



12 South Center Street
Bensenville, IL 60106

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www.bensenville.il.us

VILLAGE BOARD

December 5, 2016

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Board of Trustees

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229 East Pine Avenue

Bensenville, Illinois 60106

Re: November 30, 2016 FOIA Request

Village Clerk

Ilsa Rivera-Trujillo

Dear Ms. Brito:

I am pleased to help you with your November 30, 2016 Freedom of Information Act ("FOIA"). Your request was received by the Village of Bensenville on November 30, 2016. You requested copies of the items indicated below:

"BV16012190 & BV16019191."

Village Manager

Evan K. Summers

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

- 1) Village of Bensenville Crime Report No. BV16012190.1. (4 pgs.)
- 2) Village of Bensenville Call for Service Report No. BV16012191. (1 pg.)

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 compiled 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 Crime Report

Case No. **BV16012190**
Report No. **BV16012190.1**
Report Date: **11/28/2016**

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Subject: **2890 - DISORDERLY CONDUCT/Casillas**

Case Report Status: **V - Verified**

Date Entered: **11/28/2016 12:47:51 PM**

Reporting Officer:

Occurred On (and Between): **11/28/2016 8:00:00 AM**

Entered By: **206 - Casillas, Kristian**

206 - Casillas, Kristian

Location: [REDACTED]
Jurisdiction: **BV - Bensenville PD**

Date Verified: **11/29/2016 3:22:33 PM**

Verified By: **505 - Fuja, Robert**

Date Approved:

Approved By:

Connecting Cases:

Assisted By:

199 - Caliendo, Jennifer
529 - Gilligan, Thomas
523 - Larson, Michael

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

Disposition: **Inactive**
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

At approximately 0810 hours on 11/28/16 R/O and A/O Gilligan were dispatched to [REDACTED] for a domestic trouble report. Dispatch (ACDC) informed the officers that the ex-girlfriend had left the scene.

R/O and A/O Gilligan arrived on scene and met with Eduardo Reyes Lazaro m/w [REDACTED] who related the following information in summary:

Lazaro walked his juvenile daughter [REDACTED] to the bus stop and when he was walking back to his apartment he saw his ex-girlfriend [REDACTED] f/w [REDACTED] in the parking lot. [REDACTED] walked up to Lazaro and started yelling at him, asking why he sent other people their intimate video. Lazaro related that [REDACTED] slapped him in the face with open hand four times and took his black Rayban glasses. Lazaro dated [REDACTED] for approximately 1 year and recently ended their relationship.

R/O did not observe any marks or signs of injury on Lazaro. R/O informed Lazaro that he can attempt to obtain an order of protection(oop) from the Dupage County Judicial Center. Lazaro related that he was not going to seek an oop and only wanted Brito to return his glasses.

ACDC informed officers that [REDACTED] was in the lobby of the Bensenville Police Department(BPD). R/O and A/O Gilligan arrived at BPD and met with [REDACTED] who related the following information in summary:

She received facebook messages from Laura Garcia informing her that Lazaro sent Garcia's cousin a video of Lazaro and [REDACTED] having sexual intercourse. Garcia related that she saw the video and would obtain a copy to send it to [REDACTED], but [REDACTED] did not receive any video from Garcia. [REDACTED] related that she does not know who Garcia is but she believes Laura Garcia lives in Mexico. [REDACTED] showed R/O the facebook messages and provided copies to R/O. In summary, the text messages relate that Lazaro sent Garcia's cousins and friends a video of Lazaro and [REDACTED] having sexual intercourse. Brito related that prior to entering BPD she went over to [REDACTED] and confronted Lazaro about sending the intimate videos to other people. [REDACTED] related that she took his glasses and slapped Lazaro.

