



STATE OF INDIANA

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ANALYSIS

The public policy of the APRA states that “(p)roviding persons with information is an essential function of a representative government and an integral part of the routine duties of public officials and employees, whose duty it is to provide the information.” *See Indiana Code § 5-14-3-1*. The Lake County Sheriff is a public agency for the purposes of the APRA. *See Indiana Code § 5-14-3-2(n)*. Accordingly, any person has the right to inspect and copy the Sheriff’s disclosable public records during regular business hours unless the records are protected from disclosure as confidential or otherwise exempt under the APRA. *See Indiana Code § 5-14-3-3(a)*.

It appears as if the documents requested were a potential casualty of the prison mail system which is a known factor to this Office. The Sheriff’s Department has provided an incident report relative to the incident. As for any recordings not retained, the Indiana Archives and Records Administration had not published the retention schedule for public safety agencies, which is now in effect (ratified March 15, 2017) and can be found at this link: http://www.in.gov/iara/files/county_publicsafety.pdf.

CONCLUSION

Based on the foregoing, it is the Opinion of the Public Access Counselor the Lake County Sheriff has not violated the Access to Public Records Act.

Regards,

Luke H. Britt

A handwritten signature in black ink, appearing to read "L. Britt", written over a light gray rectangular background.

Public Access Counselor

Cc: Dennis M. Eaton