

LAW OFFICES

STORINO, RAMELLO & DURKIN

9501 WEST DEVON AVENUE
ROSEMONT, ILLINOIS 60018

(847) 318 - 9500

FACSIMILE (847) 318 - 9509

July 7, 2014

Via Electronic Mail

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 A. MIROBALLI
MATTHEW G. HOLMES

MICHAEL R. DURKIN
THOMAS J. HALLERAN
ERIN C. MORIARTY

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.

EP-1

Mr. Mark A. Santiago
25018 Gerald Avenue
Calcium, New York, 13616
msantiago718@gmail.com

Re: Freedom of Information Act Request

Dear Mr. Santiago:

The Village of Elmwood Park is in receipt of your July 2, 2014 Illinois Freedom of Information Act (5 ILCS 140/1 et seq.) ("FOIA") request for the following records:

I would like 2 copies of the police reports on Feb. 15th, 2013 (13-1403) and May 23rd, 2014 for incidents at the address of 2213 N. 73rd Ave., #1 Elmwood Park, IL 60707.

Enclosed are records responsive to your 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, including employee identification 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 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.

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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 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 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.

Also, you are 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,


Erin C. Moriarty
One of the attorneys for
the Village of Elmwood Park

Enclosures

ELMWOOD PARK POLICE DEPARTMENT

INCIDENT REPORT

(1) OCCURRED ON OR BETWEEN		MO. 05	DATE 23	YR. 14	DAY FRI	TIME 1540	(2) BEAT ZONE 3	(3) REPORT NUMBER		
		05	23	14	FRI	1544	SUB-BEAT 3330	14-4419		
(4) REPORTED		05	23	14	FRI	1544	(5) INCIDENT CLASSIFICATION DOMESTIC TROUBLE (CUST. RELATED)			
(6) LOCATION OF INCIDENT 2213 73 AVE							(7) FIRM NAME IF BUSINESS N/A			
(8) VICTIM'S NAME (last, first, mi) N/A					<input type="checkbox"/> JUV.		(9) RESIDENCE OR BUSINESS ADDRESS -			
(10) RESIDENCE PHONE		(11) BUSINESS PHONE		(12) SEX	RACE	AGE	(13) DOB Mo. Date Yr.			
-		-		-	-	-	-			
(15) REPORTED BY (last, first, mi)					WITNESS YES <input checked="" type="checkbox"/> NO <input type="checkbox"/>		(16) RESIDENCE OR BUSINESS ADDRESS S/A INCIDENT			
(17) RESIDENCE PHONE		(18) BUSINESS PHONE		(19) SEX	RACE	AGE	(20) DOB Mo. Date Yr.			
-		-		F	W	29	-			
(22) NATURE AND EXTENT OF INJURY INJURY N/A					(23) HOSPITALIZED/WHERE TREATED -					
(24) ATTENDING/PRONOUNCING PHYSICIAN N/A			(25) TRANSPORTED BY -		(26) PRONOUNCED Mo. Date Yr. Time		(27) M.E. NAME N/A		(28) DATE & TIME NOTIFIED -	
(29) NARRATIVE: Describe persons, property, and details of incident. If additional information pertains to one of the blocks above, enter corresponding block number at left.										
<p>On 05/13/14, at approximately 1544hrs, Cmdr. Pisciotto, Cmdr. Kmiecik, Ofc. LaPenna, and I responded to the above listed address for a report of a custody related Domestic Trouble.</p> <p>Upon arrival we spoke with Mark Anthony Santiago (MW [redacted]) and caller [redacted] (FW [redacted]). Mark said he simply wanted to see their biological son in common. [redacted] said she did not want Mark taking [redacted] away from the residence without her mother going with them.</p> <p>Mark and [redacted] were never married and have not yet sought custody paperwork before a judge.</p> <p>We explained the current custody situation to them and advised them to retain attorneys to work out a custody agreement.</p> <p>[redacted] agreed Mark could take [redacted] as long as her mother accompanied them to Go Bananas play place. Mark agreed and he left with his son and [redacted] mother.</p> <p style="text-align: center;">-----END REPORT-----</p>										
(30) REPORTING OFFICER [Signature]			STAR		(31) SUPERVISOR [Signature]		STAR		(32) REPORT REVIEW	(33) C.A. REVIEW

REPORT NUMBER

OFFENSE CODE
70710

METHOD CODE

PLACE CODE

CASE STATUS

U.C.

Police RD...: EP:14-4419 Date: 05/23/14 Time: 15:44:48
Status.....: Dispositioned
Location...: 2213 73RD AV
Comp. Name.: ██████████
Comp. Addr.: sa
Comp. Phone: ██████████
Nature Code: 7701 - Domestic Trouble
Nature Desc: Domestic Trouble apt 1 childs father
insi

de saying he is going to take son ██████████
Sa ██████████ 30 army outfit isn't supposed to
have unsupervised visitation no weapons
not intox

Dispo. Nat.: 7701 - Domestic Trouble
Dispo. Star: ██████████ - Alequin, Anthony
Service....: 09 - Administratively closed
Remarks....: ██████████ (FW ██████████) AND MARK
ANTHO
NY SANTIAGO (MW ██████████) WERE HAVING A
CUS
TODY DISAGREEMENT THAT WAS NEVER PHYSICAL
NOR VERBALLY AGGRESSIVE. CUSTODY
AGREEMEN
T WAS SORTED OUT BETWEEN BOTH BIOLOGICAL
PARENTS AND R/O'S ADVISED HOW TO OBTAIN
A
CUSTODY AGREEMENT THROUGH THE COURT. SEE
R
EPORT.

\$ 07/02/14 10:01:03 From ODIN To E047

Police RD.: EP:13-1403 Date: 02/16/13 Time: 14:08:12
Status.....: Dispositioned
Location...: 2213 73RD AV
Comp. Name.: santiago,mark
Comp. Addr.: silv galant
Comp. Phone: [REDACTED]
Nature Code: 9260 - Escort
Nature Desc: Escort

Dispo. Nat.: 9260 - Escort
Dispo. Star: [REDACTED] - Alequin,Anthony
Service....: 09 - Administratively closed
Remarks....: MARK A. SANTIAGO (MW [REDACTED]) WANTED TO

S
EE HIS SON AT BIOLOGICAL MOTHER [REDACTED]
P
[REDACTED] (FW [REDACTED]) RESIDENCE. [REDACTED]
A
GREED TO LET MARK SEE THEIR SON BUT R/O'S
EXPLAINED MARK NEEDED TO SEEK LEGAL
ACTION
IN ORDER TO BE GRANTED CUSTODY OR
VISITATI
ON RIGHTS. MARK LEFT THE SCENE WITHOUT
INC
IDENT. NO REPORT.

Unit Dispatch EnRoute On Scene To Dest At
Dest Available
3230 14:08:12 14:08:45 14:08:45
14:21:37
33E 14:21:47 14:21:47

14:23:40

