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October 27, 2016

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OF COUNSEL

IN REPLY REFER TO FILE NO.

Stormie DeJaynes  
Firearms Eligibility Analyst  
801 S. 7<sup>th</sup> Street, Suite 400-M  
Springfield, Illinois 62703  
[stormie.dejaynes@isp.state.il.us](mailto:stormie.dejaynes@isp.state.il.us)

EP-1

**Re: Freedom of Information Act Request**

Dear Stormie DeJaynes:

On October 14, 2016, the Village of Elmwood Park received your Illinois Freedom of Information Act (5 ILCS 140/1 *et seq.*) ("FOIA") request for "records for the purpose of determining eligibility for a Concealed Carry License" concerning Illinois Concealed Carry Applicant Joseph J. Promisco.

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 driver's license numbers, home or personal telephone numbers, personal email addresses, home addresses, a personal license plate, and signatures, 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.

**STORINO, RAMELLO & DURKIN**

Stormie DeJaynes  
October 27, 2016  
Page 2

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 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

Enclosures

**ELMWOOD PARK POLICE DEPARTMENT**  
**ARREST REPORT**  
 (For use by Police Department Personnel Only)

**FINAL APPROVAL**

CB #: **19317113**  
 IR #: 2322228  
 YD #:  
 RD #: 16-1168

**ARREST REPORTING**

<b>OFFENDER</b>	<b>Name:</b> PROMISCO, Joseph J <b>Res:</b> 2000 N 74th Ave Elmwood Park, IL 60707 <b>Beat:</b> 3100 <b>Empl:</b> Depaul Student <b>DOB:</b> [REDACTED] <b>AGE:</b> 26 years <b>POB:</b> Illinois <b>DLN:</b> [REDACTED] <b>ARMED WITH:</b> Unarmed	<b>Male</b> [REDACTED] 5' 11" 425 lbs Brown Eyes Brown Hair Short Hair Style Light Complexion	

<b>INCIDENT</b>	<b>Arrest Date:</b> 25 May 2016 07:45 <b>Location:</b> 2000 N 74th Ave Elmwood Park, IL 60707 304 - Street <b>Holding Facility:</b> Elmwood Park Lockup <b>Resisted Arrest?</b> No	<b>TRR Completed?</b> No <b>Beat:</b> 3100	<b>Total No Arrested:</b> 1 <b>Dependent Children?</b> No	<b>Co-Arrests</b> <b>Assoc Cases</b> <b>DCFS Ward ?</b> No

<b>CHARGES</b>	1 Offense As Cited 720 ILCS 5.0/11-20.1-A-6 25 MAY 2016 07:45 CHILD PORN/POSS COMPUTER PHOTO Class 3 - Type F	<b>Victim</b> People Of Illinois
	2 Offense As Cited 720 ILCS 5.0/11-20.1-A-7 25 MAY 2016 07:45 CHILD PORN/SOL PERS/MOV DPTN Class X - Type F	People Of Illinois

<b>FELONY REVIEW</b>	<b>Felony Review :</b> Approved 26 MAY 2016 13:14 Williams, Ben State's Attorneys's Office	<b>IR #2322228</b>

<b>RECOVERED NARCOTICS</b>	<b>NO NARCOTICS RECOVERED</b>	<b>CB #: 19317113</b>

ARREST REPORTING

WARRANT

NO WARRANT IDENTIFIED

NON-OFFENDER(S)

VICTIM AND COMPLAINANT

Name: PEOPLE OF ILLINOIS

Injured? No Deceased? No

DOB:

Hospitalized? No

Age:

Treated and Released? No

Comments:

ARRESTEE VEHICLE

NO ARRESTEE VEHICLE INFORMATION ENTERED

PROPERTIES

Confiscated Properties :

All confiscated properties are recorded in the e-Track System. This system can be queried by the inventory number to retrieve all official court documents related to evidence and/or recovered properties.

PROPERTIES INFORMATION FOR PROMISCO, Joseph, NOT AVAILABLE IN THE AUTOMATED ARREST SYSTEM.

INCIDENT NARRATIVE

(The facts for probable cause to arrest AND to substantiate the charges include, but are not limited to, the following)

multiple search warrants executed by LA County SO and EPPD. see reports.

COURT INFO

Desired Court Date: 01 June 2016  
Branch: MAYW1500 MAYBROOK DR - Room  
Court Sgt Handle? No

BOND INFO

BOND INFORMATION NOT AVAILABLE

ELMWOOD PARK POLICE - ARREST REPORT

CB #: 19317113

PROMISCO, Joseph

ARREST REPORTING

REPORTING PERSONNEL

ATTESTING OFFICER:

I hereby declare and affirm, under penalty of perjury, that the facts stated herein are accurate to the best of my knowledge, information and/or belief.

