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November 21, 2016

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IN REPLY REFER TO FILE NO.

Ms. Kristina K. Green
Kralovec, Jambois & Schwartz
60 W. Randolph Street, 4th Floor
Chicago, Illinois 60601

EP-1

Re: Freedom of Information Act Request

Dear Ms. Green:

On November 14, 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/investigation reports and any supplements or addendums thereto for Case No. 16-02052 pertaining to a dog bite incident at 2422 76th Ave, Elmwood Park, IL 60707 on August 22, 2016[.]"

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, 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

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identifying information, and the race of an individual, 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:

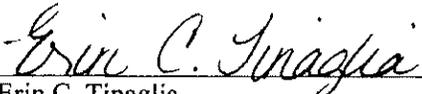
Sarah Pratt
Public Access Counselor
Office of the Attorney General
500 South 2nd Street
Springfield, Illinois 62706
Fax: 217-782-1396
E-mail: publicaccess@atg.state.il.us

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.

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 # 16-02052

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
16-02052
Date / Time Reported
Mon 08/22/2016 18:58

Victim	Offense	Date / Time Reported
	DOG BITE	Mon 08/22/2016 18:58

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

On 08-22-16 I responded to 2422 76th Ave in the west alley.

I spoke to [REDACTED] who advised she was walking her small Chihuahua dog in the alley. [REDACTED] said her dog was on a leash but went into the garage at 2416 n 76 Ave, as the door was partially open. [REDACTED] said the german shepherd inside the garage bit her dog. When she picked up her dog, her own dog bit her hand and her mouth.

River Grove Paramedics arrived on scene and transported [REDACTED] to Gottlieb Memorial Hospital. [REDACTED] left her dog with a neighbor.

I spoke to [REDACTED] who resides at [REDACTED] said his overhead garage door was open less than a foot, just to get some air into the garage. [REDACTED] said the little chihuahua ran into his garage although the small dog was on the leash. [REDACTED] said he ran to his german shepherd, "Louie" and grabbed him but he had already bitten the small dog.

[REDACTED] provided a tag number for Louie, #43-539-560, 708-974-6140. [REDACTED] advised all vaccinations were up to date and said Louie is only about 3 years old.

I gave [REDACTED] the bottom portion of the animal bite card and explained he needed to take Louie to the vet as is required by Cook County. [REDACTED] said he understood.

I submitted the top portion of the bite card to be mailed to Cook County Animal Control.

Nothing further at this time .

CASE SUPPLEMENTAL REPORT

Printed: 10/26/2016 11:43

Elmwood Park Police Department

OCA: 1602052

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

Case Status: ADMINISTRATIVELY

Case Mng Status: ADMINISTRATIVELY CLOSED

Occurred: 08/22/2016

Offense: DOG BITE

Investigator: RANSOM, D. (EP4339)

Date / Time: 09/26/2016 11:21:19, Monday

Supervisor: KLISZ, R. (EP7134)

Supervisor Review Date / Time: 09/26/2016 15:10:04, Monday

Contact:

Reference: Investigative Action Supplement

09-26-16

I spoke to [redacted] (f [redacted]) told me on 08-22-16 at around 7pm on that Monday night she was walking her dog in the alley where I responded. [redacted] said as she walked her dog there was a garage with the overhead door open only about 6 inches. [redacted] said a large dog came out from under the garage door and attacked her little dog. [redacted] said the large dog wounded her dog badly. [redacted] told me the large dog's owner opened the garage door and stopped his dog from biting her dog. [redacted] said when she picked up her dog, her dog bit her hand and her mouth. [redacted] said because her dog was wounded so badly, she refused paramedic help for herself so she could get her dog to the vet. [redacted] said the large dog's owner's son came out after the dog attack and said that if their dog would have picked up her dog with his mouth, then her dog would be dead.

[redacted] said she wanted to add her side of the story to the report and said she was looking for restitution but at this point it seems as if this is a "he said, she said" type of incident.

I advised [redacted] I would add her statement to this report.

Nothing further at this time.

Investigator Signature

Supervisor Signature