

Gina Pesko

From: Pasquale Martorana <pasmartorana@yahoo.com>
Sent: Friday, February 06, 2015 7:21 AM
To: Gina Pesko; Paul Volpe
Cc: David Pollard; Angelo Lollino; aj.delsanto@gmail.com
Subject: Gang Free Zone

Pursuant to freedom information act

I hear by request the following

1. Is there a Gang Free Zone in the Village of Elmwood park.
2. Is there a Gang Tactical Unit in the Village of Elmwood Park Police Dept. As of 5-1-2013 to Present
3. Any and all information available to the public regarding Gang shootings or related shootings activity in calendar year 2015.

Pasqual

FEB 06 REC'D

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IN REPLY REFER TO FILE NO.

February 13, 2015

Mr. Pasquale Martorana
pasmartorana@yahoo.com

EP-1

Re: Freedom of Information Act Request

Dear Mr. Martorana:

On February 6, 2015, the Village of Elmwood Park received your Freedom of Information Act (5 ILCS 140/1 *et seq.*) ("FOIA") request for the following records:

1. Is there a Gang Free Zone in the Village of Elmwood Park.
2. Is there a Gang Tactical Unit in the Village of Elmwood Park Police Dept. As of 5-1-2013 to Present
3. Any and all information available to the public regarding Gang shootings or related shootings activity in calendar year 2015.

Please be advised that the Village of Elmwood Park is denying items 1 and 2 of your FOIA request because your requests made in these items are not proper under FOIA. Pursuant to Section 1 of FOIA, the purpose of FOIA is to provide access to public records. (5 ILCS 140/1). FOIA is not intended to compel public bodies to interpret or advise requesters as to the meaning or significance of public records. (5 ILCS 140/3.3). Items 1 and 2 of your FOIA request do not seek records from the Village of Elmwood Park. Rather, items 1 and 2 of your FOIA request ask questions to the Village of Elmwood Park. Consequently, because items 1 and 2 of your FOIA request do not seek records, these items of your FOIA request are improper and the Village of Elmwood Park has no obligation under FOIA to respond to your questions presented in items 1 and 2 of your FOIA request.

In regards to item 3 of your FOIA request, please be advised that the Village of Elmwood Park maintains no documents which are responsive to this item of your FOIA request.

STORINO, RAMELLO & DURKIN

Mr. Pasquale Martorana
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The person responsible for the decision to deny 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