



12 South Center Street
Bensenville, IL 60106

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August 26, 2016

Mr. Lance Swalve
130 East George Street #516
Bensenville, Illinois 60106

Re: August 25, 2016 FOIA Request

Dear Mr. Swalve:

I am pleased to help you with your August 25, 2016 Freedom of Information Act ("FOIA"). Your request was received by the Village of Bensenville on August 25, 2016. You requested copies of the items indicated below:

"Police Report for case #16M2304."

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

- 1) Village of Bensenville Arrest Report No. BV16007099.1. (3 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

Bensenville Arrest Report

Case No. BV16007099
Report No. BV16007099.1
Report Date: 7/17/2016

Bensenville
345 E Green ST
Bensenville, IL 60106
630 350-3455

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Subject: 1410 - UNLAWFUL USE OF WEAPON/OFC. LABUZ

Case Report Status: A - Approved

Date Entered: 7/17/2016 2:39:18 AM

Reporting Officer:

Occurred On (and Between): 7/16/2016 11:45:00 PM

Entered By: 195 - Labuz, Walter

195 - Labuz, Walter

Location: [REDACTED]
Jurisdiction: BV - Bensenville PD

Date Verified: 7/19/2016 8:33:42 AM

Verified By: 505 - Fuja, Robert

Date Approved: 7/21/2016 11:44:41 AM

Approved By: 536 - Beer, Karolee

Connecting Cases:

Assisted By:

539 - Navarro, Jose
186 - Mirandola, Carmen
525 - Herrera, Saul
502 - Hermes, Kevin
531AC - Cha, Aaron

Grid:
Sector:
Map:
Census/Geo:
Call Source: Telephone - UDT

Disposition: Arrest
Clearance Reason:
Date of Clearance:
Reporting Agency: Bensenville
Division: Bensenville
Notified:

Vehicle Activity:
Vehicle Traveling:
Cross Street:

Means:
Other Means:
Motive:
Other Motives:

Report Narrative: ON JULY 16, 2016 AT APPROXIMATELY 2339 HOURS R/O WAS DISPATCHED TO [REDACTED] FOR A RESIDENT WHO HAD LOCKED HIMSELF OUT OF HIS APARTMENT. R/O WAS UNABLE TO GAIN ACCESS TO THE BUILDING. R/O HAD DISPATCH CALL THE CALLER BACK TO LET R/O INSIDE. R/O MET WITH [REDACTED] M/W [REDACTED], WHO APPEARED HIGHLY INTOXICATED, IN THE LOBBY OF THE APARTMENT BUILDING. WHILE R/O WAS SPEAKING WITH [REDACTED] OFC. NAVARRO SHOWED UP. [REDACTED] INFORMED R/O THERE WAS A GIRL INSIDE THE APARTMENT WHO WAS NOT LETTING HIM IN. R/O AND OFC. NAVARRO GOT INTO THE ELEVATOR WITH [REDACTED] TO GO TO HIS APARTMENT ON THE FIFTH FLOOR AND KNOCK ON THE DOOR. IN THE ELEVATOR [REDACTED] BEGAN TO REACH INTO THE BACK OF HIS WAISTBAND AND STATED "BEFORE WE GO ANY FURTHER I HAVE THIS" AND PULLED OUT A SILVER IN COLOR HANDGUN. [REDACTED] BROUGHT THE HANDGUN TO APPROXIMATELY A 45 DEGREE ANGLE AWAY FROM HIS BODY. OFC. NAVARRO WAS STANDING NEXT TO [REDACTED] ON HIS RIGHT SIDE. OFC. NAVARRO GRABBED THE GUN AND TOOK IT AWAY FROM [REDACTED].

WHEN THE ELEVATOR REACHED THE FIFTH FLOOR R/O CHECKED [REDACTED] FOR MORE WEAPONS WHILE OFC. NAVARRO STOOD AWAY FROM [REDACTED] WITH THE FIREARM. OFC. MIRANDOLA, HERRERA, CHA AND SGT. HERMES ARRIVED ON SCENE. OFC. NAVARRO ASKED [REDACTED] IF THE FIREARM HAD A ROUND IN THE CHAMBER AND [REDACTED] STATED IT DID NOT. OFC. MIRANDOLA CLEARED THE WEAPON WHICH DID HAVE A ROUND IN THE CHAMBER AND FIVE ROUNDS IN THE MAGAZINE. OFC. NAVARRO ASKED [REDACTED] WHY HE DID NOT TELL OFFICERS HE HAD A GUN AND [REDACTED] STATED HE DID TELL OFFICERS HE HAD A GUN.

OFC. NAVARRO ASKED DISPATCH IF [REDACTED] HAD A VALID FOID AND CONCEALED CARRY PERMIT. DISPATCH TOLD OFFICERS [REDACTED] HAD A VALID FOID CARD BUT DID NOT POSSESS A CONCEALED CARRY PERMIT. AT THAT TIME [REDACTED] WAS PLACED UNDER ARREST FOR UNLAWFUL USE OF A WEAPON. R/O OFC. NAVARRO MIRANDOLA AND SGT HERMES WENT TO [REDACTED] APARTMENT TO SEE IF THE FEMALE [REDACTED] STATED WAS IN THE APARTMENT WAS STILL THERE. R/O OBSERVED A PILE OF CLOTHES IN FRONT OF THE APARTMENT DOOR. R/O ALSO OBSERVED A LIVE .45 CALIBER ROUND IN FRONT OF [REDACTED] APARTMENT ON THE GROUND.

