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IN REPLY REFER TO FILE NO.

March 21, 2017

Via e-mail: [gagachicago@gmail.com](mailto:gagachicago@gmail.com)  
Ms. Agnieszka Matwijewska  
2821 N. 76<sup>th</sup> Ave. Apt 2E  
Elmwood Park, IL 60707

EP-1

**Re: Freedom of Information Act Request**

Dear Ms. Matwijewska:

On March 17, 2017, the Village of Elmwood Park received your Freedom of Information Act (5 ILCS 140/1 *et seq.*) ("FOIA") request for the following records:

"1603214"

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, including employee identification numbers, 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, an individual's race, a victim's name and identifying information, the names of suspects who were never arrested, third party's identifying information, and

**STORINO, RAMELLO & DURKIN**

Ms. Agnieszka Matwijewska  
March 21, 2017  
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other personal 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

Agency Name  
**Elmwood Park Police Department**

ORI  
**IL0163100**

Case#  
**16-03214**

Date / Time Reported  
**12/31/2016 22:15 Sat**

Last Known Secure  
**12/31/2016 22:15 Sat**

At Found  
**12/31/2016 22:15 Sat**

Location of Incident <b>2821 76th Av, Elmwood Park IL 60707-</b>	Premise Type <b>Residence / Home</b>	Zone/Tract <b>E1</b>	Activity
#1 Crime Incident(s) (Com) <b>Domestic Dispute 4870</b>	Weapon / Tools <b>NONE</b>		Activity
	Entry	Exit	Security
#2 Crime Incident ( )	Weapon / Tools		Activity
	Entry	Exit	Security
#3 Crime Incident ( )	Weapon / Tools		Activity
	Entry	Exit	Security

MO

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

CODES: V- Victim (Denote V2, V3) O = Owner (if other than victim) R = Reporting Person (if other than victim)								
Type: <b>INDIVIDUAL</b>			Injury:					
Code <b>RP</b>	Name (Last, First, Middle)	Victim of Crime #	DOB Age	Race	Sex	Relationship To Offender	Resident Status	Military Branch/Status
Home Address							Home Phone	
Employer Name/Address					Business Phone		Mobile Phone	
Type: <b>INDIVIDUAL</b>			Injury:					
Code <b>IO</b>	Name (Last, First, Middle)	Victim of Crime #	DOB Age	Race	Sex	Relationship To Offender	Resident Status <b>Resident</b>	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 Fmt/To	Value	OJ	QTY	Property Description	Make/Model	Serial Number

Officer/ID# **WINIARCZYK, M. (INV, INV)**

Invest ID# **KLISZ, R. (INV, INV)**

Supervisor **PANKEY, C. (PATL, PAT)**

Status Complainant Signature Case Status Reviewed By Investigations **01/03/2017** Case Disposition: **V** **01/03/2017** Page 1

Incident Report Additional Name List

Elmwood Park Police Department

OCA: 16-03214

Additional Name List

Name Code//	Name (Last, First, Middle)	Victim of Crime #	DOB	Age	Race	Sex
1) IO 2	[REDACTED]		[REDACTED]			
	Address [REDACTED]		H: [REDACTED]			
	Empl/Addr		B: - -			
			Mobile #: - -			
2) IO 3	MATWIJEWSKA, AGNIESZKA		[REDACTED]			
	Address [REDACTED]		H: [REDACTED]			
	Empl/Addr		B: - -			
			Mobile #: - -			

# INCIDENT/INVESTIGATION REPORT

Elmwood Park Police Department

Case # 16-03214

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  
 HOCK, B. [REDACTED] HOCK, B. [REDACTED], SCHAK, K. [REDACTED]

Suspect Hate / Bias Motivated:

NARRATIVE

REPORTING OFFICER NARRATIVE

Elmwood Park Police Department

OCA
16-03214
Date / Time Reported
Sat 12/31/2016 22:15

Victim	Offense
	DOMESTIC DISPUTE

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

On this date, Ofc. Hock and I responded to this location for a domestic disturbance called in by a 9 year old child as well as an adult resident of the building [REDACTED]. We met [REDACTED] outside who stated her friend who lived in the 2nd floor apartment [REDACTED] was drunk and causing problems. She led us to the upstairs apartment where another male identified as her husband [REDACTED] was present in the living room with [REDACTED] live in girlfriend [REDACTED] was also present. Upon walking in, I observed [REDACTED] standing in front of [REDACTED] who was seated on the couch and [REDACTED] was striking [REDACTED] in the head with his knee. [REDACTED] was ordered to place his hands behind his back, complied and was handcuffed and advised he was detained. I spoke with [REDACTED] who appeared to be under the influence of alcohol and stated [REDACTED] came to his door several times and was pounding on the door. He stated he opened the door and [REDACTED] was yelling and punched [REDACTED] in the face. [REDACTED] had slight swelling under his right eye. He stated he was his friend and told him to leave. He stated [REDACTED] was scaring his children. He stated [REDACTED] would not stop so he came upstairs to put him to bed so he would stop causing problems. He stated [REDACTED] then told [REDACTED] his wife was a "whore" and was sleeping around. [REDACTED] stated he got upset and struck [REDACTED] I spoke with [REDACTED] who also stated that [REDACTED] was very drunk and came to their door several times and punched her husband in the face. I spoke with [REDACTED] who was extremely intoxicated. When asked what the issue was he stated "my wife doesn't clean." He then stated [REDACTED] hit him. He denied hitting [REDACTED] but stated he went to his door several times. He stated [REDACTED] was sleeping around. He demanded to see his daughter, I spoke with [REDACTED] who stated she was [REDACTED] girlfriend and they had one child together, a toddler girl. She stated she also had an older male child. She stated [REDACTED] began drinking alcohol earlier and then went to [REDACTED] apartment where he drank more. She stated some altercation happened and [REDACTED] returned. She stated he kept drinking and began arguing with her and causing problems. She stated she got concerned and did not think the children were safe with [REDACTED] at that time so she took her children to stay with [REDACTED]s mother, who also lived in the building in the basement apartment. She stated [REDACTED] got upset and began walking up and down the stairs pounding on doors. She stated he fell on the stairs and bruised himself up. She stated the problem was caused by [REDACTED]

[REDACTED] kept demanding that we retrieve his child. I advised him the child was taken out of the residence by his girlfriend and mother of the child [REDACTED] who was sober and able to make decisions for the child. He admitted he was not able to take care of a child at this time but kept asking me to go knock on doors with him. I advised him to go to sleep and speak with me tomorrow when he was sober, if he wished. [REDACTED] stated she would attempt to put [REDACTED] to bed and was advised to call 911 if there was a problem. [REDACTED] had scratches and bruises on his side torso and back and an abrasion to his lip.

[REDACTED] also had a swollen hand. He and wife [REDACTED] stated they were going to their apartment, locking doors and would call 911 if [REDACTED] returned to their door. Handcuffs were removed from [REDACTED]

Parties refused medical attention. [REDACTED] followed us outside and was advised again to return to his apartment and reminded he could come to the police station to speak with me when sober.

Nothing further.