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IN REPLY REFER TO FILE NO.

Ms. Diana Escobar  
2415 N. 76<sup>th</sup> Avenue  
Elmwood Park, Illinois 60707

EP-1

**Re: Freedom of Information Act Request**

Dear Ms. Escobar:

On July 1, 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:

"16-945  
16-280[.]"

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 a driver's license number, 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 a victim's name and identifying information, the name of a suspect who was never arrested, and the races of individuals, have been redacted from the records being provided.

## STORINO, RAMELLO & DURKIN

Diana Escobar  
July 11, 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](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

*Elmwood Park Police Department*

Case # 16-00945

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 16-00945
Date / Time Reported Mon 04/25/2016 06:42

Victim

Offense  
DOMESTIC DISPUTE

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

ON 04/25/16, AT 0702 HOURS, I SPOKE TO [REDACTED] (F [REDACTED]) AT THE ELMWOOD PARK POLICE STATOIN.

I OBSERVED [REDACTED] TO BE VISIBLY UPSET DURING MY CONVERSATION WITH HER. AT TIMES SHE WAS UNABLE TO CONTROL HER BREATHING DUE TO THE FACT THAT SHE WAS CRYING. [REDACTED] STATED SHE NEEDED HELP WITH HER ABUSIVE BOYFRIEND, [REDACTED] (M [REDACTED]). [REDACTED] STATED SHE HAD A DOMESTIC DISPUTE WITH HIM ON 04/23/16. [REDACTED] STATED SHE WAS SCARED TO CALL THE POLICE BECAUSE [REDACTED] IS "SHORT TEMPERED" AND "VIOLENT." [REDACTED] STATED [REDACTED] HAS STRUCK HER IN THE PAST, AND ON ONE OCCASSION HE PUT GLOVES ON AND "BEAT HER UP." [REDACTED] STATED SHE DID NOT SIGN COMPLAINTS IN PREVIOUS INSTANCES OF ABUSE BECAUSE SHE FELT EMBBARRESSED. [REDACTED] STATED SHE DID NOT WANT HER SON TO WITNESS HER FATHER BEING ARRESTED. [REDACTED] STATED SHE WAS ABLE TO REPORT THE INCIDENT FROM THE 23RD ON TODAY'S DATE BECAUSE SHE TOLD [REDACTED] THAT SHE WAS EN ROUTE TO WORK.

[REDACTED] STATED THAT ON 04/23/16, [REDACTED] CAME HOME INTOXICATED. [REDACTED] STATED SHE BELIEVED HE WAS INTOXICATED DUE TO HIS SLURRED SPEECH. [REDACTED] STATED HE BE BEGAN TO CRY BECAUSE HE WAS HAVING A BAD DAY. [REDACTED] STATED SHE PROVIDED HIM WITH SOME ADVICE AND HE DID NOT AGREE WITH IT. [REDACTED] STATED [REDACTED] BECAME ANGRY, AND STARTED YELLING AT HER. GREGORY YELLED, "THROW THAT FOOD AWAY YOU FUCKING WHORE, I BOUGHT IT YOU DON'T DESERVE TO EAT IT." [REDACTED] GRABBED THE FOOD AND BEGAN THROWING IT ALL OVER THE APARTMENT. [REDACTED] YELLED, "I DON'T GIVE A SHIT YOU WHORE." AS HE THREW THE FOOD. [REDACTED] THEN REMOVED ALL THE CUSHIONS FROM THE COUCH AND BEGAN THROWING THEM. [REDACTED] STOOD APPROXIMATELY 8 INCHES FROM [REDACTED] FACE AND CONTINUED TO YELL AT HER. [REDACTED] STATED ON A PREVIOUS OCCASSION, HE DID THE SAME THING AND THEN STRUCK HER. [REDACTED] STATED SHE FEARED HE WAS GOING TO STRIKE HER AGAIN SO SHE PUSHED HIM AWAY IN SELF DEFENSE.

[REDACTED] STATED HER 6 YEAR OLD CHILD WAS IN THE APARTMENT DURING THE INCIDENT. [REDACTED] SHOWED ME PICTURES OF THE CONDITION OF THE APARTMENT AFTER THE DISTURBANCE. [REDACTED] STATED [REDACTED] DAMAGED THE COUCH AND HER PHONE DURING THE INCIDENT.

COMMANDER KMIECIK EXPLAINED THE PROCCES FOR OBTAINING AN ORDER OF PROTECTION TO HER. COMMANDER KMIECIK ADVISED HER TO REPORT TO THE ELMWOOD PARK POLICE STATION AFTER OBTAINING THE ORDER SO THAT WE COULD SERVER HER WITH IT.

I PROVIDED [REDACTED] WITH A DOMESTIC VIOLENCE INFORMATION SHEET CONTAINING THIS REPORT NUMBER AND THE REPORT NUMBER FROM A PREVIOUS INCIDENT THAT WAS HANDLED BY OUR AGENCY.

