



July 11, 2017

Ms. Mary A. Duffy
c/o Pro Bono Network
Oak Park, Illinois 60303
maryaduffy@mac.com

EP-1

Re: Freedom of Information Act Request

Dear Ms. Duffy:

On July 7, 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:

"All records including but not limited to police report stemming from incident on or about June 25, 2017 at or near 2332 N. 72nd Court Elmwood Park or relating to Rebecca Trotter and/or Eric Klimasz."

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 a driver's license number, home or personal telephone numbers, home addresses, and a signature, 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

Ms. Mary Duffy
July 11, 2017
Page 2

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 suspect who was never arrested, the names of third parties who incidentally appear in police reports, and the races of individuals, have 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,

THE VILLAGE OF ELMWOOD PARK



Gina Pesko
Freedom of Information Officer

Enclosures

INCIDENT/INVESTIGATION REPORT

Agency Name <i>Elmwood Park Police Department</i>
ORI <i>IL0163100</i>

Case# <i>17-01550</i>
Date / Time Reported <i>06/25/2017 12:16 Sun</i>
Last Known Secure <i>06/25/2017 12:16 Sun</i>
At Found <i>06/25/2017 12:16 Sun</i>

Location of Incident <i>2322 72nd Ct, Elmwood Park IL 60707-</i>	Premise Type <i>Residence / Home</i>	Zone/Tract <i>E3</i>
#1 Crime Incident(s) (Com) <i>Domestic Battery 0486</i>	Weapon / Tools <i>PERSONAL (HANDS, FIST, FEET)</i>	
	Entry	Exit
#2 Crime Incident ()	Weapon / Tools	
	Entry	Exit
#3 Crime Incident ()	Weapon / Tools	
	Entry	Exit

MO

# of Victims <i>1</i>	Type: <i>INDIVIDUAL</i>	Injury:
V1 Victim/Business Name (Last, First, Middle) <i>TROTTER, REBECCA R</i>	Victim of Crime # <i>1</i>	DOB <i>Age 30</i>
Home Address	Race <i>F</i>	Sex <i>IDR</i>
Employer Name/Address	Relationship To Offender <i>Resident</i>	Resident Status <i>Resident</i>
VYR	Make	Model
Style	Color	Lic/Lis
VIN		Business Phone
Mobile Phone		

OTHERS INVOLVED

CODES: V- Victim (Denote V2, V3) O = Owner (if other than victim) R = Reporting Person (if other than victim)										
Type:					Injury:					
Code	Name (Last, First, Middle)				Victim of Crime #	DOB	Race	Sex	Relationship To Offender	Military Branch/Status
Home Address						Home Phone				
Employer Name/Address						Business Phone		Mobile Phone		
Type:					Injury:					
Code	Name (Last, First, Middle)				Victim of Crime #	DOB	Race	Sex	Relationship To Offender	Military Branch/Status
Home Address						Home Phone				
Employer Name/Address						Business Phone		Mobile Phone		

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>BARRILE, M. (INV, INV) (EP6791)</i>	Supervisor <i>ROSA, E. (PATL, PAT) (EP4441)</i>
Invest ID# <i>KLISZ, R. (INV, INV) (EP7134)</i>	Case Disposition: <i>7 06/26/2017</i>
Status	Page 1

INCIDENT/INVESTIGATION REPORT

Elmwood Park Police Department

Case # 17-01550

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
MARCHI, J. (EP7483), MARCHI, J. (EP7483)

Suspect Hate / Bias Motivated:

NARRATIVE

REPORTING OFFICER NARRATIVE

Elmwood Park Police Department

OCA 17-01550
Date / Time Reported Sun 06/25/2017 12:16

Victim TROTTER, REBECCA R	Offense DOMESTIC BATTERY
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THE INFORMATION BELOW IS CONFIDENTIAL - FOR USE BY AUTHORIZED PERSONNEL ONLY

On 06/25/17, at 1216 hours, Sergeant Rosa, Officer Marchi and I responded to 2322 N 72nd Court for a domestic battery report.

