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October 30, 2018

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IN REPLY REFER TO FILE NO.

EP-1

Constantino Avalos
3110 N. 78th Court
Elmwood Park, Illinois 60707

Re: Freedom of Information Act Request

Dear Mr. Avalos:

On October 22, 2018, the Village of Elmwood Park received your Freedom of Information Act (5 ILCS 140/1 *et seq.*) ("FOIA") request for the following records:

"18-2705"

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 and home or personal telephone numbers 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 minor's

STORINO, RAMELLO & DURKIN

Constantino Avalos

October 30, 2018

Page 2

name and identifying information, a victim's name and identifying information, the names of suspects who were never arrested, third party's name and identifying information, 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.

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
Elmwood Park Police Department

ORI
IL0163100

Case# **18-02705**

Date/Time Reported
10/23/2018 13:15 Tue

Last Known Secure
07/26/2018 00:00 Thu

At Found
10/23/2018 13:15 Tue
Activity

Location of Incident
3110 78th Ct, Elmwood Park IL 60707-

Premise Type
Residence / Home

Bcats/GeoProx
EI

#	Crime Incident(s)	(Com)	Weapon / Tools	Entry	Exit	Security	Activity
#1	Crime Incident(s) Information For The Police 9938		NONE				
#2	Crime Incident	()					
#3	Crime Incident	()					

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of Victims **0** 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

YVR Make Model Style Color Lic/Lis VIN

O
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H
E
R
S

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 Age	Race	Sex	Relationship To Offender	Resident Status	Military Branch/Status
RP	AYALOS, CRUZ CONSTANTINO		05/21/1961 Age 57	H	M		Resident	

Home Address Home Phone

Employer Name/Address Business Phone Mobile Phone

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Type: INDIVIDUAL Injury:

Code	Name (Last, First, Middle)	Victim of Crime #	DOB Age	Race	Sex	Relationship To Offender	Resident Status	Military Branch/Status
IO	MARTINEZ, GERONIMO		Age 44		M			

Home Address Home Phone

Employer Name/Address Business Phone Mobile Phone

P
R
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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 Fm To	Value	OJ	QTY	Property Description	Make/Model	Serial Number

Officer/ID# **CHAURIZE, M. (PATL, PAT) (EP1573)**

Invest ID# **(0)** Supervisor **BROWN, T. (PATL, PAT) (EP9026)**

Complainant Signature Case Status **Pending / Active** Date **10/23/2018** Case Disposition: Page 1

Incident Report Additional Name List

Elmwood Park Police Department

OCA: 18-02705

Additional Name List

Name Code/#	Name (Last, First, Middle)	Victim of Crime #	DOB	Age	Race	Sex
1) IO 2	FLORES, NERY		[REDACTED]	40	[REDACTED]	M
	Address 1341 Highland Av, Berwyn, IL 60402-		H [REDACTED]			
	Emp/Addr		B: - -			
			Mobile #: - -			

INCIDENT/INVESTIGATION REPORT

Elmwood Park Police Department

Case # 18-02705

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

Suspect Hate / Bias Motivated:

NARRATIVE

REPORTING OFFICER NARRATIVE

Elmwood Park Police Department

OCA 18-02705
Date / Time Reported Tue 10/23/2018 13:15

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

On 10/23/18, at 1315 hours, I met with Constantino Avalos (m/05/21/61) who wanted to report a company he hired for not completing a the job per the contract.

Constantino said the following happened in summary:

On 07/26/18 he hired Geronimo Martinez (m/██████████) and Nery A Flores (m/██████████) of G&J General Contractors Inc to build a deck in his yard and put in a new patio at 3110 78th Court. Two contracts were signed and indicated what Constantino would pay up front at the contract signing, another amount to be paid after permits were secured and the work began, and another amount upon completion of the jobs.

After several months the work was not complete on the deck. Another company was hired by G&J to pour concrete for the patio. Geronimo was supposed to pay the concrete company but did not. Constantino paid the concrete company for the patio.

Approximately 3 weeks ago an Elmwood Park Code Department inspector went to inspect the work being done and met with Geronimo and Nery. It was determined there was an issue with the work and they were advised how to fix the issue. After that date Geronimo and Nery never returned to fix the problem or continue the job.

On 10/18/18, Constantino text messaged Geronimo and told him wanted his money back and Geronimo said they would try to resolve the matter, but he still has not heard back from anyone at the company.

End of summary.

Constantino provided copies of the two contracts, and photo copy of Nery's Mexican identification card, and the stubs from the Fifth Third Bank checks he paid to G&J Contractors Inc.

I gave Constantino his report number. No further action taken at this time.

