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January 18, 2016

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IN REPLY REFER TO FILE NO.

Ms. Teresa Garb
2419 N. 79th Avenue
Elmwood Park, Illinois 60707

EP-1

Re: Freedom of Information Act Request

Dear Ms. Garb:

On January 12, 2016, the Village of Elmwood Park received your Illinois Freedom of Information Act (5 ILCS 140/1 *et seq.*) ("FOIA") request for the following records:

"1-11-16
16-00067[.]"

Enclosed please find certified copies of the records responsive to your FOIA request. Pursuant to Section 6(b) of FOIA, the Village of Elmwood Park charges One (\$1.00) Dollar for certifying documents. 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 a home address, 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, a birthdate and other personal information, the disclosure of which would constitute a clearly unwarranted invasion of personal privacy, including the race of an individual, 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 a person who filed a complaint with or who 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:

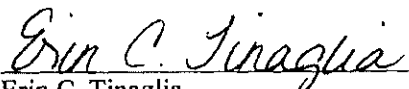
Sarah Pratt
Public Access Counselor
Office of the Attorney General
500 South 2nd Street
Springfield, Illinois 62706
Fax: 217-782-1396
E-mail: publicaccess@atg.state.il.us

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

INCIDENT/INVESTIGATION REPORT

Agency Name <i>Elmwood Park Police Department</i>
ORI <i>IL0163100</i>

Case# <i>16-00067</i>
Date / Time Reported <i>01/11/2016 13:41 Mon</i>
Last Known Secure <i>01/11/2016 13:15 Mon</i>
At Found <i>01/11/2016 13:30 Mon</i>

Location of Incident <i>2422 79th Av, Elmwood Park IL 60707-</i>	Premise Type <i>Highway / Road / Alley</i>	Zone/Tract <i>E3</i>
#1 Crime Incident(s) (Com) <i>Public Fall 9028</i>	Weapon / Tools <i>NONE</i>	
#2 Crime Incident ()	Weapon / Tools	
#3 Crime Incident ()	Weapon / Tools	

Activity
Activity
Activity
Activity

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# of Victims <i>0</i>	Type:	Injury:
V1	Victim/Business Name (Last, First, Middle)	Victim of Crime # DOB Race Sex Relationship To Offender Resident Status Military Branch/Status
	Home Address	Age Home Phone
	Employer Name/Address	Business Phone Mobile Phone
VYR	Make Model Style Color	Lic/Lis VIN

V
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CODBS: V- Victim (Denote V2, V3) O = Owner (if other than victim) R = Reporting Person (if other than victim)									
Type: <i>INDIVIDUAL</i> Injury:									
Code	Name (Last, First, Middle)	Victim of Crime #	DOB	Race	Sex	Relationship To Offender	Resident Status	Military Branch/Status	
<i>RP</i>			<i>Age 58</i>		<i>F</i>		<i>Resident</i>		
	Home Address						Home Phone		
	Employer Name/Address	<i>UNEMPLOYED (NONE)</i>					Business Phone	Mobile Phone	

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Type: Injury:									
Code	Name (Last, First, Middle)	Victim of Crime #	DOB	Race	Sex	Relationship To Offender	Resident Status	Military Branch/Status	
			Age						
	Home Address						Home Phone		
	Employer Name/Address						Business Phone	Mobile Phone	

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1 = None 2 = Burned 3 = Counterfeit / Forged 4 = Damaged / Vandulized 5 = Recovered 6 = Seized 7 = Stolen 8 = Unknown
("OJ" = Recovered for Other Jurisdiction)

VI #	Code	Status From/To	Value	OJ	QTY	Property Description	Make/Model	Serial Number

P
R
O
P
E
R
T
Y

Officer/ID#	<i>LOMBARDI, C. (PATL, PAT) (EP0885)</i>	Supervisor	<i>KMIECIK, M. (PATL, SUPV) (EP1312)</i>
Invest ID#	<i>KLISZ, R. (INV, INV) (EP7134)</i>	Case Status	<i>01/14/2016</i>
Status	Complainant Signature	Case Disposition:	<i>Y</i> <i>01/14/2016</i>

INCIDENT/INVESTIGATION REPORT

By: EP6177, tfallon 01/14/2016 16:01

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Elmwood Park Police Department

Case#	16-00067
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Status Codes 1 = None 2 = Burned 3 = Counterfeit / Forged 4 = Damaged / Vandalized 5 = Recovered 6 = Seized 7 = Stolen 8 = Unknown

IBR	Status	Quantity	Type Measure	Suspected Type	

D
R
U
G
S

Assisting Officers

Suspect Hate / Bias Motivated:

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NARRATIVE

REPORTING OFFICER NARRATIVE

Elmwood Park Police Department

Victim	Offense <i>PUBLIC FALL</i>	OCA <i>16-00067</i> Date / Time Reported <i>Mon 01/11/2016 13:41</i>
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THE INFORMATION BELOW IS CONFIDENTIAL - FOR USE BY AUTHORIZED PERSONNEL ONLY.

ON 01-11-2016 AT 1341 HOURS I RESPONDED TO 2422 N. 79TH AVE FOR A REPORT OF A FEMALE WHO FELL AND REFUSED MEDICAL ATTENTION.

UPON MY ARRIVAL I WAS MET BY [REDACTED] TOLD ME SHE WAS WALKING HER DOG IN FRONT OF 2224 N. 79TH AVENUE. WHILE SHE WALKED SHE STEPPED ON A PATCH OF SNOW COVERED BY A THIN LAYER OF SNOW. [REDACTED] SAID SHE FELL TO THE GROUND AND SHE HURT HER RIGHT WRIST. I ASKED [REDACTED] IF SHE WISHED TO SEE BY PARAMEDICS SHE REFUSED. AS WE SPOKE [REDACTED] TOLD ME SHE WAS RECENTLY FIRED FROM HER JOB AND HAD NO INSURANCE. I THEN INSISTED SHE LET THE PARAMEDICS TOOK AT HER WRIST AND TOLD HER SHE COULD REFUSE TREATMENT WITH THEM. [REDACTED] AGAIN REFUSED STRESSING SHE HAD NO JOB OR INSURANCE. I TOLD HER SHE DID NOT NEED TO PAY THE AMBULANCE IF SHE WAS NOT TAKEN TO THE HOSPITAL. SHE TOLD ME IF THE PAIN GOT WORSE SHE WOULD GO TO THE HOSPITAL. I ASKED HER IF SHE DID NOT HAVE THE MONEY TO SEE PARAMEDICS HOW WAS SHE GOING TO PAY FOR A HOSPITAL. [REDACTED] ASKED ME IF THE SIDEWALK WAS THE PROPERTY OF THE VILLAGE OF ELMWOOD PARK. I TOLD HER IT WAS BUT THE ICE WAS AN ACT OF GOD NOT A LIABILITY OF THE VILLAGE. I EXPLAINED IN THE EXTREME COLD PEOPLE NEEDED TO TAKE CARE IN WALKING ON SNOW / ICE COVERED SIDEWALKS AND STREETS. [REDACTED] LEFT ME AND WENT BACK TO HER HOME AT [REDACTED]

I CHECKED THE SIDEWALK WHERE [REDACTED] REPORTED FALLING. THE SIDEWALK HAD BEEN CLEARED OF THE PRIOR SNOW AND ONLY HAD ONE ICE PATCH IN ONE OF THE 5 SQUARES IN FRONT OF 2422 79TH AVENUE.

PHOTOS TAKEN OF THE SCENE WHERE FALL TOOK PLACE.

UPON COMPLETION OF THIS REPORT I RETURNED TO PATROL.