



12 South Center Street  
Bensenville, IL 60106

Office: 630.350.3404  
Fax: 630.350.3438  
[www.bensenville.il.us](http://www.bensenville.il.us)

**VILLAGE BOARD**

**President**  
Frank Soto

**Board of Trustees**  
Rosa Carmona  
Frank DeSimone  
Annie Jaworska  
David Majeski  
Martin O'Connell  
Henry Wesseler

**Village Clerk**  
Ilsa Rivera-Trujillo

**Village Manager**  
Evan K. Summers

November 22, 2016

Mr. Carlos Toralba

Re: November 17, 2016 FOIA Request

Dear Mr. Toralba:

I am pleased to help you with your November 17, 2016 Freedom of Information Act ("FOIA"). Your request was received by the Village of Bensenville on November 17 2016. You requested copies of the items indicated below:

"16-10961."

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

- 1) Village of Bensenville Arrest Report No. BV16010961.1. (5 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](mailto: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. **BV16010961**  
Report No. **BV16010961.1**  
Report Date: **10/26/2016**

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

1

Page 1 of 5

Subject: **2445 - HIT AND RUN/ DUI /OFC VALOIS**

Case Report Status **A - Approved**

Date Entered **10/26/2016 3:10:41 PM**

Reporting Officer

Occurred On (and Between) **10/25/2016 7:17:00 PM**

Entered By **200 - Valois, Alison**

**200 - Valois, Alison**

Location

Date Verified **11/2/2016 10:11:42 AM**

Verified By **536 - Beer, Karolee**

Jurisdiction **FOSTER AVE & N ROUTE 83  
BV - Bensenville PD**

Date Approved **11/2/2016 10:11:46 AM**

Approved By **536 - Beer, Karolee**

Connecting Cases

Assisted By

**528 - Sanborn, Douglas  
0534 - Reynolds, Brandon  
214 - Scanlan, Patrick**

Grid **BV1 - Beat 1**

Disposition **Arrest**

Sector

Clearance Reason

Map **BE - BENSENVILLE**

Date of Clearance

Census/Geo

Reporting Agency

Call Source **Telephone - UDT**

Division

**Bensenville**

Notified

**Bensenville**

Vehicle Activity

Means

Vehicle Traveling

Other Means

Cross Street

Motive

Other Motives

Report Narrative

On 10/25/2016 at approximately 1917 hours, R/O was dispatched to the area of Foster Avenue and Route 83 for the report an accident. The occupants of one vehicle requested the Fire Department's presence to check on her juvenile children who were in the backseat at the time of the accident.

Upon arrival, R/O met with the driver of Unit 2, [REDACTED] who related that she was traveling east bound on Foster Avenue approaching IL Route 83 and stopped waiting for green light to turn left. The car in front of her slightly moved forward, so she moved forward at which time the front end of Unit 1 struck the rear end of Unit 2. Unit 2 was described as a dark colored truck with a tool box in the back. Both parties drove into the Shell Gas Station parking lot located at 600 N. IL Route 83 to await the police and the fire department. [REDACTED] related that she spoke with the driver of Unit 1 who only spoke Spanish. The driver of Unit 1 was described as a bald male hispanic wearing a faded blue long sleeve shirt and jeans. While waiting, a white Ford truck pulled up next to Unit 1. An occupant of the white truck, later identified as De La Cruz, Roberto M/W [REDACTED] who was telling [REDACTED] not to call the police. [REDACTED] related that the driver of Unit 1 and the occupants of the white truck began talking. Some words were exchanged and both parties left the parking lot and fled west bound on Foster Avenue. [REDACTED] related that she recognized the subjects in the trucks and believed that they lived on Marshall Rd in Bensenville.

