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IN REPLY REFER TO FILE NO.

Ms. Diana Arroyo
3010 5th Avenue, #3
South Milwaukee, Wisconsin 53172
Darroy10@neiu.edu

EP-1

Re: Freedom of Information Act Request

Dear Ms. Arroyo:

On November 22, 2016, the Village of Elmwood Park received your Freedom of Information Act (5 ILCS 140/1 *et seq.*) ("FOIA") request for "16-2400[.]"

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

STORINO, RAMELLO & DURKIN

Ms. Diana Arroyo
December 5, 2016
Page 2

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**

INCIDENT DATA

Agency Name <i>Elmwood Park Police Department</i>		Case# <i>16-02400</i>		
ORI <i>IL0163100</i>		Date / Time Reported <i>09/30/2016 23:27 Fri</i>		
Location of Incident <i>2513 72nd Ct - BSMT, Elmwood Park IL 60707-</i>		Premise Type <i>Residence / Home</i>	Zone/Tract <i>E2</i>	
Last Known Secure <i>09/30/2016 23:27 Fri</i>		At Found <i>09/30/2016 23:27 Fri</i>		
#1	Crime Incident(s) <i>Domestic Dispute 4870</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

MO

VICTIM

# of Victims <i>0</i>	Type:	Injury:							Domestic= <i>Y</i>	
VI	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				

OTHERS INVOLVED

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 <i>22</i>	Race	Sex <i>F</i>	Relationship To Offender	Resident Status <i>Non-Resident</i>	Military Branch/Status
Home Address								Home Phone
Employer Name/Address							Business Phone	Mobile Phone
Type: <i>INDIVIDUAL</i>	Injury:							
Code <i>IO</i>	Name (Last, First, Middle)	Victim of Crime #	DOB Age <i>19</i>	Race	Sex <i>M</i>	Relationship To Offender	Resident Status <i>Resident</i>	Military Branch/Status
Home Address								Home Phone
Employer Name/Address							Business Phone	Mobile Phone

PROPERTY

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 Frn/To	Value	OJ	QTY	Property Description	Make/Model	Serial Number

Officer/ID#	<i>CHAURIZE, M. (PATL, PAT) (EP1573)</i>	Supervisor	<i>RIEGER, M. (PATL, SUPV) (EP9114)</i>
Invest ID#	<i>KLISZ, R. (INV, INV) (EP7134)</i>	Case Disposition:	<i>Y</i>
Status	Complainant Signature	Case Status Reviewed By Investigations	<i>10/03/2016</i>
		Case Disposition:	<i>Y</i>
		Page 1	<i>10/03/2016</i>

Incident Report Additional Name List

Elmwood Park Police Department

OCA: 16-02400

Additional Name List

Name Code##	Name (Last, First, Middle)	Victim of Crime #	DOB	Age	Race	Sex
1) IO 2	[REDACTED]		[REDACTED]	02	[REDACTED]	F
	Address		H: - -			
	Empl/Addr		B: - -			
			Mobile #: - -			

INCIDENT//INVESTIGATION REPORT

Elmwood Park Police Department

Case # 16-02400

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

RIEGER, M. (EP9114), CHAURIZE, M. (EP1573), GERACI, J. (EP0950), BORRINI, J. (EP8692)

Suspect Hate / Bias Motivated:

NARRATIVE

REPORTING OFFICER NARRATIVE

Elmwood Park Police Department

OCA 16-02400
Date / Time Reported Fri 09/30/2016 23:27

Victim	Offense <i>DOMESTIC DISPUTE</i>
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THE INFORMATION BELOW IS CONFIDENTIAL - FOR USE BY AUTHORIZED PERSONNEL ONLY

On 09/30/16, at 2327 hours, Officer Borrini and I responded to 2513 72nd Court for a domestic disturbance. Upon arrival we met with [REDACTED] (f [REDACTED]) outside who said her daughter [REDACTED] (f [REDACTED]) was with [REDACTED] father [REDACTED] (m [REDACTED]) in the basement apartment.

[REDACTED] said the following happened in summary: On 09/29/16, at approximately 1730 hours, [REDACTED] went to [REDACTED] home at [REDACTED] and took [REDACTED] without [REDACTED] permission. [REDACTED] made contact with Officers Delgado and Brown of the Milwaukee Police Department and they attempted to make contact with [REDACTED] by telephone with negative results. [REDACTED] decided to come to Illinois to try and get [REDACTED] back. [REDACTED] had family court order 15FA006642 from Milwaukee County which showed she was the sole and primary custodial parent but that [REDACTED] could have "alternative placement" when agreed upon in writing with [REDACTED] stated she did not give [REDACTED] permission to take [REDACTED] on 09/29/16, but also admitted neither of them had followed the order strictly in the past and often made verbal agreements as to when [REDACTED] could bring [REDACTED] to Illinois. [REDACTED] wanted to take [REDACTED] home and asked that we speak with [REDACTED]. End of statement.

Commander Rieger arrived on scene.

Officer Borrini and I made contact with [REDACTED] who said he went to get [REDACTED] because he was concerned about her safety due to a threatening statement [REDACTED] made regarding another parent at [REDACTED] daycare. [REDACTED] said he was worried that there could be a problem at [REDACTED] home so he wanted to bring [REDACTED] to his apartment. [REDACTED] was interested in pursuing joint custody in family court but in the mean time was willing to turn [REDACTED] over to [REDACTED] if she felt everything would be safe at her home. [REDACTED] admitted he had received calls from officers in Milwaukee but chose not to answer their calls.

[REDACTED] was turned over to [REDACTED] without incident. Both parties were advised to follow the court order to avoid similar problems in the future. See attached copy of order. No further action taken at this time.