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February 6, 2018

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IN REPLY REFER TO FILE NO.

EP-1

Chanty DeLaVega
Ana Vicario
1435 N. Kostner Avenue
Chicago, Illinois 60651
chantyvicario@yahoo.com

Re: Freedom of Information Act Request

Dear Ms. DeLaVega and Ms. Vicario:

On February 1, 2018, the Village of Elmwood Park received your Freedom of Information Act (5 ILCS 140/1 *et seq.*) ("FOIA") request for the following records:

"Report made on 10/11/2017 to 10/13/2017 For an incident that Happen in Front of Massa's around 9'oclock at night Sabrina Waller"

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 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 and identifying information of suspects who were never arrested, third party's name and identifying information, a minor's name and identifying information, and other personal

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Chanty DeLaVega
Ana Vicario
February 6, 2018
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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

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Agency Name <i>Elmwood Park Police Department</i>		Case# <i>17-02571</i>	
ORI <i>IL0163100</i>		Date / Time Reported <i>10/14/2017 14:53 Sat</i>	
Location of Incident <i>7434 North Av, Elmwood Park IL 60707-</i>		Premise Type <i>Restaurant Or Cafeteria</i>	Zone/Tract <i>EA</i>
		Last Known Secure <i>10/13/2017 21:46 Fri</i>	
		At Found <i>10/13/2017 21:46 Fri</i>	
#1	Crime Incident(s) <i>Fight In Progress</i> <i>9928</i>	(Com)	Weapon / Tools <i>PERSONAL (HANDS, FIST, FEET)</i>
			Activity
		Entry	Exit
			Security
#2	Crime Incident	()	Weapon / Tools
			Activity
		Entry	Exit
			Security
#3	Crime Incident	()	Weapon / Tools
			Activity
		Entry	Exit
			Security

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

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CODBS: V- Victim (Denote V2, V3) O = Owner (if other than victim) R = Reporting Person (if other than victim)

Type: INDIVIDUAL		Injury:						
Code <i>IO</i>	Name (Last, First, Middle)	Victim of Crime #	DOB	Race	Sex	Relationship To Offender	Resident Status	Military Branch/Status
			Age					
Home Address							Home Phone	
Employer Name/Address						Business Phone		Mobile Phone
Type: INDIVIDUAL		Injury:						
Code <i>IO</i>	Name (Last, First, Middle)	Victim of Crime #	DOB	Race	Sex	Relationship To Offender	Resident Status	Military Branch/Status
	<i>VICARIO, VICARIO DELAVEGA CHA</i>		<i>07/07/1976</i>	<i>W</i>	<i>F</i>			
			Age <i>41</i>					
Home Address <i>1435 N Kostner Ave Chicago, IL 60651</i>							Home Phone <i>773-622-5944</i>	
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
(*OF = Recovered for Other Jurisdiction)

VI #	Code	Status Firm/To	Value	OJ	QTY	Property Description	Make/Model	Serial Number

Officer/ID# <i>MARINO, S. (PATL, PAT) (EP4592)</i>	Invest ID# <i>KLISZ, R. (INV, INV) (EP7134)</i>	Supervisor <i>ROSA, E. (PATL, PAT) (EP4441)</i>
Complainant Signature	Case Status <i>Reviewed By Investigations</i> <i>10/17/2017</i>	Case Disposition: <i>V</i> <i>10/17/2017</i>

Incident Report Additional Name List

Elmwood Park Police Department

OCA: 17-02571

Additional Name List

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

INCIDENT/INVESTIGATION REPORT

Elmwood Park Police Department

Case # 17-02571

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
SCHAK, K. (EP2963), LOGISZ, R. (EP6631)

Suspect Hate / Bias Motivated:

NARRATIVE

REPORTING OFFICER NARRATIVE

Elmwood Park Police Department

		OCA 17-02571
Victim	Offense FIGHT IN PROGRESS	Date / Time Reported Sat 10/14/2017 14:53
THE INFORMATION BELOW IS CONFIDENTIAL - FOR USE BY AUTHORIZED PERSONNEL ONLY		

On 10/13/2017 at 2146 hours, Ofc. Schak, Logisz and I were dispatched to 7434 North Ave (Massa's) for a domestic battery call, later to be reclassified as a fight.

