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August 6, 2015

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IN REPLY REFER TO FILE NO.

Mr. Vittorio Verrecchia
7309 W. Montrose Avenue
Norridge, Illinois 60706

EP-1

Re: Freedom of Information Act Request

Dear Mr. Verrecchia:

On July 30, 2015, the Village of Elmwood Park received your Freedom of Information Act (5 ILCS 140/1 *et seq.*) ("FOIA") request for "15-7195[.]"

Enclosed are the records responsive to your FOIA request. However, please be advised that certain information in the records responsive to your FOIA request has been determined to be exempt from disclosure under FOIA. As a result, information that has been determined to be exempt from disclosure under FOIA 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 a driver's license number, home or personal telephone numbers, home addresses, and signatures, 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, such as a victim's name and identifying information, the name of a suspect who was never arrested, names of third-parties who incidentally appear in police reports, and the races of individuals, 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 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


Erin C. Tinaglia

Enclosures

ELMWOOD PARK POLICE DEPARTMENT

OFFENSE REPORT

REPORT NUMBER

UCR 0460

METHOD CODE

PLACE CODE

CASE STATUS

(1) OCCURRED ON OR BETWEEN	Mo. 7	Date 23	Yr 15	Day Thurs	Time 1840	(2) BEAT 2	(3) REPORT NUMBER 15-7195	
(4) REPORTED	7	23	15	Thurs	2004	(5) INCIDENT CLASSIFICATION Battery		
(6) LOCATION OF INCIDENT 7370 Grand Avenue						(7) FIRM NAME IF BUSINESS Elmcrest Banquets		
(8) VICTIM'S NAME (last, first, middle) [REDACTED] <input type="checkbox"/> JUV.						(9) RESIDENCE OR BUSINESS ADDRESS [REDACTED]		
(10) RESIDENCE PHONE [REDACTED]	(11) BUSINESS PHONE 453-7300	(12) SEX m	RACE [REDACTED]	AGE 41	(13) DOB [REDACTED]	(14) SOCIAL SECURITY OR PERSONAL IDENTIFICATION NUMBER [REDACTED]		
(15) REPORTED BY (last, first, middle) Victim						(16) RESIDENCE OR BUSINESS ADDRESS		
(17) RESIDENCE PHONE	(18) BUSINESS PHONE	(19) SEX	RACE	AGE	(20) DOB	(21) SOCIAL SECURITY OR PERSONAL IDENTIFICATION NUMBER		
INJURY				(22) NATURE AND EXTENT OF INJURY None stated		(23) HOSPITALIZED / WHERE TREATED <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO		
(24) ATTENDING/PRONOUNCING PHYSICIAN			(25) TRANSPORTED BY			(26) PRONOUNCED DOA	(27) M.E. NAME	(28) DATE & TIME NOTIFIED
WEAPON				(29) <input type="checkbox"/> USED <input type="checkbox"/> DISPLAYED <input type="checkbox"/> IMPLIED		<input type="checkbox"/> HANDGUN <input type="checkbox"/> SHOTGUN <input type="checkbox"/> RIFLE		<input type="checkbox"/> KNIFE OR CUTTING INSTRU.
(30) DESCRIBE WEAPON NONE						<input type="checkbox"/> BLUE STEEL <input type="checkbox"/> CHROME PLATED <input type="checkbox"/> NICKEL PLATED <input type="checkbox"/> OTHER		
(31) WAS THERE A WITNESS TO THE OFFENSE? IF YES PLACE AN X IN BOX A								
W	(32) ADDRESS CHECKED	PERSON INTERVIEWED (last, first, middle) See narrative				DOB	TELEPHONE NO.	
NO						Mo. Date Yr.	RES.	
W						Mo. Date Yr.	RES.	
NO						Mo. Date Yr.	RES.	
W						Mo. Date Yr.	RES.	
NO						Mo. Date Yr.	RES.	
W						Mo. Date Yr.	RES.	
NO						Mo. Date Yr.	RES.	
(34) CAN THE SUSPECT BE DESCRIBED? IF YES PLACE AN X IN BOX B <input checked="" type="checkbox"/>								
SUSPECT NAME (ARRESTED YES <input type="checkbox"/> NO <input checked="" type="checkbox"/>		RACE	SEX	AGE	HEIGHT	WEIGHT	HAIR	SCARS/MARKS
[REDACTED]		[REDACTED]	W	66				
CLOTHING WORN BY SUSPECT unstated				OTHER DISTINGUISHING FEATURES				
SUSPECT NAME (ARRESTED YES <input type="checkbox"/> NO <input checked="" type="checkbox"/>		RACE	SEX	AGE	HEIGHT	WEIGHT	HAIR	SCARS/MARKS
[REDACTED]		[REDACTED]						
CLOTHING WORN BY SUSPECT				OTHER DISTINGUISHING FEATURES				
(36) CAN SUSPECT BE NAMED? IF YES PLACE AN X IN BOX C <input checked="" type="checkbox"/>								
(38) CAN SUSPECT BE LOCATED? IF YES PLACE AN X IN BOX D <input checked="" type="checkbox"/>								
SUSPECT		NAME/NICKNAME/AKA			ADDRESS/FREQUENTS			
[REDACTED]		[REDACTED]			[REDACTED]			
(37) CAN SUSPECT BE IDENTIFIED? IF YES PLACE AN X IN BOX E <input checked="" type="checkbox"/>								
NAME WITNESS/VICTIM THAT CAN IDENTIFY SUSPECT (last, first, middle) victim								
(39) HAS SUSPECT BEEN PREVIOUSLY SEEN? IF YES PLACE AN X IN BOX F <input checked="" type="checkbox"/>								
(39) REPORTING OFFICER		STAR	SUPERVISOR APPROVING		STAR	REPORT REVIEW	D.A.	
B Brown		9006	B Brown		9006			