ARRESTING OFFICER(S):

1st Arresting Officer: #9645 ASTRELLA, M L (IL01631ABG)  
2nd Arresting Officer: #4611 RANSOM, D L (IL01631ABR)

Beat

APPROVING SUPERVISOR:

**ARREST PROCESSING REPORT**

LOCKUP KEEPER PROCESSING

Holding Facility: Elmwood Park Lockup  
 Received in Lockup:  
 Prints Taken: 26 May 2016 13:25  
 Palmprints Taken: No  
 Photograph Taken: 26 May 2016 13:37  
 Released from Lockup:

Time Last Fed:  
 Time Called: Phone#:  
 Cell #:  
 Transport Details : 1PO

**VISUAL CHECK OF ARRESTEE**  
 Is there obvious pain or injury? No  
 Is there obvious signs of infection? No  
 Under the influence of alcohol/drugs? No  
 Signs of alcohol/drug withdrawal? No  
 Appears to be despondent? No  
 Appears to be irrational? No  
 Carrying medication? No

**ARRESTEE QUESTIONNAIRE**  
 (if female)are you pregnant?  
 First time ever been arrested? Yes  
 Attempted suicide/serious harm? No  
 Transgender/intersex/gender non-conforming? No  
 Deaf/hard of hearing-request interpreter for court? No  
 Interpreter needed? (indicate language) No  
 Serious medical problems? No  
 Serious mental problems? No

**ARRESTEE PRESCRIPTION MEDICATION INFORMATION:**

Question	Response	Medical Condition	Next Medication Due
Presently Taking Prescribed Medication?			

**RETURN TO HOLDING FACILITY COMMENTS:**

**QUESTIONNAIRE REMARKS:**

Placed In Cell To Await Bond

**LOCKUP KEEPER COMMENTS:**

**EMERGENCY CONTACT**

Name : REFUSED

Res:

Beat:

INTERVIEW LOG

NO INTERVIEWS LOGGED

ARREST PROCESSING REPORT

VISITOR LOG

NO VISITORS LOGGED

MOVEMENT LOG

MOVEMENT LOG INFORMATION NOT AVAILABLE

WC COMMENTS

Watch Commander Comments:

REL W/O CHARGING

DOES NOT APPLY TO THIS ARREST

PROCESSING PERSONNEL

ARRESTEE PROCESSING PERSONNEL:

Searched By:	#9645	ASTRELLA, M L (IL01631ABG)	Beat
Lockup Keeper:	#9645	ASTRELLA, M L (IL01631ABG)	
Assisting Arresting Officer:		WINIARCZYK, M	
Assisting Arresting Officer:		KLISZ, R	

APPROVAL PERSONNEL:

Beat

BINDER MARGIN (DO NOT WRITE ABOVE THIS LINE)

ASSISTANT STATE'S ATTORNEY:

(For State's Attorney Use Only)

Enter each continuance here. In cases of multiple defendants indicate which defendants, if any, did not join in the continuance. Also indicate dates of all demands for trial, and by whom demands were made.

COURT: Maybrook

I.R. NUMBER	DEFENDANTS	AGE	DATE OF ARREST	CHARGE
<u>2322228</u>	<u>Joseph J Promisco</u>	<u>26</u>	<u>05/25/2016</u>	<u>Child Pornography</u>

Date of offense 5/25/2016 Time \_\_\_\_\_ Place 2000 N 74th Avenue, Elmwood Park, Illinois

The facts briefly stated are as follows:

Los Angeles Sherrif's Department reported a Child Pornography Investigation Under their RD # 016-03586-2612-122. The investigation revealed that an unknown person from the FACEBOOK account of "Lisa Deaven" began to chat with said minor AC and requested nude photos to include a video of AC exposing his penis. LASD Det. Velazquez authored search warrants for the suspect FACEBOOK account of Lisa Deaven which resulted in an IP address resolving back to 2000 N 74th Avenue, Elmwood Park, IL 60707. EPPD Det. Astrella who is also a member of the Illinois Crimes Against Childrens Task Force( ICAC) was assigned this case and further investigated the matter under Elmwood Park RD 16-1168. Det. Astrella authored a search warrant under #2016SW6026 and executed it on the date of 05/25/16 at 2000 N 74th Avenue, Elmwood Park, Illinois. The search resulted in a Toshiba laptop located in the bedroom of suspect Joseph Promisco. A forensic preview was conducted by CPD Det. Browne #20026 on the Toshiba Laptop purportedly Joseph's which resulted in locating images of the suspect FACEBOOK profile of Lisa Deaven along with a nude video of victim AC committing an act of masturbation. Joseph was further interviewed in the presence of his attorney and made admissions to creating the fictitious FACEBOOK account of Lisa Deaven in attempts to collect pictures and videos from AC. Joseph further stated that he created a DROPBOX account under the name Lisa Deaven and saved the photos/videos of AC in that location.