Upon arrival I met with reporting party, [REDACTED] at 75th Ave and North Ave. [REDACTED] informed me in summary she was walking west on North Ave with her care taker and her cousin [REDACTED]. [REDACTED] proceeded to tell me their relationship was difficult to explain. They walked past Massa's and they observed [REDACTED] sister, Delavega, Chanty M (07/07/1976) with her family. [REDACTED] informed me her and Delavega do not get along. When [REDACTED] and [REDACTED] walked past the window, [REDACTED] waved at Delavega. Delavega became upset at [REDACTED] for waving at her. Delavega proceeded to come outside and punch [REDACTED] and pull her hair. [REDACTED] did not say she hit back.

I walked to Massa's and spoke to Delavega. She informed me in summary [REDACTED] walked up to the window and began to wave through the window like "a crazy person." Delavega reported she felt like [REDACTED] was taunting her. Delavega walked outside to speak with [REDACTED]. [REDACTED] then walked towards Delavega and was standing face to face with her. Delavega stated [REDACTED] nose bumped into her nose and Delavega took offense and smacked [REDACTED]. [REDACTED] proceeded to pull Delavega's hair.

Delavega proceeded to tell me that [REDACTED] and [REDACTED] live in her apartment and have a very close relationship together that she does not think highly of. Delavega does not get along with her brother as well. Delavega wants them evicted from her unit. This information was not asked for nor did it have anything to do with the situation at hand.

I then went to speak to [REDACTED] and I asked her if she lived in an apartment owned by Delavega. [REDACTED] stated she did not and said Delavega is crazy and makes things up.

I advised [REDACTED] and [REDACTED] to stay away from Delavega.

I did not observe any injuries on either parties.

No witnesses were observed on scene and the clerk from Massa's advised there were no cameras outside.

[REDACTED] stated she only wanted to make a police report and did not want any further police assistance.

Nothing further at this time.

COMMUNICATIONS

Event Report

Event ID: 17-00156750

Call Ref #: 955

Date/Time Received: 10/13/17 21:46:40

Rpt #: 17-02571	Prime 33A	Services Involved	
Call Source: PHONE	Unit: MARINO, STEVEN	LAW	
Location: 7434 NORTH AV		Jur: CAD	Service: LAW Agency: EPPD
X-ST: MONROE AV		St/Beat: E4	District: EPPD RA:
			GP: E4
Business: MASSA	Phone: (708) 583-1111		
Nature: FIGHT	Alarm Lvl: 1	Priority: P	Medical Priority:
Reclassified Nature:	DOMESTIC DISTURBANCE		
Caller: [REDACTED]		Alarm:	
Addr: VET	Phone: [REDACTED]	Alarm Type:	
Vehicle #:	St:	Report Only: Nq	Race: Sex: Age:
Call Taker: WS9905	Console: CAD04		
Geo-Verified Addr.: Yes	Nature Summary Code:	Disposition: O	Close Comments:
<p>Notes: Both parties got into an argument and were provoked by each other and began to fight. No signs of injuries on either parties. See report. [10/13/17 22:21:21 Unit:33A] WEARING GRY SWEATER [10/13/17 21:50:45 WS9905] CALLER ADMITS TO HAVING 2 DRINKS [10/13/17 21:49:54 WS9905] OFFENDERS ARE AN AUNT 2 COUSINS ALL FEMALES NO WEAPONS [10/13/17 21:49:01 WS9905] [/o was battered by 3 family members that returned into the rest..ref amb [10/13/17 21:47:59 WS9905]</p>			

