



12 South Center Street
Bensenville, IL 60106

Office: 630.350.3404
Fax: 630.350.3438
www.bensenville.il.us

VILLAGE BOARD

June 29, 2016

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1411 North Ridgeway Avenue
Chicago, Illinois 60651

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Re: June 15, 2016 FOIA Request

Village Clerk
Ilsa Rivera-Trujillo

Dear Ms. Avila:

I am pleased to help you with your June 15, 2016 Freedom of Information Act ("FOIA"). Your request was received by the Village of Bensenville on June 22, 2016 and extended on June 22, 2016. You requested copies of the items indicated below:

Village Manager
Evan K. Summers

"Police Report No. 98-6247."

After a search of Village files, the following documents are enclosed to fulfill your request:

- 1) Village of Bensenville Incident Report No. BV98006247. (4 pgs.)

These are all of the documents that can be discovered responsive to your request.

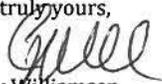
Section 7(1)(b) of FOIA provided that "private information" is exempt from disclosure. "Private information" is defined in FOIA as, "unique identifiers, including a person's social security number, driver's license number, employee identification number, biometric identifiers, personal financial information, 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 complied without possibility of attribution to any person." 5ILCS 140/2(c-5). Consequently, certain unique identifiers 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 per person privacy" is exempt from disclosure. Consequently, a birthdate and other personal information, the disclosure of which would constitute a clearly unwarranted invasion of personal privacy, including a victim's name and identifying information, and the race of an individual, have been redacted from the records being provided.

Pursuant to Section 9 of the FOIA, 5 ILCS 140/9, I am required to advise you that I, the undersigned Freedom of Information Officer, reviewed and in consultation with an attorney for the Village, made the foregoing determination to deny a portion of your FOIA Request as indicated. Should you believe that this Response constitutes an improper denial of your request, you may appeal such by filing a request for review within sixty (60) days of the date of this letter with the Public Access Counselor of the Illinois Attorney General's Office, Public Access Bureau, 500 South Second Street, Springfield, Illinois 62706; telephone 1-887-299-FOIA; e-mail: publicaccess@atg.state.il.us. You may also have a right of judicial review of the denial under Section 11 of FOIA, 5 ILCS 140/11.

Do not hesitate to contact me if you have any questions or concerns in connection with this response.

Very truly yours,


Corey Williamsen
Freedom of Information Officer
Village of Bensenville

1998-6247
ICCBV CONVERSION

05-09-1998 0:00:00

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INCIDENT RD#: BV98006247 NARRATIVE BY.: #520
BURDEN, JAMES P
INCIDENT DATE.: 05/09/98 NARRATIVE DATE: 05/09/98
DISPO. UCR....: 0260 NARRATIVE TYPE: CASE
REPORT NARRATIVE

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ON 05/09/98 AT APPROXIMATELY 1247 HOURS, R/I WAS PAGED BY OFFICER AL ANGUS #32, AND ADVISED TO RESPOND TO THE EMERGENCY ROOM AT ELMHURST HOSPITAL, WHERE A FEMALE VICTIM (SEE JUVENILE CONTACT REPORT) WAS BROUGHT BY HER MOTHER TO BE EXAMINED FOR SEXUAL ASSAULT. R/I WAS INFORMED THAT A 14 YEAR OLD GIRL REPORTEDLY HAD "CONSENSUAL SEX" WITH A MAN BELIEVED TO BE ABOUT 34 YEARS OLD, (KNOWN ONLY AS "TONY"). R/I ARRIVED AT SAID HOSPITAL AT APPROX 1323 HOURS.

