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May 5, 2016

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IN REPLY REFER TO FILE NO.

Mr. Nicholas Gironda
2706 N. 74th Court
Elmwood Park, Illinois 60707

EP-1

Re: Freedom of Information Act Request

Dear Mr. Gironda:

On April 29, 2016, the Village of Elmwood received your Illinois Freedom of Information Act (5 ILCS 140/1 *et seq.*) ("FOIA") request for "16-794[.]"

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, home addresses, and a personal license plate, 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.

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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:

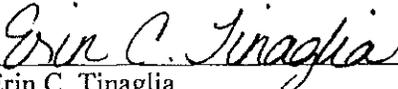
Sarah Pratt
Public Access Counselor
Office of the Attorney General
500 South 2nd Street
Springfield, Illinois 62706
Fax: 217-782-1396
E-mail: publicaccess@atg.state.il.us

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 Report Additional Name List

Elmwood Park Police Department

OCA: 16-00794

Additional Name List

Name Code#	Name (Last, First, Middle)	Victim of Crime #	DOB	Age	Race	Sex
1) WI 1	[REDACTED]		[REDACTED]	38	[REDACTED]	M
	Address		H: [REDACTED]			
	Empl/Addr		B: - -			
			Mobile #: - -			

INCIDENT/INVESTIGATION REPORT

Elmwood Park Police Department

Case # 16-00794

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 16-00794
Date / Time Reported Thu 04/07/2016 17:35

Victim [REDACTED]	Offense DAMAGE TO PROPERTY - NON CRIMINAL
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THE INFORMATION BELOW IS CONFIDENTIAL - FOR USE BY AUTHORIZED PERSONNEL ONLY

On 4/7/16 at 1735 hours, I responded to 2706 74th Ct. for a traffic crash. I spoke with [REDACTED], who said he left the house at approximately 1500 hours. He did not see any damage to his gutter above his garage door. When he returned at approximately 1730 hours, he observed damage to his gutter. I saw the gutter was damaged, and could see there was a small scratch along the damaged section. [REDACTED] said there was a large truck across from garage at the time that likely caused the damage. I located the truck parked on Schubert. I spoke to the driver and the owner of the truck. The driver, [REDACTED], said they were jumping a vehicle across the alley but were never near [REDACTED] garage. [REDACTED] stated they never had the truck near the garage and it did not make contact with the garage. I measured the height of the gutter and the height of the top of the truck. The truck was approximately 6 inches higher than the gutter. Based on the information, I was unable to determine how the gutter was damaged. I provided [REDACTED] and [REDACTED] the report number.

Incident Report Related Vehicle List

Elmwood Park Police Department

OCA: 16-00794

1	VehYr/Make/Model <i>2008 DODG</i>	Style <i>TRUC</i>	Color <i>RED</i>	Lic/Lis [REDACTED] <i>IL 2016</i>	VIN <i>3D6WC66AX8G121527</i>
	IBR Status <i>None</i>	Date <i>04/07/2016</i>	Location <i>2706 74TH CT, ELMWOOD PARK IL</i>		
	Condition	Value <i>\$0.00</i>	Offense Code <i>9900</i>	Jurisdiction <i>Locally</i>	State #
	Name (Last, First, Middle) [REDACTED]		Also Known As		Home Address [REDACTED]
	Business Address				
	DOB [REDACTED]	Age <i>38</i>	Race [REDACTED]	Sex <i>M</i>	Hgt <i>602</i>
		Wgt <i>220</i>	Scars, Marks, Tattoos, or other distinguishing features		

Notes