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August 18, 2017

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OF COUNSEL

IN REPLY REFER TO FILE NO.

Ms. Phyllis Ojrzynski  
3105 N. 78<sup>th</sup> Court  
Elmwood Park, Illinois 60707

EP-1

**Re: Freedom of Information Act Request**

Dear Ms. Ojrzynski:

On August 10, 2017, the Village of Elmwood Park received your Illinois Freedom of Information Act (5 ILCS 140/1 *et seq.*) ("FOIA") request for the following records:

"It is Police taking Johnny Ojrzynski to the hospital 3 x and also picking him up of the street and brining him home."

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 third party who

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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 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  
Acting 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

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

INCIDENT DATA

Agency Name <i>Elmwood Park Police Department</i>		Case# <i>17-01723</i>	
ORI <i>IL0163100</i>		Date / Time Reported <i>07/15/2017 20:27 Sat</i>	
Location of Incident <i>3103 78th Ct, Elmwood Park IL 60707-</i>		Premise Type <i>Residence / Home</i>	Zone/Tract <i>E1</i>
Last Known Secure <i>07/15/2017 20:25 Sat</i>		At Found <i>07/15/2017 20:27 Sat</i>	
#1	Crime Incident(s) <i>Neighbor Dispute 9105</i>	(Com)	Weapon / Tools <i>NONE</i>
#2	Crime Incident	( )	Weapon / Tools
#3	Crime Incident	( )	Weapon / Tools

MO

VICTIM

# of Victims	<i>0</i>	Type:	Injury:							
V1	Victim/Business Name (Last, First, Middle)			Victim of Crime #	DOB	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				

OTHERS

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		
<i>RP</i>	[REDACTED]		<i>Age 41</i>		<i>F</i>		<i>Resident</i>			
Home Address							Home Phone			
Employer Name/Address							Business Phone		Mobile Phone	

INVOLVED

Type: **INDIVIDUAL** Injury:

Code	Name (Last, First, Middle)	Victim of Crime #	DOB	Race	Sex	Relationship To Offender	Resident Status	Military Branch/Status		
<i>JO</i>	[REDACTED]		<i>Age 72</i>		<i>M</i>		<i>Resident</i>			
Home Address							Home Phone			
Employer Name/Address							Business Phone		Mobile Phone	

PROPERTY

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 From/To	Value	OJ	QTY	Property Description	Make/Model	Serial Number

Officer/ID#	<i>GERACI, J. (PATL, PAT) (EP0950)</i>		Supervisor	<i>BUSCH, D. (PATL, SUPV) (EP5697)</i>	
Invest ID#	<i>KLISZ, R. (INV, INV) (EP7134)</i>		Case Status	<i>Reviewed By Investigations</i>	<i>07/17/2017</i>
Status	Complainant Signature	Case Disposition:	<i>V</i>	<i>07/17/2017</i>	Page 1

Incident Report Additional Name List

Elmwood Park Police Department

OCA: 17-01723

Additional Name List

Name Code/#	Name (Last, First, Middle)	Victim of Crime #	DOB	Age	Race	Sex
1) IO 2	[REDACTED]		[REDACTED]	71	W	F
Address	[REDACTED]		H: - -			
Empl/Addr			B: - -			
			Mobile #: - -			

# INCIDENT/INVESTIGATION REPORT

Elmwood Park Police Department

Case # 17-01723

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  
*SCHAK, K. (EP2963), SCHAK, K. (EP2963)*

Suspect Hate / Bias Motivated:

NARRATIVE

# REPORTING OFFICER NARRATIVE

Elmwood Park Police Department

OCA 17-01723
Date / Time Reported Sat 07/15/2017 20:27

Victim

Offense

NEIGHBOR DISPUTE

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

On 07/15/2017, at 2027 hours, Officer Schak and I were dispatched to 3103 78th Ct for a Neighbor Dispute.

Upon our arrival, Officer Schak and I spoke to [REDACTED] (f [REDACTED])

[REDACTED] told us, neighbor [REDACTED] was on his deck swearing at her in Polish and English. [REDACTED] then pulled his shorts down.

[REDACTED] went inside and called 911.

Officer Schak and I made contact with [REDACTED] who appeared to be intoxicated and was not speaking coherently. The livingroom, rear familyroom, and kitchen had items all thrown around.

Officer Schak checked the house for [REDACTED] wife and daughter with negative results.

I requested an ambulance to our location.

Elmwood Park Paramedics arrived on scene.

[REDACTED] was being attended to by the paramedics inside 944.

[REDACTED] wife [REDACTED] (f [REDACTED]) and daughter returned home.

[REDACTED] told me, [REDACTED] had been drinking for a couple weeks. She had made dinner and [REDACTED] became very agitated. [REDACTED] left with her daughter.

[REDACTED] was transported to Gottlieb.

I explained to [REDACTED] what Officer Schak and I found inside the residence.

[REDACTED] and I walked through the house.

[REDACTED] locked the residence and went to Gottlieb.

I told [REDACTED] to call 911 if problems continue with the neighbor and I will complete a report.