Times	
	Time From Call Received
Call Received: 10/13/17 21:46:40	
Call Routed: 10/13/17 21:48:27	000:01:47
Call Take Finished: 10/13/17 21:48:27	000:01:47
1st Dispatch: 10/13/17 21:48:47	000:02:07 (Time Held)
1st En-Route: 10/13/17 21:49:30	000:02:50
1st Arrive: 10/13/17 21:50:39	000:03:59 (Reaction Time)
Last Clear: 10/13/17 22:21:32	000:34:52
Unit Reaction: 000:01:52 (1st Dispatch to 1st Arrive)	
En-Route: 000:00:43 (1st Dispatch to 1st En-Route)	
On-Scene: 000:30:53 (1st Arrive to Last Clear)	

Radio Log

Unit	Empl ID	Type	Description	Time Stamp	Comments	Close Code	User
33A	EP4592	D	Dispatched	10/13/17 21:48:47	Stat/Beat: EV		WS9994
33P	EP6631	D	Dispatched	10/13/17 21:48:47	Stat/Beat: EP		WS9994
33A	EP4592	E	En-Route	10/13/17 21:49:30	[Enroute Button]		WS9994
33P	EP6631	E	En-Route	10/13/17 21:49:30	[Enroute Button]		WS9994
33A	EP4592	A	Arrived	10/13/17 21:50:39			WS9994
33P	EP6631	A	Arrived	10/13/17 21:51:54			Unit:33P
33P	EP6631	C	Cleared	10/13/17 22:11:15		BU	Unit:33P

Event ID: 17-00156750 Call Ref #: 955 FIGHT at 7434 NORTH AV

33A EP4592 C Cleared 10/13/17 22:21:32 O Unit:33A

Event Log

Unit	Empl ID	Type	Description	Time Stamp	Comments	Close Code	User
		TR	Time Received	10/13/17 21:46:40	By: PHONE		WS9905
		ENT	Entered Street	10/13/17 21:47:19	NORTH AV/75TH AV		WS9905
		ENT	Entered Nature	10/13/17 21:47:27	DOMESTIC DISTURBANCE		WS9905
		ARM	Added Remarks	10/13/17 21:47:59			WS9905
		ENT	Entered CallerName_Ca	10/13/17 21:48:10	[REDACTED]		WS9905
		ENT	Entered CallerAddress	10/13/17 21:48:13	[REDACTED]		WS9905
		ENT	Entered CallerPhone	10/13/17 21:48:25	[REDACTED]		WS9905
		FIN	Finished Call Taking	10/13/17 21:48:27			WS9905
		REC	Unit Rec Btn Cllck	10/13/17 21:48:45	Unit recommend for DOMESTIC DISTU		WS9994
		REC	Unit Recommendation	10/13/17 21:48:47	Recmnd:33A [PAT], 33P [PAT]		WS9994
		REC	Unit Recommendation	10/13/17 21:48:47	Plan: EPPD Cat: 2P Lvl: 1		WS9994
		ARM	Added Remarks	10/13/17 21:49:01			WS9905
		REC	Unit Recommendation [I	10/13/17 21:49:21	Recmnd:33A [PAT], 33P [PAT]		WS9994
		REC	Unit Recommendation [I	10/13/17 21:49:21	Plan: EPPD Cat: 2P Lvl: 1		WS9994
		ARM	Added Remarks	10/13/17 21:49:54			WS9905
		ARM	Added Remarks	10/13/17 21:50:45			WS9905
		RPT	Requested Report#	10/13/17 22:07:29	EPPD Report #17-02571		WS9994
		CHG	Changed Street	10/13/17 22:13:03	NORTH AV/75TH AV --> 7434 NORTH		WS9994
		ARM	Added Remarks	10/13/17 22:21:21			Unit:33A
33A	EP4592	RCL	Reclassified Nature	10/13/17 22:21:32	Nature: FIGHT		Unit:33A
33A	EP2963	RCL	Reclassified Nature	10/13/17 22:21:32	Nature: FIGHT		Unit:33A