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March 14, 2019

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IN REPLY REFER TO FILE NO.

EP-1

Krystall Meyers  
Illinois Gaming Systems  
4534 Industrial Avenue, Suite A  
Springfield, IL 62704  
[Krystall@illinoisgamingsystems.com](mailto:Krystall@illinoisgamingsystems.com)

**Re: Freedom of Information Act Request**

Dear Ms. Meyers:

On March 5, 2019, the Village of Elmwood Park received your Freedom of Information Act (5 ILCS 140/1 *et seq.*) ("FOIA") request for the following records:

"...a copy of the police report for the break in that happened at Elmwood Family Restaurant..."

Your request has been granted in part and denied in part. Enclosed are records responsive to your FOIA request. However, please be advised that certain information in the records being provided has been determined to be exempt from disclosure under FOIA, and that 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 such as home or personal telephone numbers and home addresses 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

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from disclosure. Consequently, birthdates, an individual's race, a victim's name and identifying information, the names and identifying information of suspects who were never arrested, third party's name and identifying information, a minor's name and identifying information, and other personal information, the disclosure of which would constitute a clearly unwarranted invasion of personal privacy, have been redacted from the records 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 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 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 2<sup>nd</sup> Street  
Springfield, Illinois 62706  
Fax: 217-782-1396  
E-mail: [publicaccess@atg.state.il.us](mailto: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

  
Peter A. Pacione

Enclosures