REPORTING OFFICER NARRATIVE

Elmwood Park Police Department

OCA 16-00945
Date / Time Reported Mon 04/25/2016 06:42

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

-END-



# Incident Report Additional Name List

Elmwood Park Police Department

OCA: 16-00280

## Additional Name List

Name Code/#	Name (Last, First, Middle)	Victim of Crime #	DOB	Age	Race	Sex
1) WI I	[REDACTED]		[REDACTED]	06	[REDACTED]	M
Address	[REDACTED]		H: [REDACTED]			
Empl/Addr			B: - -			
			Mobile #: - -			

# INCIDENT/INVESTIGATION REPORT

Elmwood Park Police Department

Case # 16-00280

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  
*ZELASCO, M. (EP8569)*

Suspect Hate / Bias Motivated:

NARRATIVE

## REPORTING OFFICER NARRATIVE

Elmwood Park Police Department

OCA 16-00280
Date / Time Reported Thu 02/04/2016 20:18

Victim  
[REDACTED]

Offense  
DOMESTIC BATTERY

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

I was dispatched to 7420 W. Fullerton Ave for a station report. On arrival I spoke with the complainant later identified as [REDACTED] D.O.B. [REDACTED]

[REDACTED] was also with her son identified as [REDACTED] D.O.B. [REDACTED]

In summary, [REDACTED] related she got into an argument when she arrived home with her live in boyfriend identified as [REDACTED] D.O.B. [REDACTED] related the argument was over her coming home later than usual and [REDACTED] constantly texting her about her whereabouts.

[REDACTED] related during the verbal argument [REDACTED] slapped her on the left side of the face. [REDACTED] related she proceeded to push [REDACTED] and [REDACTED] slapped her in the face approximately 2-3 more times. There were no visible signs of injury.

[REDACTED] related their 6 year old son [REDACTED] witnessed the incident.

[REDACTED] related the child is both her and [REDACTED] biological son.

[REDACTED] related [REDACTED] then left the residence in his vehicle Il lic [REDACTED], a 2008 Toyota to an unknown destination.

[REDACTED] related she did not wish to sign a complaint but related she would seek an Order of Protection. [REDACTED] signed a Victim's refusal to sign a complaint form

[REDACTED] was also given a Illinois Domestic Violence Act Victim Information form by Officer Zelasco.

While at the police station Officer Zelasco did interview the 6 year old son [REDACTED] reference the incident. See supplementary report # 16-280.

Officer Zelasco also contacted D.C.F.S and spoke with a Gomez, Yolanda who related there would be an open investigation, case # 13158297.

There is no further action at this time.

# Incident Report Suspect List

Elmwood Park Police Department

OCA: 16-00280

<b>1</b>	Name (Last, First, Middle)				Also Known As				Home Address			
	[REDACTED]								[REDACTED]			
Business Address												
DOB		Age	Race	Sex	Eth	Hgt	Wgt	Hair	Eye	Skin	Driver's License / State.	
[REDACTED]		35		M		602	348	BRO	BRO		[REDACTED]	
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						

## Incident Report Related Vehicle List

Elmwood Park Police Department

OCA: 16-00280
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1	VehYr/Make/Model <i>TOYT, Sequoia</i>	Style	Color	Lic/Lis [REDACTED] <i>IL</i>	VIN
	IBR Status <i>Unknown/ Other</i>	Date <i>02/04/2016</i>	Location <i>2415 76TH AV, ELMWOOD PARK IL</i>		
	Condition	Value <i>\$0.00</i>	Offense Code <i>0486</i>	Jurisdiction <i>Locally</i>	State # <i>IL</i>
	Name (Last, First, Middle) <i>* No name *</i>		Also Known As		Home Address
	Business Address				
	DOB	Age	Race	Sex	Hgt
					Wgt
	Scars, Marks, Tattoos, or other distinguishing features				

Notes

CASE SUPPLEMENTAL REPORT

Printed: 07/01/2016 16:20

Elmwood Park Police Department

OCA: 1600280

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

Case Status: ADMINISTRATIVELY

Case Mng Status: CLEARED BY REFUSAL TO

Occurred: 02/04/2016

Offense: DOMESTIC BATTERY

Investigator: ZELASCO, M. (EP8569)

Date / Time: 02/04/2016 21:46:53, Thursday

Supervisor: BROWN, T. (EP9026)

Supervisor Review Date / Time: 02/04/2016 22:34:05, Thursday

Contact:

Reference: Supplement / Follow Up

R/O SPOKE TO [REDACTED] AGE 7 AT THE ELMWOOD PARK POLICE STATION. [REDACTED] TOLD ME HIS MOTHER [REDACTED] CAME HOME FROM WORK TONIGHT, SHE ASKED HIS FATHER [REDACTED] WHY HE LOCKED GARAGE DOOR. [REDACTED] SAID HIS MOTHER AND FATHER STARTED TO ARGUE AND HIS FATHER HIT HIS MOTHER IN THE FACE. [REDACTED] SAID HE DIDN'T KNOW WHAT TO DO AND STOOD STILL AND STARTED TO CRY.

Investigator Signature

Supervisor Signature