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40) CAN SUSPECT VEHICLE BE IDENTIFIED?							IF YES PLACE AN X IN BOX G	
(41) VEHICLE STATUS <input type="checkbox"/> SUSPECT <input type="checkbox"/> STOLEN <input type="checkbox"/> VICTIM VEHICLE			VEHICLE DESCRIPTION	YEAR	MAKE	MODEL	BODY	COLOR
LICENSE NUMBER	STATE	EXPIRES	VIN	DESCRIBE DAMAGE TO VEHICLE				
LIEN HOLDER NAME AND ADDRESS								
IDENTIFYING FEATURES			KEYS IN IGNITION <input type="checkbox"/> YES <input type="checkbox"/> NO	TOWED <input type="checkbox"/> YES <input type="checkbox"/> NO	LEADS MESSAGE	Mo.	Date	Yr.

42) IS STOLEN PROPERTY TRACEABLE?							IF YES PLACE AN X IN BOX H	
(43) NO.	ARTICLE	BRAND/MODEL	SERIAL NUMBER	LEADS NUMBER	DESCRIPTION	VALUE		

44) HAS EVIDENCE TECH. WORK BEEN REQUESTED?	IF YES PLACE AN X IN BOX I
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45) WILL VICTIM/COMPLAINANT PROSECUTE IF ARREST IS MADE?	IF YES PLACE AN X IN BOX J
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46) IS THERE SIGNIFICANT M.O. PRESENT?	IF YES PLACE AN X IN BOX K
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(47) PLACE OF ATTACK <input checked="" type="checkbox"/> Structure <input type="checkbox"/> Vehicle <input type="checkbox"/> School <input type="checkbox"/> Street <input type="checkbox"/> Alley <input type="checkbox"/> Park <input type="checkbox"/> Yard <input type="checkbox"/> Parking Lot <input type="checkbox"/> Other <input type="checkbox"/> Unknown	TYPE OF STRUCTURE <input type="checkbox"/> Apartment <input type="checkbox"/> Apartment/Com. Area <input type="checkbox"/> Office <input checked="" type="checkbox"/> Business <input type="checkbox"/> Garage <input type="checkbox"/> House <input type="checkbox"/> School <input type="checkbox"/> Storage Locker <input type="checkbox"/> Basement <input type="checkbox"/> Other	POINT OF ENTRY <input checked="" type="checkbox"/> Front Door <input type="checkbox"/> Rear Door <input type="checkbox"/> Window <input type="checkbox"/> Roof/Skylight <input type="checkbox"/> Overhead Door <input type="checkbox"/> Garage Side Door <input type="checkbox"/> Wall <input type="checkbox"/> Transom <input type="checkbox"/> Unknown <input type="checkbox"/> Other	METHOD AND SUSPECT ACTIONS <input type="checkbox"/> Jimmy <input checked="" type="checkbox"/> Brute Force <input type="checkbox"/> Smash/Grab <input type="checkbox"/> Vice Grip <input type="checkbox"/> Cut Lock <input type="checkbox"/> Lock Pulled <input type="checkbox"/> Key <input type="checkbox"/> Slip Lock <input type="checkbox"/> Broke/Damaged Glass <input type="checkbox"/> Unlocked/Open <input type="checkbox"/> Hid in Building <input type="checkbox"/> Purse Snatch <input type="checkbox"/> Chain Snatch <input type="checkbox"/> Home Invasion <input type="checkbox"/> Smash/Grab Auto <input type="checkbox"/> Theft From Person <input type="checkbox"/> Ransacked/Vandalized <input type="checkbox"/> Other	<input type="checkbox"/> Unknown <input type="checkbox"/> Struck/Injured Victim <input type="checkbox"/> Domestic Violence <input type="checkbox"/> Sexual Battery <input type="checkbox"/> Slim Jim <input type="checkbox"/> Peeled Column <input type="checkbox"/> Ignition Pulled <input type="checkbox"/> Punched Trunk <input type="checkbox"/> Asked Directions <input type="checkbox"/> Offered USC/Candy <input type="checkbox"/> Approached From Rear <input type="checkbox"/> Took into Concealment <input type="checkbox"/> Made Threats <input type="checkbox"/> Used Victim's Name <input type="checkbox"/> Took Only Concealables <input type="checkbox"/> Vehicle Needed
OCCUPANCY <input checked="" type="checkbox"/> Occupied <input type="checkbox"/> Unoccupied <input type="checkbox"/> Abandoned/Vacant	If residence, where were occupants?	ALARM SYSTEM <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	ALARM CIRCUMVENTED <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	