WITNESSES: SPELL OUT FIRST AND LAST NAME; FIRST NAME FIRST  
ALSO FURNISH ADDRESS AND PHONE NUMBER OF EACH WITNESS

PROSECUTING WITNESS: \_\_\_\_\_  
Det. Astrella #9645 7420 W Fullerton Avenue, Elmwood Park, Il 60707 7084532137

BOND: \$ \_\_\_\_\_ ASST. STATE'S ATTY. \_\_\_\_\_ DATE \_\_\_\_\_

(Do Not Write In This Space--For State's Atty. Use Only)

Elmwood Park Police

4th District  
(Court Branch)

June 1st, 2016  
(Court Date)

1500 Maybrook Drive  
Maywood, IL 60153  
Room 102 9:00 am  
CCCR-N662-100M-04/1/13 (83420157)  
(This form replaces CCG-0662 " & " CCMC-216)

FELONY COMPLAINT Class 2

IN THE CIRCUIT COURT OF COOK COUNTY, ILLINOIS

The People of State of Illinois  
Plaintiff  
-v-

COMPLAINT FOR PRELIMINARY EXAMINATION

Joseph J Promisco  
Defendant

NO. \_\_\_\_\_  
Elmwood Park Case #16-1168

Det. Astrella #9645 for People of IL  
(Complainants Name Printed or Typed)

complainant, now appears before

The Circuit Court of Cook County and states that

Joseph J Promisco  
(defendant)

2000 N. 74th Ave Elmwood Park, IL 60707  
(address)

has, on or about

5/25/2016  
(date)

at 2000 N. 74th Ave, Elmwood Park, 60707 Cook Cty, IL  
(place of offense)

committed the offense of

Child Pornography

in that he

with knowledge of the nature thereof, possessed a video recording of a child whom the defendant knew to be under the age of 18 years, which did show the minor engaging in a sexual act of masturbation.

in violation of

720  
(Chapter)

ILCS

5

(Act)

11-20.1(a)(6)  
(Section)

0 0 1 1 4 2 3

CHARGE CODE

\_\_\_\_\_  
(Complainants Signature)

7420 W. Fullerton Ave Elmwood Park, IL 60707 708-453-2137  
(Complainants Address) (Telephone No.)

STATE OF ILLINOIS }  
COOK COUNTY }

FELONY APPROVAL  
ss: ASA B. Williams  
05-26-16 1314 hours

Det. Astrella #9645 for People of IL  
(Complainants Name Printed or Typed)

Being first duly sworn, the Complainant on oath, deposes and says that he read the foregoing complaint by him subscribed and that the same is true.

\_\_\_\_\_  
(Complainants Signature)

Subscribed and sworn before me on this

26th

day of

May, 2016

DET. RANSOM HALL FOR DEPT. BROWN  
(Judge, Deputy Clerk or Clerk)

I have examined the above complaint and the person presenting the same and have heard evidence thereon, and am satisfied that there is probable cause for filing same. Leave is given to file said complaint.

SUMMONS ISSUED Judge \_\_\_\_\_  
or Judge's No. \_\_\_\_\_

WARRANT ISSUED Bail set at: \_\_\_\_\_  
or

BAIL SET AT: Must be Set by Judge \_\_\_\_\_ Judge \_\_\_\_\_  
Judge's No. \_\_\_\_\_

DOROTHY BROWN, CLERK OF THE CIRCUIT COURT OF COOK COUNTY, ILLINOIS

CIRCUIT CLERK COPY

Elmwood Park Police

4th District  
(Court Branch)

June 1st, 2016  
(Court Date)

1500 Maybrook Drive  
Maywood, IL 60153  
Room 102 9:00 am  
CCCR-N662-100M-04/1/13 (83420157)  
(This form replaces CCG-0662 " & " CCMC-216)

FELONY COMPLAINT Class X

IN THE CIRCUIT COURT OF COOK COUNTY, ILLINOIS

The People of State of Illinois  
Plaintiff

COMPLAINT FOR PRELIMINARY EXAMINATION

-v-

NO. \_\_\_\_\_

Joseph J Promisco  
Defendant

Elmwood Park Case #16-1168

Det. Astrella #9645 for People of IL  
(Complainants Name Printed or Typed)

complainant, now appears before

The Circuit Court of Cook County and states that

Joseph J Promisco  
(defendant)

