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IN REPLY REFER TO FILE NO.

June 1, 2016

Mr. Jonathon Rodriguez
7329 W. Fullerton Avenue
Elmwood Park, Illinois 60707
J.Rodriguez12008@gmail.com

EP-1

Re: Freedom of Information Act Request

Dear Mr. Rodriguez:

On May 19, 2016, the Village of Elmwood Park received your Illinois Freedom of Information Act (5 ILCS 140/1 *et seq.*) ("FOIA") request for "16-01023[.]"

Enclosed please find the 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 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 the name of a third party who incidentally appears in a police report, and the races of individuals, have been redacted from the records being provided.

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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 2nd Street
Springfield, Illinois 62706
Fax: 217-782-1396
E-mail: 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 11 of FOIA.

Sincerely,

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


Erin C. Tinaglia

Enclosures

INCIDENT/INVESTIGATION REPORT

Elmwood Park Police Department

Case # 16-01023

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:

NARRATIVE

REPORTING OFFICER NARRATIVE

Elmwood Park Police Department

		OCA 16-01023
Victim	Offense MEET COMPLAINANT	Date / Time Reported Thu 05/05/2016 21:34

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

On 05/05/16 at 2134 hours I was dispatched to the Public Safety Building lobby for a domestic report. Upon arrival I spoke with [REDACTED], M [REDACTED] who stated his ex-girlfriend, [REDACTED] F [REDACTED] was supposed to drop off their son, [REDACTED] at 1800 hours and never showed up. When he tried to contact [REDACTED], She passed the phone off to [REDACTED] and refused to respond to [REDACTED]

[REDACTED] had in his possession, copies of the court ordered custody agreement, stating [REDACTED] was to drop [REDACTED] on Thursdays by 1800 hours. I have attached copies of the agreement. [REDACTED] told me this is a constant issue, and he is concerned for [REDACTED] because he suffers from ADHD, comes home late, and needs to be up early for school. He believes the added stress is bad for him and may have later issues.

I attempted to make contact with [REDACTED] via telephone (tx: [REDACTED]). I spoke with [REDACTED] at 2200 hours and she stated she had just left the gym and would drop off [REDACTED] as soon as she could. I advised her she needed to abide by the court order. She stated she knew that, but she was trying to have it changed. [REDACTED] also stated she has been having issues with [REDACTED] new girlfriend, and did not want to drop her son off while she was there.

I told her if she was having issues with her and would feel more comfortable, to make the exchange at the Public Safety Building in the presence of Officers. She agreed it would be best and to do that. I explained to [REDACTED] if the issues are reoccurring it would be best if both he and [REDACTED] agreed to make the Public Safety Building the place of exchange. He agreed.

[REDACTED] said he has a scheduled court date of 05/13/16 for the custody agreement, and would be sure to include the place of exchange during the hearing.

There is nothing further to report at this time. I returned to active patrol.