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October 9, 2017

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OF COUNSEL

IN REPLY REFER TO FILE NO.

EP-1

Ida Ciavirelli
5122 W. Windsor Avenue
Chicago, IL 60630

Re: Freedom of Information Act Request

Dear Ms. Ciavirelli:

On October 4, 2017, the Village of Elmwood Park received your Freedom of Information Act (5 ILCS 140/1 *et seq.*) ("FOIA") request for the following records:

"Report for stolen property, a Harley Davidson motorcycle complaint #17-02412 9-26-17"

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, such as driver's license numbers, 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, third party's name and identifying information, a minor's name and identifying information,

STORINO, RAMELLO & DURKIN

Ida Ciavirelli
October 9, 2017
Page 2

and 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:

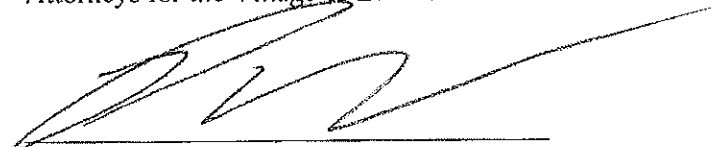
Sarah Pratt
Public Access Counselor
Office of the Attorney General
500 South 2nd Street
Springfield, Illinois 62706
Fax: 217-782-1396
E-mail: publicaccess@atg.state.il.us

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



Peter A. Pacione

Enclosures

INCIDENT/INVESTIGATION REPORT

Agency Name
Elmwood Park Police Department

Case#
17-02412

ORI
IL0163100

Date / Time Reported
09/26/2017 12:59 Tue

Location of Incident
2709 75th Av, Elmwood Park IL 60707-

Premise Type
Residence / Home

Zone/Tract
E2

Last Known Secure
10/01/2016 00:00 Sat

At Found
09/26/2017 12:59 Tue

#	Crime Incident(s)	(Com)	Weapon / Tools	Activity
#1	Motor Vehicle Theft 0910		NONE	
#2	Crime Incident	()		
#3	Crime Incident	()		

MO

VICTIM

of Victims **1** Type: **INDIVIDUAL** Injury:

Code	Victim/Business Name (Last, First, Middle)	Victim of Crime #	DOB	Race	Sex	Relationship To Offender	Resident Status	Military Branch/Status
V1	[REDACTED]	1	[REDACTED]	[REDACTED]	[REDACTED]	10K		

Home Address
5122 W WINDSOR, Chicago, IL 60630-

Employer Name/Address Business Phone Mobile Phone

VYR **1975** Make **HARL** Model **UNKNOWN** Style **YYY** Color **BLK/BLK** Lic/Lis **IL** VIN **4A27474H5**

OTHERS INVOLVED

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	CIAVIRELLI, IDA M		[REDACTED]		F			

Home Address
5122 W Windsor Avenue Chicago, IL 60630

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]		[REDACTED]				Resident	

Home Address
2709 75th Av - 1 Elmwood Park, IL 60707

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)

PROPERTY

VI #	Code	Status Frm/To	Value	OJ	QTY	Property Description	Make/Model	Serial Number
1	05	7	\$1,000.00		1	1975 BLK/BLK IL	HARL Unknown	4A27474H5

Officer/ID# **MARINO, D. (PATL, PAT)** Outstanding Stolen Val [Total Stolen]: **\$1,000.00 (\$1,000.00)**

Invest ID# **(0)** Supervisor **KMIECIK, M. (PATL, SUPV)**

Status Complainant Signature Case Status **Pending / Active** Case Disposition: **09/26/2017** Page 1

INCIDENT/INVESTIGATION REPORT

Elmwood Park Police Department

Case # 17-02412

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

Suspect Hate / Bias Motivated:

