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OF COUNSEL

April 30, 2019

IN REPLY REFER TO FILE NO.

EP-1

Martyna Leja
2419 N. 77th Avenue, Apt. 3E
Elmwood Park, IL 60707
martyska.wierzbicka@gmail.com

Re: Freedom of Information Act Request

Dear Ms. Leja:

On April 19, 2019, the Village of Elmwood Park received your Freedom of Information Act (5 ILCS 140/1 *et seq.*) ("FOIA") request for the following records:

"RD 19-880"

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

STORINO, RAMELLO & DURKIN

Martyna Leja
April 30, 2019
Page 2

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 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:

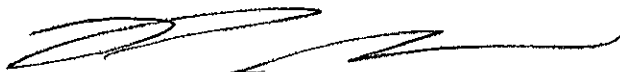
Sarah Pratt
Public Access Counselor
Office of the Attorney General
500 South 2nd Street
Springfield, Illinois 62706
Fax: 217-782-1396
E-mail: publicaccess@atg.state.il.us

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

Case#	19-00880
Date / Time Reported	04/18/2019 18:40 Thu
Last Known Secure	04/18/2019 18:39 Thu
At Found	04/18/2019 18:40 Thu

Agency Name	Elmwood Park Police Department
ORI	IL0163100

Location of Incident	2419 77th Av Apt. 2E, Elmwood Park IL 60707-	Premise Type	Residence / Home	Beats/GeoProx	E3
#1	Crime Incident(s) Meet Complainant 9059	(Com)	Weapon / Tools	NONE	
#2	Crime Incident	()	Weapon / Tools		
#3	Crime Incident	()	Weapon / Tools		

Activity	
Entry	Exit
Security	

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# of Victims	0	Type:								
V1	Victim/Business Name (Last, First, Middle)			Victim of Crime #	DOB	Race	Sex	Relationship To Offender	Resident Status	Military Branch/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										
Code	Name (Last, First, Middle)	Victim of Crime #	DOB	Race	Sex	Relationship To Offender	Resident Status	Military Branch/Status			
IO	WIERZBICKA, MARTYNA		Age 26		F		Resident				
Home Address							Home Phone				
Employer Name/Address						Business Phone		Mobile Phone			
Type:	INDIVIDUAL										
Code	Name (Last, First, Middle)	Victim of Crime #	DOB	Race	Sex	Relationship To Offender	Resident Status	Military Branch/Status			
IO	BARRETO, WILLIAM		Age 32		M		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 From/To	Value	OJ	QTY	Property Description	Make/Model	Serial Number

Officer/ID#	BORRINI, J. (PATL, PAT) (EP8692)			Supervisor	WINIARCZYK, M. (INV, INV) (EP7383)		
Invest ID#	(0)			Case Status	Pending / Active		
Complainant Signature				Case Disposition:	04/18/2019		

INCIDENT/INVESTIGATION REPORT

Elmwood Park Police Department

Case # 19-00880

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 19-00880
Date / Time Reported Thu 04/18/2019 18:40

Victim

Offense
MEET COMPLAINANT

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

On 04/18/2019 at approximately 1840 hours I met with Martyna Wierbicka (F/ [REDACTED]) at 2419 N 77th Ave.

Martyna stated she has been receiving text messages from her downstairs neighbor, William Barreto (M/ [REDACTED]) regarding accusations of excessive noise complaints about them walking around in their unit. William has been texting her father and believes William is going to "file a report" with the Police.

Martyna requested I speak with William.

I spoke with William who stated he heard multiple loud banging noises from the upstairs unit, which woke his family up several times. William sent Greg Wierzbicka, Martyna's father, a text message asking to cease the noise.

William showed me the text message which reflected 0047 hours on today's date.

I advised William and Martyna of the Noise Ordinance and gave multiple examples of violations.

I completed a report per the request of Martyna.

Nothing further.

