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OF COUNSEL

IN REPLY REFER TO FILE NO.

June 1, 2016

Ms. Nelly J. Diaz  
3507 N. Orleander  
Elmwood Park, Illinois 60707  
Nelly9601@gmail.com

EP-1

**Re: Freedom of Information Act Request**

Dear Ms. Diaz:

On May 19, 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:

"[I]ncident  
current  
2937 N  
77<sup>th</sup> Ave[.]"

Certified copies of the records responsive to your FOIA request are available for pickup at the Village of Elmwood Park Village Hall, 11 Conti Parkway, Elmwood Park, Illinois 60707. Pursuant to Section 6(b) of FOIA, the Village of Elmwood Park charges One Dollar (\$1.00) for certifying documents. Therefore, when you pick up the records responsive to your FOIA request, please remit payment to the Village of Elmwood Park in the amount of One Dollar (\$1.00). 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

**STORINO, RAMELLO & DURKIN**

Ms. Nelly J. Diaz  
June 1, 2016  
Page 2

driver's license number, home or personal telephone numbers, home addresses, and personal license plates, 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 not arrested, the name of third parties who incidentally appear in police reports, 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 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



Village of  
**Elmwood Park**

Angelo "Skip" Saviano  
Village President  
Gina Pesko  
Village Clerk  
Paul A. Volpe  
Village Manager  
Michael Durkin  
Village Attorney

**Trustees**  
Alan T. Kaminski  
Jeff Sargent  
Angela Stranges  
Anthony Del Santo  
Angelo J. Lollino  
Jonathan L. Zivojnovic

STATE OF ILLINOIS    )  
  )  
COUNTY OF COOK     )

**I, GINA M. PESKO, DO HEREBY CERTIFY** that I am the duly qualified and elected Clerk of the Village of Elmwood Park, Cook County, Illinois, and that as such Clerk I do have charge of and custody of the books and records of the Village of Elmwood Park, Illinois.

**I DO HEREBY FURTHER CERTIFY** that the following is a true and correct copy of FOIA request "incident current 2937 N 77<sup>th</sup> Ave. Report 16-00331"

**I DO HEREBY FURTHER CERTIFY** that the original of the foregoing is a true copy, on file in my office.

**IN WITNESS WHEREOF**, I have hereunto affixed my hand and the Corporate Seal of the Village of Elmwood Park, Cook County, Illinois, this 1<sup>st</sup> Day of June, 2016.

\_\_\_\_\_  
Gina M. Pesko  
Village Clerk  
Village of Elmwood Park  
Cook County, Illinois

(SEAL)

# INCIDENT/INVESTIGATION REPORT

Case# **16-00331**  
 Date / Time Reported **02/09/2016 08:10 Tue**  
 Last Known Secure **02/09/2016 01:00 Tue**  
 At Found **02/09/2016 08:10 Tue**

Agency Name  
**Elmwood Park Police Department**

ORI  
**IL0163100**

Location of Incident  
**2937 77th Av, Elmwood Park IL 60707-**

Premise Type  
**Highway / Road / Alley**

Zone/Tract  
**E1**

#	Crime Incident(s)	(Com)	Weapon / Tools	Activity
#1	<b>Criminal Damage To Vehicle 1320</b>		<b>UNKNOWN</b>	
#2	<b>Crime Incident</b>			
#3	<b>Crime Incident</b>			

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# of Victims **2** Type: **INDIVIDUAL** Injury:

Victim/Business Name (Last, First, Middle)	Victim of Crime #	DOB	Race	Sex	Relationship To Offender	Resident Status	Military Branch/Status
<b>V1</b> [REDACTED]	<b>1,</b>	<b>Age 35</b>	<b>[REDACTED]</b>	<b>F</b>	<b>IAO</b>	<b>Resident</b>	

Home Address [REDACTED] Home Phone [REDACTED]

Employer Name/Address [REDACTED] Business Phone [REDACTED] Mobile Phone [REDACTED]

VYR **2014** Make **FORD** Model [REDACTED] Style **4 DO** Color **WHI/WHI** Lic/Lis **[REDACTED] IL** VIN **1FM5K7D82EGB16299**

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COBES: 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
<b>V2</b>	[REDACTED]	<b>1,</b>	<b>Age 36</b>	<b>[REDACTED]</b>	<b>F</b>	<b>IAO</b>	<b>Resident</b>	

Home Address [REDACTED] Home Phone [REDACTED]

Employer Name/Address [REDACTED] Business Phone [REDACTED] Mobile Phone [REDACTED]

Type: **INDIVIDUAL** Injury:

Code	Name (Last, First, Middle)	Victim of Crime #	DOB	Race	Sex	Relationship To Offender	Resident Status	Military Branch/Status
<b>IO</b>	[REDACTED]		<b>Age 35</b>	<b>[REDACTED]</b>	<b>F</b>		<b>Resident</b>	

Home Address [REDACTED] Home Phone [REDACTED]

Employer Name/Address [REDACTED] Business Phone [REDACTED] Mobile Phone [REDACTED]

