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June 28, 2016

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IN REPLY REFER TO FILE NO.

Mr. Mike Knight
Thomas L. Knight & Associates, P.C.
795 W. Hawthorne Boulevard
Wheaton, Illinois 60187

EP-1

Re: Freedom of Information Act Request

Dear Mr. Knight:

On June 22, 2016, the Village of Elmwood Park received your Illinois Freedom of Information Act (5 ILCS 140/1 *et seq.*) ("FOIA") request for the following records:

"Any and all incident reports, crash reports, or other reports relating to an incident occurring on 5/25/16, in which John Baumgartner was struck as a pedestrian by a truck driven by Carlos Vargas. The collision occurred at Nordica and Palmer in Chicago, but Carlos Vargas left the scene and was apprehended in Elmwood Park by Elmwood Park police at the approximate location of Harlem and Armitage."

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

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unique identifiers, including driver's license numbers, a home or personal telephone number, a home address, and personal license plates, 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, a birthdate, and other personal information, the disclosure of which would constitute a clearly unwarranted invasion of personal privacy, including the name of a suspect who was never arrested, have been redacted from the records being provided.

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.

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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

COMMUNICATIONS

Event Report

Event ID: 16-67935

Call Ref #: 140

Date/Time Received: 05/25/16 19:22:44

Rpt #: Call Source: PHONE	Prime 3300 Unit: KMIECIK, MICHAEL	Services Involved					
		<table border="1" style="margin: auto;"> <tr> <td style="width: 20px;">LAW</td> <td style="width: 20px;">FIRE</td> <td style="width: 20px;"></td> <td style="width: 20px;"></td> <td style="width: 20px;"></td> </tr> </table>	LAW	FIRE			
LAW	FIRE						
Location: 2044 HARLEM AV							
X-ST: ALLEY							
W DICKENS AV							
Business: PHILS SPORTS BAR	Phone: (708) 456-3654	GP: E3					
Nature: ACCIDENT PERSONAL INJURY	Alarm Lvl: 1 Priority: P	Medical Priority:					
Reclassified Nature:							
Caller: [REDACTED]	Phone: [REDACTED]	Alarm: [REDACTED]					
Addr: [REDACTED]		Alarm Type:					
Vehicle #: N209138	St: IL	Report Only: No					
	Race:	Sex:					
	Age:						
Call Taker: WS9924	Console: CAD01						
Geo-Verified Addr.: Yes	Nature Summary Code: ACC	Disposition: R					
		Close Comments:					

Notes: caller was hit as a pedestrian in chicago and then followed elderly male to current location in his vehicle. caller and driver names documented as well as license plate info. cpd contacted as well as our fd who responded. caller refused transport. i asked all persons if they wanted me to stay until cpd arrived for report. all declined. i returned to duty. [05/25/16 19:49:38 Unit:3300] BEHIND PHIL'S BAR [05/25/16 19:24:49 WS9924] [FIRE] BUT ON HARLEM [05/25/16 19:24:11 WS9924] [FIRE] SUBJ IS IN AN ALLEY, SAYS SOMEONE JUST DROVE PAST [05/25/16 19:24:05 WS9924] sounds like the incident orig. occ'd in cgo, caller now in the rear here or behind a bar - he doesn't know, says the offender is there with other people and he's intimidated [05/25/16 19:22:43 WS9924]

Times

		Time From Call Received		
Call Received:	05/25/16 19:22:44		Unit Reaction:	000:02:30 (1st Dispatch to 1st Arrive)
Call Routed:	05/25/16 19:22:44		En-Route:	(1st Dispatch to 1st En-Route)
Call Take Finished:	05/25/16 19:22:44		On-Scene:	000:23:48 (1st Arrive to Last Clear)
1st Dispatch:	05/25/16 19:23:38	000:00:54 (Time Held)		
1st En-Route:	05/25/16 19:23:38	000:00:54		
1st Arrive:	05/25/16 19:26:08	000:03:24 (Reaction Time)		
Last Clear:	05/25/16 19:49:56	000:27:12		

Radio Log

Unit	Empl ID	Type	Description	Time Stamp	Comments	Close Code	User
3300	EP1312	E	En-Route	05/25/16 19:23:3			WS9972
3300	EP1312	D	Dispatched	05/25/16 19:23:3			WS9972
3301	EP9026	E	En-Route	05/25/16 19:24:2			WS9972
3301	EP9026	D	Dispatched	05/25/16 19:24:2			WS9972
3300	EP1312	A	Arrived	05/25/16 19:26:0			WS9972
3301	EP9026	C	Cleared	05/25/16 19:30:4	BU	BU	WS9972

3300 EP1312 C Cleared 05/25/16 19:49:5 R Unit:3300

Event Log

Unit	Empl ID	Type	Description	Time Stamp	Comments	Close Code	User
		TS	Time Spawned	05/25/16 19:22:44	Initial call received at 05/25/2016 19:21:		WS9924
		ENT	Entered CallerName_Ca	05/25/16 19:23:14	[REDACTED]		WS9924
		ENT	Entered CallerPhone	05/25/16 19:23:25	[REDACTED]		WS9924
		ARM	Added Remarks	05/25/16 19:24:05			WS9924
		ARM	Added Remarks	05/25/16 19:24:11			WS9924
		ARM	Added Remarks	05/25/16 19:24:49			WS9924
		CHG	Changed Street	05/25/16 19:26:26	2144 HARLEM AV --> 2044 HARLEM A		WS9972
		ENT	Entered VehicleID	05/25/16 19:27:38	N209138		WS9972
		ENT	Entered LicenseType	05/25/16 19:27:38	PC		WS9972
		ENT	Entered VehicleState	05/25/16 19:27:38	IL		WS9972
		VHQ	Vehicle Query	05/25/16 19:27:39	Tag [REDACTED] State: IL Type: PC		WS9972
		VHQ	Vehicle Query	05/25/16 19:27:59	Tag [REDACTED] State: IL Type: ZZ		WS9972
		DLQ	Driver License Query	05/25/16 19:29:02	OLN [REDACTED] State: IL		WS9972
		DLQ	Driver License Query	05/25/16 19:29:16	OLN [REDACTED] State: IL		WS9972
		ARM	Added Remarks	05/25/16 19:49:38			Unit:3300

Related Names

Last, First, MI Suffix	Type	Race	Sex	HT	WT	Eyes	DOB	Age	Home / Mobile Ph	Work Ph
[REDACTED]	CALL				0				[REDACTED]	
Address: [REDACTED]										
Oln: [REDACTED] Oln St: IL										
Notes:										
[REDACTED]	OTH	U	M		0		[REDACTED]	75		
Address: 0-										
Oln: [REDACTED] Oln St: IL										
Notes:										

Related Vehicles

Lic Tag	State	Type	Year	Make	Make Desc	Model	Color1 / Color2	Vin
[REDACTED]	IL	PC	0					
Notes:								
[REDACTED]	IL	ZZ	0					
Notes:								