Upon arrival, I spoke to Rebecca Trotter in the alley. Rebecca was with her two small children [REDACTED]. Rebecca told me in summary: Rebecca and her live-in boyfriend [REDACTED] (also father of [REDACTED] and [REDACTED]) got into a verbal altercation that eventually turned physical. Rebecca said [REDACTED] has not been taking his anxiety medications. [REDACTED] got very upset when [REDACTED] was watching Youtube videos on his cell phone and he could not find it. [REDACTED] got even more upset when he didn't have the opportunity to play video games. [REDACTED] began to yell at Rebecca. During the course of the altercation, [REDACTED] punched Rebecca in the back of the head with a closed fist. He grabbed her shirt causing it to tear. Rebecca ran to the bedroom to get her cell phone to call the police and [REDACTED] followed her. Rebecca told [REDACTED] she was going to call the police. [REDACTED] pushed [REDACTED] out of the way to get to Rebecca. He grabbed Rebecca's cell phone out of her hand and said he would kill the police, her and himself causing the children to live with his parents. Rebecca said [REDACTED] told her he would use a knife. Rebecca told [REDACTED] she would scream so everyone around could hear.

Officer Marchi was inside the apartment speaking to [REDACTED]. See Officer Marchi's report.

Rebecca said she did not want [REDACTED] arrested but wanted him to leave. I did not observe any signs of injury to Rebecca or the children. Rebecca refused an ambulance. I explained the order of protection process and how to obtain one. Rebecca said she spoke to [REDACTED] parents and they agreed to pick up [REDACTED] belongings.

Rebecca voluntarily signed a Victim's Refusal to Sign Complaints form. I contacted DCFS.

Incident Report Suspect List

Elmwood Park Police Department

OCA: 17-01550

1	Name (Last, First, Middle)					Also Known As					Home Address								
	[REDACTED]																		
Business Address																			
[REDACTED]																			
DOB		Age		Race	Sex	Eth	Hgt		Wgt		Hair		Eye		Skin		Driver's License / State.		
[REDACTED]		29		[REDACTED]	M	N	508		215		BLN		BLU		FAR		[REDACTED]		
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						
Veh Yr/Make/Model				Drs	Style			Color		Lic/St			VIN						
Notes										Physical Char									

CASE SUPPLEMENTAL REPORT

Printed: 07/07/2017 16:42

Elmwood Park Police Department

OCA: 1701550

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

Case Status: EXCEPTIONALLY CLEARED Case Mng Status: CLEARED EXCEPTIONALLY Occurred: 06/25/2017

Offense: DOMESTIC BATTERY

Investigator: MARCHI, J. (EP7483)

Date / Time: 06/25/2017 13:16:44, Sunday

Supervisor: ROSA, E. (EP4441)

Supervisor Review Date / Time: 06/25/2017 13:54:12, Sunday

Contact: [REDACTED]

Reference: Investigative Action Supplement

On 06/25/2017 at 1216 hours, I responded to 2322 72nd Ct for a call of a domestic battery. I arrived on scene with Ofc Barrile.

We located the victim who was exiting from the rear entry door. See Ofc Barrile's report for further.

I asked if I could check the interior of the unit to make sure the offender had left the scene and Rebecca told me to "go ahead."

I entered through the rear door of the apartment and announced my office and requested [REDACTED] the alleged offender, come out if he is present in the residence. I checked the kitchen, the bathroom, the west bedroom, and the dining room announcing my office at each entryway. Finally, prior to entering the east bedroom, I announced my office and [REDACTED] stated, "Ok, I'm coming out."

I requested [REDACTED] step to me and place his hands on the North wall of the dining room and he immediately complied. I then asked him if he had any weapons on his person or in the residence and he told me no. I asked him if I could check his person and he told me yes. A protective pat down did not reveal any weapons. I asked [REDACTED] to sit down in a chair at the dining room table and he complied. I asked him what happened and he told me the following in summary:

He and his children's mother, Rebecca, started arguing earlier in the day while he was preparing breakfast. When Rebecca went to get their older child, [REDACTED] dressed for the day, he was watching the baby in the living room. He and Rebecca began to start arguing again because she did not feel he was "doing enough." The argument began to get more heated, and they were, "in each other's faces." [REDACTED] does not remember exactly what happened then, but he remembers they were pushing and shoving each other and Rebecca struck him with a closed fist in the back of his head. He then pushed her, to get past and away from her, and bumped into [REDACTED] who was on the bed. He told me he just wants to gather some belongings, leave, and go to his parents house till everyone "cools down."

I asked him if he had any injuries or swelling and he told me no. I did not observe any obvious injuries to his visible body.