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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 Frm/To	Value	OJ	QTY	Property Description	Make/Model	Serial Number
<b>1</b>	<b>02</b>	<b>4</b>	<b>\$0.00</b>		<b>1</b>	<b>2014 WHI /WHI [REDACTED] IL</b>	<b>FORD</b>	<b>1FM5K7D82EGB16299</b>
<b>2</b>	<b>02</b>	<b>4</b>	<b>\$0.00</b>		<b>1</b>	<b>[REDACTED] IL</b>	<b>HOND Accord</b>	<b>IHGCR2F32DA274978</b>

Officer/ID# **BARRILE, M. (INV, INV) (EP6791)**

Invest ID# **KLISZ, R. (INV, INV) (EP7134)** Supervisor **ROSA, E. (PATL, PAT) (EP4441)**

Status Complainant Signature [REDACTED] Case Status Reviewed By Investigations **04/22/2016** Case Disposition: **V 04/22/2016** Page 1

# Incident Report Additional Name List

Elmwood Park Police Department

OCA: 16-00331

## Additional Name List

Name Code/#	Name (Last, First, Middle)	Victim of Crime #	DOB	Age	Race	Sex
1) IO 2	[REDACTED]		[REDACTED]	29	[REDACTED]	M
	Address		H: - -			
	Empl/Addr		B: - -			
			Mobile #: - -			

# INCIDENT/INVESTIGATION REPORT

Elmwood Park Police Department

Case # 16-00331

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 16-00331
Date / Time Reported Tue 02/09/2016 08:10

Victim  
[REDACTED]

Offense  
**CRIMINAL DAMAGE TO VEHICLE**

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

On 02/09/16, at approximately 0830 hours, I responded to the Elmwood Park Police Department for a criminal damage to vehicle report.

Upon arrival, I spoke to [REDACTED] and her sister [REDACTED] in the report room. [REDACTED] told me in summary: Sometime overnight on today's date, her vehicle [REDACTED] vehicle and [REDACTED] boyfriend's ([REDACTED] vehicle were damaged while parked in front of her house. [REDACTED] said she is extremely confident the offender is [REDACTED] because [REDACTED] knows where she lives and is aware the damaged vehicles are related to [REDACTED] said she was friends with [REDACTED] for 10 years but stopped being friends 2 years ago because they both dated [REDACTED] [REDACTED] believes [REDACTED] got upset when she drove past her house and saw [REDACTED] vehicle in front. [REDACTED] said the front windshield to her vehicle was cracked and all four tires were punctured or slashed. [REDACTED] reported the same damage to [REDACTED] vehicle (unknown registration). [REDACTED] said all four tires on [REDACTED] vehicle were punctured or slashed. [REDACTED] said there are no camera's in the area.

[REDACTED] advised that [REDACTED] drives a dark blue 2013 Jepp Cherokee. [REDACTED] said [REDACTED] actively sells drugs, including cocaine in Elmwood Park.

[REDACTED] and [REDACTED] said they will sign complaints if an arrest is made. [REDACTED] was not present during this report.

I gave [REDACTED] the report number.

# Incident Report Suspect List

Elmwood Park Police Department

OCA: 16-00331

<b>1</b>	Name (Last, First, Middle) [REDACTED]					Also Known As					Home Address [REDACTED]				
	Business Address														
	DOB [REDACTED]	Age 35	Race [REDACTED]	Sex F	Eth	Hgt 502	Wgt 160	Hair BRO	Eye BRO	Skin	Driver's License / State, [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
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## Incident Report Related Vehicle List

Elmwood Park Police Department

OCA: 16-00331

<b>1</b>	Veh Yr/Make/Model <i>2014 FORD</i>	Style <i>4 DO</i>	Color <i>WHI/WHI</i>	Lic/Lis [REDACTED] <i>IL 2017</i>	VIN <i>1FM5K7D82EGB16299</i>	
IBR Status <i>Destroyed/damaged/vandaliz</i>		Date <i>02/09/2016</i>	Location <i>2937 77TH AV, ELMWOOD PARK IL</i>			
Condition	Value <i>\$0.00</i>	Offense Code <i>1320</i>	Jurisdiction <i>Locally</i>	State #	NIC #	
Name (Last, First, Middle) [REDACTED]			Also Known As		Home Address [REDACTED]	
Business Address			[REDACTED]			
DOB [REDACTED]	Age <i>35</i>	Race [REDACTED]	Sex <i>F</i>	Hgt <i>506</i>	Wgt <i>130</i>	Scars, Marks, Tattoos, or other distinguishing features

Notes

<b>2</b>	Veh Yr/Make/Model <i>HOND, Accord</i>	Style	Color	Lic/Lis [REDACTED] <i>IL</i>	VIN <i>1HGCR2F32DA274978</i>	
IBR Status <i>Destroyed/damaged/vandaliz</i>		Date <i>02/09/2016</i>	Location <i>2937 77TH AV, ELMWOOD PARK IL</i>			
Condition	Value <i>\$0.00</i>	Offense Code <i>1320</i>	Jurisdiction <i>Locally</i>	State #	NIC #	
Name (Last, First, Middle) [REDACTED]			Also Known As		Home Address [REDACTED]	
Business Address			[REDACTED]			
DOB [REDACTED]	Age <i>36</i>	Race [REDACTED]	Sex <i>F</i>	Hgt <i>504</i>	Wgt <i>170</i>	Scars, Marks, Tattoos, or other distinguishing features

Notes