R/O and A/O's Reynolds #534 and Scanlan #533 responded to the area of Marshall Rd and Brookwood St to check the area for the possible offender(s). [REDACTED] also arrived in the area. [REDACTED] stopped at [REDACTED] Marshall Rd and notified R/O of her location. [REDACTED] saw some males in a Chevy Tahoe and immediately recognized the passenger De La Cruz, Roberto who was one of the passengers in the white Ford. When asked about what the accident and who the driver of the dark colored truck was, De La Cruz denied any knowledge of an accident. After a few minutes, De La Cruz offered to pay for any damage to [REDACTED] car. De La Cruz also mentioned a man named "Tony" but would not explain why Tony would be involved in the accident. De La Cruz, Maria F/W [REDACTED] advised that she knew where "Tony" lives and would show R/O. R/O arrived at [REDACTED] and located a dark gray Chevrolet Pickup truck bearing IL Reg [REDACTED] parked in the driveway. R/O located a bent front license plate with damage that appeared fresh, as well as fresh scratches and black paint transfer on the license plate cover.

At approximately 2000 hours, R/O and A/O Scanlan approached the residence and spoke with Carmona-Rincon, Antonio M/W [REDACTED]. Carmona-Rincon was wearing a faded blue long sleeve shirt and jeans. Carmona-Rincon stated that he was involved in an accident and left the area. Carmona-Rincon advised that he drank about 3 to 4 beers while at work before he returned home. While speaking with Carmona-Rincon, R/O could detect a strong odor of alcohol emanating from his breath and his eyes were bloodshot. Carmona-Rincon was advised that he was under arrest for driving while under the influence and leaving the scene of an accident. Carmona-Rincon advised his wife to locate the insurance in the vehicle. While looking for insurance, R/O located an open 750mL bottle of tequila on the front passenger floorboard. Carmona-Rincon was handcuffed and transported to the Bensenville Police Department for processing by Ofc. Scanlan. Ofc. Scanlan advised that while transporting Carmona-Rincon to the Police Department that Carmona-Rincon kept stating that the ground was wet when the accident happened.

Upon arrival to the Police Department, R/O read Carmona-Rincon the Warning to Motorist and finished reading it at 2047 hours. Officer Sanborn #528 arrived in the processing area and read Carmona-Rincon his Miranda Rights in Spanish. Carmona-Rincon signed the Miranda Form and agreed to speak to R/O and A/O's. Carmona-Rincon advised that he had about 3 to 4 beers earlier while at work. Carmona-Rincon stated that he did not drink tequila today and did not know the bottle of tequila was in his truck. Carmona-Rincon stated that he hit the car in front of him because he could not stop. He stated that he waited for 20 minutes for the police and the girl he hit got angry so he left and went home. Carmona-Rincon stated he was willing to submit to field sobriety tests and did not have any physical abnormalities that would stop him from completing the

# Bensenville Arrest Report

Case No. **BV16010961**  
Report No. **BV16010961.1**  
Report Date: **10/26/2016**

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

# 2

Page 2 of 5

tests. R/O began to instruct Carmona-Rincon with the assistance of Ofc. Sanborn who translated the instructions in Spanish for each test.

R/O administered the Horizontal Nystagmus Gaze (HGN) test while Ofc. Sanborn translated. R/O observed lack of smooth pursuit in both the left and right eye, distinct and sustained nystagmus at maximum deviation in the left and right eye and nystagmus onset prior to 45 degrees. While administering the test, R/O instructed Carmona-Rincon to only follow the stimulus with his eyes and not move his head. Carmona-Rincon continued to move his head from side to side throughout the test.

R/O explained the walk and turn test and Ofc. Sanborn translated. R/O observed the following: On step 1, Carmona-Rincon sways and regains his balance. Carmona-Rincon completes 14 steps turns around. Carmona-Rincon steps off the line at step 10 and completes 15 steps in total on the way back.