Officer Caliendo interviewed [REDACTED] in interview room 123, which is video and audio recorded, and records clerk Espana assisted with translation. A disk containing the recorded interview was later placed into evidence. [REDACTED] provided a written statement which state the following information in summary:

Between June and September she and Lazaro made three videos at his apartment, in which they are both naked, both faces clearly visible and Lazaro is penetrating [REDACTED]. The both consented to making the videos and both agreed that they would remain private for themselves only. They both agreed that no matter what happened they would not show the videos to anyone. [REDACTED] received facebook messages from Laura Garcia relating that Garcia has seen the intimate videos of Brito and Lazaro. Garcia said that Lazaro has sent them to other girls and asked them if they would like for him to put them like the girl in the video.

R/O contacted Lazaro and informed him that he could pick up his glasses at BPD. Lazaro entered BPD and met with R/O and Detective Larson. Larson read Lazaro his Miranda Warning from a preprinted form and Lazaro waived his Miranda rights. Lazaro related the following information in summary:

He and [REDACTED] both consented to making the intimate videos. He had the videos on his old Iphone 6, but deleted them when he completely erased the phone before giving it to his brother in Mexico. Lazaro related that he did not send nor show anyone the videos. Lazaro does not know who Laura Garcia is, but he suspects it may be one of his friends who lives in Waukegan who created a fake facebook account. Lazaro related that he mentioned to his friend that he had a video, but he never showed it to him. R/O returned the black Rayban glasses to Lazaro.

R/O submitted the following items into evidence:

Bensenville Crime Report

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Miranda Waiver
Written Statement
Facebook Messages

No arrest made due to lack of physical evidence.

Offense Detail: 2890 - DISORDERLY CONDUCT

Offense Description	2890 - DISORDERLY CONDUCT	Location	90 - APARTMENT	No. Prem. Entered	
IBR Code		Offense Completed?	No	Entry Method	
IBR Group		Offense Status	09 - Administratively closed	Type Security	
Crime Against		Hate/Bias	88 - None (No Bias)	Tools Used	
Using		Domestic Violence	No		
Criminal Activity					
Weapons/Force					

Suspect S1: Lazaro, Eduardo Reyes

Suspect Number	S1	DOB	[REDACTED]	Place of Birth	
Name	Lazaro, Eduardo Reyes	Age	36	SSN	
AKA		Sex	M - Male	DLN	[REDACTED]
Alert(s)		Race	W - White	DLN State	[REDACTED]
		Ethnicity	H - Hispanic Origin	DLN Country	USA - United States of America
Address	[REDACTED]	Ht.	6' 0"	Occupation/Grade	
CSZ	Bensenville, IL 60106	Wt.	205 lbs	Employer/School	
Home Phone	[REDACTED]	Eye Color	BRO - Brown	Employer Address	
Work Phone	[REDACTED]	Hair Color	BLK - Black	Employer CSZ	
Email Address		Hair Style		Res. County	Dupage
		Hair Length		Res. Country	USA - United States of America
		Facial Hair		Resident Status	R - Resident
		Complexion			
		Build			
		Teeth			
Scars/Marks/Tattoos					
Suspect MO					
Other MO					
Attire					
Habitual Offender Status					
Suspect Notes	[REDACTED] ex-boyfriend				

Victim V1:

Victim Code	V1	Victim Of	2890 - DISORDERLY CONDUCT	Place of Birth	
Victim Type	I - Individual	DOB	[REDACTED]	SSN	
Name	[REDACTED]	Age	[REDACTED]	DLN	[REDACTED]
AKA		Sex	F - Female	DLN State	[REDACTED]
Alert(s)		Race	W - White	DLN Country	USA - United States of America
Address	[REDACTED]	Ethnicity	H - Hispanic Origin	Occupation/Grade	
CSZ	Bensenville, IL 60106	Ht.		Employer/School	
Home Phone	[REDACTED]	Wt.		Employer Address	
Work Phone	[REDACTED]	Eye Color		Employer CSZ	
Email Address		Hair Color		Res. County	Dupage
		Facial Hair		Res. Country	USA - United States of America
		Complexion		Resident Status	R - Resident
Attire				Testify	Yes
Injury					

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Circumstances

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

Justifiable Homicide Circumstances	
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Victim Offender Relationships

