



# STATE OF INDIANA

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March 6, 2015

Mr. Gary F. Otto #905901  
Putnamville Correctional Facility  
1946 West US Highway 40  
Greencastle, IN 46135

*Re: Formal Complaint 15-FC-39; Alleged Violation of the Access to Public Records Act by the Indiana Department of Correction, Cliff Program State Farm*

Dear Mr. Otto,

This advisory opinion is in response to your formal complaint alleging the Indiana Department of Corrections ("DOC"), violated the Access to Public Records Act ("APRA") Ind. Code § 5-14-3-1 *et. seq.* Pursuant to Ind. Code § 5-14-5-10, I issue the following opinion to your formal complaint received by the Office of the Public Access Counselor on January 15, 2015.

## BACKGROUND

Your complaint dated February 1, 2015 alleges the Indiana Dept. of Correction, Cliff Program and Ms. Kala Morgan, Counselor, failed to provide the documentation you requested.

On January 16, 2015, you requested a copy of each "Weekly" you turned in from February 2014 to January 2015. You also requested printouts of any Cliff "Progress Reports" done from February 2014 to February 2015. The DOC has not responded to your complaint.

## DISCUSSION

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 Ind. Code § 5-14-3-1.



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Please be advised that without the benefit of your original request I cannot definitively state whether the DOC properly received it or if it was submitted in a manner consistent with standard operating procedure. Moreover, you have not identified whether the "Cliff Program" is a public agency or is part of the DOC. Without this information, I am unable to make a determination.

Regards,

A handwritten signature in black ink, appearing to read "LHB", written in a cursive style.

Luke H. Britt  
Public Access Counselor