

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

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.

December 5, 2016

Ms. Nelly Diaz
2937 N. 77th Avenue
Elmwood Park, Illinois 60707
Nelly9601@gmail.com

EP-1

Re: Freedom of Information Act Request

Dear Ms. Diaz:

On November 28, 2016, the Village of Elmwood Park received your Freedom of Information Act (5 ILCS 140/1 *et seq.*) ("FOIA") request for "RD # 16-02717[.]"

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 driver's license numbers, 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,

STORINO, RAMELLO & DURKIN

Ms. Nelly Diaz
December 5, 2016
Page 2

including a victim's name and identifying information, the names of suspects who were never arrested, and the races of individuals, have 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

I
N
C
I
D
E
N
T
D
A
T
A

Agency Name <i>Elmwood Park Police Department</i>		Case# <i>16-02717</i>	
ORI <i>IL0163100</i>		Date / Time Reported <i>11/03/2016 17:07 Thu</i>	
Location of Incident <i>2937 77th Av, Elmwood Park IL 60707-</i>		Premise Type <i>Specialty Store (tv, fur, etc.)</i>	Zone/Tract <i>E1</i>
Last Known Secure <i>10/26/2016 11:00 Wed</i>		At Found <i>10/26/2016 16:00 Wed</i>	
#1	Crime Incident(s) (Com) <i>Harrassing Telephone Calls/electronic Means - 2825</i>	Weapon / Tools <i>NONE</i>	
		Entry	Exit
		Security	
#2	Crime Incident ()	Weapon / Tools	
		Entry	Exit
		Security	
#3	Crime Incident ()	Weapon / Tools	
		Entry	Exit
		Security	

MO

V
I
C
T
I
M

# of Victims <i>1</i>	Type: INDIVIDUAL	Injury: None	
V1	Victim/Business Name (Last, First, Middle) [REDACTED]	Victim of Crime # <i>1</i>	DOB <i>Age 35</i>
		Race	Sex
		Relationship To Offender <i>1OK</i>	Resident Status <i>Resident</i>
	Home Address [REDACTED]	Home Phone [REDACTED]	
	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:	Injury:	
Code	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
Type:	Injury:	
Code	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

P
R
O
P
E
R
T
Y

1 = None 2 = Burned 3 = Counterfeit / Forged 4 = Damaged / Vandalized 5 = Recovered 6 = Seized 7 = Stolen 8 = Unknown
("O" = Recovered for Other Jurisdiction)

VI #	Code	Status Firm/To	Value	OJ	QTY	Property Description	Make/Model	Serial Number

Officer/ID#	<i>GIOVENCO, J. (PATL, PAT) (EP9700)</i>		Supervisor	<i>BUSCH, D. (PATL, SUPV) (EP5697)</i>
Invest ID#	<i>ASTRELLA, M. (INV, INV) (EP9645)</i>		Case Disposition:	<i>7</i>
Status	Complainant Signature	Case Status <i>Exceptionally Cleared Adult</i>	<i>11/15/2016</i>	Page 1

INCIDENT/INVESTIGATION REPORT

Elmwood Park Police Department

Case # 16-02717

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 16-02717
Date / Time Reported Thu 11/03/2016 17:07

Victim [REDACTED]	Offense HARRASSING TELEPHONE
----------------------	---------------------------------

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

On 11/03/16 at 1707 hours I was dispatched to the Public Safety Building lobby for a harassment report. Upon arrival I spoke [REDACTED], F [REDACTED] who stated on 10/26/16 between the hours 1100-1600 she received approximately 25-30 snapchats through the snapchat application from [REDACTED] F [REDACTED] to which [REDACTED] had a previous altercation.

[REDACTED] stated on 05/02/16 RD# 16-1006, she was arrested for a battery to [REDACTED] in cooperation with [REDACTED] [REDACTED], F [REDACTED] are now snapchatting photographs of [REDACTED] residence and work, as well as sending messages saying the are going beat [REDACTED]

[REDACTED] has been advised by her attorney to not have contact with [REDACTED] or [REDACTED], and wished to document the incident. [REDACTED] was advised if the messages continue to come and make a secondary report. I provided [REDACTED] my Elmwood Park email address so photographs of the snapchats could be forwarded and attached. [REDACTED] agreed to do so.

I received the emailed photos of the snapchats and attached them to the report. [REDACTED] appears to be going by the snapchat handle, "Queen."

There is nothing further to report at this time. I returned to active patrol.

Incident Report Suspect List

Elmwood Park Police Department

OCA: 16-02717

1	Name (Last, First, Middle) [REDACTED]					Also Known As					Home Address [REDACTED]				
	Business Address														
	DOB [REDACTED]	Age 35	Race [REDACTED]	Sex F	Eth [REDACTED]	Hgt 502	Wgt 160	Hair BRO	Eye BRO	Skin [REDACTED]	Driver's License / State. [REDACTED] IL				
Scars, Marks, Tattoos, or other distinguishing features															

<i>Reported Suspect Detail</i>		Suspect Age		Race	Sex	Eth	Height		Weight		SSN
Weapon, Type		Feature		Make		Model		Color		Caliber	Dir of Travel
											Mode of Travel
Veh Yr/Make/Model			Drs	Style		Color		Lic/St		VIN	

Notes _____ Physical Char _____

2	Name (Last, First, Middle) [REDACTED]					Also Known As					Home Address [REDACTED]				
	Business Address														
	DOB [REDACTED]	Age 35	Race [REDACTED]	Sex F	Eth H	Hgt 502	Wgt 130	Hair BRO	Eye BRO	Skin [REDACTED]	Driver's License / State. [REDACTED] IL				
Scars, Marks, Tattoos, or other distinguishing features															

<i>Reported Suspect Detail</i>		Suspect Age		Race	Sex	Eth	Height		Weight		SSN
Weapon, Type		Feature		Make		Model		Color		Caliber	Dir of Travel
											Mode of Travel
Veh Yr/Make/Model			Drs	Style		Color		Lic/St		VIN	

Notes _____ Physical Char _____

CASE SUPPLEMENTAL REPORT

Printed: 11/28/2016 16:25

Elmwood Park Police Department

OCA: 1602717

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

Case Status: EXCEPTIONALLY CLEARED Case Mng Status: EXCEPTIONALLY CLEARED Occurred: 10/26/2016

Offense: HARRASSING TELEPHONE CALLS/ELECTRONIC MEANS

Investigator: ASTRELLA, M. (EP9645)

Date / Time: 11/10/2016 16:13:37, Thursday

Supervisor: KLISZ, R. (EP7134)

Supervisor Review Date / Time: 11/15/2016 15:19:39, Tuesday

Contact:

Reference: Investigative Action Supplement

A/D reviewed assigned report in its entirety.

Reporting party indicated the reporting party just wanted this matter documented as per advice by her attorney.

Reporting party was advised by case officer to contact this agency if additional correspondence is received.

Case closed out by exception [11/10/2016 16:21, EP9645, 106, EPPD]

Investigator Signature

Supervisor Signature