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July 11, 2016

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IN REPLY REFER TO FILE NO.

Ms. Yaritza Urbina
6150 Willowcreek Drive
Rosemont, Illinois 60018

EP-1

Re: Freedom of Information Act Request

Dear Ms. Urbina:

On July 5, 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:

"Police Report 16-1586[.]"

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, 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 suspect who was never arrested, the names of third parties who incidentally appear in police reports, and the races of individuals, have been redacted from the records being provided.

STORINO, RAMELLO & DURKIN

Ms. Yaritza Urbina
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 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

Agency Name
Elmwood Park Police Department

Case# *16-01586*

ORI
IL0163100

Date / Time Reported
07/03/2016 19:31 Sun

Location of Incident
7329 Fullerton Av, Elmwood Park IL 60707-

Premise Type
Residence / Home

Zone/Tract
E3

Last Known Secure
07/03/2016 08:00 Sun

At Found
07/03/2016 19:31 Sun

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#1	Crime Incident(s) <i>Domestic Dispute 4870</i>	(Com)	Weapon / Tools <i>OTHER</i>	Activity
	Entry		Exit	Security
#2	Crime Incident	()	Weapon / Tools	Activity
	Entry		Exit	Security
#3	Crime Incident	()	Weapon / Tools	Activity
	Entry		Exit	Security

MO

V
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of Victims *0* Type: Injury: Domestic=Y

V1	Victim/Business Name (Last, First, Middle)	Victim of Crime #	DOB	Race	Sex	Relationship To Offender	Resident Status	Military Branch/Status
			Age					

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	Race	Sex	Relationship To Offender	Resident Status	Military Branch/Status
<i>RP</i>			Age <i>26</i>		<i>F</i>		<i>Non-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>			Age <i>29</i>		<i>M</i>		<i>Resident</i>	

Home Address Home Phone

Employer Name/Address Business Phone Mobile Phone

P
R
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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 Fin/To	Value	OJ	QTY	Property Description	Make/Model	Serial Number

Officer/ID# *HOCK, B. (PATL, PAT) (EP6089)*

Invest ID# *(0)* Supervisor *BUSCH, D. (PATL, SUPV) (EP5697)*

Status Complainant Signature Case Status *Pending / Active* 07/04/2016 Case Disposition: Page 1

Incident Report Additional Name List

Elmwood Park Police Department

OCA: 16-01586

Additional Name List

Name Code/#	Name (Last, First, Middle)	Victim of Crime #	DOB	Age	Race	Sex
1) 10 2	Juvenile					
	Address					H: - -
	Emp/Addr					B: - -
						Mobile #: - -

INCIDENT/INVESTIGATION REPORT

Elmwood Park Police Department

Case # 16-01586

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

Victim	Offense <i>DOMESTIC DISPUTE</i>	OCA 16-01586 Date / Time Reported Sun 07/03/2016 19:31
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THE INFORMATION BELOW IS CONFIDENTIAL - FOR USE BY AUTHORIZED PERSONNEL ONLY

On 07/03/16, at 1931 hours, I was summoned to the Elmwood Park Police station for a report. Upon my arrival, I spoke with the complainant, [REDACTED], [REDACTED], who told me the following in summary:

[REDACTED] said her son, [REDACTED] m [REDACTED] has visitation with his father, [REDACTED] m [REDACTED], every week starting on Thursday at 2100 hours till Sunday at 0800 hours. [REDACTED] said they do the child custody exchange at our department.

[REDACTED] said during [REDACTED] time with his father, he did not sound like himself over the telephone and was giving short, direct answers. [REDACTED] said she picked up [REDACTED] on 07/03/16, at approximately 0800 hours. While driving back to their residence, [REDACTED] told [REDACTED] his father's live-in girlfriend, [REDACTED] made threats toward [REDACTED]

[REDACTED] told [REDACTED] that [REDACTED] said, "Don't tell your mom what happens in this house or I'll beat your ass." [REDACTED] said [REDACTED] has hit her child [REDACTED] (approximately 4yoa) in the past with a long plastic spoon and has threatened [REDACTED] with the same spoon.

[REDACTED] told [REDACTED] he was scared to talk to her over the telephone because [REDACTED] was always by him. [REDACTED] said she has had numerous problems with [REDACTED] in the past. [REDACTED] requested the incident to be documented and was seeking information on how to obtain an order of protection.

I asked [REDACTED] where [REDACTED] was currently at and she advised me her mother was currently watching [REDACTED] at their residence in Rosemont.

I provided [REDACTED] with the report number and information on how to obtain an order of protection. I advised [REDACTED] this incident would be forwarded to our investigations unit and the Department of Child and Family Services would be notified.

I contacted DCFS and spoke with representative Amy Taylor, who advised me they already have a pending case involving [REDACTED]. Amy provided me with the case number (13236553) and said the incident would be investigated by the case worker.

-End-

Incident Report Suspect List

Elmwood Park Police Department

OCA: 16-01586

1	Name (Last, First, Middle)					Also Known As					Home Address				
	Business Address														
	DOB	Age	Race	Sex	Eth	Hgt	Wgt	Hair	Eye	Skin	Driver's License / State.				
	26		F		505	150	BRO	BRO		IL					
Scars, Marks, Tattoos, or other distinguishing features															
Reported Suspect Detail															
Weapon, Type		Feature		Make		Model		Color		Caliber		Dir of Travel		SSN	
Veh Yr/Make/Model		Dis		Style		Color		Lic/St		VIN					
Notes										Physical Char					