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December 4, 2017

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IN REPLY REFER TO FILE NO.

EP-1

Shannon Spialek  
2050 E. Higgins Road  
Elk Grove Village, Illinois 60007  
[shannon@georgegullo.com](mailto:shannon@georgegullo.com)

**Re: Freedom of Information Act Request**

Dear Ms. Spialek:

On November 29, 2017, the Village of Elmwood Park received your Freedom of Information Act (5 ILCS 140/1 *et seq.*) ("FOIA") request for the following records:

"2532-36 N. Harlem Ave, Unit 103, Resident Smoking inside Building[.] Report by Resident in Unit 102, Gabe Caporale (Nov 19)"

Your request has been granted in part and denied in part. Enclosed are records responsive to your FOIA request. However, please be advised that certain information in the records being provided has been determined to be exempt from disclosure under FOIA, and that 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, such as driver's license numbers and home or personal telephone numbers 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, an individual's race, a victim's name and identifying information, the names and identifying information of suspects who were never arrested, third party's name and identifying information, a minor's name and identifying information, and other personal

**STORINO, RAMELLO & DURKIN**

Shannon Spialek  
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information, the disclosure of which would constitute a clearly unwarranted invasion of personal privacy, 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 have filed complaints with or who have 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:

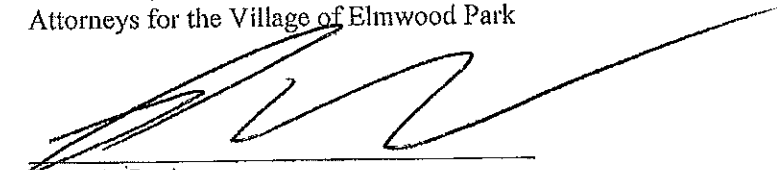
Sarah Pratt  
Public Access Counselor  
Office of the Attorney General  
500 South 2<sup>nd</sup> Street  
Springfield, Illinois 62706  
Fax: 217-782-1396  
E-mail: [publicaccess@atg.state.il.us](mailto:publicaccess@atg.state.il.us)

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



Peter A. Pacione

Enclosures



# INCIDENT/INVESTIGATION REPORT

Elmwood Park Police Department

Case # 17-02916

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  
*ROSA, E. (EP4441)*

Suspect Hate / Bias Motivated:

NARRATIVE

**REPORTING OFFICER NARRATIVE**

*Ehnwood Park Police Department*

		OCA 17-02916
Victim	Offense <i>VIOLATION VILLAGE ORDINANCE</i>	Date / Time Reported Sun 11/19/2017 18:19

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

On November 19, 2017, at 1813 hours, while on patrol at the 2500 block of Harlem Avenue, a citizen was standing on the sidewalk and waving his hands at me to stop.

I spoke to [REDACTED]  
 [REDACTED] said he resides at [REDACTED] and the residents at unit 103 are smoking marijuana.  
 [REDACTED] said he is very concerned of the foul odor because he has a new born infant at home.  
 [REDACTED] opened the front door to building. I immediately smelled burnt marijuana emitting from unit 103. Unit 103 is [REDACTED] at the ground level.

I spoke to unit 103 resident Kiara J. Bogan F [REDACTED]  
 Kiara said she "smoked weed" earlier this evening.  
 Sergeant Rosa arrived.  
 I issued citation #S231 for Creating an Offensive odor to Kiara.  
 I informed Kiara of the court date and time.

Nothing Further.