2000 N. 74th Ave Elmwood Park, IL 60707  
(address)

has, on or about

5/25 2016  
(date)

at 2000 N. 74th Ave, Elmwood Park, 60707 Cook Cty, IL  
(place of offense)

committed the offense of

Child Pornography

in that he

knowingly solicited a minor child under the age of 18 years, to appear in a videotape which depicted the minor engaging in a sexual act being masturbation.

in violation of

720  
(Chapter)

ILCS

5  
(Act)

11-20.1(a)(7)  
(Section)

0	9	0	4	9	2	7
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CHARGE CODE

[Redacted Signature]

(Complainants Signature)

7420 W. Fullerton Ave Elmwood Park, IL 60707 708-453-2137  
(Complainants Address) (Telephone No.)

STATE OF ILLINOIS }  
COOK COUNTY }

FELONY APPROVAL  
ss: ASA B. Williams  
05-26-16 1314 hours

Det. Astrella #9645 for People of IL  
(Complainants Name Printed or Typed)

Being first duly sworn, the Complainant on oath, deposes and says that he read the foregoing complaint by him subscribed and that the same is true.

[Redacted Signature]

(Complainants Signature)

Subscribed and sworn before me on this

26th

day of

May, 2016

Det. [Redacted] for Deputy Clerk

(Judge, Deputy Clerk or Clerk)

I have examined the above complaint and the person presenting the same and have heard evidence thereon, and am satisfied that there is probable cause for filing same. Leave is given to file said complaint.

SUMMONS ISSUED  
or

Judge \_\_\_\_\_

Judge's No. \_\_\_\_\_

WARRANT ISSUED  
or

Bail set at: \_\_\_\_\_

BAIL SET AT: Must be Set by Judge

Judge \_\_\_\_\_

Judge's No. \_\_\_\_\_

DOROTHY BROWN, CLERK OF THE CIRCUIT COURT OF COOK COUNTY, ILLINOIS

CIRCUIT CLERK COPY



# INCIDENT/INVESTIGATION REPORT

Elmwood Park Police Department

Case # 16-01168

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 <i>Society</i>	Offense <i>CHILD PORNOGRAPHY</i>	OCA <i>16-01168</i>
		Date / Time Reported <i>Thu 05/19/2016 12:08</i>

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

I, Detective Mark Astrella #9645, have been assigned to investigate a Child Pornography Investigation reported initially to Los Angeles California Sheriff's Department under their RD #016-03586-2612-122, and subsequently under Elmwood Park Police Department RD # 16-1168. On May 19, 2016, I was contacted via telephone by Los Angeles Sheriff Detective Susan Velazquez #1736, who related she had a report of a Child Pornography/Indecent solicitation of a minor. The reported minor in this matter, A.C. Date of Birth December [REDACTED], will be referred to as "AC" from this point forward.

Det. Velazquez #1736 supplied me with a copy of all reports relating to the investigation. Upon reviewing the supplied reports and speaking with Det. Velazquez #1736, the investigation revealed that AC is a bodybuilder and sometime around the beginning of March 2016, AC was contacted on his "BodySpace" Application (IOS) by an unknown person who identified themselves as a female. The suspect contacted AC under "lisa.deaven." (The suspect shall hereinafter be referred to as "suspect" and/or "lisa.deaven.")

"BodySpace" is a social media application that offers users access to workout tools, tracking software, training programs, and access to others of like mind via chat features, including instant messaging. The application also advertises integration with other social media platforms, like Facebook. AC communicated with the female via BodySpace briefly, but soon switched from this application to "KiK."

"KIK" is an instant messaging application that can be used on mobile devices. The application is used to communicate with people from all over the world and can be used to exchange pictures, videos, voice messages and other content. KIK uses a mobile devices data plan or Wi-Fi to transmit and receive messages, a feature that avoids text messaging rates. KIK identifies users via a user profile, rather than a phone number. Users can chat individually with other users or a user can chat with many users at the same time in a group chat without sending texts or e-mails. Users can also make specialized, private, chat rooms in which other users can be invited to join in to chat amongst other invited, chat room users. Non-invited KIK users cannot join or see what is happening inside these private chat rooms. KIK also enables users to share digital images and videos with fellow users, individually or in any type of group chat. Images or videos shared on KIK can be viewed and/or downloaded to a user's mobile device, computer, or onto a cloud storage application like DROPBOX. Images and videos shared on KIK can also be stored in a KIK subfolder on the user's mobile device or computer.