FROM 1330-1415 HOURS R/I INTERVIEWED THE VICTIM'S MOTHER, GILA AVILA, WITH THE ASSISTANCE OF HOSPITAL EMPLOYEE, "ED GONZALEZ." IN SUMMARY, GILA RELATED THAT SHE REPORTED HER 14 YEAR OLD DAUGHTER MISSING TO THE BENSVILLE POLICE ON FRIDAY 05/08/98 (SEE 98-6192 APPROX 1001 HOURS), BECAUSE SHE NEVER RETURNED HOME FROM SCHOOL THURSDAY NIGHT. SHE LAST SAW HER DAUGHTER ON THURSDAY MORNING WHEN SHE WENT TO SCHOOL. ON FRIDAY, THE 8TH OF MAY, SHE WENT TO HER DAUGHTER'S SCHOOL AND SPOKE WITH THE PRINCIPAL, WHO TOLD GILA TO FILE A MISSING PERSON REPORT SINCE GILA'S DAUGHTER WAS NOT IN SCHOOL THAT DAY. LATER THAT EVENING, AROUND 1630 HOURS, A MALE SUBJECT (WHO USED TO LIVE IN THE HAMILTON COURTS AREA) KNOWN ONLY AS "TONY" CAME TO HER HOUSE AND TOLD HER THAT HER DAUGHTER WAS AT HIS HOUSE ON GEORGE ST. "TONY" TOLD GILA THAT HE TRIED TO BRING HER HOME YESTERDAY AFTER SCHOOL, BUT SHE WOULDN'T GET OUT OF HIS CAR SO HE TOOK HER BACK HOME WITH HIM. SHE IMMEDIATELY RESPONDED TO "TONY'S" HOUSE WHICH SHE RELATED WAS LOCATED AT [REDACTED], TOOK CUSTODY OF HER DAUGHTER, AND DROVE HER BACK HOME. (TONY REPORTEDLY DRIVES A WHITE COLORED PONTIAC GRAND PRIX). ONCE AT HOME, GILA BEGAN TO QUESTION HER DAUGHTER ABOUT WHAT HAPPENED AT "TONY'S" AND REPORTEDLY ASKED HER IF SHE HAD SEX WITH HIM. SHE TOLD HER MOTHER THAT SHE DID HAVE SEX WITH HIM, BUT ONLY ONCE. GILA WAS ADVISED BY HER DAUGHTER THAT THE SEX WAS CONSENSUAL AND WAS PROVOKED BY HER. BEING AFRAID THAT HER DAUGHTER MIGHT BE PREGNANT, SHE TOOK HER TO THE FAMILY DOCTOR'S OFFICE LOCATED AT 229 W. GRAND AVE. IN BENSVILLE, AT APPROXIMATELY 1045 THIS MORNING (05/09/98). HER NORMAL DOCTOR, DR. NUNEZ WASN'T AVAILABLE, SO THEY WERE TENDED TO BY DR. O'CAMPO. WHEN DR. O'CAMPO HEARD THE CIRCUMSTANCES OF THE VISIT, HE ADVISED GILA TO TAKE HER DAUGHTER TO THE ELMHURST EMERGENCY ROOM TO BE EXAMINED.

ON 05/09/98 AT APPROXIMATELY 1415 HOURS R/I SPOKE WITH GILA'S 14 YEAR OLD DAUGHTER (VICTIM), IN STALL #10 OF THE ELMHURST HOSPITAL EMERGENCY ROOM. THE VICTIM RELATED THAT BECAUSE IT WAS RAINING ON THURSDAY WHEN SCHOOL LET OUT, SHE CALLED "TONY" TO COME PICK HER UP. AFTER HE DID, THEY WENT TO HIS HOUSE ON GEORGE STREET, AND LISTENED TO MUSIC UNTIL 1458 HOURS. SHE REMEMBERS LOOKING AT THE CLOCK AND ASKED "TONY" TO TAKE HER HOME SO HER MOTHER DIDN'T GET SUSPICIOUS ABOUT HER AND "TONY" BEING TOGETHER. "TONY" DID DRIVE HER NEAR HER HOUSE, BUT PARKED SOMEWHERE ON NEARBY MIDWAY CT. SHE STAYED BY HIS CAR AND DIDN'T WANT TO GO HOME. SHE

