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June 23, 2017

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IN REPLY REFER TO FILE NO.

EP-1

Ms. Rebecca D. Shubert
2411 N. 78th Avenue
Elmwood Park, Illinois 60707
shubertrebecca@gmail.com

Re: Freedom of Information Act Request

Dear Ms. Shubert:

On June 16, 2017, the Village of Elmwood Park received your Illinois Freedom of Information Act (5 ILCS 140/1 *et seq.*) ("FOIA") request for "6/11/17[.]"
Assault incident after hearing."

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 signatures, 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, 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.

STORINO, RAMELLO & DURKIN

Ms. Rebecca D. Shubert
June 23, 2017
Page 2

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:

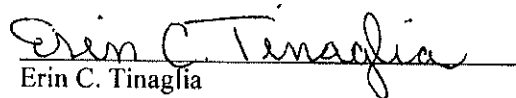
Sarah Pratt
Public Access Counselor
Office of the Attorney General
500 South 2nd Street
Springfield, Illinois 62706
Fax: 217-782-1396
E-mail: publicaccess@atg.state.il.us

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 # 17-01430

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), LOGISZ, R. (EP6631)

Suspect Hate / Bias Motivated:

NARRATIVE

REPORTING OFFICER NARRATIVE

Elmwood Park Police Department

OCA 17-01430
Date / Time Reported Sun 06/11/2017 16:07

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

On June 11, at 1607 hours, I responded to 2411 N. 78th Avenue for a reported Domestic Battery. Upon my arrival, with Officer Logisz and Officer Schak, I met [REDACTED] M [REDACTED] and his live in girlfriend [REDACTED] F [REDACTED]

[REDACTED] told me he had an altercation with [REDACTED]
 [REDACTED] told me he was in the living room with his children when [REDACTED] became upset with him.
 [REDACTED] told me [REDACTED] will lie and say things to the police to have him arrested.
 [REDACTED] told me he is surprised [REDACTED] called the police.

I spoke to [REDACTED]
 [REDACTED] told me she had an argument with [REDACTED]
 [REDACTED] told me [REDACTED] became upset and grabbed [REDACTED] on her neck.
 I did not observe any redness or injury to [REDACTED] neck or arms.
 [REDACTED] told me she was not injured.
 [REDACTED] told me [REDACTED] spat on her.

I returned to [REDACTED] told me he did not grab [REDACTED]
 [REDACTED] told me he did not spit on [REDACTED]

[REDACTED] signed a victim refusal sign and said she did not want [REDACTED] arrested.

[REDACTED] said her children witnessed the altercation with [REDACTED]
 [REDACTED] F [REDACTED]
 [REDACTED] M [REDACTED]

[REDACTED] left for the evening.

I returned to the Public Safety Building, completed this report, and contacted DCFS.

Nothing Further.

Incident Report Suspect List

Elmwood Park Police Department

OCA: 17-01430

1	Name (Last, First, Middle)					Also Known As					Home Address	
	[REDACTED]										[REDACTED]	
	Business Address											
DOB	Age	Race	Sex	Eth	Hgt	Wgt	Hair	Eye	Skin	Driver's License / State.		
[REDACTED]	38	[REDACTED]	M		510	150	BRO	BRO		[REDACTED]	IL	
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			
VehYr/Make/Model	Drs	Style	Color		Lic/St	VIN						
Notes						Physical Char						



ELMWOOD PARK POLICE DEPARTMENT
VICTIM'S REFUSAL TO SIGN COMPLAINTS

SCAN TO RMS

Case Number: 17-1430
 Date: 11 JUN 17
 Time: 1607
 INCIDENT: DOMESTIC BATT.

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.

.....
 [Redacted Signature]

Signature of Person Refusing

[Redacted Name]

Printed Name of Person Refusing

[Redacted Telephone Number]

Telephone Number

SCAN TO RMS
 ID # 17-1430

[Redacted Signature] 2/1/60

Witness #1 Signature

[Redacted Signature] 7/63

Witness #2 Signature

[Redacted Name and D.O.B.]

Name of Suspect and D.O.B.

