

LAW OFFICES

STORINO, RAMELLO & DURKIN

9501 WEST DEVON AVENUE
ROSEMONT, ILLINOIS 60018

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

(847) 318-9500

FACSIMILE (847) 318-9509

June 2, 2016

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.

Ms. Yolanda Garcia
2640 W. 74th Court
Elmwood Park, Illinois 60707
Yolis9200@yahoo.com

EP-1

Re: Freedom of Information Act Request

Dear Ms. Garcia:

On May 25, 2016, the Village of Elmwood Park received your Illinois Freedom of Information Act (5 ILCS 140/1 *et seq.*) ("FOIA") request for "16-1211[.]"

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 suspect who was not arrested, 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

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Ms. Yolanda Garcia
June 2, 2016
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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

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Agency Name <i>Elmwood Park Police Department</i>
ORI <i>IL0163100</i>

Case# <i>16-01211</i>
Date / Time Reported <i>05/24/2016 22:11 Tue</i>
Last Known Secure <i>05/24/2016 22:11 Tue</i>
At Found <i>05/24/2016 22:11 Tue</i>

Location of Incident <i>2640 74th Ct, Elmwood Park IL 60707-</i>		Premise Type <i>Residence / Home</i>	Zone/Tract <i>E2</i>	
#1	Crime Incident(s) <i>Suspicious Activity 9971</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

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# of Victims <i>0</i>	Type:	Injury:	
V1	Victim/Business Name (Last, First, Middle)	Victim of Crime #	DOB Age
Home Address		Home Phone	
Employer Name/Address		Business Phone	Mobile Phone
VYR	Make	Model	Style Color Lic/Lis VIN

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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>IO</i>	Name (Last, First, Middle)	Victim of Crime #
	DOB Age	Race Sex <i>F</i>
Home Address		Home Phone
Employer Name/Address		Business Phone Mobile Phone
Type: <i>INDIVIDUAL</i>	Injury:	
Code <i>RP</i>	Name (Last, First, Middle)	Victim of Crime #
	DOB Age <i>40</i>	Race Sex <i>F</i>
Home Address		Home Phone
Employer Name/Address		Business Phone Mobile Phone

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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 Frn/To	Value	OJ	QTY	Property Description	Make/Model	Serial Number
	<i>08</i>	<i>SUSP</i>	<i>30.00</i>		<i>1</i>	<i>BLK /BLK IL</i>	<i>HOND Odyssey</i>	

Officer/ID# <i>LONI, M. (PATL, PAT) (EP0048)</i>	Invest ID# <i>(0)</i>	Supervisor <i>PANKEY, C. (PATL, PAT) (EP7091)</i>
Status	Complainant Signature	Case Status <i>Pending / Active</i>
		Case Disposition: <i>05/24/2016</i>

INCIDENT/INVESTIGATION REPORT

Elnwood Park Police Department

Case # 16-01211

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 16-01211
Date / Time Reported Tue 05/24/2016 22:11

Victim

Offense
SUSPICIOUS ACTIVITY

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

On 05/24/16 at 2211 hours, I was dispatched to the police lobby for a station report. Upon arrival, I spoke with the reporting party [REDACTED] f [REDACTED] stated her husband [REDACTED] m [REDACTED] has had her arrested three times in the past month for making false claims of her violating the order of protection she was served with on 05/11/16. [REDACTED] states they are still married at this time, but are in the process of going to court for the order of protection and custody of their four children they have together.

[REDACTED] lives at [REDACTED] neighbor [REDACTED] lives on the first floor at the same address. On 05/23/16 around 0900 hours, [REDACTED] stated to [REDACTED] she saw her husband [REDACTED] black Honda Odyssey parked outside their residence with [REDACTED] inside the vehicle. [REDACTED] states [REDACTED] has a camera which looks toward the street and front door to the residence. [REDACTED] stated to [REDACTED] she noticed [REDACTED] through the video camera exit his vehicle and look into the residence through the window. [REDACTED] then stated to [REDACTED] shortly after he looked through the window, he left the area. [REDACTED] states [REDACTED] video was not saved for her to view.

The following day on 05/24/16 at 0230 hours, [REDACTED] once again noticed [REDACTED] parked out front of their residence in the same black Honda Odyssey. [REDACTED] was not home at the time of the incident but was notified by [REDACTED] he was there. [REDACTED] left the area a few minutes after parking in front of the residence.

[REDACTED] stated she wants these incidents documented for the future court appearances she has with [REDACTED] stated she would work on retrieving video footage from [REDACTED] said she would contact the police if she sees [REDACTED] near her residence.

End of report.

Incident Report Suspect List

Elmwood Park Police Department

OCA: 16-01211

1	Name (Last, First, Middle) [REDACTED]				Also Known As				Home Address [REDACTED]			
Business Address												
DOB [REDACTED]	Age 41	Race [REDACTED]	Sex M	Eth	Hgt	Wgt	Hair	Eye	Skin	Driver's License / State.		
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			
VehYr/Make/Model		Drs	Style		Color		Lic/St		VIN			
Notes						Physical Char						

Incident Report Related Vehicle List

Elmwood Park Police Department

OCA: 16-01211

1	VehYr/Make/Model <i>HOND, Odyssey</i>		Style <i>4D</i>		Color <i>BLK/BLK</i>		Lic/Lis <i>IL</i>		VIN		
	IBR Status <i>Suspicious Vehicle/person</i>		Date <i>05/24/2016</i>		Location <i>2640 74TH CT, ELMWOOD PARK IL</i>						
	Condition		Value <i>\$0.00</i>		Offense Code <i>9971</i>		Jurisdiction <i>Locally</i>		State #		NIC #
	Name (Last, First, Middle) <div style="background-color: black; width: 100px; height: 15px;"></div>				Also Known As			Home Address <div style="background-color: black; width: 150px; height: 40px;"></div>			
	Business Address										
DOB <div style="background-color: black; width: 60px; height: 15px;"></div>	Age <i>41</i>	Race <div style="background-color: black; width: 15px; height: 15px;"></div>	Sex <i>M</i>	Hgt	Wgt	Scars, Marks, Tattoos, or other distinguishing features					

Notes