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November 4, 2015

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IN REPLY REFER TO FILE NO.

Mr. Doug Pedersen
Badger Mutual Insurance
PO Box 2092
Milwaukee, Wisconsin 53201

EP-1

Re: Freedom of Information Act Request

Dear Mr. Pedersen:

On October 21, 2015, the Village of Elmwood Park received your Illinois Freedom of Information Act (5 ILCS 140/1 *et seq.*) ("FOIA") request for the following records:

"9/26/15 incident at George's on Belmont involving Andrzej Porwula. Claim number X1217116."

Enclosed please find 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. Accordingly, such 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 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 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, and the race of individuals, have been redacted from the records being provided.

STORINO, RAMELLO & DURKIN

Mr. Doug Pedersen
November 4, 2015
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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

Incident Report Additional Name List

Elmwood Park Police Department

OCA: 15-09534

Additional Name List

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NameCode/#	Name (Last, First, Middle)	Victim of Crime #	DOB	Age	Race	Sex
1) WI 1	[REDACTED]		[REDACTED]	37	[REDACTED]	M
	Address		H: [REDACTED]			
	Empl/Addr		B: - -			
			Mobile #: - -			
2) WI 2	[REDACTED]		[REDACTED]	31	[REDACTED]	F
	Address		H: [REDACTED]			
	Empl/Addr		B: - -			
			Mobile #: - -			
3) WI 3	[REDACTED]		[REDACTED]	52	[REDACTED]	F
	Address		H: - -			
	Empl/Addr		B: - -			
			Mobile #: - -			

INCIDENT/INVESTIGATION REPORT

By: EP6177, tfallon 10/22/2015 11:47

Elmwood Park Police Department

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Case# 15-09534

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

BORRINI, J. (EP8692), GIOVENCO, J. (EP9700)

Suspect Hate / Bias Motivated:

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NARRATIVE

REPORTING OFFICER NARRATIVE

Elmwood Park Police Department

OCA
15-09534
Date / Time Reported
Sat 09/26/2015 22:41

Victim
DOE1509534, JOHN

Offense
AGGRAVATED BATTERY

Date / Time Reported
Sat 09/26/2015 22:41

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

ON 09/26/15 AT APPROXIMATELY 2240 HOURS, I WAS DISPATCHED TO 7637 W. BELMONT AV (BAR - GEORGES ON BELMONT), TO ASSIST THE AMBULANCE WITH AN UNCONSCIOUS MALE.

UPON ARRIVAL, I DID NOT SEE AN AMBULANCE ON SCENE. I ENTERED THE BAR THROUGH THE MAIN ENTRANCE ON BELMONT AV. I DID NOT SEE ANYBODY ON THE FLOOR NEAR THE MAIN ENTRANCE OR IN THE PACKAGE SALES AREA. I WALKED PAST THE PACKAGE SALES AREA FURTHER INTO THE BAR AND SAW [REDACTED] AND [REDACTED] HOLDING ONTO THE SHOULDERS OF AN UNKNOWN MALE, JOHN DOE1509534 (AKA - [REDACTED]), WHO WAS SEATED IN A BAR STOOL. I SAW [REDACTED] WAS HAVING DIFFICULTY STAYING SEATED IN THE STOOL WITHOUT SUPPORT. [REDACTED] HAD HIS EYES OPEN AND WAS BREATHING, BUT WAS NOT RESPONSIVE WHEN I ASKED HIM QUESTIONS. I ADVISED [REDACTED] AND [REDACTED] AN AMBULANCE WAS ON THE WAY FOR [REDACTED]. I TOLD THEM NOT TO MOVE [REDACTED] AND TO CONTINUE TO HOLD [REDACTED] WHERE HE WAS UNTIL THE AMBULANCE ARRIVED. [REDACTED] HAD A SMALL ABRASION ON HIS HEAD NEAR THE TEMPLE AREA ON HIS RIGHT SIDE. I SAW NO OTHER VISIBLE INJURIES TO [REDACTED].