# MUNICIPAL VIOLATION NOTICE

VILLAGE OF ELMWOOD PARK

VEHICLE	PLATE#	STATE	PLATE EXP	VIOLATION	DATE	TIME	OFFICER#	
	VIN#	MAKE			LOCATION	11/19/2017	06:00 PM	2,460
	MODEL	YEAR	STYLE		COLOR	2534 HARLEM AVENUE 103		
					OFFENSE			
					CREATING AN OFFENSIVE ODOR			

VIOLATOR	LAST NAME/COMPANY	FIRST NAME	D.O.B	PAYMENT	AMOUNT DUE	DUE ON/BEFORE
	BOGAN	KIARA			\$ 0.00	12/07/2017
	ADDRESS	CITY			PAYMENTS MAY BE PAID IN PERSON OR BY MAIL AT THE	
2534 HARLEM AVENUE	ELMWOOD PARK			VILLAGE OF ELMWOOD PARK, 11 Conti Parkway, ELMWOOD PARK, IL - 60707, OR go to <a href="http://www.violationspayment.com">www.violationspayment.com</a>		
STATE	ZIP	DL#		NOTE: UNPAID FINE MAY INCREASE UPTO MAXIMUM FINE ALLOWED.		
IL	60707	[REDACTED]				

HEARING	HEARING DATE TO APPEAR		HEARING TIME
	12/07/2017		02:00 PM
	HEARING LOCATION		
VILLAGE HALL			
11 CONTI PARKWAY, ELMWOOD PARK, IL 60707			

OFFICER SIGNATURE 12/07/2017

# COMMUNICATIONS

## Event Report

Event ID: 17-00176494

Call Ref #: 926

Date/Time Received: 11/19/17 18:19:41

Rpt #: 17-02916	Prime 33A	Services Involved	
Call Source: SELF	Unit: RODRIGUEZ, CARLOS	LAW	
Location: 2534 HARLEM AV		Jur: CAD	Service: LAW Agency: EPPD
X-ST: ALTGELD		St/Beat: E2	District: EPPD RA:
W WRIGHTWOOD AV		Phone: (708) 456-3999	GP: E2
Business: CHANGES FOOTWEAR			
Nature: VIOLATION LOCAL ORDINANCE	Alarm Lvl: 1	Priority: 2	Medical Priority:
Reclassified Nature: HANDWAVER			
Caller:		Alarm:	
Addr:	Phone:	Alarm Type:	
Vehicle #:	St: IL	Report Only: No	Race: Sex: Age:
Call Taker: Unit:33A	Console: QRYSRV		
Geo-Verified Addr.: Yes	Nature Summary Code:	Disposition: O	Close Comments:
Notes: CITATION ISSUED TO KIARA J. BOGAN F/ [REDACTED] [11/19/17 19:01:26 Unit:33A] FOUL ODOR IN HALLWAY, POSSIBLY MARIJUANA. [11/19/2017 18:19:41 Unit:33A]			

### Times

	Time From Call Received		
Call Received: 11/19/17 18:19:41		Unit Reaction:	(1st Dispatch to 1st Arrive)
Call Routed: 11/19/17 18:19:42	000:00:01	En-Route:	(1st Dispatch to 1st En-Route)
Call Take Finished: 11/19/17 18:19:42	000:00:01	On-Scene: 000:42:00	(1st Arrive to Last Clear)
1st Dispatch: 11/19/17 18:19:42	000:00:01 (Time Held)		
1st En-Route: 11/19/17 18:19:42	000:00:01		
1st Arrive: 11/19/17 18:19:42	000:00:01 (Reaction Time)		
Last Clear: 11/19/17 19:01:42	000:42:01		

### Radio Log

Unit	Empl ID	Type	Description	Time Stamp	Comments	Close Code	User
33A	EP6361	D	Dispatched	11/19/17 18:19:42	FOUL ODOR IN HALLWAY, POSSIBLY		Unit:33A
33A	EP6361	E	En-Route	11/19/17 18:19:42	FOUL ODOR IN HALLWAY, POSSIBLY		Unit:33A
33A	EP6361	A	Arrived	11/19/17 18:19:42	FOUL ODOR IN HALLWAY, POSSIBLY		Unit:33A
33A	EP6361	ENT	Entered Vehicle	11/19/17 18:20:20	[Vin:] 4T1BK36B28U284387 [Iicpl_no:] Z		Unit:33A
3300	EP4441	D	Dispatched	11/19/17 18:54:37	Stat/Beat: PSUP		Unit:3300
3300	EP4441	E	En-Route	11/19/17 18:54:37	Stat/Beat: PSUP		Unit:3300
3300	EP4441	A	Arrived	11/19/17 18:54:39			Unit:3300
3300	EP4441	C	Cleared	11/19/17 19:01:01		BU	Unit:3300
33A	EP6361	C	Cleared	11/19/17 19:01:42		O	Unit:33A