NARRATIVE

REPORTING OFFICER NARRATIVE

Elmwood Park Police Department

OCA	17-02412
Date / Time Reported	Tue 09/26/2017 12:59

Victim	Offense
[REDACTED]	MOTOR VEHICLE THEFT

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

09-26-2017 at 1259 hours I responded to 2709 75th Ave on a motorcycle theft. Upon my arrival I spoke with Ida Ciavirelli. Ida stated that her [REDACTED] and [REDACTED] were friends. In October 2014 [REDACTED] was going to do work on [REDACTED] residence and [REDACTED] was going to fix [REDACTED] truck and try to fix [REDACTED] motorcycle. [REDACTED] ask [REDACTED] if he could leave his bike in [REDACTED] metal shed that was located in his back yard. [REDACTED] put [REDACTED] motorcycle in the shed october 2014. [REDACTED] and [REDACTED] were in an arguement and [REDACTED] would'nt let [REDACTED] get his tools and motorcycle back. Both [REDACTED] and [REDACTED] went to court and [REDACTED] was awarded his items back. Ida showed me a court order she had. The court order was for [REDACTED] Ida's [REDACTED] to retrieve items including a Harley Davidson motorcycle from 2709 75th Ave. [REDACTED] residence. Ida told me that she was taking [REDACTED] place because [REDACTED] is sick under doctors care. Ida had a moving company Blankenship to retrieve the motorcycle that was in a metal shed in the yard of 2709 75th Ave. Ida related the shed door was locked with a padlock. [REDACTED] told Ida he did'nt have a key to the shed he gave it to [REDACTED] [REDACTED] gave permission to the moving company to cut the lock. The moving company cut the lock and the motorcycle was not in the shed. [REDACTED] told me he believes [REDACTED] took the motorcycle and the last time he saw the motorcycle was in october 2014 when he put it in the shed. I spoke to [REDACTED] by phone. [REDACTED] told me he last saw his motorcycle in october 2014 when [REDACTED] placed it in his shed. [REDACTED] related that he finshed working on [REDACTED] residence but [REDACTED] never fixed his truck and since then they've been argueing.









I sent report to Wescom

to enter it into Leads

Incident Report Related Vehicle List

Elmwood Park Police Department

OCA: 17-02412

1	VehYr/Make/Model <i>1975 HARK, Unknown</i>	Style <i>YYY</i>	Color <i>BLK/BLK</i>	Lic/Lis <i>IL</i>	VIN <i>4A27474H5</i>
	IBR Status <i>Stolen</i>	Date <i>10/01/2016</i>	Location <i>2709 75TH AV, ELMWOOD PARK IL</i>		
	Condition <i>UNKNOWN</i>	Value <i>\$1,000.00</i>	Offense Code <i>0910</i>	Jurisdiction <i>Locally</i>	State #
	Name (Last, First, Middle) 		Also Known As 		Home Address 
	Business Address 				
	DOB 	Age 	Race 	Sex 	Hgt 
	Wgt 	Scars, Marks, Tattoos, or other distinguishing features 			

Notes

CERTIFICATE OF TITLE OF A VEHICLE

VEHICLE IDENTIFICATION NO.
4A27474H5

YEAR MAKE
1975 HARLEY-DAVIDS

MODEL
UNKNOWN

BODY STYLE
MOTORCYCL

TITLE NO.
17226411001

4A27474H5

DATE ISSUED
08/14/17

ODOMETER

CCM
1000

MOBILE HOME SQ. FT.

PURCHASED
12/05/13
USED

TYPE TITLE
CORRECTED/DUP

LEGEND(S)

MAILING ADDRESS



MILEAGE NOT REQUIRED

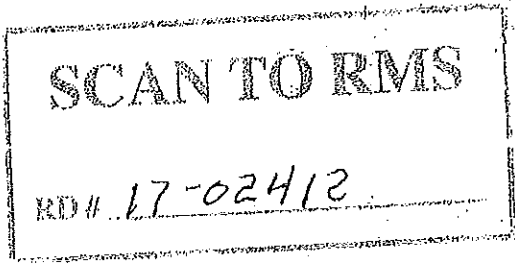
THIS IS A DUPLICATE CERTIFICATE AND MAY BE SUBJECT TO THE RIGHTS OF A PERSON UNDER THE ORIGINAL CERTIFICATE.

OWNER(S) NAME AND ADDRESS



FIRST LIENHOLDER NAME AND ADDRESS

SECOND LIENHOLDER NAME AND ADDRESS



RELEASE OF LIEN

The Lienholder on the vehicle described in this Certificate does hereby state that the lien is released and discharged.

