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May 13, 2016

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IN REPLY REFER TO FILE NO.

Mr. Tomas Prokes
2538 N. West Brook Road
Elmwood Park, Illinois 60707
procash@live.com

EP-1

Re: Freedom of Information Act Request

Dear Mr. Prokes:

On May 6, 2016, the Village of Elmwood Park received your Illinois Freedom of Information Act (5 ILCS 140/1 *et seq.*) ("FOIA") request for "16-1012[.]"

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 race of an individual, have been redacted from the records being provided.

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Mr. Tomas Prokes
May 13, 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

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

Case# <i>16-01012</i>
Date / Time Reported <i>05/03/2016 18:28 Tue</i>
Last Known Secure <i>05/03/2016 18:28 Tue</i>
At Found <i>05/03/2016 18:28 Tue</i>

Location of Incident <i>2538 Westbrook Dr, Elmwood Park IL 60707-</i>	Premise Type <i>Highway / Road / Alley</i>	Zone/Tract <i>E3</i>
#1 Crime Incident(s) (Com) <i>Information For The Police 9938</i>	Weapon / Tools <i>NONE</i>	Activity
#2 Crime Incident ()	Weapon / Tools	Activity
#3 Crime Incident ()	Weapon / Tools	Activity

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# of Victims <i>0</i>	Type:	Injury:							
V1	Victim/Business 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		
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>RP</i>	Name (Last, First, Middle)	Victim of Crime #	DOB Age <i>39</i>	Race	Sex <i>M</i>	Relationship To Offender	Resident Status <i>Resident</i>	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		

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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 Firm/To	Value	OJ	QTY	Property Description	Make/Model	Serial Number
	<i>03</i>	<i>4</i>	<i>\$0.00</i>		<i>1</i>	<i>2015 BLK /BLK IL</i>	<i>GMC</i>	<i>1GT12ZE82FF511443</i>

Officer/ID# <i>SCHAK, K. (PATL, PAT) (EP2963)</i>	Invest ID# <i>(0)</i>	Supervisor <i>BROWN, T. (PATL, PAT) (EP9026)</i>
Complainant Signature	Case Status <i>Pending / Active</i>	Case Disposition: <i>05/04/2016</i>

INCIDENT/INVESTIGATION REPORT

Elmwood Park Police Department

Case # 16-01012

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
LOGISZ, R. (EP6631)

Suspect Hate / Bias Motivated:

NARRATIVE

REPORTING OFFICER NARRATIVE

Elmwood Park Police Department

OCA
16-01012
Date / Time Reported
Tue 05/03/2016 18:28

Victim	Offense
	INFORMATION FOR THE POLICE

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

On 05/03/16 at 1828 hours, I was dispatched to a Neighbor Dispute, reclassified as Information for Police, 2536 Westbrook.

Upon arrival, I spoke with [REDACTED] (M, [REDACTED]) stated he came home and noticed white paint on the hood of his black 2015 GMC Pick-up truck. Across the alley, [REDACTED] (M, [REDACTED]) was painting the wall white. [REDACTED] believes the white paint came from [REDACTED] paint spray. [REDACTED] did not observe any paint go onto his vehicle. [REDACTED] said he was gone all day but did not have a timeframe.

I observed the white paint on [REDACTED] vehicle. There were a few spots barely visible.

I spoke with [REDACTED] stated it was not his paint on [REDACTED] vehicle. [REDACTED] also sprayed the paint on his own vehicle and showed [REDACTED] that it wipes off of vehicles if dried.

There was no other paint between the building on [REDACTED] vehicle, which was parked approximately thirty feet away from the wall. [REDACTED] other vehicle was parked between the wall and his reported vehicle and this vehicle did not have any paint on it.

Nothing further.

Incident Report Suspect List

Elmwood Park Police Department





OCA: 16-01012

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.				
		53		M		600	160								
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		Drs		Style		Color		Lic/St		VIN					
Notes										Physical Char					

Incident Report Related Vehicle List

Elmwood Park Police Department

OCA: 16-01012

1 VehYr/Make/Model <i>2015 GMC</i>		Style <i>PK</i>		Color <i>BLK/BLK</i>		Lic/Lis <i>IL</i>		VIN <i>1GT12ZE82FF511443</i>	
IBR Status <i>Destroyed/damaged/vandaliz</i>		Date <i>05/03/2016</i>		Location <i>2538 WESTBROOK DR, ELMWOOD PARK IL</i>					
Condition		Value <i>\$0.00</i>		Offense Code <i>9938</i>		Jurisdiction <i>Locally</i>		State # NIC #	
Name (Last, First, Middle) 				Also Known As			Home Address 		
Business Address									
DOB 	Age <i>39</i>	Race 	Sex <i>M</i>	Hgt <i>602</i>	Wgt <i>160</i>	Scars, Marks, Tattoos, or other distinguishing features			

Notes