[Redacted Address and Telephone Number]

Suspect Address and Telephone Number

Reporting Officer/Star

Approving Supervisor/Star

COMMUNICATIONS

Event Report

Event ID: 17-00086151 Call Ref #: 639 Date/Time Received: 06/11/17 23:24:00

Rpt #: Call Source: PHONE	Prime 31S Unit: HOCK, BRIAN	Services Involved					
		<table border="1" style="margin: auto;"> <tr> <td style="width: 20px;">LAW</td> <td style="width: 20px;"></td> <td style="width: 20px;"></td> <td style="width: 20px;"></td> <td style="width: 20px;"></td> </tr> </table>	LAW				
LAW							
Location: 2411 78TH AV							
X-ST: FULLERTON AV ALTGELD		Jur: CAD Service: LAW Agency: EPPD St/Beat: E3 District: EPPD RA: GP: E3					
Business:	Phone:						
Nature: MEET COMPLAINANT	Alarm Lvl: 1 Priority: 2	Medical Priority:					
Reclassified Nature:							
Caller: [REDACTED]	Phone: [REDACTED]	Alarm: [REDACTED]					
Addr:		Alarm Type:					
Vehicle #:	St:	Report Only: No Race: Sex: Age:					
Call Taker: WS9994	Console: CAD02						
Geo-Verified Addr.: Yes	Nature Summary Code:	Disposition: M Close Comments:					

Notes: r/o spoke with [REDACTED] m [REDACTED] who stated he attempted to drop off his children to mother, [REDACTED] f [REDACTED] stated [REDACTED] was not home and could not get in contact with her. [REDACTED] stated their is no court ordered visitation at this time. children were sleeping and appeared in good health. [REDACTED] stated he would be bringing his children back to his residence. [REDACTED] arrived home (highly intoxicated) while r/o was speaking with [REDACTED] subjects agreed [REDACTED] was going to take the children back to [REDACTED] residence. dcfs to be notified from previous incident. no report. [06/11/17 23:53:19 Unit:31S] CALLER WILL BE WAITING ON FRONT PORCH [06/11/17 23:26:24 WS9994] caller attempted custody exchange of kids with mother, mother wasn't answering the door but had previously stated that if he didn't return the kids to her this evening she was going to call the police and claim he kidnapped them, caller would like to speak with ofc about this so it's documented that he had attempted to return children to their mother, caller also stated ofc rodriguez also responded for similar incident about this today [06/11/17 23:26:11 WS9994]

Times

	Time From Call Received	
Call Received: 06/11/17 23:24:00		
Call Routed: 06/11/17 23:26:12	000:02:12	Unit Reaction: 000:03:36 (1st Dispatch to 1st Arrive)
Call Take Finished: 06/11/17 23:26:12	000:02:12	En-Route: 000:00:27 (1st Dispatch to 1st En-Route)
1st Dispatch: 06/11/17 23:27:08	000:03:08 (Time Held)	On-Scene: 000:22:43 (1st Arrive to Last Clear)
1st En-Route: 06/11/17 23:27:35	000:03:35	
1st Arrive: 06/11/17 23:30:44	000:06:44 (Reaction Time)	
Last Clear: 06/11/17 23:53:27	000:29:27	

Radio Log

Unit	Empl ID	Type	Description	Time Stamp	Comments	Close Code	User
31S	EP6089	D	Dispatched	06/11/17 23:27:08	Stat/Beat: ES		WS9924
31S	EP6089	E	En-Route	06/11/17 23:27:35	[Enroute Button]		WS9924
31S	EP6089	A	Arrived	06/11/17 23:30:44			Unit:31S
31S	EP6089	C	Cleared	06/11/17 23:53:27		M	Unit:31S

Event ID: 17-00086151

Call Ref #: 639

MEET COMPLAINANT at 2411 78TH AV

Event Log

Unit	Empl ID	Type	Description	Time Stamp	Comments	Close Code	User
		TR	Time Received	06/11/17 23:24:00	By: PHONE		WS9994
		ENT	Entered Street	06/11/17 23:24:06	2411 78TH AV		WS9994
		ENT	Entered Nature	06/11/17 23:24:11	MEET COMPLAINANT		WS9994
		ENT	Entered CallerName_Ca	06/11/17 23:24:22	[REDACTED]		WS9994
		ENT	Entered CallerPhone	06/11/17 23:24:31	[REDACTED]		WS9994
		ARM	Added Remarks	06/11/17 23:26:11			WS9994
		FIN	Finished Call Taking	06/11/17 23:26:12			WS9994
		ARM	Added Remarks	06/11/17 23:26:24			WS9994
		VCH	Viewed Call History	06/11/17 23:26:44	Location Information		WS9994
		REC	Unit Rec Btn Click	06/11/17 23:27:04	Unit recommend for MEET COMPLAINA		WS9924
		REC	Unit Recommendation	06/11/17 23:27:08	Plan: EPPD Cat: 1P Lvl: 1		WS9924
		REC	Unit Recommendation	06/11/17 23:27:08	Recmnd:31S [PAT]		WS9924
		ARM	Added Remarks	06/11/17 23:53:19			Unit:31S