised him to consult with an attorney regarding a civil suit, to settle the money issue between him and [REDACTED]. I told him that [REDACTED] did not want him to return to her residence, and would sign a complaint against him for Criminal Trespass to Property, if he returned there. I advised him to avoid personal contact with [REDACTED] and her children.

REPORTING OFFICER NARRATIVE

Elmwood Park Police Department

OCA 16-01983
Date / Time Reported Sun 08/14/2016 19:46

Victim

Offense  
INFORMATION FOR THE POLICE

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█████ said he understood the situation, and would contact an attorney to settle the matter.

I gave █████ the report number, and he left EPPD.