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January 12, 2017

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IN REPLY REFER TO FILE NO.

Ms. Katherine Diebold
4135 Warwick Hills Drive
Wesley Chapel, Florida 33543
kmozur@gmail.com

EP-1

Re: Freedom of Information Act Request

Dear Ms. Diebold:

On January 5, 2017, the Village of Elmwood Park received your Illinois Freedom of Information Act (5 ILCS 140/1 *et seq.*) ("FOIA") request for "Report # 17-0008[.]"

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 that incidentally appears in a report, 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/INVESTIGATION REPORT

Elmwood Park Police Department

Case # 17-00008

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
LOGISZ, R. (EP6631), LOGISZ, R. (EP6631), LOGISZ, R. (EP6631), MESSINA, S. (EP9225), MESSINA, S. (EP9225)

Suspect Hate / Bias Motivated:

NARRATIVE

REPORTING OFFICER NARRATIVE

Elmwood Park Police Department

		OCA 17-00008
Victim DIEBOLD, KATHERINE KELLY	Offense CRIMINAL DAMAGE TO PROPERTY	Date / Time Reported Sun 01/01/2017 19:23

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

ON 01-01-17 AT 1923 HOURS OFC MESSINA AND I RESPONDED TO AN OPEN DOOR AT 7935 W ELMGROVE, LATER CHANGED TO A CRIMINAL TRESPASS. OFC MESSINA ARRIVED ON SCENE FIRST AND MET WITH CALLER [REDACTED] WHO STATED HE NOTICED THE FRONT DOOR OF 7935 (CURRENTLY UNOCCUPIED AND FOR SALE) WAS OPEN AND THAT THE BLINDS WERE "MESSED UP."

AS OFFICER MESSINA AND I APPROACHED THE RESIDENCE, WE OBSERVED THE PANE OF GLASS IN THE AJAR FRONT DOOR HAD BEEN BROKEN AND THE BLINDS ON THE DOOR HAD BEEN DAMAGED. OFC MESSINA AND I MADE ENTRY INTO THE BUILDING. INSIDE OF THE FRONT DOOR WE NOTICED BROKEN GLASS ON THE FLOOR. A LAMP HAD BEEN KNOCKED OFF OF AN END TABLE AND DAMAGED. VARIOUS ITEMS WERE LYING ON THE FLOOR IN THE FRONT ROOM, INCLUDING A BROKEN MIRROR AND PAPERWORK. WE HEARD THE BEEP OF AN ALARM, BUT IT HAD NOT BEEN ACTIVATED. WE LATER NOTICED THE ALARM CONTROL PANEL NEAR THE FRONT DOOR HAD BEEN TORN FROM THE WALL AND WAS LYING ON THE FLOOR IN THE FRONT ROOM. OFFICER MESSINA AND I CLEARED THE REST OF THE RESIDENCE.

IN THE FRONT BEDROOM ON THE SECOND STORY OF THE RESIDENCE, THE COMFORTER HAD BEEN TAKEN OFF OF THE BED AND WAS LYING ON THE FLOOR. NOTHING ELSE IN THE RESIDENCE (WHICH WAS MOSTLY DEVOID OF FURNITURE AND BELONGINGS DUE TO ITS FOR SALE STATUS) APPEARED OUT OF PLACE. THE REAR DOOR OF THE RESIDENCE WAS SECURE AND WAS CHAINED FROM THE INSIDE. NO ONE WAS LOCATED INSIDE OF THE RESIDENCE.

I SPOKE FURTHER WITH [REDACTED] WHO PROVIDED ME WITH A PHONE NUMBER FOR HOME OWNER KATHERINE DEIBOLD-MOZUR. I CONTACTED KATHERINE AT [REDACTED] AND ADVISED HER WHAT HAD OCCURRED. KATHERINE STATED SHE IS RESIDING IN FLORIDA AND IS IN THE PROCESS OF SELLING THE HOME.

I SPOKE WITH [REDACTED] STATED THAT AT APPROXIMATELY 1730 HOURS SHE OBSERVED A HEAVY SET MALE HISPANIC WEARING A BLACK SKULL CAP WALKING ACROSS THE FRONT LAWN OF 7935 TOWARDS 80TH AVENUE. [REDACTED] WAS UNABLE TO PROVIDE ANY FURTHER DESCRIPTION OF THE SUBJECT. [REDACTED] LATER RETURNED AND STATED SHE HAD SPOKEN WITH HER HUSBAND [REDACTED] HAD INFORMED [REDACTED] THAT AT APPROXIMATELY 0930 HOURS WHILE THE TWO WERE SLEEPING, HE HEARD GLASS BREAK. [REDACTED] CHECKED HIS OWN HOME. WHEN HE DID NOT OBSERVE SIGNS OF DAMAGE TO HIS HOME HE RETURNED TO BED.

OFC ZELASCO ARRIVED ON SCENE.

OFC MESSINA, ACTING AS AN EVIDENCE TECHNICIAN, PHOTOGRAPHED THE RESIDENCE. SEE ATTACHED.

REPORTING OFFICER NARRATIVE

Elmwood Park Police Department

		OCA <i>17-00008</i>
Victim <i>DIEBOLD, KATHERINE KELLY</i>	Offense <i>CRIMINAL DAMAGE TO PROPERTY</i>	Date / Time Reported <i>Sun 01/01/2017 19:23</i>
THE INFORMATION BELOW IS CONFIDENTIAL - FOR USE BY AUTHORIZED PERSONNEL ONLY		

KATHERINE GRANTED PERMISSION FOR HER NEIGHBORS TO SECURE THE FRONT DOOR AND SCREW A PIECE OF PLYWOOD OVER THE BROKEN GLASS PANE.

NOTHING FURTHER AT THIS TIME.

Incident Report Suspect List

Elmwood Park Police Department

OCA: 17-00008

1	Name (Last, First, Middle) <i>UNKNOWN,</i>						Also Known As				Home Address			
	Business Address													
	DOB <i>//</i>	Age	Race	Sex	Eth	Hgt	Wgt	Hair	Eye	Skin	Driver's License / State.			
	Scars, Marks, Tattoos, or other distinguishing features													
Reported Suspect Detail														
Suspect Age						Race	Sex	Eth	Height		Weight		SSN	
Weapon, Type		Feature		Make		Model			Color		Caliber	Dir of Travel		Mode of Travel
VehYr/Make/Model			Drs	Style		Color		Lie/St			VIN			
Notes								Physical Char						