

LAW OFFICES

**STORINO, RAMELLO & DURKIN**

9501 WEST DEVON AVENUE  
ROSEMONT, ILLINOIS 60018

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

(847) 318-9500

FACSIMILE (847) 318-9509

August 12, 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.

Ms. Karolina Magnuszewska  
7940 W. Sunset Drive  
Elmwood Park, Illinois 60707  
karolina20@gmail.com

EP-1

**Re: Freedom of Information Act Request**

Dear Ms. Magnuszewska:

On August 5, 2016, the Village of Elmwood Park received your Illinois Freedom of Information Act (5 ILCS 140/1 *et seq.*) ("FOIA") request for "16-885[.]"

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, home addresses, and a personal license plate, 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.

**STORINO, RAMELLO & DURKIN**

Ms. Karolina Magnuszewska

August 12, 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 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

I N C I D E N T D A T A	Agency Name <i>Elmwood Park Police Department</i>		Case# <i>16-01885</i>		
	ORI <i>IL0163100</i>		Date / Time Reported <i>08/03/2016 20:37 Wed</i>		
	Location of Incident <i>7940 Sunset Dr, Elmwood Park IL 60707-</i>		Premise Type <i>Highway / Road / Alley</i>	Zone/Tract <i>E1</i>	Last Known Secure <i>08/03/2016 20:00 Wed</i>
			At Found <i>08/03/2016 20:37 Wed</i>		Activity
#1	Crime Incident(s) <i>Meet Complainant 9059</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		

M O  V I C T I M	MO		Injury:		
	# of Victims <i>0</i>	Type:	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	

O T H E R S  I N V O L V E D	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>RP</i>	[REDACTED]				Age <i>48</i>	[REDACTED]	<i>F</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>	[REDACTED]				Age <i>17</i>	[REDACTED]	<i>F</i>		<i>Resident</i>	
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)									
VI #	Code	Status Frm/To	Value	OJ	QTY	Property Description	Make/Model	Serial Number	

Officer/ID#	<i>HOCK, B. (PATL, PAT) (EP6089)</i>		
Invest ID#	<i>(0)</i>	Supervisor	<i>BROWN, T. (PATL, PAT) (EP9026)</i>
Status	Complainant Signature	Case Status <i>Pending / Active</i>	Case Disposition: <i>08/03/2016</i>

# Incident Report Additional Name List

Elmwood Park Police Department

OCA: 16-01885

## Additional Name List

Name Code/#	Name (Last, First, Middle)	Victim of Crime #	DOB	Age	Race	Sex
1) IO 2	[REDACTED]		[REDACTED]	49	[REDACTED]	M
	Address		H: [REDACTED]			
	Emp/Addr		B: - -			
			Mobile #: - -			

# INCIDENT/INVESTIGATION REPORT

Elmwood Park Police Department

Case # 16-01885

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	16-01885
Victim	Date / Time Reported
Offense	Wed 08/03/2016 20:37
<i>MEET COMPLAINANT</i>	

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

On 08/03/16, at 2037 hours, I was summoned to the Elmwood Park Police station for a report. Upon my arrival, I spoke to the complainant, [REDACTED], f [REDACTED], who told me the following in summary:

[REDACTED] said she is still in the process of getting a divorce from her husband, [REDACTED], m [REDACTED]. [REDACTED] said [REDACTED] has not lived with them since 2011 and is now currently residing at [REDACTED] in Elmwood Park.

[REDACTED] said on 08/03/16, at approximately 2000 hours, she was notified by her daughter, [REDACTED], f [REDACTED] was following [REDACTED] in his vehicle, Illinois registration # [REDACTED]. [REDACTED] said she brought her daughter to the station to make a police report.

I spoke to [REDACTED], who was upset and crying, and told me the following in summary:

[REDACTED] said on 08/03/16, at approximately 2000 hours, she left her residence to go get ice cream. [REDACTED] said as she was going to get ice cream, she observed a silver Toyota 4-Runner, which appeared to be [REDACTED] vehicle, following her around everywhere she went. [REDACTED] arrived at Dunkin Donuts and still observed the vehicle in the area.

[REDACTED] left the Dunkin Donuts and continued to see the vehicle follow her. [REDACTED] said as she arrived home, she observed the vehicle come to a stop and observed it to be [REDACTED] vehicle. [REDACTED] went into the residence and observed [REDACTED] smiling and laughing in his vehicle, then left in an unknown direction.

[REDACTED] said she and her mother have changed their telephone numbers and have not had contact with [REDACTED] for a long period of time. [REDACTED] said the incident made her feel uncomfortable and fear for her safety. [REDACTED] notified Jadwiga of the incident.

[REDACTED] requested the incident to be documented and was seeking information on how to obtain an order of protection.

I provided [REDACTED] with the report number and the necessary information on how to obtain an order of protection.

-End-