AC made a KIK profile under [REDACTED] Suspect, lisa.deaven, used KIK profile "Lisa D." Initially their conversation was just getting to know one another. The suspect told AC that the suspect was a 22 year old nanny who lived in the San Diego area. AC told the suspect that AC was 15 years old and in high school. The two profiles then exchanged regular photos purportedly of each another. The chats between AC and lisa.deaven progressed to conversations that were more sexual in nature. The profile, lisa.deaven, sent more and more seductive photographs and encouraged AC to do the same. Although the extended conversation started on KiK messenger, AC and Deaven began exchanging messages through FACEBOOK.

FACEBOOK is a free social networking website that allows registered users to create profiles, upload photos and video, send messages, create groups, and so forth. FACEBOOK applications are also available for download. Via the application, a user can access, add to, modify, or delete any portion of their FACEBOOK account. FACEBOOK users can message other users and send images and/or video privately

**REPORTING OFFICER NARRATIVE**

*Elmwood Park Police Department*

OCA
16-01168
Date / Time Reported
Thu 05/19/2016 12:08

Victim <i>Society</i>	Offense <i>CHILD PORNOGRAPHY</i>
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THE INFORMATION BELOW IS CONFIDENTIAL - FOR USE BY AUTHORIZED PERSONNEL ONLY

or publicly via posts.

AC related that he sent approximately twenty (20) sexual images and two (2) videos with the videos being only of his genital area. AC related that he sent pictures of himself without his shirt on and steadily progressed to photos of his abs and penis area without his face showing. The profile lisa.deaven requested AC to send photographs of him naked including his face. AC was reluctant but eventually sent approximately ten (10) nude photographs of himself to the suspect. AC took the photographs while he was inside of his bathroom. AC sent one (1) video to the suspect of AC masturbating while in the bathroom without displaying his face.

AC related that most of his communication with the suspect took place late at night. AC's conversation with the suspect about wanting to meet with him in person happened the first day they started talking. At first the suspect suggested AC drive down to see her in which AC related that he was not old enough to drive. The profile, the suspect, told AC that she would come to pick him up. AC related to Deaven that his parents were pretty strict about him doing sleep overs and did not know how this would work out. The profile, lisa.deaven suggested to AC that he sneak out of his house to meet with her.

On March 7, 2016, AC briefly "facetimed" the suspect. "Face timing" in simplistic terms is video chatting. Prior to actually talking with the suspect AC and the suspect only messaged each other. During that conversation AC's age was brought up again by the suspect who related that she did not care AC was only 15 years old and still wanted to do sexual things with him. The suspect repeatedly attempted AC to meet in person. The suspect tried to convince AC further by using the "facetiming" application on March 7, 2016. AC related the encounter was odd, and never really got a clear picture of lisa.deaven which made him feel uneasy. AC was able to see the suspect's arm and what he thought was a breast although AC never saw a nipple, nor did AC hear a voice during this interaction. AC related that he did not remember what the number was that the suspect contacted AC from, but AC did save it in his contacts. AC related the suspect contacted him from cell phone number [REDACTED]. Records show this number is held by the company "Google, Inc./GoogleVoice."

After days of the suspect asking AC to sneak out of his house to meet with her, AC finally agreed. AC never supplied the suspect AC's address, just the general vicinity. The profile, the suspect picked the date of March 13, 2016, at 3:00 a.m. to meet at the Holiday Inn in Palmdale, California. The profile, the suspect related to AC they would "fuck" and she would "suck his dick." AC started getting an uneasy feeling about this situation. This was going to be his "first time" and he wanted to be with an older, beautiful girl. AC thought about the entire situation, and realized something was not right and stopped texting the suspect around March 8, 2016 or March 9, 2016.

AC's father discovered the photographs of suspect the suspect and images of AC on AC's cell phone. The photos were that of AC's standing nude with his penis exposed. AC's father also viewed chats exchanged between his son and that of the suspect which included request from the suspect to sneak out of the house so they can hook up at a hotel and have sex.

On March 15, 2016, Det. Velazquez #1736 was able to access AC's Facebook account. The exchanges with

REPORTING OFFICER NARRATIVE

Elmwood Park Police Department

OCA 16-01168
Date / Time Reported Thu 05/19/2016 12:08

Victim  
Society

Offense  
CHILD PORNOGRAPHY

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

the suspect were photographed and recorded. Det. Velazquez #1736 authored search warrants for the following accounts that were reviewed and signed by the Honorable Richard Naranjo on March 24, 2016 and recorded under California search warrant number #016-03586-2612-418.

FACEBOOK:

" Lisa Deaven, <https://www.facebook.com/lisa.deaven> (suspect account)

" [REDACTED] (victim account)

KIK:

" "Lisa D" "lisa.deaven" (suspect account)

" [REDACTED]

BANDWIDTH.Com Inc. Account:

" [REDACTED] (suspect number)

Det. Velazquez #1736 received notification on March 25, 2016, that Bandwidth sublet the phone number [REDACTED] to "Google Inc./Google Voice."