R/O explained the one leg stand test while Ofc. Sanborn translated. R/O observed the following: Carmona-Rincon began the test and did not count out loud. When instructed to count, Carmona-Rincon began again and counted to four and dropped his foot while swaying to the right to regain his balance. Carmona-Rincon began the test a third time and stopped before he counted. Carmona-Rincon started again and counted to 11, dropped his foot and swayed to the right to regain his balance. On attempt 5, Carmona-Rincon counted to 13.

Carmona-Rincon advised that he would provide a breath sample. Ofc Reynolds #534, a certified breath operator, asked that Carmona-Rincon provide a breath sample at 2110 hours. At approximately 2110 hours, Carmona-Rincon submitted to a breath test. The breath sample showed that Carmona-Rincon's blood alcohol content (BAC) was .200.

Carmona-Rincon posted \$300 cash on BB363058. Carmona-Rincon was provided a copy of the warning to motorist, sworn report, 5 count complaint and the accident report. R/O provided Carmona-Rincon with a court date of December 01, 2016 at 0900 hours at the Dupage County Judicial Center located at 505 N. County Farm Road Wheaton, IL. At approximately 2210 hours, Carmona-Rincon was released from police custody.

Photographs of the vehicle and alcohol were submitted into evidence.

Nothing further at this time.

## Offense Detail: 2445 - HIT AND RUN

Offense Description	<b>2445 - HIT AND RUN</b>	Location	<b>304 - STREET</b>	No. Prem. Entered	
IBR Code	<b>90Z - All Other Offenses</b>	Offense Completed?	<b>Yes</b>	Entry Method	
IBR Group	<b>B</b>	Offense Status	<b>03 - Cleared by adult arrest</b>	Type Security	
Crime Against		Hate/Bias	<b>88 - None (No Bias)</b>	Tools Used	
Using	<b>N - Not Applicable</b>	Domestic Violence	<b>No</b>		
Criminal Activity					
Weapons/Force					

## Offense Detail: 2411 - DUI OVER

Offense Description	<b>2411 - DUI OVER</b>	Location	<b>304 - STREET</b>	No. Prem. Entered	
IBR Code		Offense Completed?	<b>Yes</b>	Entry Method	
IBR Group		Offense Status	<b>03 - Cleared by adult arrest</b>	Type Security	
Crime Against		Hate/Bias	<b>88 - None (No Bias)</b>	Tools Used	
Using	<b>A - Alcohol</b>	Domestic Violence	<b>No</b>		
Criminal Activity					
Weapons/Force					

## Offense Detail: 6604D - FAILURE TO REDUCE SPEED TO AVOID ACCIDENT

Offense Description	<b>6604D - FAILURE TO REDUCE SPEED TO AVOID ACCIDENT</b>	Location	<b>304 - STREET</b>	No. Prem. Entered	
IBR Code		Offense Completed?	<b>Yes</b>	Entry Method	
IBR Group		Offense Status	<b>03 - Cleared by adult arrest</b>	Type Security	
Crime Against		Hate/Bias	<b>88 - None (No Bias)</b>	Tools Used	
Using	<b>A - Alcohol</b>	Domestic Violence	<b>No</b>		
Criminal Activity					
Weapons/Force					

# Bensenville Arrest Report

Case No. **BV16010961**  
Report No. **BV16010961.1**  
Report Date: **10/26/2016**

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

# 3

Page 3 of 5

## Offense Detail: 2430 - ILLEGAL TRANSPORTATION OF ALCOHOLIC LIQUOR

Offense Description	<b>2430 - ILLEGAL TRANSPORTATION OF ALCOHOLIC LIQUOR</b>
IBR Code	
IBR Group	
Crime Against	
Using	<b>A - Alcohol</b>
Criminal Activity	
Weapons/Force	
Location	<b>304 - STREET</b>
Offense Completed?	<b>Yes</b>
Offense Status	<b>03 - Cleared by adult arrest</b>
Hate/Bias	<b>88 - None (No Bias)</b>
Domestic Violence	<b>No</b>
No. Prem. Entered	
Entry Method	
Type Security	
Tools Used	