Offender Relationship

Victim Notes

Other Entity: O1 -- Garcia, Laura

Entity Code	O1		
Entity Type	I - Otherwise Involved		
Name	Garcia, Laura	DOB	Place of Birth
AKA		Age	SSN
Alert(s)		Sex	DLN
		F - Female	DLN State
Address		Race	DLN Country
CSZ		U - Unknown	Occupation/Grade
		Ethnicity	Employer/School
Home Phone		Ht.	Employer Address
Work Phone		Wt.	Employer CSZ
Email Address		Eye Color	Res. County
		Hair Color	Res. Country
		Facial Hair	Resident Status
		Complexion	
Attire			

Entity Notes

Property Description Item 1: 1899 - Other Document - Miranda Waiver

Item No.	1
Property Category	1899 - Other Document
IBR Type	77 - Other
UCR Type	K - Miscellaneous
Status	E - Evidence (Including Other Seized Property And Tools)
Count	1
Value	
Manufacturer	
Model	
Serial No.	
License No.	
Color	
Description	Miranda Waiver
Vehicle Year	
Licence Year	
State	
Body Style	
Recovered Date	
Owner	S1 - Lazaro, Eduardo Reyes
Disposition	
Evidence Tag	
Alert(s)	
Drug Type	
Drug Quantity	
Drug Measure	
Property Notes	submitted into evidence

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Property Description Item 2: 1899 - Other Document - written statement

Item No. **2**
Property Category **1899 - Other Document**
IBR Type **77 - Other**
UCR Type **K - Miscellaneous**
Status **E - Evidence (Including Other Seized Property And Tools)**

Count **3**
Value
Manufacturer
Model
Serial No.
License No.
Color
Description **written statement**
Vehicle Year
Licence Year
State
Body Style

Recovered Date
Owner 
Disposition
Evidence Tag
Alert(s)

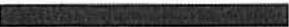
Drug Type
Drug Quantity
Drug Measure

Property Notes **submitted into evidence**

Property Description Item 3: 1899 - Other Document - Facebook messages

Item No. **3**
Property Category **1899 - Other Document**
IBR Type **77 - Other**
UCR Type **K - Miscellaneous**
Status **E - Evidence (Including Other Seized Property And Tools)**

Count **4**
Value
Manufacturer
Model
Serial No.
License No.
Color
Description **Facebook messages**
Vehicle Year
Licence Year
State
Body Style

Recovered Date
Owner 
Disposition
Evidence Tag
Alert(s)

Drug Type
Drug Quantity
Drug Measure

Property Notes **submitted into evidence**

Call For Service

CFS Number: **BV16012191**

Date: **11/28/2016**

Call For Service

CFS Number **BV16012191**
Date **11/28/2016**
Dispatcher **MH392 - Hernandez, Marilu**
Call Source **T - Telephone - UDT**
Received **8:15:02 AM**
Dispatched **8:27:06 AM**
Arrived
Cleared **11:12:22 AM**
Location [REDACTED]
City, State, Zip **BE**
Jurisdiction **BV - Bensenville PD**
Grid
Sector
Map
Beat **BV02**
X Coordinate **1092237**
Y Coordinate **1925108**

Complainant [REDACTED]
Address [REDACTED]
City, State, Zip **BE**
Phone [REDACTED]
Call type **P - Police**
Reported Offense **2890 - DISORDERLY CONDUCT**
Verified Offense **2890 - DISORDERLY CONDUCT**

Tow Company
Vehicle
Vehicle License
Disposition **BV-C - Call Cancelled**
Priority
Classification

Agency **BV - Bensenville**
Case **BV16012191**

Officers

206 - Casillas, Kristian

Notes Incident Initiated By: AD/HERNANDEZ,MARILU
EX BF SHARED RATED X VIDEOS - BOTH ARE ADULTS - BOTH PARTICIPAED
VOLUNTARLY - NOW SHE WANTS HIM TO DELETE THE VIDEOS
Original Location : LOBBY
THE COMPLAINANT IN THE LOBBY WAS THE 2ND PARTY OF ISR#16-12190.
REFER TO CASE REPORT #BV16012189 FOR FURTHER. 20