I ASKED [REDACTED] TO TELL ME WHAT HAD HAPPENED TO [REDACTED] RELATED SHE AND HER BOYFRIEND [REDACTED] HAD ARRIVED AT THE BAR AT APPROXIMATELY 2130 HOURS. [REDACTED] KNOWS [REDACTED] ONLY AS AN ACQUAINTANCE AND DOES NOT KNOW HIS LAST NAME. [REDACTED] OBSERVED [REDACTED] WAS ALREADY AT THE BAR AND WAS DRINKING WHEN SHE AND [REDACTED] ARRIVED. AT APPROXIMATELY 2230 HOURS, [REDACTED] RELATED SHE WENT INTO THE MEN'S BATHROOM WITH [REDACTED] AND WHEN SHE WAS EXITING SHE SAW [REDACTED] FALLING HEADFIRST TOWARDS A WALL AND ANOTHER PERSON'S HAND AND ARM PULLING BACK AWAY FROM [REDACTED] STATED THE ARM MOTION SHE SAW WAS CONSISTENT WITH AN HAND AND ARM PULLING BACK FROM A PERSON WHO HAD JUST PUSHED ANOTHER. [REDACTED] COULD NOT DESCRIBE THE MALE SHE BELIEVED TO HAVE PUSHED [REDACTED] STATED THE MALE LEFT THE BAR PRIOR TO MY ARRIVAL. [REDACTED] RELATED [REDACTED] WAS ON THE FLOOR UNCONSCIOUS FOR SEVERAL MINUTES BEFORE THEY WERE ABLE TO ASSIST HIM TO A BAR STOOL.

ELMWOOD PARK AMBULANCE 944 ARRIVED AND PARAMEDICS ATTENDED TO [REDACTED] [REDACTED] HAD NO IDENTIFICATION ON HIS PERSON. [REDACTED] HAD NO PERSONAL PROPERTY AT THE BAR.

[REDACTED] RELATED THE SAME INFORMATION AS [REDACTED] STATED HE WAS WALKING BEHIND [REDACTED] WHEN THEY WERE EXITING THE MEN'S BATHROOM AND DID NOT SEE [REDACTED] IN A STANDING POSITION. [REDACTED] ONLY SAW [REDACTED] WHEN HE WAS ALREADY ON THE GROUND. [REDACTED] ADDED HE COULD NOT DESCRIBE THE MALE [REDACTED] HAD SEEN WALKING AWAY FROM [REDACTED]

I SPOKE WITH THE BARTENDER, [REDACTED], WHO TOLD ME SHE STARTED WORK AT 1700

REPORTING OFFICER NARRATIVE

Elmwood Park Police Department

OCA
15-09534
Date / Time Reported
Sat 09/26/2015 22:41

Victim
DOE1509534, JOHN

Offense
AGGRAVATED BATTERY

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HOURS THIS EVENING. [REDACTED] KNOWS [REDACTED] ONLY AS A FREQUENT CUSTOMER OF THE BAR AND DOES NOT KNOW HIS LAST NAME OR ANY OTHER PERSONAL INFORMATION ABOUT HIM. [REDACTED] RELATED [REDACTED] ARRIVED AT THE BAR AROUND 2130 HOURS AND WAS SEATED AT THE BAR NEXT TO A FEMALE, LATER IDENTIFIED AS [REDACTED] AND A MALE KNOWN TO [REDACTED] AS [REDACTED] (LAST NAME UNKNOWN). [REDACTED] RECALLED ONLY SERVING TWO BEERS TO [REDACTED] PRIOR TO THE INCIDENT. [REDACTED] DID NOT SEE HOW [REDACTED] ENDED UP ON THE FLOOR, BUT STATED THE MALE, [REDACTED] WAS THE MALE WHO WALKED AWAY FROM [REDACTED] WHEN HE WAS ON THE GROUND AND LEFT THE BAR. [REDACTED] DID NOT HEAR OR SEE ANY ARGUING OR PHYSICAL CONFRONTATION BETWEEN [REDACTED] OR [REDACTED] PRIOR TO THE INCIDENT.