On April 4, 2016, Det. Velazquez #1736 received the search warrant return information from KIK identifying the following IP address 50.151.86.224 associated with the KIK user account "Lisa D" "lisa.deaven." On March 02, 2016, there was one additional login to the KIK account through IP address 75.102.198.134 which resolved via Maxmind, an open source search tool, to DePaul University. The remainder of logins were via the prior IP address.

On April 13, 2016, Det. Velazquez #1736 received a response from Facebook indicating the following information pertaining to the user profile/account of "Lisa Deaven." The document provided was 885 pages. The IP address for the account was 50.151.86.224 which was the same IP address provided by Kik.

Registration Date: 04-24-2010 (UTC)

Registered Emails: [REDACTED]

Det. Velazquez #1736 conducted an open source search for the suspects IP address 50.151.86.224 that revealed Comcast Cable Communications held that IP address.

Det. Velazquez #1736 authored a search warrant for Comcast Cable Communications for subscriber information on the suspect IP address 50.151.86.224 and Google Inc./Google Voice for the suspect phone number [REDACTED]. On May 5, 2016, the Honorable Carlos Chung signed the search warrant recorded under California search warrant number #016-03586-2612-418. The signed warrant was sent to both companies.

On May 10, 2016, Det. Velazquez #1736 received the Legal Response from Comcast Cable Communications revealing the subscriber information pertaining to IP address 50.151.86.224 as the following:

REPORTING OFFICER NARRATIVE

Elmwood Park Police Department

OCA
16-01168
Date / Time Reported
Thu 05/19/2016 12:08

Victim Society	Offense CHILD PORNOGRAPHY
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THE INFORMATION BELOW IS CONFIDENTIAL - FOR USE BY AUTHORIZED PERSONNEL ONLY

Subscriber Name: [REDACTED]  
Subscriber Address: [REDACTED]

Start of Service: 3/9/2007

On May 19, 2016, I received all case information from Det. Velazquez #1736. Also, I was provided with a copy of a United States Passport identifying AC's birthdate of [REDACTED].

I viewed the FACEBOOK response pertaining to suspect account Lisa Deaven, <https://www.facebook.com/lisa.deaven>. I was able to view that chats/messages that transpired between lisa.deaven and AC. The chats progressively became sexual in nature by lisa.deaven. I located a section of the chats in which AC states to lisa.deaven, "I'm a fifteen(15) year old guy, going through puberty, who's overly athletic, and is gonna be fucking a sexy ass 22 year old." (page 48 F/B response)

The suspect continuously asks for photos from AC. AC sent approximately four photos of himself standing in what appears to be a bathroom fully nude exposing his erect penis. The subject image in the above-described nude photos matches the United States passport image(face) that I received from Det. Velazquez #1736 in regards to the identity of AC.

I conducted a search of law enforcement databases and was able to locate an Illinois driver's license for the following people:

- " Joseph J. Promisco, M [REDACTED]
- " [REDACTED]
- " [REDACTED]

All above driver licenses are registered to the address of [REDACTED]

An open source search of law enforcement databases revealed [REDACTED] to have a listed residence of [REDACTED]

Surveillance was conducted on the dates of May 23, 2016 and I observed a Red colored Infiniti, Illinois registration # [REDACTED], parked in front of 2000 N 74th Avenue, Elmwood Park, IL 60707.

I conducted a SOS LEADS check on the above vehicle registration which revealed the current registered owner as [REDACTED], with an attached Driver's License number being [REDACTED]

05/20/2016

I submitted a preservation request to FACEBOOK pertaining to the suspect account " Lisa.Deaven"

05/23/16

REPORTING OFFICER NARRATIVE

Elmwood Park Police Department

OCA 16-01168
Date / Time Reported Thu 05/19/2016 12:08

Victim Society	Offense CHILD PORNOGRAPHY
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I authored a search warrant for the residence of 2000 N 74th Avenue, Elmwood Park, IL 60707.  
I sent a copy of the search warrant to ASA Ogarek for review.  
ASA Ogarek approved the search warrant at 1823 hours under SW # 2016SW6026.

05/24/16

I went to Maybrook courthouse and met with Judge Geary Kull who reviewed Search Warrant 2016SW6026.  
ASA Dan Groth was present.  
Judge Kull approved and signed the above warrant at 1145 hours.  
I returned to my agency and inventoried the above search warrant under RD# 16-1168.