By _____ Date _____
Signature of Authorized Agent
By _____ Date _____
Signature of Authorized Agent

NEW LIEN ASSIGNMENT: The information below must be on an application for title and presented to the Secretary of State.
Secured Party: _____ Address: _____

Federal and State law requires that you state the mileage in connection with the transfer of ownership. Failure to complete or providing a false statement may result in fines and/or imprisonment.

ASSIGNMENT OF TITLE

The undersigned hereby certifies that the vehicle described in this title has been transferred to the following printed name and address:

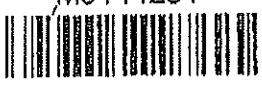
I certify to the best of my knowledge that the odometer reading is the actual mileage of the vehicle unless one of the following statements is checked:
 1. The mileage stated is in excess of its mechanical limits.
 2. The odometer reading is not the actual mileage.
WARNING-ODOMETER DISCREPANCY.
If this vehicle is one of more than 5 commercial vehicles owned by me, I certify also that the vehicle is not damaged in excess of 33 1/3% of its fair-market value unless this document is accompanied by a salvage application.
Signature(s) of Seller(s) _____ DATE OF SALE _____
Printed Name(s) of Seller(s) _____
I am aware of the above odometer certification made by seller.
Signature(s) of Buyer(s) _____ Printed Name _____

I, Jesse White, Secretary of State of the State of Illinois, do hereby certify that according to the records on file with my Office, the person or entity named hereon is the owner of the vehicle described hereon, which is subject to the above named liens and encumbrances, if any. IN WITNESS WHEREOF, I HAVE AFFIXED MY SIGNATURE AND THE GREAT SEAL OF THE STATE OF ILLINOIS AT SPRINGFIELD.



CONTROL NO.

M9144231



Jesse White

JESSE WHITE, Secretary of State



IN THE CIRCUIT COURT OF COOK COUNTY, ILLINOIS

[Redacted] v. [Redacted]

No. [Redacted]

Page 1 of 2

ORDER

This matter coming to be heard for trial. Due notice having been given and the court after hearing the parties' witnesses and their testimony, the court finds as follows;

① The Plaintiff has proven the elements of Count I (Return of items or their value) and Count II conversion and withdraw claims in counts III + IV.

② It is ordered by this court that Defendant Edward Africa shall return to Plaintiff his items as follows: (A) Harley Davidson motorcycle; (B) velvet couch; (C) pictures; (D) microwave; (E) 2 concrete saws; (F) nail gun; (G) and other miscellaneous tools within 10 days on or before August 17, 2017.

Attorney No.: 29491
Name: James J. Macchitelli
Atty. for: Plaintiff Lee Knight
Address: 1051 Perimeter Dr. #100
City/State/Zip: Schaumburg IL 60173
Telephone: 847-414-4532

ENTERED:

Dated:

Judge

Judge No.

SCAN TO RMS

IN THE CIRCUIT COURT OF COOK COUNTY, ILLINOIS

[Redacted case name]

No. [Redacted case number]

Page 2 of 2

ORDER

③ The court reserves a ruling on the value of these items and continues this matter to August 29, 2017 at 9:30 am room 112 for status on the return of the personal items listed.

④ Under the conversion count, Plaintiff is awarded attorney's fees in the amount of \$2,925.00 for 9 hours at \$325.00 per hour. Therefore, Judgment is entered in favor of Plaintiff, [Redacted] and his attorney, James J. Macchietti and against Defendant, [Redacted], in the amount of \$2,925.00 and the amount of \$488.00 for court costs.

Attorney No.: 29491
Name: James Macchietti
Atty. for: Plaintiff
Address: 1651 Perimeter Drive
City/State/Zip: Schaumburg IL 60173
Telephone: 647-414-4632

ENTERED:

Dated:

Judge

Judge's No.

ENTERED
JUDGE JAMES J. GAVIN-1701
AUG - 3 2017
DOROTHY BROWN
CLERK OF THE CIRCUIT COURT
OF COOK COUNTY, IL
DEPUTY CLERK

SCAN TO RMS

