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November 1, 2016

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IN REPLY REFER TO FILE NO.

EP-1

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Ms. Laura Niecikowski 1725 N. 74<sup>th</sup> Court Elmwood Park, Illinois 60707

Re: Freedom of Information Act Request

Dear Ms. Niecikowski:

On October 21, 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:

"Dog Attack – 3/30/16 16-740[.]"

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 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 the races of individuals, 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

## STORINO, RAMELLO & DURKIN

Ms. Laura Niecikowski November 1, 2016 Page 2

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

rax; 21/-/82-1390

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

Erin C. Tinaglia

Enclosures

	Agency Name								INCIDENT/INVESTIGATION								Case# 16-00740				
	Elmwood Park Police Department								REPORT						:			Date / Time Reported			
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## INCIDENT/INVESTIGATION REPORT

Elmwood Park Police Department

Case# 16-00740

Statu: Code:	1=	None	2 = Burned 3	l = Counterfeit / Forged	4 = Damaged / Vandalized	5 = Recovered	6 = 5	Seized	7 = Stalen	8 = Unknown	
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THE INFORMATION BELOW IS CONFIDENTIAL - FOR USE BY AUTHORIZED PERSONNEL ONLY
ON MARCH 30, 2016, I SPOKE TO AT HER RESIDENCE LOCATE AT ADVISED ME HER DOG "BONES" A FEMALE BOXER WAS ATTACKED BY ANOTHER DOG TODAY AS HER DOG WALKER LAURA NIECIKOWSKI WAS OUT WALKING HER.
LAURA WAS ALSO AT RESIDENCE. LAURA ADVISED ME SHE WAS WALKING BONES PAST 7870 OAKLEAF AVE TODAY AT NOON. LAURA NOTICED A LARGE TAN DOG STICK ITS HEAD OUT A FRONT DOOR WHICH APPEARED TO BE AJAR.
LAURA SAID THE DOG A BULL MASTIFF NAMED "BUBBA" RAN FROM THE HOUSE AND ATTACKED BONES. LAURA SAID SHE ATTEMPTED TO SEPARATE THE TWO DOGS AND WAS BIT ON HER HANDS BY BUBBA.
LAURA SAID A FEMALE EXITED THE HOUSE AND PULLED BUBBA OFF BONES. LAURA SAID THE FEMALE TOLD HER SOMEONE LEFT THE FRONT DOOR OF HER RESIDENCE OPEN AND BUBBA MUST HAVE RAN OUT.
LAURA SAID SHE FEARED BONES MAY HAVE BEEN INJURED BADLY AND TOOK HIM TO ELM-GROVE ANIMAL HOSPITAL. SAID BONES HAD ONLY RECEIVED MINOR CUTS AND ABRASIONS FROM BUBBA ATTACKING HER.  SAID AN EMPLOYEE AT ELM-GROVE ANIMAL HOSPITAL ADVISED HER THE OWNER OF BUBBA HAD CALLED AND TOLD HER SHE WOULD PAY FOR ALL BILLS RELATED TO HER DOG ATTACKING BONES.
LAURA ADVISED ME SHE WENT TO LOYOLA IMMEDIATE CARE LOCATED ON NORTH AVE IN RIVER FOREST FOR HER INJURIES. LAURA SAID SHE HAD MINOR CUTS ON HER HANDS AND THE DOCTOR GAVE HER PAIN KILLERS AND ANTIBIOTICS.
I WENT TO AND SPOKE TO ADVISED ME HER DOG A BULL MASTIFF MIX NAMED BUBBA HAD GOT OUT OF THE FRONT DOOR OF HER HOUSE AND ATTACKED ANOTHER DOG. SAID SHE DID CALL ELM-GROVE ANIMAL HOSPITAL AND AGREED TO PAY ALL THE BILLS FOR BONES.
GAVE ME BUBBA'S RABIES TAG NUMBER 33-562804. THE RABIES TAG WAS VALID UNTIL 09/2016. SAID SHE DID NOT KNOW ABOUT THE INJURY TO LAURA BECAUSE LAURA HAD LEFT AFTER SHE PULLED BUBBA AWAY. SAID SHE WOULD LIKE FOR ME TO GIVE LAURA HER TELEPHONE NUMBER SO SHE COULD CALL HER. SAID SHE WOULD PAY ANY BILLS SHE RECEIVES FROM HER DOCTOR FOR HER INJURY.
WAS ADVISED TO TAKE BUBBA TO THE VETERINARIAN IMMEDIATELY AND ADVISE

THEM HE HAD BITTEN. SAID SHE WOULD.

A COOK COUNTY ANIMAL AND RABIES CONTROL BITE REPORT WAS COMPLETED AND

	REPORTING OFFICER NARRATIVE	OCA
Elmwood Park Police Department		16-00740
Victim	Offense	Date / Time Reported
NIECIKOWSKI, LAURA A	DOG BITE	Wed 03/30/2016 16:59
THE DIFORMATION DEL	OW IS CONFEDENTIAL. FOR USE BY ATTITIONIZED PRISONNEL OF	MY.

SENT.

# **Incident Report Suspect List**

Elmwood Park Police Department

OCA: 16-00740

Name (Last, Firs	t, Middle)					Also K	nown As			Home	Home Address			
Business Addres	iS			-	······································									
DOB	Age	Race	Sex	Eth	Hgt	Wgt	Hair	Eye	Skin	Drive	r's License / State.			
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