05/25/16

On the above date I along with the following officers met at EPPD:  
Berwyn PD Det Fellows #222, CPD Det. Browne #20086, EPPD Commander Klisz #2611, Det. Winiarczyk #1783,  
Det. Ransom, Sgt. Rosa #2473, Officer Barrille #6791, LASD Velazquez #28736, SGT Hudson #279898, members  
of the West Suburban SRT team.  
All above officers relocated to the address of 2000 N 74th Avenue, Elmwood Park, IL 60707.  
Search Warrant 2016SW6026 was executed at 0735 hours.  
Upon arrival a knock and announce was conducted by Commander Klisz.

The following people came to the front door and exited the residence one at a time:

- " Joseph J. Promisco, M [REDACTED]
- " [REDACTED] M
- " [REDACTED] F
- " [REDACTED] M
- " [REDACTED] F

The house was secure by members of the SRT team prior to Investigators entering the house.  
The house was secured and the following individuals were relocated to the living room of the residence: [REDACTED]

A search of Joseph's room revealed the following:

Joseph had a Toshiba laptop computer, Serial # ZD139757S on his bed that was operational and had displayed on its desktop what appeared to be an open folder containing images nude young males.  
The images depicted unknown male subjects exposing their penis and additional photos were of unknown male penises/genitalia.

The computer was observed by Det. Browne #20086 & Det. Fellows #222.  
The following items were additionally located in the bedroom of Joseph:

- " Proof of residency
- " Identification cards( Illinois Drivers license, FOID, Concealed firearm permit (Utah, Florida, Arizona) Chicago Bar association ID card, DePaul University College of Law id card.
- " 1, Seagate U8, Model ST34313A Hard Drive.
- " 1, PNY 16G memory stick.

**REPORTING OFFICER NARRATIVE**

*Elmwood Park Police Department*

OCA
16-01168
Date / Time Reported
Thu 05/19/2016 12:08

Victim <i>Society</i>	Offense <i>CHILD PORNOGRAPHY</i>
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- " 1, FC L-602 external hard drive.
- " 1, Anker External Hard Drive, SN#05DGZ6
- " 1, WD #WD3200BEVT, S/N # WXE109PJ6359, Hard Drive.
- " 1, WD #WD2500BEVS, S/N # WXE207E94816, Hard Drive.
- " 1, WD #WD1200BEVS, S/N # WXE406079095, Hard Drive.
- " 1, HITACHI, S/N # 11021PBN408P7GWEGGE, Hard Drive.
- " 1, Canon 3.15V, Digital Camera, #622020309308, black sony carrying case, 1-32gsd memory card canon, 1-16gb memory card sony sf-16nx, 1- memory stick sony 128mb, 1- cingular 64k sim card.
- " 1, Apple Iphone, White/Gray Colored.
- " 1, Silver Colored Smith & Wesson, 38 SPL, #R146260, loaded with 5 rounds SPEER 38 special ammunition.
- " 2, black colored speed loaders, containing 5 rounds each, Federal 38 special ammunition.
- " 1-black colored, Springfield XD-45ACP, Serial #XD613498, pistol
- " 1-box of Federal Ammunition .45 Auto-46 rounds in box.
- " 1- box Winchester Ranger Ammunition .45 Auto-50 rounds in box
- " 2-silver colored .45 magazines with one(1) magazine containing 12 rounds Federal auto.45 ammunition.
- " 1-black colored XD-XDM side holster.

Joseph was placed into custody at 0745 hours by Commander Klisz and Officer Babicz.

Joseph was handcuffed with his arms placed in front of him due to his size, double locked and checked for fit, prior to being placed into the back of a cruiser.

Joseph was transported back to our agency where he was fingerprinted and all required prisoner screening forms completed.

Additional weapons and narcotics were located in a search of a bedroom belonging to Daniel Promisco. (See attached report by Det.Ransom)

The above persons being [REDACTED] and [REDACTED] were allowed to sit in the living room of the residence. All of the above persons related that no one in the house ever goes into the bedroom of Joseph and uses his computer.

The above statement/s were witnessed by Det.Astrella, Det Ransom, Commander Klisz and LASD Detectives Velazquez & Hudson.

The router was located in the upper level of the residence and collected by Det. Ransom.

All items of evidentiary value were collected and the scene was released at 0914 hours. (see evidence report by Det.Ransom)

Upon returning to my agency, CPD Det.Browne conducted a forensic exam on the Toshiba laptop computer, s/n ZD139757S, located in the bedroom of Joseph.

Items of notable evidentiary value were bookmarked during the forensic exam.

Joseph invoked his miranda rights at 0935 hours in the presence of LASD Det.Velazquez and I.(See attached) I along with Det.Velazquez, observed images of the suspect FACEBOOK profile "Lisa Deaven" on the laptop purportedly belonging to suspect Joseph.

I along with Det. Velazquez observed a video of the victim AC purportedly "masturbating" that was located on the laptop purportedly belonging to suspect Joseph.

