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IN REPLY REFER TO FILE NO.

December 22, 2015

Mr. George Vargas
2530 74th Avenue
Elmwood Park, Illinois 60707

EP-1

Re: Freedom of Information Act Request

Dear Mr. Vargas:

On December 18, 2015, the Village of Elmwood Park received your Illinois Freedom of Information Act (5 ILCS 140/1 *et seq.*) ("FOIA") request for "Report #15-10228[.]"

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 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 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 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 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

REPORTING OFFICER NARRATIVE

Elmwood Park Police Department

OCA
15-10228
Date / Time Reported
Thu 12/17/2015 16:40

Victim	Offense
	MEET COMPLAINANT

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

On 12-17-15, Ofc Schak and I were dispatched to 2735 74th Av for a disturbance report. Cmdr Busch & Sgt Brown arrived on scene.

I spoke to [redacted] who told me he was visiting a resident at 2537 74th Av. [redacted] saw subject who he knew as [redacted] knows [redacted] to work for the village public works department. [redacted] said he saw [redacted] laying on the ground in the street holding his cell phone up as if he was recording him. [redacted] said after he saw [redacted] got up and started "cackling" at him. [redacted] said he felt harassed by [redacted] said [redacted] did not make any statements or threats to him and did not impede his actions or movements in any way. [redacted] then dialed 911 and we arrived shortly after.

See Ofc Schak's supplemental report for [redacted] statement.

Both subjects were advised to avoid each other when possible.

No crimes were determined to have occurred. Both subjects were sent on their way.

No further -

CASE SUPPLEMENTAL REPORT
NOT SUPERVISOR APPROVED

Printed: 12/17/2015 21:19

OCA: 1510228

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

Investigator: SCHAK, K. (EP2963)

Date / Time: 12/17/2015 18:07:57, Thursday

Supervisor: (0)

Supervisor Review Date / Time: NOT REVIEWED

Contact: [REDACTED]

Reference: Investigative Action Supplement

On 12/17/15 at 1640 hours, I was dispatched to a Disturbance in the street of 2530 74th Av.

Upon arrival, I spoke with [REDACTED] (M [REDACTED] stated he parked in front of his house and noticed [REDACTED] (M [REDACTED] watching him from his vehicle. [REDACTED] stated he had seen [REDACTED] two (2) times prior in the day since 1235 hours. [REDACTED] said [REDACTED] is constantly sending him text messages and [REDACTED] does not reply. [REDACTED] does not want [REDACTED] following him around.

I advised [REDACTED] to contact police if [REDACTED] comes to his house.

Nothing further.

Investigator Signature: _____