## Event Log

Unit	Empl ID	Type	Description	Time Stamp	Comments	Close Code	User
		TR	Time Received	11/19/17 18:19:41	By: SELF		Unit:33A
		FIN	Finished Call Taking	11/19/17 18:19:42			Unit:33A
33A	EP6361	NCIC	QRY:Vehicles	11/19/17 18:20:23	UNIT:33A Tag=Z103589 State= VIN=		Unit:33A
		ENT	Entered RelNmType	11/19/17 18:33:59	[ID: 316776] OTH		WS9966
		CHG	Changed RelLastName	11/19/17 18:34:34	[ID: 316776] <UNKNOWN> --> BOGAN		WS9966
		ENT	Entered RelFirstName	11/19/17 18:34:41	[ID: 316776] KIIARA		WS9966
		ENT	Entered RelMiddleName	11/19/17 18:34:47	[ID: 316776] J		WS9966
		CHG	Changed RelFirstName	11/19/17 18:34:50	[ID: 316776] KIIARA --> KIARA		WS9966
		ENT	Entered RelNmDob	11/19/17 18:34:56	[ID: 316776] [REDACTED]		WS9966
		ENT	Entered RelNmAge	11/19/17 18:34:56	[ID: 316776] 18		WS9966
		ENT	Entered RelNmRace	11/19/17 18:35:02	[ID: 316776] [REDACTED]		WS9966
		ENT	Entered RelNmSex	11/19/17 18:35:03	[ID: 316776] F		WS9966
		DLQ	Driver License Query	11/19/17 18:35:05	OLN: State: Name: BOGAN, KIARA J		WS9966
		CHG	Changed RelNmAge	11/19/17 18:37:04	[ID: 316776] 18 --> 18		WS9966
		CHG	Changed RelNmDob	11/19/17 18:37:04	[ID: 316776] [REDACTED]		WS9966
		DLQ	Driver License Query	11/19/17 18:37:04	OLN: State: Name: BOGAN, KIARA J		WS9966
		RPT	Requested Report#	11/19/17 18:45:58	EPPD Report #17-02916 Unit:33A		Unit:33A
		ARM	Added Remarks	11/19/17 19:01:26			Unit:33A
33A	EP6361	RCL	Reclassified Nature	11/19/17 19:01:42	Nature: VIOLATION LOCAL ORDINANC		Unit:33A



# COMMUNICATIONS

Call Time	Event ID	Rpt #	Street	Nature	Additi
11/16/2017 15 1700174937			2534-1N HARLEM AV	DRUG INVESTIGAT	

# COMMUNICATIONS

Call Time	Event ID	Rpt #	Street	Nature	Additi
11/19/2017 18	1700176494	1702916	2534 HARLEM AV	VIOLATION LOCAL	
08/01/2017 22	1700115052	1701881	2534 HARLEM AV	MEET COMPLAINAN	
07/22/2014 22	14330469	14006687	2534 HARLEM AV	OPEN DOOR	

# COMMUNICATIONS

Call Time	Event ID	Rpt #	Street	Nature	Additi
06/24/2017 12	1700093484		2532 HARLEM AV	ROWDIES	NO SEE
01/03/2017 14	1700001051		2532 HARLEM AV	BURGLAR ALARM	
07/05/2016 06	1688075		2532 HARLEM AV	BURGLAR ALARM	
06/25/2016 20	1683408		2532 HARLEM AV	BURGLAR ALARM	
05/27/2016 01	1668563		2532 HARLEM AV	BURGLAR ALARM	
04/11/2016 09	1645830	1600818	2532 HARLEM AV	CRIMINAL DAMAGE	SEE
10/17/2015 07	1534494	1509734	2532 HARLEM AV	BURGLARY TO AUT	