

LAW OFFICES
STORINO, RAMELLO & DURKIN

9501 WEST DEVON AVENUE
ROSEMONT, ILLINOIS 60018

(847) 318-9500

FACSIMILE (847) 318-9509

January 5, 2016

DONALD J. STORINO
MICHAEL K. DURKIN
RICHARD J. RAMELLO
NICHOLAS S. PEPPERS
THOMAS M. BASTIAN
ANGELO F. DEL MARTO
JAMES E. MACHOLL
BRIAN W. BAUGH
ANTHONY J. CASALE
ANDREW Y. ACKER
PETER A. PACIONE
MELISSA M. WOLF
MATTHEW G. HOLMES
MICHAEL R. DURKIN

THOMAS J. HALLERAN
ERIN C. TINAGLIA
ADAM R. DURKIN

JOSEPH G. KUSPER
MARK R. STEPHENS
BRYAN J. BERRY
ANN M. WILLIAMS
LEONARD P. DIORIO
RICHARD F. PELLEGRINO
DONALD J. STORINO II

OF COUNSEL

IN REPLY REFER TO FILE NO.

Ms. Julie Burdick
1707 N. 75th Avenue
Elwood Park, Illinois 60707
cutiebird11@gmail.com

EP-1

Re: Freedom of Information Act Request

Dear Ms. Burdick:

On December 29, 2015, the Village of Elmwood Park received your Illinois Freedom of Information Act (5 ILCS 140/1 *et seq.*) ("FOIA") request for the following records:

"I need any and all reports I filed in 2008 and 2009. They'll all involve my ex-husband, Douglas J. Burdick."

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, home or personal telephone numbers, 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, birthdates and other personal information, the disclosure of which would constitute a clearly unwarranted invasion of personal privacy, including the name of a third party who incidentally appears in a police report, 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 06	YR. 08	DAY SUNDAY	TIME	(2) BEAT 2ND	(3) REPORT NUMBER
		04	21	08	MON		SUB-BEAT 3340	08-3879
(4) REPORTED	04	21	08	MON	1513	(5) INCIDENT CLASSIFICATION MEET COMPLAINTANT		
(8) LOCATION OF INCIDENT 1707 N 75TH AVE						(7) FIRM NAME IF BUSINESS		
(9) VICTIM'S NAME (last, first, ini)						(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		
(17) RESIDENCE PHONE						(18) BUSINESS PHONE		
(19) SEX						(20) DOB		
(21) SOCIAL SECURITY OR PERSONAL IDENTIFICATION NUMBER						(22) NATURE AND EXTENT OF INJURY		
(23) HOSPITALIZED/WHERE TREATED						(24) ATTENDING/PRONOUNCING PHYSICIAN		
(25) TRANSPORTED BY						(26) PRONOUNCED		
(27) M.E. NAME						(28) DATE & TIME NOTIFIED		

REPORT NUMBER
08-3879

OFFENSE CODE
1057

METHOD CODE

PLACE CODE

CASE STATUS

UCR

D.E.

BLOCK NO. 5

(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.

ON 04/21/08 AT 1513 HOURS I WAS ASSIGNED A MEET COMPLAINTANT REPORT AT THE POLICE DEPARTMENT. I SPOKE TO [REDACTED] (M) [REDACTED] TOLD ME, HER EX-HUSBAND [REDACTED] (M) IS MOVING BACK TO EUROPE FROM TENNESSE. [REDACTED] FOUND OUT [REDACTED] HAS A BOYFRIEND AND HAS BEEN DRIVING PAST HER HOME, SHOWING UP AT PLACES SHE IS AT AND CALLING / TEXTING HER CELL PHONE. [REDACTED] CAME TO [REDACTED] RESIDENCE AND DROPPED OFF CLOTHES (THE OTHER DAY) AND BECAME UPSET. [REDACTED] TOLD HER THEY ARE NOT GETTING BACK TOGETHER. [REDACTED] WENT TO CLOSE THE DOOR AND [REDACTED] PLACED HER FOOT IN THE DOOR JAMB TO STOP THE DOOR FROM CLOSING. [REDACTED] LEFT WITHOUT INCIDENT. [REDACTED] TOLD ME SHE DOES NOT WANT POLICE TO CONTACT [REDACTED] WANTED TO DOCUMENT THE INCIDENT. I GAVE [REDACTED] THE REPORT NUMBER.

(30) REPORTING OFFICER GERRARD 3611	STAR	(31) SUPERVISOR [Signature]	STAR	(32) REPORT REVIEW	(33) C.A. REVIEW
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