R/O TRANSPORTED [REDACTED] TO BPD WHERE HE WAS PLACED IN CELL 3. ON 07-17-16 AT APPROXIMATELY 0130 HOURS R/O READ [REDACTED] HIS MIRANDA RIGHTS. [REDACTED] REFUSED TO SIGN THE MIRANDA FORM BUT CONTINUED TO SPEAK WITH R/O AND OFC. NAVARRO. [REDACTED] ASKED WHY HE HAD BEEN ARRESTED AND WAS TOLD BECAUSE HE LEFT HIS APARTMENT WITH A LOADED FIREARM. [REDACTED] STATED HE THOUGHT HE WAS ALLOWED TO CARRY HIS FIREARM IN THE COMMON AREAS OF THE APARTMENT COMPLEX. WHILE IN BOOKING [REDACTED] ALSO STATED WHILE HE WAS SPEAKING WITH OFFICERS ON SCENE HE DID NOT SAY HE HAD A FIREARM.

R/O PLACED THE FIREARM AND AMMUNITION INTO EVIDENCE.

NOTHING FURTHER AT THIS TIME.

Offense Detail: 1410 - UNLAWFUL USE OF WEAPON

Offense Description: 1410 - UNLAWFUL USE OF WEAPON

IBR Code:
IBR Group:
Crime Against:
Using:

Location: 93 - APARTMENT COMMON AREA
Offense Completed?: Yes
Offense Status: 03 - Cleared by adult arrest
Hate/Bias: 88 - None (No Bias)

No. Prem. Entered:
Entry Method:
Type Security:

Bensenville Arrest Report

Case No. **BV16007099**
Report No. **BV16007099.1**
Report Date: **7/17/2016**

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Criminal Activity
Weapons/Force

Domestic Violence **No**

Tools Used

Arrestee A1: [REDACTED]

Arrestee Number	A1	DOB	[REDACTED]	Place of Birth	
Name	[REDACTED]	Age	40	SSN	[REDACTED]
AKA	[REDACTED]	Sex	M - Male	DLN	[REDACTED]
Alert(s)		Race	W - White	DLN State	[REDACTED]
		Ethnicity	N - Not of Hispanic Origin	DLN Country	USA - United States of America
Address	[REDACTED]	Ht	6' 2"	Occupation/Grade	
CSZ	BENSENVILLE IL, 60106	Wt	230	Employer/School	
Home Phone	[REDACTED]	Eye Color	BLU - Blue	Employer Address	
Work Phone	[REDACTED]	Hair Color	BAL - Bald	Employer CSZ	
Email Address	[REDACTED]	Hair Style		Res. County	DUPAGE
		Hair Length		Res. Country	USA - United States of America
		Facial Hair	01 - Clean Shaven	Resident Status	R - Resident
		Complexion			
		Build			
		Teeth			
Scars/Marks/Tattoos		Arrested For	1410 - UNLAWFUL USE OF WEAPON	Arrested On	7/16/2016 11:50:00 PM
Modus Operandi		Fingerprints	Yes	Arrest Location	[REDACTED]
Other MO		Photos	Yes	Booked On	7/17/2016 12:30:00 AM
Attire		Miranda Read	Yes	Booked Location	BENSENVILLE PD
Habitual Offender Status		Miranda Waived	Yes	Released Location	
Arrest No.	[REDACTED]	Number of Warrants	0	Released On	
Arrest Type	O - On-view	Police Disposition	88 - Summoned-Cited-Notified	Released By	
FBI No.		Juvenile Disposition		Release Reason	
State No.		Adult Present		Held For	
Armed With	12 - Handgun				
Multi. Clearance	N - Not Applicable				
Multi. Clearance					
Offense					
Prev. Suspect No. Notified					
Arrest Notes					

Property Description Item 1: 3711 - Handgun - Silver Colt .45 Government model

Bensenville Arrest Report

Bensenville
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Case No. **3V16007099**
Report No. **BV16007099.1**
Report Date: **7/17/2016**

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Item No. **1**
Property Category **3711 - Handgun**
IBR Type **13 - Firearms**
UCR Type **G - Firearms**
Status **ES - Evidence (Seized)**

Count **1**
Value
Manufacturer **Colt**
Model **Government Model**
Serial No. **[REDACTED]**
License No.
Color **SIL - Silver or Aluminum**
Description **Silver Colt .45 Government model**
Vehicle Year
Licence Year
State
Body Style

Recovered Date
Owner **A1 - [REDACTED]**
Disposition
Evidence Tag
Alert(s)

Drug Type
Drug Quantity
Drug Measure

Property Notes

Property Description Item 2: 3702 - Ammunition - .45 Caliber - Winchester .45

Item No. **2**
Property Category **3702 - Ammunition - .45 Caliber**
IBR Type **13 - Firearms**
UCR Type **G - Firearms**
Status **ES - Evidence (Seized)**

Count **7**
Value
Manufacturer **Winchester**
Model
Serial No.
License No.
Color
Description **Winchester .45**
Vehicle Year
Licence Year
State
Body Style

Recovered Date
Owner **A1 - [REDACTED]**
Disposition
Evidence Tag
Alert(s)

Drug Type
Drug Quantity
Drug Measure

Property Notes