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October 17, 2016

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IN REPLY REFER TO FILE NO.

Mr. Alex Chavez
2560 N. Harlem Avenue
Elmwood Park, Illinois 60707
Elmwoodpark.IL@planetfitness.com

EP-1

Re: Freedom of Information Act Request

Dear Mr. Chavez:

On October 4, 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:

"Bike theft at Planet Fitness
Elmwood Park on 9/30/16[.]"

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 a victim's name and identifying information, and the races of individuals, have been redacted from the records being provided.

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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 Report Additional Name List

Elmwood Park Police Department

OCA: 16-02399

Additional Name List

| Name Code/# | Name (Last, First, Middle) | Victim of Crime # | DOB | Age | Race | Sex |
|-------------|----------------------------|-------------------|---------------|-----|------------|-----|
| 1) IO 3 | [REDACTED] | | [REDACTED] | 23 | [REDACTED] | F |
| Address | [REDACTED] | | H: [REDACTED] | | | |
| Empl/Addr | | | B: - - | | | |
| | | | Mobile #: - - | | | |

INCIDENT/INVESTIGATION REPORT

Elmwood Park Police Department

Case # 16-02399

| 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 | | |
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Assisting Officers
DRESSNER, R. (EP4198), BRAND, T. (EP6017)

Suspect Hate / Bias Motivated:

NARRATIVE

REPORTING OFFICER NARRATIVE

Elmwood Park Police Department

| |
|--|
| OCA 16-02399 |
| Date / Time Reported Fri 09/30/2016 16:29 |

Victim
[REDACTED]

Offense
BICYCLE THEFT

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

On 09/30/16 at 1629 hours, I was dispatched to a Bicycle Theft at 2650 Harlem Av, Planet Fitness.

Upon arrival, I spoke with [REDACTED] (M [REDACTED]) stated he rode his bicycle to Planet Fitness to work out. He put his bicycle by the bicycle rack, which is located right outside the entrance of Planet Fitness. When he finished working out, he went outside and his bicycle was not by the rack anymore. [REDACTED] assumed it was stolen and had no intention of reporting it until he saw surveillance cameras overlooking the bicycle rack. [REDACTED] could not recall if he locked the bicycle up or not. [REDACTED] described the bicycle as a teal/black/gray Huffy mountain bicycle worth approximately \$100.00.

I spoke with the manager, [REDACTED] showed me the video footage. The offender leave Planet Fitness. The offender waits by a bench next to the rack. At 1542 hours, the offender then takes the bicycle off the rack and rides off the premise. The bicycle does not appear to be locked to the rack. The offender is female/unknown wearing dark clothing and a baseball cap. The offender is wearing a backpack.

[REDACTED] saw the video prior to calling the police and said he believes he saw the offender working out next to him. The offender was a f/b, 25 yoa, 5'06", thin, wearing a baseball cap, green army shirt and black sweatpants.

[REDACTED] pulled up membership information for [REDACTED] (F [REDACTED]) [REDACTED] was the only member checked in which resembled the description of the offender. [REDACTED] provided a copy of the video but it could not be played on the software available at the Public Safety Building.

At 1701 hours, I spoke with [REDACTED] at her address. [REDACTED] stated she drove her vehicle to Planet Fitness sometime between 1500-1530 hours. While working out, she did observe a female subject sitting on the bench next to the bicycle rack. [REDACTED] thought she was waiting for a ride but then the female subject stood up and took a bicycle off the rack and left. [REDACTED] did not have a further description of the female subject or the bicycle. [REDACTED] stated she herself was wearing a dark blue tank top and dark blue sweatpants. She also wore a black baseball cap.

I spoke with an employee of Planet Fitness, [REDACTED], via telephone. [REDACTED] stated he located footage of [REDACTED] leaving Planet Fitness at 1612 hours, after the offender had already left with the bicycle. [REDACTED] also said members with different primary locations than 2650 Harlem Av would not show up in their system. [REDACTED] said corporate headquarters are the only ones with access to those files.

Nothing further.

Incident Report Suspect List

Elmwood Park Police Department

| |
|---------------|
| OCA: 16-02399 |
|---------------|

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|---|--|------|-----|-----|-----|-----|---------------|-----|------|---------------------------|--------------|--|--|--|
| 1 | Name (Last, First, Middle) <i>* No name *</i> | | | | | | Also Known As | | | | Home Address | | | |
| | Business Address | | | | | | | | | | | | | |
| DOB | Age | Race | Sex | 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 <i>U</i> | Sex <i>F</i> | 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

dark clothing and dark baseball cap