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October 4, 2016

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IN REPLY REFER TO FILE NO.

Mr. Oscar Burgos
7443 W. Fullerton Avenue
Elmwood Park, Illinois 60707
O.burgos@sbcglobal.net

EP-1

Re: Freedom of Information Act Request

Dear Mr. Burgos:

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 "16-02308[.]"

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, home addresses, and a name attributable to a home address, 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 a victim's name and identifying information, 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:

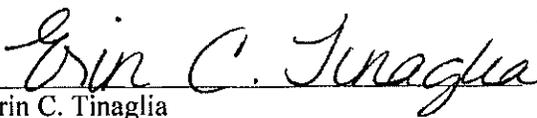
Sarah Pratt
Public Access Counselor
Office of the Attorney General
500 South 2nd Street
Springfield, Illinois 62706
Fax: 217-782-1396
E-mail: publicaccess@atg.state.il.us

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/INVESTIGATION REPORT

Elmwood Park Police Department

Case # 16-02308

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
BRAND, T. (EP6017)

Suspect Hate / Bias Motivated:

NARRATIVE

REPORTING OFFICER NARRATIVE

Elmwood Park Police Department

Victim [REDACTED]		OCA 16-02308
Offense DOG BITE		Date / Time Reported Tue 09/20/2016 16:05

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

On 09/20/2016, at approximately 1605 hours, Officer Brand and I responded to the Elmwood Park Police Station lobby for an animal bite call.

I spoke with the injured party [REDACTED] (M [REDACTED]) who stated the following in summary;

He was walking to school, at approximately 0730 hours, on 09/20/2016, when an unleashed small brown dog with a little white coloring came from the front yard of 2025 76th Av. and bit him on his left leg. A lady came out of 2025 76th Av. when he screamed. The lady said that it was not her dog, but she is watching the dog for someone.

I observed the injury to [REDACTED] leg. The injury was a small cut, which was bruised and swollen.

I spoke to [REDACTED] father [REDACTED] (M [REDACTED]) who did not want to get the owner of the dog into any trouble, but just wants to make sure the dog that bit his son is current on its shots.

I tried to make contact with the resident at 2025 76th Av. My attempt to contact the resident was unsuccessful at this time.

While I was attempting to make contact with the resident at 2025 76th Av. [REDACTED] who was at the residence with his father [REDACTED], said the dog that was barking in the front window was not the dog that had bit him earlier.

I made contact with a neighbor who said the resident living at 2025 76th Av. is [REDACTED]. They only know [REDACTED] to have one dog, but they were not sure if [REDACTED] was watching another dog. Nothing further at this time.