(48) CASE SUMMARY: PROVIDE BRIEF SUMMARY OF THE EVENTS AS THEY OCCURRED

On 7/23/15 at 2004 hours I handled a station report for a battery. [redacted] m [redacted] stated he went to Elmcrest Banquets, 7370 Grand Avenue, for a fund raiser. [redacted] gave a check for \$100 upon his entry into the banquet hall. He said hello to numerous people in the party and approached [redacted] m [redacted] reached his hand out to [redacted] to shake his hand. [redacted] did not offer his hand in return. [redacted] next reached his hand out to [redacted] but [redacted] refused to shake his hand. [redacted] told [redacted] "You're a fuckin rat, get the fuck out!" [redacted] asked [redacted] "what did I do?" [redacted] said "You're a rat! You're a rat! Get the fuck out! You're a rat!" [redacted] placed both hands on [redacted] right shoulder, began pushing [redacted] towards the exit, and told him to get out. [redacted] pushed [redacted] past [redacted] called out to [redacted] asking, "Do you see what he is doing?" [redacted] said [redacted] stop. Let it go." [redacted] continued pushing [redacted] out of the room and into the main lobby. [redacted] said, "get the fuck out you piece of shit! You're a rat!" [redacted] asked [redacted] what he did. [redacted] told him,

49) CAN OFFENSE BE SOLVED WITH REASONABLE AMOUNT OF INVESTIGATIVE EFFORT?	IF YES PLACE X IN BOX L
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50) IS THERE A REASON TO BELIEVE THAT INVESTIGATION CANNOT BE COMPLETED AT THIS TIME?	IF YES PLACE X IN BOX M
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BLOCK #	(51) ENTER DETAILED INFORMATION RELATED TO THE BLOCK ABOVE WITH CORRESPONDING BLOCK NUMBER AT LEFT
	"You're a rat. You don't know what a rat is?" [redacted] asked [redacted] if he paid. [redacted] told him he wrote a check. [redacted] told [redacted] he would rip up his check. [redacted] told him, "you want me to leave, I am going to leave." [redacted] said he believed he was called a rat because of a picture on Facebook of him with [redacted] and [redacted] said he did not want to sign a complaint at this time. He signed a refusal to prosecute form after I explained to him that the form did not prevent him from signing a complaint at a future time.

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ELMWOOD PARK POLICE DEPARTMENT
VICTIM'S REFUSAL TO SIGN COMPLAINTS


Case Number: 15-7195
 Date: 7/23/15
 Time: 2004
 INCIDENT: BATTERY

I, being the victim in this incident, do not wish to prosecute the below listed suspect, for this offense. I will not sign a complaint and request that none be issued. I understand the Elmwood Park Police Department is willing to issue a complaint in this matter; however, I do not wish any prosecution.


This action on my part is free and voluntary, and I have not been coerced nor intimidated in any way in deciding this course of action.

.....



X 
 Signature of Person Refusing



 Printed Name of Person Refusing

()  - 
 Telephone Number

 9026
 Witness #1 Signature

 Witness #2 Signature

, 
 Name of Suspect and D.O.B.

 UNKNOWN TX () _____
 Suspect Address and Telephone Number

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Reporting Officer/Star 239026

239026
 Approving Supervisor/Star

Investigative Action Report



ELMWOOD PARK POLICE DEPARTMENT
Investigations Division



Case Report: 15-7195
Title: Battery
Commander: Robert J. Klisz #2611
Date: 07-30-15

Case Action

On 07-29-15, at 1110 hours, I left a message for [REDACTED].

On 07-29-15, at 1227 hours, I received a voice mail from [REDACTED]. At 1305 hours, I left [REDACTED] another message.


On 07-30-15, at approximately 1225 hours, I was notified by Records Clerk Warchulski that [REDACTED] was in the second floor lobby of the Elmwood Park Police Station requesting a copy of a police report.

Detective Astrella and I went to the lobby. I spoke with [REDACTED] and advised him the investigation of this report was complete. I advised him the investigation revealed there was not probable cause for an arrest in this case.

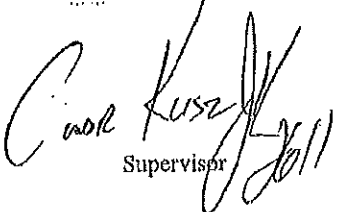
[REDACTED] told me he wanted a copy of the report. I advised him he needed to FOIA the report per department policy.

This case is closed by exception.

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Commander Robert J. Klisz

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Supervisor