RELATED SHE REFUSED TO GET OUT OF HIS CAR, SO "TONY" BROUGHT HER BACK TO HIS PLACE. SHE ADMITTED THAT LATER THAT EVENING, THEY HAD CONSENSUAL SEX THAT SHE INITIATED. WHEN ASKED TO DESCRIBE "TONY'S" ROOM, SHE RELATED THAT IT CONSISTS OF MULTI-COLORED SPRAY PAINTED DESIGNS ON THE WALLS, AND NAMED COLORS SUCH AS PURPLE, GREEN, AND PINK. SHE ALSO DESCRIBES PAINTED OUTLINES OF HUMAN HANDS ON THE WALLS. ASIDE FROM THE BED, THERE'S A COUPLE CABINETS, A DESK, A STEREO AND A T.V.

AT APPROXIMATELY 1450 HOURS R/I TOOK CUSTODY OF A SEALED SEXUAL ASSAULT EXAMINATION KIT, FROM DR. MARIA SWASTEK WHO EXAMINED GILA'S 14 YEAR OLD DAUGHTER. SHE RELATED THAT THERE WAS EVIDENCE OF SEXUAL ACTIVITY. SAID KIT WAS SIGNED FOR BY R/I AND BROUGHT BACK TO THE BENSENVILLE POLICE STATION WHERE IT WAS PLACED INTO A REFRIGERATOR UNTIL IT CAN BE SENT TO A CRIME LAB FOR ANALYSIS.

AT APPROXIMATELY 1600 HOURS R/I SPOKE WITH "MARTY" FROM THE DU PAGE COUNTY CHILDREN'S CENTER, WHO RELATED THAT SHE RECEIVED A CALL EARLIER (AROUND 1300 HOURS) FROM A SOCIAL WORKER AT ELMHURST HOSPITAL, WHO ADVISED HER OF THIS INCIDENT. ACCORDING TO "MARTY" GILA WILL BRING HER DAUGHTER INTO THE CHILDREN'S CENTER OFFICES ON MONDAY TO BE INTERVIEWED. BECAUSE OF THE LANGUAGE BARRIER, THIS CASE WILL PROBABLY BE ASSIGNED TO INV. ROBERT HOLGUIN. R/I ADVISED "MARTY" OF THIS AGENCY'S REPORT NUMBER AND THAT R/I WILL ASSIST INV. HOLGUIN WITH ANYTHING THAT NEEDS TO BE DONE.

AT APPROXIMATELY 1645 HOUR R/I CHECKED THE ADDRESS OF [REDACTED] AND OBSERVED 3 VEHICLES IN THE DRIVEWAY. ONE WAS A RED COLORED BUICK, BEARING ILLINOIS REGISTRATION PLATES OF "[REDACTED]" WHICH REGISTERS ON A 1987 BUICK TO RIGOBERTO SACAS [REDACTED] WITH AN ADDRESS OF [REDACTED] IN BENSENVILLE ([REDACTED] OR [REDACTED]). THE OTHER CAR WAS A WHITE COLORED CADILLAC WITH ILLINOIS REGISTRATION PLATES OF "[REDACTED]" WHICH REGISTERS ON A 1987 CADILLAC TO MARTIN MENDOZA, WHOSE LISTED ADDRESS IS [REDACTED] BENSENVILLE. THE THIRD VEHICLE WAS A SMALL WHITE VEHICLE WITH ARIZONA PLATES. SAID VEHICLE WAS PARKED FARTHEST FROM THE STREET AND THE PLATES WERE NOT READABLE.

