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October 31, 2016

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IN REPLY REFER TO FILE NO.

EP-1

Ms. Kathy Mann
2232 N. 72nd Court
Elmwood Park, Illinois 60707

Re: Freedom of Information Act Request

Dear Ms. Mann:

On October 20, 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:

"Police Report 16-2109 for domestic dispute on Aug 28, 2016 Approx 2AM at the above address[.]"

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 name of a suspect who was never arrested, and the races of individuals, have 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,

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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 # 16-02109

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
GERACI, J. (EP0950)

Suspect Hate / Bias Motivated:

NARRATIVE

REPORTING OFFICER NARRATIVE

Elmwood Park Police Department

Victim MANN, KATHY S		Offense ASSAULT (MISDEMEANOR)	OCA 16-02109
			Date / Time Reported Sun 08/28/2016 02:04
THE INFORMATION BELOW IS CONFIDENTIAL - FOR USE BY AUTHORIZED PERSONNEL ONLY			

On 08/28/16, at 0204 hours, Officer Geraci and I responded to 2232 72nd Ct for a report of a domestic disturbance. Upon my arrival I was met at the door by Kathy S Mann (f [REDACTED] who said [REDACTED] (m [REDACTED] [REDACTED] threatened to punch her face and break her jaw while they were arguing. Kathy said nothing physical happened and she just wanted him to leave for the night.

I met with [REDACTED] in the basement and he said the following happened in summary: He was in the basement to avoid arguing with Kathy, but she came downstairs and sat with him at the table. Both of them were drinking alcoholic beverages. Kathy wanted to argue about their failing marriage and wanted to know when he was going to move out. [REDACTED] did not want to continue arguing and told Kathy multiple times to leave him alone. Kathy refused to stop yelling so he told her he was going to break her jaw so she would stop. Kathy left the basement and called the police. End of summary.

Officer Geraci arrived on scene. I did not observe any injury to either party.

I advised [REDACTED] that Kathy did not want him arrested at this time for domestic assault and she wanted him to leave for the night. [REDACTED] agreed to stay somewhere else. We stood by for [REDACTED] to gather some belongings and waited for him to leave.

Kathy signed a victim refusal form and I gave her the report number.

As I was driving away from the scene, I observed [REDACTED] walking back toward his residence. [REDACTED] said he wasn't able to secure a ride. Officer Geraci transported [REDACTED] to the Elmwood Park Police Department front lobby to wait for a taxi. No further action taken at this time.

Incident Report Suspect List

Elmwood Park Police Department

OCA: 16-02109

1	Name (Last, First, Middle) [REDACTED]				Also Known As				Home Address [REDACTED]			
Business Address											[REDACTED]	
DOB	Age	Race	Sex	Eth	Hgt	Wgt	Hair	Eye	Skin	Driver's License / State.		
[REDACTED]	51	[REDACTED]	M		600	180	BLK	BRO		[REDACTED]	IL	
Scars, Marks, Tattoos, or other distinguishing features												
<i>Reported Suspect Detail</i>				Suspect Age	Race	Sex	Eth	Height	Weight	SSN		
Weapon, Type	Feature	Make		Model			Color	Caliber	Dir of Travel			
Veh Yr/Make/Model			Drs	Style		Color	Lic/St		VIN			
Notes						Physical Char						