I SAW A VIDEO MONITOR BEHIND THE BAR DISPLAYING LIVE VIDEO IMAGES FROM SEVERAL CAMERAS LOCATED THROUGHOUT THE BAR. [REDACTED] TOLD ME THE OWNER OF THE BAR, JIM MARTIN, WAS THE ONLY PERSON WHO COULD RETRIEVE VIDEO RECORDINGS FROM THE CAMERA SYSTEM.

WHILE SPEAKING TO [REDACTED] I HEARD AN UNKOWN PERSON SHOUT FROM BEHIND ME, "WE GOT ANOTHER ONE DOWN." I TURNED AROUND AND SAW [REDACTED] LYING ON THE FLOOR BEHIND THE BAR STOOL WHERE I SAW HER SITTING EARLIER. I WENT OVER TO [REDACTED] AND OBSERVED SHE WAS CONCIIOUS, BREATHING AND ABLE TO SPEAK. [REDACTED] REPEATEDLY TOLD ME SHE WAS FINE BUT DIDN'T WANT TO GET UP OR EXPLAIN HOW OR WHY SHE WAS ON THE FLOOR. I SAW THE PARAMEDICS HAD ALREADY MOVED [REDACTED] TO THE AMBULANCE AND I CALLED ON THE RADIO TO SEE IF THEY COULD COME BACK INSIDE THE BAR TO CHECK ON [REDACTED]. ONE OF THE PARAMEDICS ENTERED THE BAR AND CALLED FOR A SEPARATE AMBULANCE AND ENGINE TO RESPOND TO TREAT [REDACTED].

RIVER FOREST AMBULANCE AND ELMWOOD PARK ENGINE ARRIVED ON SCENE SHORLTY THEREAFTER TO TREAT [REDACTED] I WAS UNABLE TO INTERVIEW [REDACTED] CONCERNING WHAT HAD HAPPENED TO [REDACTED]. BOTH [REDACTED] AND [REDACTED] WERE TRANSPORTED TO GOTTLIEB MEMORIAL HOSPITAL.

I ASKED SEVERAL INDIVIDUALS IN THE BAR IF THEY HAD SEEN WHAT HAD HAPPENED TO [REDACTED]. NOBODY ELSE IN THE BAR STATED THEY SAW WHAT HAD HAPPENED EARLIER.

I LEFT THE BAR AND AT APPROXIMATELY 0100 HOURS ON 9/28/15 I CALLED THE EMERGENCY ROOM AT GOTTLIEB MEMORIAL HOSPITAL AND SPOKE WITH [REDACTED] I WAS ADVISED [REDACTED]

AT APPROXIMATELY 0300 HOURS, [REDACTED] SPEAK, I WAS ADVISED [REDACTED] IDENTITY WAS STILL UNKNOWN AND HE WAS LISTED AS PATIENT GALVIN DOE IN HOSPITAL RECORDS FOR THE TIME BEING.

REPORTING OFFICER NARRATIVE

Elmwood Park Police Department

OCA 15-09534
Date / Time Reported Sat 09/26/2015 22:41

Victim DOE1509534, JOHN	Offense AGGRAVATED BATTERY
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AT APPROXIMATELY 0330 HOURS, I SPOKE WITH DETECTIVE WINIARCZYK BY TELEPHONE ADVISING HIM OF THE CASE.

I COMPLETED MY REPORT AND RETURNED TO PATROL.

Incident Report Suspect List

Elmwood Park Police Department

OCA: 15-09534

1	Name (Last, First, Middle) <i>* No name *</i>						Also Known As				Home Address	
	Business Address											
	DOB.	Age	Race	Sex	Eth	Hgt	Wgt	Hair	Eyc	Skin	Driver's License / State.	
XXX XXX XXX												
Scars, Marks, Tattoos, or other distinguishing features												

<i>Reported Suspect Detail</i>		Suspect Age 30-35		Race [REDACTED]	Sex M	Eth	Height 508-510	Weight 180-200	SSN
Weapon, Type	Feature	Make	Model		Color	Caliber	Dir of Travel		Mode of Travel
Veh Yr/Make/Model		Drs	Style	Color	Lic/St	VIN			

Notes NAME - [REDACTED] (LAST NAME UNKNOWN)	Physical Char CLOTHING, SHIRT CLOTHING, JEANS
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