#### LAW OFFICES

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March 13, 2017

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OF COUNSEL

IN REPLY REFER TO FILE NO.

EP-1

Via e-mail: msrottweiler1@aol.com Ms. Kathryn Greene

2446 Forestview River Grove, IL 60171

> Freedom of Information Act Request Re:

Dear Ms. Greene:

DONALD J. STORINO

MICHAEL K. DURKIN

THOMAS M. BASTIAN

JAMES E. MACHOLL

ANTHONY J. CASALE

BRIAN W. BAUGH

ANDREW Y, ACKER

PETER A. PACIONE

MELISSA M. WOLF MATTHEW G. HOLMES

MICHAEL R. DURKIN THOMAS J. HALLERAN

RICHARD J. RAMELLO

NICHOLAS S, PEPPERS

ANGELO F. DEL MARTO

On March 6, 2017, the Village of Elmwood Park received your Freedom of Information Act (5 ILCS 140/1 et seq.) ("FOIA") request for the following records:

"17-550"

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, and other personal information, the

#### STORINO, RAMELLO & DURKIN

Ms. Kathryn Greene March 13, 2017 Page 2

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

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

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## INCIDENT/INVESTIGATION REPORT

Elmwood Park Police Department

Case# 17-00550

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RE	PORTING OFFICER NARRATIVE	OCA
Elmwood Park Police Department		17-00550
Victim	Offense	Date / Time Reported
GRBENE, KATHRYN J	ARMED ROBBERY	Wed 03/01/2017 22:15
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THE MEORIMATION BELOW IS CONFIDENTIAL TORT SE BY AUTHORIZED PERSONNEL ONLY

On 03/01/17 at 2215 hours, a female who was later identified as Kathryn Greene ( walked into the Elmwood Park Police lobby stating she had just been robbed at gunpoint approximately twenty minuets ago. Greene was unsure of the exact address of the offense, but believed it occurred in the area of 72nd Court and Belden Avenue. I spoke with Greene who stated one male black subject wearing a black sweatshirt and blue jeans and one male white subject wearing a green parka and blue jeans approached her from behind somewhere on Belden Avenue in Elmwood Park. Greene stated the white male pulled out a black handgun and stated "Give me your jacket or I'm going to shoot you." Greene stated she handed the subjects her jacket and they fled north bound from Belden Avenue. Officers searched the area with negative results.

I asked Greene if she would be willing to take a ride back to the area where the crime took place and point out exactly where everything occurred. Greene agreed to take a ride in my squad back to the scene of the crime. Greene stated she was driving her vehicle with her dog in the car and parked the vehicle at Belden and 75th Avenue. Greene stated she wanted to take her dog for a walk from 7500 Belden Avenue to Dunkin Donuts located at 7201 Grand Avenue.

Greene walked with her dog to Dunkin, bought a coffee and began walking back to her vehicle. Greene then explained to me the exact route she took back to her vehicle. Greene stated she walked west on Fullerton Avenue to 72nd Court. Greene walked south bound 72nd Court to Belden. Greene then took Belden to 73rd Avenue and walked north bound to Fullerton. She then took Fullerton west to 73rd Court. At 73rd Court, Greene walked south bound back to Belden. Greene took Belden Avenue approximately a half of a block west bound, just before 74th Avenue when she made contact with the two subjects who approached her from the rear.

Greene stated she has trouble with her vision at night time and was not able to provide a detailed description of the offenders. Greene stated both subjects were approximately six feet in height and in their twenties. Greene stated she was on the south side of the house located at 2301 74th Avenue when she was held at gunpoint for her fur coat. After Greene handed the white male the fur coat, both subjects ran east bound Belden Avenue to 73rd Court where they ran north bound.

Greene stated she did not have a cell phone on her when the robbery occurred. Greene walked back to her vehicle and drove to the police station to report the incident.

Greene described her fur coat having partial fox fur and majority mink fur. The fox fur on the coat was beige and the mink was light and dark brown in color. There was a monogram stitched on the inside of the jacket with and unknown name. Greene stated the coat is long, extending down to her shins when she wears it. There was nothing inside her coat when it was taken from her. Greene stated she would attempt to find a photo of her coat for the police to have a better description of what it looks like.

End of report.

# Incident Report Suspect List

Elmwood Park Police Department

OCA: 17-00550

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### CASE SUPPLEMENTAL REPORT

NOT SUPERVISOR APPROVED

Printed: 03/03/2017 15:21

OCA: 1700550

Case Status: PENDING / ACTIVE	Case Mag Status: NA	Occurred: 03/01/2017
Offense: ARMED ROBBERY		
investigator: RANSOM, D. (EP4339)	· Date / Time:	03/03/2017 10:56:56, Friday
Supervisor: (0)	Supervisor Review Date / Time:	NOT REVIEWED
Contact:	References	Investigative Action Supplement

Sapan advised the system currently is not functioning properly at the 7201 W Grand Ave location but said he could remotely view the video recording from other locations.

and I reviewed the camera recordings from 7201 W Grand Ave location. We could view a female subject wearing what appears to be a fur coat in the restaurant. The female also had a dog with her, on a leash. According to the time the female was in the 7201 W. Dunkin Donuts was 03-01-17 about 943pm and she excited around 955pm.

advised he has no way to record the video to a disc but suggested taking video of the video, with a camera phone. I used the Elmwood Park Police Department Iphone, issued to the Criminal Investigations Division and recorded two short recordings of the female inside the Dunkin Donuts, for this case.

Once at the station, I placed the video files onto a disc to be entered into evidence. [03/03/2017 11:06, EP4339, 111, EPPD]

Investigator Signature

Supervisor Signature