COMMUNICATIONS

Event Report

Event ID: 19-00055607

Call Ref #: 655

Date/Time Received: 04/18/19 19:50:32

Rpt #: 19-00880	Prime 33S	Services Involved	
Call Source: PHONE	Unit: BORRINI, JOSEPH	LAW	
Location: 2419-2E 77TH AVE		Jur: CAD	Service: LAW
X-ST: FULLERTON AVE		St/Beat: E3	District: EPPD
ALTGELD ST			Agency: EPPD
Business:	Phone:		RA:
			GP: E3
Nature: NEIGHBOR DISPUTE	Alarm Lvl: 1	Priority: 1	Medical Priority:
Reclassified Nature:			
Caller: WIERZBICKA MARTYNA		Alarm:	
Addr: [REDACTED]		Alarm Type:	
Vehicle #:	St:	Report Only: No	Race: Sex: Age:
Call Taker: WS9965		Console: CAD07	
Geo-Verified Addr.: Yes		Nature Summary Code:	Disposition: O
Close Comments:			
Notes: WANTS TO SPEAK TO AN OFC REF CONSTANT COMPLAINTS ABOUT WALKING TO HARD ON THE FLOORS [04/18/19 19:51:58 WS9965] r/o spoke with both residents and explained the noise ordinances. report requested by caller. see report. [04/18/19 20:26:15 Unit:33S]			

Times

	Time From Call Received	
Call Received: 04/18/19 19:50:32		Unit Reaction: 000:04:57 (1st Dispatch to 1st Arrive)
Call Routed: 04/18/19 19:51:58	000:01:26	En-Route: 000:03:00 (1st Dispatch to 1st En-Route)
Call Take Finished: 04/18/19 19:51:58	000:01:26	On-Scene: 000:32:06 (1st Arrive to Last Clear)
1st Dispatch: 04/18/19 19:52:26	000:01:54 (Time Held)	
1st En-Route: 04/18/19 19:55:26	000:04:54	
1st Arrive: 04/18/19 19:57:23	000:06:51 (Reaction Time)	
Last Clear: 04/18/19 20:29:29	000:38:57	

Radio Log

Unit	Empl ID	Type	Description	Time Stamp	Comments	Close Code	User
33S	EP8692	D	Dispatched	04/18/19 19:52:26	Stat/Beat: ES		WS9993
33S	EP8692	E	En-Route	04/18/19 19:55:26			WS9993
33S	EP8692	A	Arrived	04/18/19 19:57:23			Unit:33S
33S	EP8692	C	Cleared	04/18/19 20:29:29		O	Unit:33S

Event Log

Unit	Empl ID	Type	Description	Time Stamp	Comments	Close Code	User
		TR	Time Received	04/18/19 19:50:32	By: PHONE		WS9965

Event ID: 19-00055607

Call Ref #: 655

NEIGHBOR DISPUTE at 2419-2E 77TH AVE

ENT	Entered Street	04/18/19 19:50:51	2419-2E 77TH AVE	WS9965
ENT	Entered CallerAddress	04/18/19 19:51:06	[REDACTED]	WS9965
ENT	Entered Nature	04/18/19 19:51:15	NEIGHBOR DISPUTE	WS9965
ENT	Entered CallerName_Ca	04/18/19 19:51:30	WIERZBICKA MARTYNA	WS9965
ENT	Entered CallerPhone	04/18/19 19:51:37	[REDACTED]	WS9965
ENT	Entered Remarks	04/18/19 19:51:58		WS9965
FIN	Finished Call Taking	04/18/19 19:51:58		WS9965
REC	Unit Rec Btn Click	04/18/19 19:52:17	Unit recommend for NEIGHBOR DISPU	WS9993
REC	Unit Recommendation	04/18/19 19:52:26	Plan: EPPD Cat: 1P Lvl: 1	WS9993
REC	Unit Recommendation	04/18/19 19:52:26	Recomnd:33S [PAT]	WS9993
RPT	Requested Report#	04/18/19 20:04:09	EPPD Report #19-00880	WS9993
ARM	Added Remarks	04/18/19 20:26:15		Unit:33S