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IN REPLY REFER TO FILE NO.

October 31, 2016

Mr. Isaiah Hernandez
7815 Cressett Drive
Elmwood Park, Illinois 60707

EP-1

Re: Freedom of Information Act Request

Dear Mr. Hernandez:

On October 17, 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:

"Aggravated Battery Bodiy [*sic*] harm 14-8277[.]"

Please be advised that your FOIA request is denied pursuant to Section 7(1)(a) of FOIA. Section 7(1)(a) of FOIA provides that, "[i]nformation specifically prohibited from disclosure by federal or State law or rules and regulations implementing federal or State law" is exempt from disclosure. The Illinois Juvenile Court Act of 1987 (705 ILCS 405/1 *et seq.*) mandates that reports in which a minor was arrested, charged, or investigated must be withheld in full. Section 1-7(A) of the Illinois Juvenile Court Act of 1987 specifically provides that, "[i]nspection and copying of law enforcement records maintained by law enforcement agencies that relate to a minor who has been investigated, arrested, or taken into custody before his or her 18th birthday shall be restricted" to specifically enumerated individuals whose access to such records is necessary for the performance of their official duties. Your FOIA request seeks records which are prohibited from disclosure pursuant to the Illinois Juvenile Court Act of 1987. Consequently, your FOIA request is denied.

The person responsible for the decision to deny 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

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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