## Arrestee A1: CARMONA-RINCON, ANTONIO

Arrestee Number	<b>A1</b>	DOB	[REDACTED]	Place of Birth	[REDACTED]
Name	<b>CARMONA-RINCON, ANTONIO</b>	Age	<b>36</b>	SSN	[REDACTED]
AKA		Sex	<b>M - Male</b>	DLN	[REDACTED]
Alert(s)		Race	<b>W - White</b>	DLN State	[REDACTED]
		Ethnicity	<b>H - Hispanic Origin</b>	DLN Country	<b>USA - United States of America</b>
Address	[REDACTED]	Ht.	<b>5' 6"</b>	Occupation/Grade	
CSZ	[REDACTED]	Wt.	<b>172</b>	Employer/School	
Home Phone	[REDACTED]	Eye Color	<b>BRO - Brown</b>	Employer Address	
Work Phone	[REDACTED]	Hair Color	<b>BAL - Bald</b>	Employer CSZ	
Email Address		Hair Style	<b>S - Straight</b>	Res. County	<b>DUPAGE</b>
		Hair Length	<b>S - Short</b>	Res. Country	<b>USA - United States of America</b>
		Facial Hair	<b>04 - Goatee Only</b>	Resident Status	<b>N - Nonresident</b>
Scars/Marks/Tattoos		Complexion			
Modus Operandi		Build			
Other MO		Teeth			
Attire					
Habitual Offender Status					
Arrest No.	[REDACTED]	Arrested For	<b>2411 - DUI OVER 2430 - ILLEGAL TRANSPORTATION OF ALCOHOLIC LIQUOR 2445 - HIT AND RUN 6604D - FAILURE TO REDUCE SPEED TO AVOID ACCIDENT</b>	Arrested On	<b>10/25/2016 8:30:00 PM</b>
Arrest Type	<b>T - Taken Into Custody</b>	Fingerprints	<b>Yes</b>		

# Bensenville Arrest Report

Case No. **BV16010961**  
 Report No. **BV16010961.1**  
 Report Date: **10/26/2016**

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

**4**

Page 4 of 5

FBI No.	Photos	<b>Yes</b>	Arrest Location	[REDACTED]
State No.	Miranda Read	<b>Yes</b>	Booked On	<b>10/25/2016 9:13:00 PM</b>
Armed With	Miranda Waived	<b>Yes</b>	Booked Location	<b>Bensenville Police Department</b>
Multi. Clearance	Number of Warrants	<b>0</b>	Released Location	<b>Bensenville Police Department</b>
Multi. Clearance Offense	Police Disposition	<b>87 - Arrested-Held for Prosecution(Including Released on Bond)</b>	Released On	<b>10/25/2016 10:00:00 PM</b>
Prev. Suspect No. Notified	Juvenile Disposition		Released By	<b>200 - Valois, Allison</b>
Arrest Notes	Adult Present		Release Reason	<b>07 - By Bail</b>
			Held For	

Arrest Notes: **ALIAS ADDRESS [REDACTED]**

## Victim V1: [REDACTED]

Victim Code	<b>V1</b>	Victim Of	<b>2445 - HIT AND RUN</b>
Victim Type	<b>O - Other</b>		
Name	[REDACTED]	DOB	[REDACTED]
AKA		Age	
Alert(s)		Sex	
Address	[REDACTED]	Race	
CSZ	<b>Bensenville, IL 60106</b>	Ethnicity	
Home Phone		Ht.	
Work Phone	[REDACTED]	Wt.	
Email Address		Eye Color	
		Hair Color	
		Facial Hair	
		Complexion	
Attire		Place of Birth	
Injury		SSN	
Circumstances		DLN	
		DLN State	
		DLN Country	
		Occupation/Grade	
		Employer/School	
		Employer Address	
		Employer CSZ	
		Res. County	<b>DUPAGE</b>
		Res. Country	<b>USA - United States of America</b>
		Resident Status	
		Testify	