REPORTING OFFICER NARRATIVE

Elmwood Park Police Department

Victim Society	Offense CHILD PORNOGRAPHY	OCA 16-01168 Date / Time Reported Thu 05/19/2016 12:08
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The above images and video was observed during the course of the forensic preview conducted by Det. Browne. Det. Browne concluded his forensic preview and burned the results to a disc.

On or about the time of 1045 hours, I received a call from attorney Julie Trevarthen relating that she has been retained to represent Joseph.

Attorney Trevarthen arrived and was allowed to speak with Joseph in private.

Attorney Trevarthen related that her client Joseph requested to speak to us and supply us with a video recorded statement regarding this investigation.

Attorney Trevarthen, LASD Velazquez, CPD Det. Browne, Joseph, and I relocated to an interview room located in the investigations office.

Joseph was mirandized in the presence of his attorney Trevarthen at 1438 hours. (See attached miranda/recorded interview DVD)

Joseph in summary and not verbatim admitted to creating the fictitious FACEBOOK account named LISA DEAVEN. Joseph related that he did not intend to hurt victim AC and directed Det Browne to locations on his computer where he saved the pictures of AC. Joseph further related that he saved photos in a dropbox account named " [REDACTED] " along with admitting to receiving nude pictures from AC including videos.

\*\*The video interview was burned to a disc and subsequently placed into evidence under RD #16-1168\*\*

I authored a preservation request and submitted it to DROPBOX, Inc pertaining to account

" [REDACTED] ". (see attached preservation letter)

LASD Det. Velazquez contacted her office and requested a detective to author a search warrant for the Dropbox account of suspect ' [REDACTED] '

I subsequently received a copy of LASD approved search warrant for Dropbox, Inc from LASD Detective Rich Simmons #401371.

LASD Search Warrant number was #016-03586-2612-418. (See attached warrant)

ASA Ben Williams arrived at our agency and reviewed the case.

ASA Williams approved felony charges at 1314 hours.

Joseph was fingerprinted, photographed, and placed into a holding cell to await bond hearing on 05/27/16.

I conducted a search of an IPHONE 3GS located in the bedroom of Joseph using forensic tool Mobilyzer.

Nothing of evidentiary value was located on the IPHONE 3GS.

The Mobilyzer results were burned to a disc and placed into evidence.

The iPhone 3GS was subsequently placed into evidence.

Case closed by adult arrest.

# Incident Report Suspect List

Elmwood Park Police Department

OCA: 16-01168

<b>1</b>	Name (Last, First, Middle) <i>PROMISCO, JOSEPH J</i>						Also Known As			Home Address <i>2000 74TH AV ELMWOOD PARK, IL 60707</i>		
	Business Address											
	DOB [REDACTED]	Age <i>26</i>	Race [REDACTED]	Sex <i>M</i>	Bth	Hgt <i>600</i>	Wgt <i>400</i>	Hair <i>BRO</i>	Eye <i>BLU</i>	Skin <i>MED</i>	Driver's License / State. [REDACTED] <i>IL</i>	
Scars, Marks, Tattoos, or other distinguishing features												

<i>Reported Suspect Detail</i>		Suspect Age	Race	Sex	Bth	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 \_\_\_\_\_

CASE SUPPLEMENTAL REPORT

Printed: 06/01/2016 12:14

Elmwood Park Police Department

OCA: 1601168

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Case Status: PENDING / ACTIVE

Case Mng Status: PENDING / ACTIVE

Occurred: 05/19/2016

Offense: CHILD PORNOGRAPHY

Investigator: RANSOM, D. (EP4339)

Date / Time: 05/26/2016 10:03:58, Thursday

Supervisor: KLISZ, R. (EP7134)

Supervisor Review Date / Time: 06/01/2016 08:21:34, Wednesday

Contact:

Reference: Evidence Report

On 05-25-16 I responded to 2000 N. 74th Ave to assist with a search warrant at the home, (2016SW6026).

After the home was cleared and secured, I photographed the scene.

After I completed photographing, we began the search of the home.

As items were discovered, I photographed and collected the items, (see Det. Astrella's report for inventory).

In the top floor bedroom numerous drugs and drug paraphernalia were located and collected under RD #16-1224. [redacted] and [redacted] advised the top floor bedroom is where their son Daniel Promisco stays. [redacted] advised he was aware of cannabis which was in the room. I located and collected proof of residency paperwork for Daniel Promisco. See reports for RD #16-1224.

I transported the collected evidence to the Elmwood Park Police Station Criminal Investigations Division.

I burned a copy of the photographs to be added to this case report.

Nothing further at this time.

Investigator Signature

Supervisor Signature