Sgt Rosa then arrived on scene.

While speaking with [REDACTED] his demeanor was calm and he was forth coming with his statements when asked questions regarding the incident. He gathered some clothing, and some electronics and left without further incident.

While exiting the premise, Sgt Rosa asked him if he made statements to Rebecca about wanting to hurt himself or others. [REDACTED] was visibly surprised by the question and told us he did not make any comments like that at all. Sgt Rosa asked him if he may have made those comments during the heat of the argument and he told us, "If I did, I don't remember saying anything like that." Sgt Rosa again asked him if he want to harm himself or others, or if he wanted any medical attention and he said no to both questions.

[REDACTED] was advised to stay away for a day or two until both parties could calm down and have a reasonable discussion. [REDACTED] agreed and told me he would be going to his parents house in Hickory Hills for a few days. [REDACTED] left the scene

Investigator Signature

Supervisor Signature

CASE SUPPLEMENTAL REPORT

Printed: 07/07/2017 16:42

Elmwood Park Police Department

OCA: 1701550

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Case Status: EXCEPTIONALLY CLEARED Case Mng Status: CLEARED EXCEPTIONALLY Occurred: 06/25/2017

Offense: DOMESTIC BATTERY

Investigator: MARCHI, J. (EP7483)

Date / Time: 06/25/2017 13:16:44, Sunday

Supervisor: ROSA, E. (EP4441)

Supervisor Review Date / Time: 06/25/2017 13:54:12, Sunday

Contact: Klimasz, Eric
8130 W 90th St, Hickory Hills
224-545-6611

Reference: Investigative Action Supplement

while we stood by.

I completed my report and returned to duty.

Investigator Signature

Supervisor Signature




ELMWOOD PARK POLICE DEPARTMENT VICTIM'S REFUSAL TO SIGN COMPLAINTS

Case Number:	<u>17-1550</u>
Date:	<u>6-25-17</u>
Time:	<u>1215</u>
INCIDENT:	<u>DOM BATT</u>

I, being the victim in this incident, do not wish to prosecute the below listed suspect, for this offense. I will not sign a complaint and request that none be issued. I understand the Elmwood Park Police Department is willing to issue a complaint in this matter; however, I do not wish any prosecution.

This action on my part is free and voluntary, and I have not been coerced nor intimidated in any way in deciding this course of action.

.....



 Signature of Person Refusing

Rebecca Troyer

 Printed Name of Person Refusing




 Telephone Number

 6791

 Witness #1 Signature

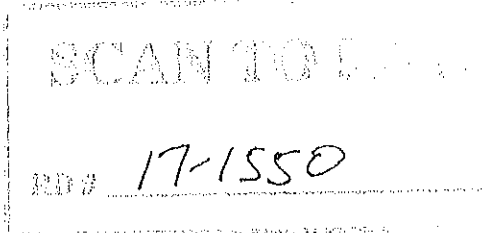
 Witness #2 Signature



 Name of Suspect and D.O.B.

 Suspect Address and Telephone Number



Reporting Officer/Star

Approving Supervisor/Star



FREEDOM OF INFORMATION
REQUEST FOR PUBLIC RECORDS

Freedom of Information Officers:

Gina Pesko
Village Clerk

Paul A. Volpe
Village Manager
Village of Elmwood Park
11 Conti Parkway
Elmwood Park, IL. 60707

From: Mary A. Duffy
(Name - Please print) volunteer attorney

c/o Pro Bono Network
(Address)
PO Box 469
Oak Park IL 60303
(City, State and Zip)

708 267 7590
(Telephone)

email to: pelzers@mac.com

DESCRIPTION OF REQUESTED RECORD(S)

All records including but not limited to police report +
stemming from incident on or about June 25, 2017
at or near 2322 N. 72nd Court Elmwood Park
or relating to Rebecca Trotter and/or Eric Klimasz

Please indicate if you wish to inspect the above captioned records or wish a copy of them.

 Inspection Copy X Both

Do you wish to have copies certified? Yes No

There is no charge for reproducing the first fifty copies. Over fifty 15 cents each.

Certified copies \$1.00 each

Copies can be picked up at 11 Conti Parkway, Elmwood Park, Illinois or mailed..

Date Received JUL 07 REC'D

Date Response Due 7/10/17

7/7/17 to BPPA

7/10 to SES