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September 13, 2016

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IN REPLY REFER TO FILE NO.

Ms. Maritza Rodriguez
2505 N. Fairfield Avenue
Chicago, Illinois 60647
medinamaritza23@yahoo.com

EP-1

Re: Freedom of Information Act Request

Dear Ms. Rodriguez:

On September 6, 2016, the Village of Elmwood Park received your September 3, 2016, Illinois Freedom of Information Act (5 ILCS 140/1 *et seq.*) ("FOIA") request for the following records:

"White male 17-20 yrs old aimed a gun at myself & my 6 year old daughter, Case # 16-2089[.]"

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, home addresses, and a personal license plate, 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

Ms. Maritza Rodriguez
September 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 Elmwood Park Police Department			Case# 16-02089		
ORI IL0163100			Date / Time Reported 08/26/2016 08:04 Fri		
Location of Incident 7200 Belden Av, Elmwood Park IL 60707-			Premise Type Highway / Road / Alley		Zone/Tract E3
			Last Known Secure 08/26/2016 07:53 Fri		At Found 08/26/2016 07:54 Fri
#1	Crime Incident(s) Aggravated Assault 0510	(Com)	Weapon / Tools HANDGUN		Activity
			Entry	Exit	Security
#2	Crime Incident	()	Weapon / Tools		Activity
			Entry	Exit	Security
#3	Crime Incident	()	Weapon / Tools		Activity
			Entry	Exit	Security

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# of Victims	2		Type:	INDIVIDUAL			Injury:			
V1	Victim/Business Name (Last, First, Middle)			Victim of Crime #	DOB	Race	Sex	Relationship To Offender	Resident Status	Military Branch/Status
	[REDACTED]			1,	Age 37	[REDACTED]	F	1ST		
Home Address								Home Phone		
Employer Name/Address								Business Phone		Mobile Phone
VYR	Make	Model	Style	Color	Lic/Lis	VIN				
2014	NISS		UTIL	SIL/SIL	[REDACTED] IL	JN8AS5MT6EW100127				

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CODES: 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	
V2	JUVENILE	1,	//	W	F	1ST			
Home Address								Home Phone	
Employer Name/Address								Business Phone	Mobile Phone
Type:	INDIVIDUAL		Injury:						
Code	Name (Last, First, Middle)	Victim of Crime #	DOB	Race	Sex	Relationship To Offender	Resident Status	Military Branch/Status	
RP	[REDACTED]	[REDACTED]	Age 41	[REDACTED]	M				
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 Fmt/To	Value	OJ	QTY	Property Description	Make/Model	Serial Number
1	02	1	\$0.00		1	2014 SIL/SIL [REDACTED] IL	NISS	JN8AS5MT6EIV100127

Officer/ID#	WINIARCZYK, M. (INV, INV) (EP7383)	
Invest ID#	KLISZ, R. (INV, INV) (EP7134)	Supervisor KMIECIK, M. (PATL, SUPV) (EP1312)
Status	Complainant Signature	Case Status <i>Pending / Active</i>
		08/29/2016
	Case Disposition:	2
		08/29/2016

INCIDENT/INVESTIGATION REPORT

Elmwood Park Police Department

Case # 16-02089

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

KMIECIK, M. (EP1312), BARRILE, M. (EP6791), LOMBARDI, C. (EP0885), FRASCO, S. (EP0857)

Suspect Hate / Bias Motivated:

NARRATIVE

REPORTING OFFICER NARRATIVE

Elmwood Park Police Department

OCA 16-02089
Date / Time Reported Fri 08/26/2016 08:04

Victim [REDACTED]	Offense AGGRAVATED ASSAULT
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THE INFORMATION BELOW IS CONFIDENTIAL - FOR USE BY AUTHORIZED PERSONNEL ONLY

