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IN REPLY REFER TO FILE NO.

November 2, 2015

Mr. Jacek Witkos
2920 N. Harlem Avenue, Apt. 5H
Elmwood Park, Illinois 60707

EP-1

Re: Freedom of Information Act Request

Dear Mr. Witkos:

On October 26, 2015, the Village of Elmwood Park received your Illinois Freedom of Information Act (5 ILCS 140/1 *et seq.*) ("FOIA") request for "15-2168."

Enclosed please find 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. 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 a driver's license number, a home or personal telephone number, and a home address, 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, including the race of individuals, have been redacted from the records being provided.

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

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Mr. Jacek Witkos
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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

INCIDENT REPORT

(1) OCCURRED ON OR BETWEEN		MO. 03	DATE 01	YR. 2015	DAY SUN	TIME 1520	(2) BEAT ZONE 2	(3) REPORT NUMBER		
		03	01	2015	SUN	1533	SUB-BEAT 3320	15-2168		
(4) REPORTED		03	01	2015	SUN	1539	(5) INCIDENT CLASSIFICATION ASSIST FIRE DEPT			
(6) LOCATION OF INCIDENT 2638 HARLEM AVE APT 2E							(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 N/A			
(10) RESIDENCE PHONE N/A		(11) BUSINESS PHONE N/A		(12) SEX N/A	RACE N/A	AGE N/A	(13) DOB Mo. Date Yr. N/A N/A N/A			
(14) SOCIAL SECURITY OR PERSONAL IDENTIFICATION NUMBER N/A										
(15) REPORTED BY (last, first, mi) [REDACTED]							WITNESS YES <input type="checkbox"/> NO <input checked="" type="checkbox"/>		(16) RESIDENCE OR BUSINESS ADDRESS [REDACTED]	
(17) RESIDENCE PHONE [REDACTED]		(18) BUSINESS PHONE N/A		(19) SEX M	RACE [REDACTED]	AGE 42	(20) DOB Mo. Date Yr. [REDACTED]			
(21) SOCIAL SECURITY OR PERSONAL IDENTIFICATION NUMBER [REDACTED]										
INJURY		(22) NATURE AND EXTENT OF INJURY LACERATIONS TO HEAD, BRUSING TO BACK					(23) HOSPITALIZED/WHERE TREATED LOYOLA MEDICAL CENTER -2160 S 1ST AVE MAYWOOD IL			
(24) ATTENDING/PRONOUNCING PHYSICIAN UNK			(25) TRANSPORTED BY EP FD UNIT 944		(26) PRONOUNCED Mo. Date Yr. Time N/A N/A N/A N/A		(27) M.E. NAME N/A		(28) DATE & TIME NOTIFIED N/A	
BLOCK NO.	(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.									
METHOD CODE	<p>On 03/01/2015 at approximately 1539 hours Sergeant Brown, Officers Geraci, Lombardi, Forrest and I responded to an assist the fire department call on 2638 Harlem Ave for a woman who fell out a window.</p> <p>Upon arrival Officer Geraci and I located [REDACTED] (M [REDACTED]) and [REDACTED] (F [REDACTED]) in apartment [REDACTED]. I observed [REDACTED] laying on the couch and bleeding from her head.</p> <p>[REDACTED] told me he left the apartment at approximately 0400 hours to go ice climbing. [REDACTED] stated [REDACTED] called him at approximately 1200 hours to see where he was at and to ask him to go to the store and get dinner. [REDACTED] stated she called him every 30-40 minutes to see where he was at. [REDACTED] stated [REDACTED] last contacted him at 1520 hours and asked him to stop at the Polish Deli on Harlem Ave to get chicken breast for dinner. [REDACTED] stated he came home at approximately 1530 hours and did not see his wife in the apartment. [REDACTED] stated he called his wife at 1534 hours, heard the phone ring from outside. [REDACTED] said he discovered his wife in the gangway when he looked out of the open window. [REDACTED] stated he ran downstairs and brought his wife upstairs to their apartment and dialed 911.</p> <p>[REDACTED] was conscious, in pain and was unable to answer any questions. [REDACTED] was transported to Loyola Medical Center in Maywood by EPFD Unit 944.</p> <p>[REDACTED] said [REDACTED] has never tried to hurt herself in the past. [REDACTED] said his wife is currently [REDACTED] stated his wife [REDACTED] said [REDACTED] did not make statements about hurting herself today. SEE CONTINUATION</p>									
PLACE CODE										
CASE STATUS										
U.S.	(30) REPORTING OFFICER [Signature]		STAR	(31) SUPERVISOR [Signature]		STAR	(32) REPORT REVIEW		(33) C.A. REVIEW	

REPORT NUMBER

AFFENSE CODE

METHOD CODE

PLACE CODE

CASE STATUS

U.S.

COPY

CONTINUATION REPORT

15-2168

ELMWOOD PARK POLICE DEPARTMENT



Case Report: 15-2168
Title: Assist Fire Department
Officer: Borrini #8692
Date: 03/01/2015

Case Action

██████████ provided Officer Forrest with ██████████ prescription bottles:

██████████

██████████

██████████

██████████ told me his wife works as a packer for 6 years at a company called Doumak. ██████████ told me ██████████ has been hazed at work by other employees and is afraid of losing her job.

██████████ stated he lives at the residence with his wife and his teenage children. ██████████ said the children were at a friend's house for the day.

Sergeant Brown took photographs of the scene (see connecting photos and report).

Officer Lombardi conducted a canvass of the units in the apartment building (see connecting).

All responding units cleared the scene.

Officer Geraci called Paramedic Armantano via TX at Loyola Medical center. Paramedic Armantano told Officer Geraci during transportation, the only statements ██████████ made was "it hurts, it hurts, help me". Officer Geraci stated he observed bruising on ██████████ lower back.

Nothing further at this time.

Investigative Action Report

ELMWOOD PARK POLICE DEPARTMENT

Case Report: 15-2168

Title: Assist Ambulance

Officer: Brown #9026

Date: 3/1/15

Case Action

On 3/1/15 at 1539 hours, I responded to 2638 Harlem Avenue for an assist ambulance. Upon arrival I walked into the gangway next the south side of the building. I saw blood, broken ice, and plastic fragments on the sidewalk under some windows. I photographed the gangway and went up to apartment [REDACTED] where officers Lombardi, Forrest, Geraci, and Borrini were speaking with [REDACTED].

I saw a window propped open in the kitchen with a pair of scissors. I photographed the kitchen, living room, bedrooms, and bathroom. I did not see any signs of a struggle within the apartment. I saw blood on pillows and blankets on the living room couch. [REDACTED] stated he placed [REDACTED] on the couch when he brought her upstairs.

I saw a cell phone on the living room table. I asked [REDACTED] if the phone belonged to [REDACTED]. He told me it was hers. I photographed the phone call log for the last few calls.

I returned to the station and printed out the pictures. At 1947 hours, Officer Lombardi spoke with Nurse Marta from the Loyola Hospital emergency room. She stated [REDACTED]

[REDACTED] I attached the photos to the report and cleared.