



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*. Evansville City Engineering Department 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 City'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)*.

Based on the City's concession, it appears as if the City is in non-compliance with the law for not acknowledging the Complainant's request. I trust the City will update its personnel on the requirements of the APRA. Furthermore, the City should be advised this Office has a training program as a resource. If it so chooses, the PAC can conduct an educational seminar bringing new and existing employees up to speed on the obligations of the APRA and Open Door Law.

CONCLUSION

Based on the foregoing, it is the Opinion of the Public Access Counselor the Evansville City Engineering Department has acted contrary to the APRA for failing to acknowledge an Access to Public Records request.

Luke H. Britt

A handwritten signature in black ink, appearing to be "LH Britt", written in a cursive style.

Public Access Counselor

Cc: Mr. Dirck Stahl, Esq.