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October 1, 2015

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IN REPLY REFER TO FILE NO.

Ms. Kimberly Peña
3126 N. 76th Court
Elmwood Park, Illinois 60707

EP-1

Re: Freedom of Information Act Request

Dear Ms. Peña:

On September 24, 2015, the Village of Elmwood Park received your Illinois Freedom of Information Act (5 ILCS 140/1 *et seq.*) ("FOIA") request for the following record:

"Police report made approximately April or May 2014."

Enclosed please find the record responsive to your FOIA request. However, please be advised that certain information in the record responsive to your FOIA request has been determined to be exempt from disclosure under FOIA. Accordingly, such information has been redacted from the record 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 home or personal telephone numbers, and home addresses, have been redacted from the record 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 a victim's name and identifying information, the names of third-parties who incidentally appear in police reports, and the race of individuals, have been redacted from the record 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 record 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:

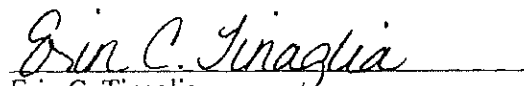
Sarah Pratt
Public Access Counselor
Office of the Attorney General
500 South 2nd Street
Springfield, Illinois 62706
Fax: 217-782-1396
E-mail: publicaccess@atg.state.il.us

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

Enclosure

ELMWOOD PARK POLICE DEPARTMENT

INCIDENT REPORT

(1) OCCURRED ON OR BETWEEN		MO. 04	DATE 01	YR. 2015	DAY ...	TIME ...	(2) BEAT ZN 4	(3) REPORT NUMBER
		04	10	2015	---	---	SUB-BEAT 3330	15-4746
(4) REPORTED	05	19	2015	TUE	1700	(5) INCIDENT CLASSIFICATION DISORDERLY CONDUCT		
(6) LOCATION OF INCIDENT 1800 BLK 75TH AV						(7) FIRM NAME IF BUSINESS		
(9) VICTIM'S NAME (last, first, m) Q JUV.						(8) 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		
[REDACTED]	-----	F	[REDACTED]	16	[REDACTED]	-----		
(15) REPORTED BY (last, first, m) WITNESS YES <input type="checkbox"/> NO <input type="checkbox"/>						(16) RESIDENCE OR BUSINESS ADDRESS		
(17) RESIDENCE PHONE	(18) BUSINESS PHONE	(19) SEX	RACE	AGE	(20) DOB Mo. Date Yr.	(21) SOCIAL SECURITY OR PERSONAL IDENTIFICATION NUMBER		
[REDACTED]	-----	F	[REDACTED]	40	[REDACTED]	-----		
(22) NATURE AND EXTENT OF INJURY INJURY						(23) HOSPITALIZED/WHERE TREATED		
(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, properly, and details of incident. If additional information pertains to one of the blocks above, enter corresponding block number at left.							
	<p>On 05/19/2015 at 1700 hours I responded to the police station for a report of disorderly conduct.</p> <p>Upon arrival I met with [REDACTED] ([REDACTED]) and her daughter [REDACTED] ([REDACTED]) who told me the following in summary:</p> <p>[REDACTED] is in the 10th Grade at Elmwood Park HS and has been having trouble with some of her female classmates, [REDACTED] (10th Grade), [REDACTED] (9th Grade), [REDACTED] (10th Grade), and [REDACTED] (10th Grade). [REDACTED] began having troubles with [REDACTED] since February because [REDACTED] was talking to [REDACTED] boyfriend, [REDACTED] said [REDACTED] is a member of "TMB", and the girls are all known associates of "TMB." Sometime in early April, [REDACTED] was serving a detention and had to take the "Late Bus" home from school. The "Late Bus" dropped her off along with her friend at Elm Middle School. [REDACTED] and her friend were walking to her friends house and were a few blocks away from the school when they were approached by [REDACTED] and [REDACTED]. [REDACTED] told her she wanted to fight her but [REDACTED] refused. [REDACTED] took [REDACTED] phone from her and threw it across the street causing it to break in an attempt to get [REDACTED] to fight. [REDACTED] refused again, collected her broken phone, and walked away to her friends house while being followed by [REDACTED] and [REDACTED] did not want to contact the police at the time or tell her mother because she was afraid it would make the situation worse. [REDACTED] however, told me the problems have continued so she wanted to make a report but take no criminal action at this time.</p> <p>I explained I would document the incident and advised [REDACTED] to speak with the school and the RGPD school resource officers.</p> <p>I completed my report and returned to duty.</p>							
(30) REPORTING OFFICER	STAR	(31) SUPERVISOR	STAR	(32) REPORT REVIEW	(33) C.A. REVIEW			
<i>MARCOA</i>	<i>2465</i>	<i>CMR. D. BUSCH 214</i>						

REPORT NUMBER

OFFENSE CODE
0890

METHOD CODE

PLACE CODE

CASE STATUS

M.E.