COMMUNICATIONS

Event Report

Event ID: 18-00161547

Call Ref #: 253

Date/Time Received: 10/23/18 13:15:29

Rpt #: 18-02705	Prime 32A	Services Involved	
Call Source: PHONE	Unit: CHAURIZE, MARINE	LAW	
Location: 3110 78TH CT		Jur: CAD	Service: LAW
X-ST: BARRY AV		St/Beat: E1	District: EPPD
X-ST: ALLEY			Agency: EPPD
Business:	Phone:		RA:
			GP: E1
Nature: INFO FOR POLICE	Alarm Lvl: 1	Priority: 2	Medical Priority:
Reclassified Nature: STATION REPORT			
Caller: AVALOS, CONSTANTINO		Alarm:	
Addr:		Phone: (872) 803-6661	Alarm Type:
Vehicle #:	St:	Report Only: No	Race: Sex: Age:
Call Taker: WS9914		Console: CAD02	
Geo-Verified Addr.: Yes		Nature Summary Code:	Disposition: 0
Close Comments:			
Notes: Constantino Avalos m/h 052161 reported he paid G&J General Contractors Inc to build a deck in his yard and they started the job and now have not come back to finish it. see report. [10/23/18 14:08:44 Unit:32A] meet complainant [10/23/18 13:16:13 WS9914]			

Times

	Time From Call Received	
Call Received: 10/23/18 13:15:29		Unit Reaction: 000:02:05 (1st Dispatch to 1st Arrive)
Call Routed: 10/23/18 13:16:13	000:00:44	En-Route: 000:00:05 (1st Dispatch to 1st En-Route)
Call Take Finished: 10/23/18 13:16:13	000:00:44	On-Scene: 001:11:55 (1st Arrive to Last Clear)
1st Dispatch: 10/23/18 13:17:01	000:01:32 (Time Held)	
1st En-Route: 10/23/18 13:17:06	000:01:37	
1st Arrive: 10/23/18 13:19:06	000:03:37 (Reaction Time)	
Last Clear: 10/23/18 14:31:01	001:15:32	

Radio Log

Unit	Empl ID	Type	Description	Time Stamp	Comments	Close Code	User
32A	EP1573	D	Dispatched	10/23/18 13:17:01	Sta/Beat: EV		WS9905
32A	EP1573	E	En-Route	10/23/18 13:17:06			WS9905
32A	EP1573	A	Arrived	10/23/18 13:19:06			Unit:32A
32A	EP1573	C	Cleared	10/23/18 14:31:01		0	Unit:32A

Event Log

Unit	Empl ID	Type	Description	Time Stamp	Comments	Close Code	User
		TR	Time Received	10/23/18 13:15:29	By: PHONE		WS9914
		ENT	Entered Street	10/23/18 13:15:34	3110 78TH CT		WS9914

	ENT	Entered Nature	10/23/18 13:15:43	STATION REPORT	WS9914
	ENT	Entered CallerName_Ca	10/23/18 13:15:54	AVALOS,CONSTANTINO	WS9914
	ENT	Entered CallerPhone	10/23/18 13:16:05	8728036861	WS9914
	ENT	Entered Remarks	10/23/18 13:16:13		WS9914
	FIN	Finished Call Taking	10/23/18 13:16:13		WS9914
	REC	Unit Rec Btn Click	10/23/18 13:16:43	Unit recommend for STATION REPORT	WS9905
	REC	Unit Recommendation	10/23/18 13:17:01	Plan: EPPD Cat: 1P Lvl: 1	WS9905
	CHG	Changed Alarmlev	10/23/18 13:17:01	0 ---> 1	WS9905
	REC	Unit Recommendation	10/23/18 13:17:01	Recmnd:32A [PAT]	WS9905
	REC	Unit Recommendation [I	10/23/18 13:17:02	Plan: EPPD Cat: 1P Lvl: 1	WS9905
	REC	Unit Recommendation [I	10/23/18 13:17:02	Recmnd:32A [PAT]	WS9905
	RPT	Requested Report#	10/23/18 13:41:14	EPPD Report #18-02705 Unit:32A	Unit:32A
32A	EP1573	NCIC QRY:Drivers	10/23/18 13:41:33	UNIT:32A OLN=A14210061145	Unit:32A
32A	EP1573	NCIC QRY:Vehicles	10/23/18 13:42:35	UNIT:32A Tag=AH45133 State= ViN=	Unit:32A
32A	EP1573	NCIC QRY:Drivers	10/23/18 13:42:57	UNIT:32A OLN=[REDACTED]	Unit:32A
32A	EP1573	NCIC QRY:Drivers	10/23/18 13:51:31	UNIT:32A OLN=[REDACTED]	Unit:32A
32A	EP1573	NCIC QRY:Criminal History	10/23/18 13:53:24	UNIT:32A FNAME=GERONIMO LNAME	Unit:32A
	ARM	Added Remarks	10/23/18 14:08:44		Unit:32A
32A	EP1573	RCL Reclassified Nature	10/23/18 14:31:01	Nature: INFO FOR POLICE	Unit:32A