

LAW OFFICES

STORINO, RAMELLO & DURKIN

9501 WEST DEVON AVENUE
ROSEMONT, ILLINOIS 60018

DONALD J. STORINO
MICHAEL K. DURKIN
RICHARD J. RAMELLO
NICHOLAS S. PEPPERS
THOMAS M. BASTIAN
ANGELO F. DEL MARTO
JAMES E. MACHOLL
BRIAN W. BAUGH
ANTHONY J. CASALE
ANDREW Y. ACKER
PETER A. PACIONE
MELISSA M. WOLF
MATTHEW G. HOLMES
MICHAEL R. DURKIN

(847) 318-9500

FACSIMILE (847) 318-9509

May 25, 2017

THOMAS J. HALLERAN
ERIN C. TINAGLIA
ADAM R. DURKIN

JOSEPH G. KUSPER
MARK R. STEPHENS
BRYAN J. BERRY
ANN M. WILLIAMS
LEONARD P. DIORIO
RICHARD F. PELLEGRINO
DONALD J. STORINO II

OF COUNSEL

IN REPLY REFER TO FILE NO.

Mr. Marcelino Gonzalez II
2239 S. California Avenue
Chicago, Illinois 60608
marcelogii82@gmail.com

EP-1

Re: Freedom of Information Act Request

Dear Mr. Gonzalez:

On May 18, 2017, the Village of Elmwood Park received your Illinois Freedom of Information Act (5 ILCS 140/1 *et seq.*) ("FOIA") request for "Report 17-1131[.]"

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 who incidentally appears in a police report and the races of individuals, have been redacted from the records being provided.

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Mr. Marcelino Gonzalez
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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

Agency Name
Elmwood Park Police Department

ORI
IL0163100

Case#
17-01131

Date / Time Reported
05/12/2017 17:13 Fri

Last Known Secure
05/12/2017 17:13 Fri

At Found
05/12/2017 17:13 Fri

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Location of Incident 2658 73rd Av, Elmwood Park IL 60707-		Premise Type Residence / Home	Zone/Traet E2
#1	Crime Incident(s) Child Custody Dispute 9998	(Com)	Weapon / Tools NONE
			Activity
#2	Crime Incident	()	Weapon / Tools
			Activity
#3	Crime Incident	()	Weapon / Tools
			Activity

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# of Victims 0	Type:	Injury:
VI	Victim/Business Name (Last, First, Middle)	Victim of Crime #
	DOB	Race
	Age	Sex
	Relationship To Offender	Resident Status
	Home Address	Home Phone
	Employer Name/Address	Business Phone
		Mobile Phone
VYR	Make	Model
	Style	Color
	Lic/Lis	VIN

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CODES: V- Victim (Denote V2, V3) O = Owner (if other than victim) R = Reporting Person (if other than victim)									
Type: INDIVIDUAL					Injury:				
Code	Name (Last, First, Middle)	Victim of Crime #	DOB	Race	Sex	Relationship To Offender	Resident Status	Military Branch/Status	
RP	[REDACTED]		Age 35		M		Non-Resident		
	Home Address						Home Phone		
	Employer Name/Address						Business Phone		Mobile Phone
Type: INDIVIDUAL					Injury:				
Code	Name (Last, First, Middle)	Victim of Crime #	DOB	Race	Sex	Relationship To Offender	Resident Status	Military Branch/Status	
IO	[REDACTED]		Age 24		F		Resident		
	Home Address						Home Phone		
	Employer Name/Address						Business Phone		Mobile Phone

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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# **SWOBODA, L. (PATL, PAT) (EP4970)**

Invest ID# **KLISZ, R. (INV, INV) (EP7134)**

Supervisor **BUSCH, D. (PATL, SUPV) (EP5697)**

Status Complainant Signature Case Status Reviewed By Investigations **05/15/2017** Case Disposition: **V** **05/15/2017** Page 1

Incident Report Additional Name List

Elmwood Park Police Department

OCA: 17-01131

Additional Name List

Name Code/#	Name (Last, First, Middle)	Victim of Crime #	DOB	Age	Race	Sex
1) 10 2	[REDACTED]		[REDACTED]	04	[REDACTED]	M
	Address		II: - -			
	Empl/Addr		B: - -			
			Mobile #: - -			

INCIDENT/INVESTIGATION REPORT

Elmwood Park Police Department

Case # 17-01131

Status Codes 1 = None 2 = Burned 3 = Counterfeit / Forged 4 = Damaged / Vandalized 5 = Recovered 6 = Seized 7 = Stolen 8 = Unknown							
D R U G S	IBR	Status	Quantity	Type Measure	Suspected Type		

Assisting Officers
RODRIGUEZ, C. (EP6361)

Suspect Hate / Bias Motivated:

NARRATIVE

REPORTING OFFICER NARRATIVE

Elmwood Park Police Department

OCA
17-01131
Date / Time Reported
Fri 05/12/2017 17:13

Victim

Offense
CHILD CUSTODY DISPUTE

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

ON 12 MAY 2017 AT APPROXIMATELY 1713 HOURS, I WAS DISPATCHED TO THE STATION TO MEET WITH [REDACTED] (M [REDACTED]) REGARDING A CHILD CUSTODY DISPUTE. INVESTIGATION REVEALED THE FOLLOWING:

[REDACTED] HAS A CHILD, [REDACTED] (M [REDACTED]) WITH HIS EX-WIFE, [REDACTED] (F [REDACTED]). [REDACTED] AND [REDACTED] HAVE JOINT CUSTODY OF THE CHILD. PER COURT DOCUMENTS FILED IN WILL COUNTY (2014 D 0325), [REDACTED] IS TO PICK UP THE CHILD ON ALTERNATING FRIDAYS AT 1700 HOURS FOR WEEKEND VISITATIONS.

ON TODAY'S DATE [REDACTED] CONTACTED [REDACTED] TO ARRANGE A MEETING. [REDACTED] REFUSED TO COMMUNICATE WITH [REDACTED]. I ATTEMPTED TO SPEAK WITH [REDACTED] VIA TELEPHONE. [REDACTED] STATED SHE WILL NOT FOLLOW THE TERMS OF THE CURRENT COURT ORDER AND HUNG UP THE PHONE. I ATTEMPTED TO CALL [REDACTED] AGAIN BUT SHE WOULD NOT ANSWER THE PHONE.

[REDACTED] HAS FILED REPORTS WITH OUR DEPARTMENT REGARDING THIS ISSUE ON TWO PRIOR OCCASIONS (RD# 17-894, RD# 17-937).

NOTHING FURTHER.