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August 26, 2015

Ms. Shaena Mecenias  
2915 N. 74<sup>th</sup> Avenue  
Elmwood Park, Illinois 60707

EP-1

**Re: Freedom of Information Act Request**

Dear Ms. Mecenias:

The Village of Elmwood Park is in receipt of your August 19, 2015, Illinois Freedom of Information Act (5 ILCS 140/1 *et seq.*) ("FOIA") request.

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, a driver's license number, a home or personal telephone number, 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 race of individuals, have been redacted from the records being provided.

**STORINO, RAMELLO & DURKIN**

Ms. Shaena Mecenias  
August 26, 2015  
Page 2

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 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 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 2<sup>nd</sup> Street  
Springfield, Illinois 62706  
Fax: 217-782-1396  
E-mail: [publicaccess@atg.state.il.us](mailto: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

ELMWOOD PARK POLICE DEPARTMENT

INCIDENT REPORT

(1) OCCURRED ON OR BETWEEN		MO. 07	DATE 29	YR. 15	DAY WED	TIME 0035	(7) BEAT Zone 1	(8) REPORT NUMBER
		07	29	15	WED	0336	SUB-BEAT 3120	15-7398
(4) REPORTED	07	29	15	WED	0038	(5) INCIDENT CLASSIFICATION Neighbor Dispute		
(6) LOCATION OF INCIDENT 2915 N. 74th Avenue						(7) FIRM NAME IF BUSINESS		
(8) VICTIM'S NAME (last, first, mi)						(9) RESIDENCE OR BUSINESS ADDRESS		
(10) RESIDENCE PHONE	(11) BUSINESS PHONE	(12) SEX	RACE	AGE	(13) DOB Mo. Date Yr.	(14) SOCIAL SECURITY OR PERSONAL IDENTIFICATION NUMBER		
-	-	-	-	-	-	-		
(15) REPORTED BY (last, first, mi)						(16) RESIDENCE OR BUSINESS ADDRESS		
WITNESS YES <input checked="" type="checkbox"/> NO <input type="checkbox"/>						-		
(17) RESIDENCE PHONE	(18) BUSINESS PHONE	(19) SEX	RACE	AGE	(20) DOB Mo. Date Yr.	(21) SOCIAL SECURITY OR PERSONAL IDENTIFICATION NUMBER		
-	-	F	-	47	-	-		
(22) NATURE AND EXTENT OF INJURY						(23) HOSPITALIZED/WHERE TREATED		
INJURY						-		
(24) ATTENDING/PRONOUNCING PHYSICIAN			(25) TRANSPORTED BY		(26) PRONOUNCED Mo. Date Yr. Time		(27) M.E. NAME	(28) DATE & TIME NOTIFIED
-			-		-		-	-
BLOCK NO.	(29) NARRATIVE: Describe persons, property, and details of incident. If additional information pertains to one of the blocks above, enter corresponding block number at left.							
	<p>On 07/29/15, at 0035 hours, Officer Messina and I responded to 2915 N. 74th Avenue, 2nd floor unit, for a 911 hang up. The incident would be later reclassified as a neighbor dispute. Upon our arrival, I spoke with the [redacted] f [redacted] who told us the following in summary:</p> <p>[redacted] said the residents who live upstairs were making noise and ringing her doorbell excessively. She said she was suppose to meet with her upstairs neighbor, [redacted] f [redacted] on 07/28/15, at 8:45 P.M. to give [redacted] the front entrance door key to the building. She believes [redacted] was ringing her doorbell because she sent an email to [redacted] stating she changed her mind and would give the keys to her on 07/29/15, at 2 P.M, at the Elmwood Park Police station.</p> <p>I told [redacted] I was aware of the previous complaints made about the noise.</p> <p>[redacted] said she is the association manager for the building and owns her unit and the 1st floor unit. [redacted] has made a meeting with the [redacted] at the Elmwood Park Police station on 07/29/15 with the Chief of Police to find a way to resolve their issues.</p> <p>I observed [redacted] and her husband, [redacted] m [redacted] come out of their unit and were standing on the common area stairwell. [redacted] asked me what was going on. [redacted] immediately became irate and was screaming profanities towards [redacted] and [redacted] provided an email which displayed the email she sent [redacted] continued to yell and called her neighbors, "animals and criminals."</p> <p>(See Continuation)</p>							
(30) REPORTING OFFICER	STAR		(31) SUPERVISOR	STAR		(32) REPORT REVIEW	(33) C.A. REVIEW	
[Signature]	6089		[Signature]	[Signature]				

REPORT NUMBER

OFFENSE CODE

METHOD CODE

PLACE CODE

CASE STATUS

Continuation Report  
15-7398



ELMWOOD PARK POLICE DEPARTMENT



Case Report: 15-7398  
Title: Neighbor Dispute  
Officer: B.Hock #6089  
Date: 07/29/2015

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Continuation:

I stood between the common area stairwell and [REDACTED] residence door to prevent further confrontation. [REDACTED] continued to yell and told [REDACTED] "If you do that again I will break your fucking fingers." I advised [REDACTED] to not approach me or her actions could result in her arrest.

[REDACTED] agreed to provide [REDACTED] the front door key to her at the meeting tomorrow and went inside her residence.

I spoke with [REDACTED] who told me her daughter could not get into the building because [REDACTED] would not provide her with the key. [REDACTED] said she wanted the incident documented and wanted [REDACTED] arrested for threatening her.

I provided [REDACTED] with the report number. I advised [REDACTED] she was not in proximity of receiving a battery and [REDACTED] complied with officers on scene. I advised [REDACTED] and [REDACTED] to not contact [REDACTED] by any means and to call 911 if any additional incidents occur.

[REDACTED] stated she will be at the meeting at the police station on 07/29/15 to resolve this ongoing issue.

-End-

B.Hock #6089

#6089

Supervisor