WHILE AT THE HOSPITAL EARLIER, R/I CALLED BENSENVILLE DISPATCH AND REQUESTED THAT THE BEAT OFFICER, DRIVE PAST [REDACTED] AND COPY DOWN THE PLATES ON VEHICLES ASSOCIATED WITH SAID ADDRESS. AT APPROX 1430-1500 HRS. 3 VEHICLES WERE OBSERVED AT SAID LOCATION. ONE BEING THE SMALL CAR WITH ARIZONA PLATES, AND THE OTHERS BEING A BLUE FORD- CROWN VICTORIA, WHICH REPORTEDLY DROPPED A FEMALE SUBJECT OFF. THE PLATES ON SAID CROWN VICTORIA ARE "[REDACTED]" (ILLINOIS) WHICH REGISTER TO NELLY I. MAGANA [REDACTED]. THE PLATE LISTS AN ADDRESS OF [REDACTED] IN BENSENVILLE, WHILE MAGANA'S DRIVER'S LICENSE SHOWS AN ADDRESS OF [REDACTED] BENSENVILLE. THE OTHER VEHICLE WAS A BLUE COLORED CHRYSLER, BEARING ILLINOIS PLATES OF "[REDACTED]" WHICH REGISTERS ON 1986 CHRYSLER TO JEANINE C. BUTLER WITH AN ADDRESS OF [REDACTED] IN BENSENVILLE.

AT 1755 HOURS R/I CALLED D.C.F.S. AND SPOKE WITH PEGGY SQUIBB. SHE RELATED THAT A FILE WOULD BE KEPT ON THIS INCIDENT FOR 6 MONTHS, DOCUMENTING R/I'S REPORT.

1998-6247
ICCBV CONVERSION

06-17-1998 0:00:00

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INCIDENT RD#.: BV98006247 NARRATIVE BY.: #520
BURDEN, JAMES P
INCIDENT DATE.: 05/09/98 NARRATIVE DATE: 06/17/98
DISPO. UCR....: 0260 NARRATIVE TYPE:
SUPPLEMENTARY NARRATIVE
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06/17/98-APPROX 1100 HRS, R/I MET WITH DU PAGE COUNTY CHILDREN'S CENTER INVESTIGATOR, ROBERT HOLGUIN AT THE DU PAGE COUNTY COURTHOUSE. INV HOLGUIN ADVISED R/I THAT THE OFFENDER IN THIS CASE HAS BEEN IDENTIFIED AND ARRESTED UNDER THE NAME OF ANTONIO MARCUS BARNES (M/H ██████████). ACCORDING TO INV HOLGUIN, BARNES WAS INTERVIEWED ON 06/03/98 AND ADMITTED HAVING SEX WITH THE VICTIM IN THIS CASE. BARNES WAS APPARENTLY A SUSPECT IN ANOTHER CHILDREN CENTER CASE AND ADMITTED TO IMPREGNATING A 13 YEAR OLD GIRL. WARRANTS WERE ISSUED FOR BARNES ON THE 4TH OF JUNE AND HE WAS ARRESTED ON 06/12/98, AND CHARGED WITH 2 COUNTS OF "CRIMINAL SEXUAL ABUSE". AT APPROX 1545 HRS, R/I CALLED THE DU PAGE COUNTY JAIL AND WAS ADVISED THAT BARNES IS ALSO KNOWN AS "NICHOLAS GONZALEZ" WITH A BIRTH DATE OF ██████████. UNDER THE NAME OF GONZALEZ, HE WAS WANTED ON A SCHAUMBURG RETAIL THEFT WARRANT. (SCHAUMBURG #97-40717...). R/I LEFT A MESSAGE ON THE ANSWERING MACHINE FOR THE CHILDREN'S CENTER, ADVISING HOLGUIN OF SAME. R/I WILL CLOSE THIS CASE AS OF THIS DATE.

1998-6247
ICCBV CASE CONVERSION

07-11-2002 0:00:00

SUPPLEMENT BY DET JAMES BURDEN #2006/17/98-AS OF THIS DATE, R/I WILL
CLOSE THIS CASE. THE OFFENDER WAS ARRESTED BY THE CHILDREN'S CENTER
INVESTIGATOR-ROBERT HOLGUIN. SEE I.B.R. SUPPLEMENT.