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July 24, 2013

Via Regular Mail

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IN REPLY REFER TO FILE NO.

EP-1

Mr. Mario C. Palermo
Woodruff Johnson & Palermo
4234 Meridian Parkway, Suite 134
Aurora, Illinois 60504

Re: Freedom of Information Act Request

Dear Mr. Palermo:

Enclosed please find records responsive to your Illinois Freedom of Information Act (5 ILCS 140/1 *et seq.*) (hereinafter referred to as "FOIA") request submitted to the Village of Elmwood Park on July 10, 2013, for the following:

A copy of any and all documents involving a minor child, Annabella Arcara, who was attacked by a dog on June 22, 2013 at 2123 N. 72nd Court, Elmwood Park. Requested records include, incident reports, investigation reports, photographs, memorandums, correspondence, reports given to Cook County animal control.

However, please be advised that certain information in the records being provided has been determined to be exempt from disclosure under the FOIA, and that information has been redacted from the records being provided.

Section 7(1)(b) of the FOIA provides that "private information" is exempt from disclosure. "Private information" is defined in the 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 driver's license numbers, employee identification numbers, home or personal telephone numbers, and home addresses, have been redacted from the records being provided.

Section 7(1)(c) of the FOIA provides that, "[p]ersonal information contained within public records, the disclosure of which would constitute a clearly unwarranted invasion of personal privacy

STORINO, RAMELLO & DURKIN

Mr. Mario C. Palermo
July 24, 2013
Page 2

..." is exempt from disclosure. Consequently, a birthdate has been redacted from the records being provided.

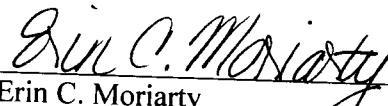
Section 7(1)(d)(iv) of the FOIA provides that, "[r]ecords in the possession of any public body created in the course of administrative enforcement proceedings, and any law enforcement or correctional agency for law enforcement purposes ..." are exempt from disclosure, "but only to the extent that disclosure 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 have filed complaints with or who have 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 request is the Village of Elmwood Park Freedom of Information Officer, Gina Pesko. In accordance with Section 9(a) of the 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, Acting Public Access Counselor
Office of the Attorney General
500 South 2nd Street
Springfield, Illinois 62706
Phone: 312-814-5526
Fax: 217-782-1396
E-mail: publicaccess@atg.state.il.us

Also, you are 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 the FOIA.

Sincerely,


Erin C. Moriarty
One of the attorneys for
the Village of Elmwood Park

Enclosures

ELMWOOD PARK POLICE DEPARTMENT

INCIDENT REPORT

(1) OCCURRED ON OR BETWEEN		MO.	DATE	YR.	DAY	TIME	(2) BEAT 0003 SUB-BEAT	(3) REPORT NUMBER 13-5448		
(4) REPORTED		06	18	13	TUE	1506	(5) INCIDENT CLASSIFICATION ANIMAL BITE			
(6) LOCATION OF INCIDENT 2123 N. 12nd CT							(7) FIRM NAME IF BUSINESS			
(8) VICTIM'S NAME (last, first, mi) ARCARA, ANNABELLA							(9) RESIDENCE OR BUSINESS ADDRESS			
(10) RESIDENCE PHONE		(11) BUSINESS PHONE		(12) SEX F	RACE W	AGE 3	(13) DOB Mo. Date Yr.	(14) SOCIAL SECURITY OR PERSONAL IDENTIFICATION NUMBER		
(15) REPORTED BY (last, first, mi)							WITNESS YES <input checked="" type="checkbox"/> NO <input type="checkbox"/>		(16) RESIDENCE OR BUSINESS ADDRESS	
(17) RESIDENCE PHONE		(18) BUSINESS PHONE		(19) SEX M	RACE W	AGE 66	(20) DOB Mo. Date Yr.	(21) SOCIAL SECURITY OR PERSONAL IDENTIFICATION NUMBER		
INJURY		(22) NATURE AND EXTENT OF INJURY BITE TO CHEEK					(23) HOSPITALIZED/WHERE TREATED LOYOLA HOSPITAL			
(24) ATTENDING/PRONOUNCING PHYSICIAN			(25) TRANSPORTED BY EPFD 944		(26) PRONOUNCED Mo. Date Yr. Time		(27) M.E. NAME		(28) DATE & TIME NOTIFIED	
BLOCK NO.	(29) NARRATIVE: Describe persons, properly, and details of incident. If additional information pertains to one of the blocks above, enter corresponding block number at left.									
H5										
COPY										
(30) REPORTING OFFICER RANSOM			STAR	(31) SUPERVISOR Sgt. Kuss			STAR	(32) REPORT REVIEW 06-18-13		(33) C.A. REVIEW

REPORT NUMBER

OFFENSE CODE

BLOCK

BLOCK

BLOCK

BLOCK

BLOCK

Investigative Action Report



ELMWOOD PARK POLICE DEPARTMENT
13-5448



Case Report: 13-5448
Title: Animal Bite
Officer: Ransom #
Date: 06-18-13

On 06-18-13 at 1506 hours, Ofc. Hock and I responded to 2123 N. 72nd Ct. for a report of an animal bite.

Upon arrival, Elmwood Park Paramedics were on scene. The Elmwood Park firemen advised they had a three (3) year old female in the ambulance who suffered from dog bite(s) to the face. I saw blood on Annabella's face and clothing.

Once inside the ambulance, I saw three year old Annabella Arcara as she was being cared for by Elmwood Park Paramedics. Annabella was hysterical, crying and asking for her grandmother.

Annabella's grandmother, () f/w () entered the ambulance and held Annabella. () was upset and quite hysterical, crying and having trouble answering my questions. () told me her son () and her husband, () were arguing loudly in their home at () said her son's dogs became agitated because of the arguing and began to try to attack Annabella. () said she was trying to stop the dogs and shield Annabella by holding her and pushing the dogs away. The dogs bit Annabella on the face and possibly her arm, before () could stop them. () said the dogs were in her house at ()

I was unable to get Annabella's birthdate or any information about her parents from ()

Elmwood Park Paramedics advised they were going to transport Annabella to Loyola hospital.

I spoke to () as he entered his vehicle to follow the ambulance to Loyola Hospital. () told me his wife, () was holding Annabella and may have dropped her or fell with her and the two dogs bit Annabella. () did not know Annabella's birthdate. He could only tell me "she just turned 3". () said his son's dogs were in their house at () He said they were locked up in a room.

COPY

Sgt. Ransom #
Supervisor

Det. Ransom #

Investigative Action Report



ELMWOOD PARK POLICE DEPARTMENT
13-5448



As I spoke to _____, his son, _____ exited the home. _____ stood on the front porch and was not responding to my questions. _____ appeared to be intoxicated and could not formulate sentences. He continued to mumble, making comments that he used to be a police officer. _____ sat down on the top step of porch. He told me his dogs names are Rocco and Cinnamon and they bit his niece. _____ was unable to give me any information about his niece. I asked _____ for documentation, medical papers and permits for his dogs. _____ was not combative in any way but he was not cooperative. _____ said he was going inside and did so. _____ said his dogs were inside his home at

Ofc. Hock and I left the scene.

I went to the station. I called Cook County Department of Animal & Rabies Control. They advised me to document the incident as was necessary by EPPD. I was further advised to write a letter and attach all reports and information about the dogs and incident if there was any reason I believe a Dangerous Dog investigation should be started. The letter is to be sent to Dr. Donna M. Alexander, VMD, as is printed on the dog bite card.

At this time I was unable to gain any information about the dogs besides their names.

Nothing further at this time.

COPY