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IN REPLY REFER TO FILE NO.

April 21, 2014
Via Regular Mail

Ms. Michele Youngerman
22 W. Washington Street
Chicago, IL 60602

EP-1

Re: Freedom of Information Act Request

Dear Ms. Youngerman:

The Village of Elmwood Park is in receipt of your April 14, 2014 Illinois Freedom of Information Act (5 ILCS 140/1 *et seq.*) ("FOIA") request for the following records:

Records detailing/including any weapons, explosives and/or firearms missing, lost or stolen from the Elmwood Park Police Department or police gun range since 2012.

Please be advised that your request is denied.

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" are exempt from disclosure. Consequently, information obtained through the Law Enforcement Agencies Data System ("LEADS") has not been provided.

Section 7(1)(d)(vii) 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: ... obstruct an ongoing criminal investigation by the agency that is the recipient of the request." Your request seeks records that if disclosed would obstruct an ongoing criminal investigation being conducted by the Village of Elmwood Park Police Department. Consequently, these records have not been provided.

The person responsible for the decision to deny your 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, Acting 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

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 FOIA.

Sincerely,


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