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October 4, 2016

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IN REPLY REFER TO FILE NO.

Mr. Jim Strong
jlsbearfan@aol.com

EP-1

Re: Freedom of Information Act Request

Dear Mr. Strong,

On September 27, 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:

"Pursuant to the Freedom of Information Act, I hereby request any and all documents, including the police report, related to the incident that occurred [*sic*] in September, 2016 outside of Trustee Anthony Del Santo's home located at 2203 N. 74th Ct., between Trustee Anthony Del Santo and a process serving company."

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, birthdates, and other personal information, the disclosure of which would constitute a clearly unwarranted invasion of personal privacy, including the names of third parties who incidentally appear in police reports, 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: 16-02331

Additional Name List

Name Code/#	Name (Last, First, Middle)	Victim of Crime #	DOB	Age	Race	Sex
1) WI 1	[REDACTED]		[REDACTED]	13	[REDACTED]	F
	Address		H: - -			
	Emp/Addr		B: - -			
			Mobile #: - -			

INCIDENT/INVESTIGATION REPORT

Elmwood Park Police Department

Case # 16-02331

Status Codes 1 = None 2 = Burned 3 = Counterfeit / Forged 4 = Damaged / Vandalized 5 = Recovered 6 = Seized 7 = Stolen 8 = Unknown							
D R U G S	IBR	Status	Quantity	Type Measure	Suspected Type		

Assisting Officers

Suspect Hate / Bias Motivated:

NARRATIVE

REPORTING OFFICER NARRATIVE

Elmwood Park Police Department

OCA 16-02331
Date / Time Reported Fri 09/23/2016 14:35

Victim

Offense

INFORMATION FOR THE POLICE

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

On September 23, 2016, at 1435 hours, I responded to 2203 N. 74th Court for a report.

Upon my arrival, I met [REDACTED] M/ [REDACTED] and [REDACTED] F [REDACTED]. [REDACTED] said on today's date at 1352 hours, he received text messages on his cellular phone [REDACTED]. See attached photocopies.

The phone number that sent the messages was [REDACTED].

[REDACTED] said one of the messages he asked who was sending the text messages and the responding message reads,

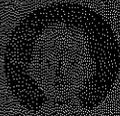
[REDACTED] said he was home all day with [REDACTED] and no one visited his residence and he had no contact with anyone.

[REDACTED] requested that I document the above incident.

Nothing Further.

16-2331

Fri, 09/23/2016



Hi [REDACTED] What the heck happened? Standoff with process server (whil

1:52 PM



e armed)?

1:52 PM

Who is this?

1:52 PM



1:53 PM

I have no idea. Where did it happen?

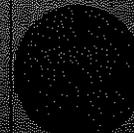
2:00 PM



I'm looking into a matter alleging that you were



Enter message



23 SEPT 16

CE 2460

16-2331

1:52 PM

1:53 PM

I have no idea. Where did it happen?

2:00 PM

I'm looking into a matter alleging that you were recently served re

2:06 PM

regarding the martorana/marcantelli lawsuit, and pulled a firearm on

2:06 PM

the process server.

2:06 PM

23 SEPT 16

ONE 2460