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OF COUNSEL

IN REPLY REFER TO FILE NO.

April 6, 2016

Mr. Adam Correa  
2324 N. 73<sup>rd</sup> Avenue  
Elmwood Park, Illinois 60707

EP-1

**Re: Freedom of Information Act Request**

Dear Mr. Correa:

On March 30, 2016, the Village of Elmwood Park received your Illinois Freedom of Information Act (5 ILCS 140/1 *et seq.*) ("FOIA") request for "16-648[.]"

Enclosed please find 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, home or personal telephone numbers, and home addresses, 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 a victim's name and identifying information, and the races of individuals, have been redacted from the records being provided.

**STORINO, RAMELLO & DURKIN**

Mr. Adam Correa  
April 6, 2016  
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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 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 filed complaints with or 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 2<sup>nd</sup> Street  
Springfield, Illinois 62706  
Fax: 217-782-1396  
E-mail: [publicaccess@atg.state.il.us](mailto: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 II of FOIA.

Sincerely,

STORINO, RAMELLO & DURKIN  
Attorneys for the Village of Elmwood Park

  
Erin C. Tinaglia

Enclosures

# INCIDENT/INVESTIGATION REPORT

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Agency Name <i>Elmwood Park Police Department</i>		Case# <i>16-00648</i>	
ORI <i>1L0163100</i>		Date / Time Reported <i>03/20/2016 12:48 Sun</i>	
Location of Incident <i>2337 73rd Ct, Elmwood Park IL 60707-</i>		Premise Type <i>Residence / Home</i>	Zone/Tract <i>E3</i>
		Last Known Secure <i>03/20/2016 12:48 Sun</i>	
		At Found <i>03/20/2016 12:48 Sun</i>	
#1	Crime Incident(s) <i>Dog Bite</i> <i>9987</i>	(Com)	Weapon / Tools <i>NONE</i>
			Entry
			Exit
			Security
#2	Crime Incident	( )	Weapon / Tools
			Entry
			Exit
			Security
#3	Crime Incident	( )	Weapon / Tools
			Entry
			Exit
			Security

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# of Victims <i>1</i>	Type: <i>INDIVIDUAL</i>	Injury: <i>Apparent Minor Injury</i>	
V1	Victim/Business Name (Last, First, Middle) [REDACTED]	Victim of Crime # <i>1</i>	DOB <i>Age 35</i>
		Race	Sex <i>M</i>
		Relationship To Offender <i>1ST</i>	Resident Status <i>Resident</i>
	Home Address [REDACTED]	Home Phone [REDACTED]	
	Employer Name/Address	Business Phone	Mobile Phone
VYR	Make	Model	Style
	Color	Lic/Lis	VIN

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CODES: V- Victim (Denote V2, V3) O = Owner (if other than victim) R = Reporting Person (if other than victim)

Type:	Injury:	
Code	Name (Last, First, Middle)	Victim of Crime #
		DOB
		Age
		Race
		Sex
		Relationship To Offender
		Resident Status
		Military Branch/Status
	Home Address	Home Phone
	Employer Name/Address	Business Phone
		Mobile Phone
Type:	Injury:	
Code	Name (Last, First, Middle)	Victim of Crime #
		DOB
		Age
		Race
		Sex
		Relationship To Offender
		Resident Status
		Military Branch/Status
	Home Address	Home Phone
	Employer Name/Address	Business Phone
		Mobile Phone

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I = None 2 = Burned 3 = Counterfeit / Forged 4 = Damaged / Vandalized 5 = Recovered 6 = Seized 7 = Stolen 8 = Unknown  
("OJ" = Recovered for Other Jurisdiction)

VI #	Code	Status Prio/To	Value	OJ	QTY	Property Description	Make/Model	Serial Number

COPY

Officer/ID#	<i>ALEQUIN, A. (PATL, PAT) (EP9921)</i>	Supervisor	<i>ROSA, E. (PATL, PAT) (EP4441)</i>
Invest ID#	<i>KLISZ, R. (INV, INV) (EP7134)</i>	Case Status	<i>Reviewed By Investigations 03/22/2016</i>
Status	Complainant Signature	Case Disposition:	<i>Y 03/22/2016</i>

# INCIDENT/INVESTIGATION REPORT

By: EP3700, mwarehouse 03/30/2016 11:44

Elmwood Park Police Department

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Case# 16-00648

Status Codes	1 = None 2 = Burned 3 = Counterfeit / Forged 4 = Damaged / Vandalized 5 = Recovered 6 = Seized 7 = Stolen 8 = Unknown							
IBR	Status	Quantity	Type Measure	Suspected Type				
D R U G S								

Assisting Officers

Suspect Hate / Bias Motivated:

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NARRATIVE

**REPORTING OFFICER NARRATIVE**

*Elmwood Park Police Department*

Victim [REDACTED]		OCA 16-00648
Offense DOG BITE		Date / Time Reported Sun 03/20/2016 12:48

THE INFORMATION BELOW IS CONFIDENTIAL - FOR USE BY AUTHORIZED PERSONNEL ONLY

On 03/20/2016, I responded to 2337 N 73rd Ct for a report of a Dog Bite.

Upon arrival, I spoke with victim and complainant, [REDACTED] (M [REDACTED]) said he was walking his dog, "Pebbles," a 7yr old female Pomerian, near the fence along the north side of the address of occurrence. A large German Shepard began barking and following them along the fence. They reached an opening in the fence where the attacking dog was able to bite "Pebbles" on the head. [REDACTED] said the German Shepard would not let go of his dog, and he had to punch the attacking dog, sustaining a cut to his hand from one of the German Shepard's teeth in the process.

I made contact with Marco A Padilla (M [REDACTED]) at the residence. He said people are constantly walking their dogs along his family's fence, and they shouldn't be doing that. Marco said his dog was an 11yr old female German Shepard named "Maddie."

I advised him of the situation and that [REDACTED] wished to sign a local complaint. I spoke with Marco's [REDACTED] on Marco's telephone and advised her of the situation, and to come in to the police department to receive her copy of the complaint and hearing date.

I advised both parties to avoid contact with one another.

I issued CV-8608, with a hearing date of April 7th, 2016, to Marco A Padilla (M [REDACTED]) for pick up at the police department because no adults were home at the time of the incident.

NOTHING FURTHER.

# Incident Report Suspect List

Elmwood Park Police Department

OCA: 16-00648

1	Name (Last, First, Middle) <i>PADILLA, MARCO A</i>					Also Known As					Home Address <div style="background-color: black; width: 100%; height: 20px;"></div>					
	Business Address															
DOB		Age		Race	Sex	Eth	Hgt		Wgt	Hair	Eye	Skin			Driver's License / State	
<div style="background-color: black; width: 100%; height: 15px;"></div>		46		<div style="background-color: black; width: 15px; height: 15px;"></div>	M		507		180	BLK	BRO				<div style="background-color: black; width: 100%; height: 15px;"></div>	
Scars, Marks, Tattoos, or other distinguishing features																
<b>Reported Suspect Detail</b>																
Suspect Age				Race	Sex	Eth	Height			Weight			SSN			
Weapon, Type		Feature		Make		Model			Color		Caliber	Dir of Travel		Mode of Travel		
Veh Yr/Make/Model			Drs	Style		Color			Lic/St			VIN				
Notes										Physical Char						