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IN REPLY REFER TO FILE NO.

September 9, 2015

Mr. Anatolii Guska  
2243 N. 74<sup>th</sup> Avenue  
Elmwood Park, Illinois 60707

EP-1

**Re: Freedom of Information Act Request**

Dear Mr. Guska:

On September 3, 2015, the Village of Elmwood Park received your Illinois Freedom of Information Act (5 ILCS 140/1 *et seq.*) ("FOIA") request for "15-8370."

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 a driver's license number, a home or personal telephone number, and a home address, 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, a birthdate and other personal information, the disclosure of which would constitute a clearly unwarranted invasion of personal privacy, such as the race of an individual, have been redacted from the record being provided.

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

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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 2<sup>nd</sup> 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

ELMWOOD PARK POLICE DEPARTMENT

INCIDENT REPORT

(1) OCCURRED ON OR BETWEEN		MO. 08	DATE 22	YR. 15	DAY Sat	TIME 2100	(2) BEAT Zone 3	(3) REPORT NUMBER	
		08	23	15	Sun	1311	SUB-BEAT N/A	15-8370	
(4) REPORTED		08	23	15	Sun	1630	(5) INCIDENT CLASSIFICATION Child Custody Dispute		
(6) LOCATION OF INCIDENT 2243 N. 74th Avenue						(7) FIRM NAME IF BUSINESS Residence			
(8) VICTIM'S NAME (last, first, mi) None						(9) RESIDENCE OR BUSINESS ADDRESS Does Not Apply			
(10) RESIDENCE PHONE N/A		(11) BUSINESS PHONE N/A		(12) SEX X	RACE X	AGE X	(13) DOB Mo. Date Yr. X X X	(14) SOCIAL SECURITY OR PERSONAL IDENTIFICATION NUMBER Does Not Apply	
(15) REPORTED BY (last, first, mi)						WITNESS YES <input checked="" type="checkbox"/> NO <input type="checkbox"/>	(16) RESIDENCE OR BUSINESS ADDRESS		
(17) RESIDENCE PHONE		(18) BUSINESS PHONE # 17		(19) SEX M	RACE	AGE 29	(20) DOB Mo. Date Yr.	(21) SOCIAL SECURITY OR PERSONAL IDENTIFICATION NUMBER	
INJURY		(22) NATURE AND EXTENT OF INJURY Does Not Apply				(23) HOSPITALIZED/WHERE TREATED Does Not Apply			
(24) ATTENDING/PRONOUNCING PHYSICIAN Does Not Apply			(25) TRANSPORTED BY Does Not Apply		(26) PRONOUNCED Mo. Date Yr. Time X X X XX		(27) M.E. NAME Does Not Apply		(28) DATE & TIME NOTIFIED Does Not Apply
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 08/23/2015 at approximately 1630 hours I was summoned to the front lobby of the Public Safety Building to complete a report.</p> <p>Once on scene I was met by two people, and a small child. I spoke to a [redacted] and [redacted].</p> <p>[redacted]</p> <p>They told me they were in the process of a divorce for approximately 6 months. They have a female child as a result of this relationship. [redacted] told me he and his estranged wife have an agreement for him to see his child on Sundays from 1000 hours until 2030 hours.</p> <p>On today's date at approximately 1311 hours, [redacted] texted [redacted] telling him she was going to pick up her daughter, and gave no explanation to him as the reason.</p> <p>They agreed to meet at the Police Department in Elmwood Park at 1330 hours. [redacted] told me this was in violation of the Custody and Parenting Order they had agreed on in court. I asked [redacted] if he had a copy of this order I could review. He told me "No", but he could return to his home and retrieve it from his computer.</p> <p>I told [redacted] she could leave with the child.</p> <p>A short time later [redacted] returned and told me he was unable to retrieve it from his computer. I allowed him to utilize a departmental computer. [redacted] provided me with a copy of the Custody order from December 15, 2014 (copy attached).</p> <p>I instructed [redacted] to contact his attorney and advise him of the situation.</p> <p>I took no further action.</p>								
(30) REPORTING OFFICER	STAR	(31) SUPERVISOR	STAR	(32) REPORT REVIEW	(33) C.A. REVIEW				
Busch	214	Busch	214						

REPORT NUMBER

OFFENSE CODE

METHOD CODE

PLACE CODE

CASE STATUS

U.C.H.

U.C.