Law Enforcement Officer Killed or Assaulted Information	Type
	Assignment
	Activity
	Other ORI

Justifiable Homicide Circumstances
------------------------------------

### Victim Offender Relationships

Offender Relationship

Victim Notes

## Other Entity: O1 -- De La Cruz, Roberto

Entity Code	<b>O1</b>	DOB	[REDACTED]	Place of Birth	
Entity Type	<b>I - Otherwise Involved</b>	Age	<b>35</b>	SSN	
Name	<b>De La Cruz, Roberto</b>	Sex	<b>M - Male</b>	DLN	[REDACTED]
AKA		Race	<b>W - White</b>	DLN State	[REDACTED]
Alert(s)		Ethnicity	<b>H - Hispanic Origin</b>	DLN Country	<b>USA - United States of America</b>
Address	[REDACTED]	Ht.	<b>5' 5"</b>	Occupation/Grade	
CSZ	<b>Bensenville, IL 60106</b>	Wt.	<b>180</b>	Employer/School	
Home Phone		Eye Color	<b>BRO - Brown</b>	Employer Address	
Work Phone		Hair Color	<b>BLK - Black</b>	Employer CSZ	
Email Address		Facial Hair		Res. County	<b>DUPAGE</b>
		Complexion		Res. Country	<b>USA - United States of America</b>
Attire				Resident Status	<b>R - Resident</b>
Entity Notes					

# Bensenville Arrest Report

Case No. **BV16010961**  
Report No. **BV16010961.1**  
Report Date: **10/26/2016**

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

**5**

Page 5 of 5

## Other Entity: O2 -- Sanchez, Angel

Entity Code	<b>O2</b>	DOB	[REDACTED]	Place of Birth	
Entity Type	<b>I - Otherwise Involved</b>	Age	<b>24</b>	SSN	
Name	<b>Sanchez, Angel</b>	Sex	<b>M - Male</b>	DLN	[REDACTED]
AKA		Race	<b>W - White</b>	DLN State	[REDACTED]
Alert(s)		Ethnicity	<b>H - Hispanic Origin</b>	DLN Country	<b>USA - United States of America</b>
Address	[REDACTED]	Ht.	<b>5' 9"</b>	Occupation/Grade	
CSZ	<b>Bensenville, IL 60106</b>	Wt.	<b>240</b>	Employer/School	
Home Phone		Eye Color	<b>BRO - Brown</b>	Employer Address	
Work Phone		Hair Color	<b>BLK - Black</b>	Employer CSZ	
Email Address		Facial Hair		Res. County	<b>DUPAGE</b>
		Complexion		Res. Country	<b>USA - United States of America</b>
Attire				Resident Status	<b>R - Resident</b>
Entity Notes					

## Property Description Item 1: 3501 - Automobile (not Stolen or Recovered) - 2000 Chevrolet Silverado

Item No.	<b>1</b>
Property Category	<b>3501 - Automobile (not Stolen or Recovered)</b>
IBR Type	<b>03 - Automobiles</b>
UCR Type	<b>V - Other Vehicle (not Stolen or Recovered)</b>
Status	<b>I - Information Only</b>
Count	<b>1</b>
Value	
Manufacturer	<b>Chevrolet</b>
Model	<b>Silverado</b>
Serial No.	[REDACTED]
License No.	[REDACTED]
Color	<b>GRY - Gray</b>
Description	<b>2000 Chevrolet Silverado</b>
Vehicle Year	<b>2000</b>
Licence Year	
State	
Body Style	
Recovered Date	
Owner	<b>A1 - CARMONA-RINCON, ANTONIO</b>
Disposition	
Evidence Tag	
Alert(s)	
Drug Type	
Drug Quantity	
Drug Measure	
Property Notes	