Ofc. Lombardi, Barrile, Frasco and I responded to a slightly delayed report of a person with a gun at 2300 N. Harlem Ave. I spoke with caller [REDACTED] who stated his ex-wife was dropping off their daughter next to his residence at [REDACTED] and she parked her vehicle in the cul de sac at 7200 W. Belden Ave. He stated his daughter ran inside the door to the building where he was standing. He stated he observed a white male, possibly in early 20's, across the cul de sac on the sidewalk next to the building at 2300 N. Harlem Ave. He stated the male then walked around the corner onto northbound Harlem Ave and then walked into the entrance of 2300-2310 Harlem Ave. [REDACTED] had his ex-wife/victim on the phone. I spoke with [REDACTED] via phone and then in person as she agreed to return to the scene. [REDACTED] stated she was dropping off her daughter and parked in the cul de sac facing eastbound next to the entrance door to the building where [REDACTED] resided. She stated she told her daughter [REDACTED], 6 yoa) she can get out now and [REDACTED] stated she did not want to because there was a man with a gun outside. [REDACTED] stated she looked out and observed a white male, approximately 20 years of age, medium build, shoulder length possibly curly dark hair, wearing black shorts standing on the sidewalk across the cul de sac. She stated the male was smiling at her and she smiled back. She stated she observed a large black in color handgun which appeared to be a revolver in the male's right hand and a bottle of orange juice and a Dunkin Donuts bag in his other hand. She stated the male then pointed the gun at her. She stated she told her daughter to run inside the building to her father. She said the male then walked away and around the corner of the 2300 N. Harlem building and into the lobby of the building.

I spoke with juvenile [REDACTED] briefly in the presence of her father. She stated she saw a man with a gun outside.

[REDACTED] stated she had never seen the male before, never had any contact with him and did not know why he pointed the gun at her. She stated she would be able to identify him and wished to sign complaints if the offender was identified.

Owner/manager of 2300-2310 N. Harlem Ave [REDACTED] arrived and allowed Ofc. Lombardi and I to view video surveillance. Camera #1 which recorded the area from the southeast corner of 2300 N. Harlem west recorded a male who appeared to be white, wearing a black sleeveless shirt and possibly tan/brown shorts walking eastbound from Belden Ave onto the north sidewalk of the cul de sac at 7200 Belden Ave. The male appeared to be holding an object in his left hand and another object in his right hand at his side. Footage then cut off and we were unable to view any other cameras or further recording. [REDACTED] did not know how to operate the surveillance system but his son possibly might.

Victim stated she was sure offender was holding a Dunkin Donuts bag but it is unknown if he visited the 7201 W. Grand Ave Dunkin Donuts, if any. I spoke with victim [REDACTED] again and she stated the color of his shorts or shirt she provided might have been wrong as she was shaken up about what happened.

Nothing further at this time. Forward to investigations.

Incident Report Suspect List

Elmwood Park Police Department

OCA: 16-02089

1	Name (Last, First, Middle) <i>UNKNOWN,</i>					Also Known As					Home Address				
Business Address															
DOB <i>/ /</i>		Age <i>20</i>	Race <i>W</i>	Sex <i>M</i>	Eth	Hgt <i>503</i>	Wgt <i>150</i>	Hair <i>BLK</i>	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	
Veh Yr/Make/Model			Drs	Style		Color		Lic/St		VIN			

Notes

Physical Char

HAIR LENGTH, LONG HAIR

Incident Report Related Vehicle List

Elmwood Park Police Department

OCA: 16-02089

I	VehYr/Make/Model <i>2014 NISS</i>		Style <i>UTIL</i>		Color <i>SIL/SIL</i>		Lic/Lis [REDACTED] <i>IL 2017</i>		VIN <i>JN8AS5MT6EW100127</i>			
	IBR Status <i>None</i>		Date <i>08/26/2016</i>		Location <i>7200 BELDEN AV, ELMWOOD PARK IL</i>							
	Condition		Value <i>\$0.00</i>		Offense Code <i>0510</i>		Jurisdiction <i>Locally</i>		State #		NIC #	
	Name (Last, First, Middle) [REDACTED]				Also Known As				Home Address [REDACTED]			
	Business Address											
	DOB [REDACTED]	Age <i>37</i>	Race [REDACTED]	Sex <i>F</i>	Hgt <i>501</i>	Wgt <i>130</i>	Scars, Marks, Tattoos, or other distinguishing features					

Notes

Victim 's vehicle