



STATE OF INDIANA

Mike Braun, Governor

PUBLIC ACCESS COUNSELOR
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ANNUAL REPORT OF THE INDIANA PUBLIC ACCESS COUNSELOR

To the Indiana General Assembly

July 1, 2025, through June 30, 2026

Pursuant to Indiana Code (IC) 5-14-4-12, the Indiana Public Access Counselor (PAC) submits this annual report of activities for the time period covering July 1, 2025, through June 30, 2026 (FY26).¹ Part I is a narrative summary of the activities of the PAC. Part II includes the information required to be submitted pursuant to IC 5-14-4-12.

PART I

Narrative Summary

On March 31, 2025, Governor Mike Braun appointed Jennifer Ruby as Indiana's eighth Public Access Counselor. In addition to the Counselor, OPAC has two full-time employees: a Deputy Public Access Counselor and a Paralegal on loan from the Office of Administrative Law Proceedings.

Advisory Opinions

OPAC received 679 formal complaints in FY26. For FY26, OPAC issued 134 advisory opinions in response to formal complaints.² Wherever possible OPAC takes a proactive position in resolving complaints during the adversarial complaint process to reduce the number of opinions issued.

Telephone and Email Inquiries

Under IC 5-14-4-10(5), OPAC is charged with responding to informal inquiries. OPAC has regular interaction with the public, state offices, as well as county, city, town and township governments and elected officials in all 92 counties of Indiana.

OPAC collectively received and responded to over 6,000 emails during the reporting period. In addition, OPAC handled approximately 3,700

¹ Data for this report was collected through June 25, 2026, to allow time for the report's preparation.

² Several opinions are pending at the time of the submission of the report.

telephone calls during the reporting period. These are estimated numbers based on OPAC's weekly volume of phone calls and emails. The range was between 40 and 150 calls and emails per business day.

Education and Presentations

Under IC 5-14-4-10(1), it is OPAC's duty to train public officials and educate the public on the rights and responsibilities of public agencies under Indiana's public access laws. In FY26 the PAC gave five (5) educational presentations, provided to over 1000 public agencies. Educational presentations increase the general public's awareness of Indiana's public access laws and public officials' capacity to respond to requests with better operational practices. These better practices reduce the number of complaints filed. OPAC will work to improve and expand educational opportunities.

Guidance Provided

In FY26, OPAC published guidance on the new live-streaming statutory requirement in Indiana's Open Door Law that came into effect on July 1, 2025. OPAC fielded an increased number of calls and emails related to this new requirement as well as the first complaints related to the requirement.

Additionally, OPAC fielded an increase in calls related to public records requests that contained phishing attempts and an increase in the number of suspected data-scraping requests—particularly from out-of-state entities. OPAC worked with the Indiana Office of Technology ("IOT") to notify State and local governments of these emerging issues and provided guidance to public agencies. HEA 1360 will help assuage many of these issues.

New Legislation Impacting OPAC – HEA 1360

Governor Mike Braun signed [House Enrolled Act 1360 \(HEA 1360\)](#) on March 4, 2026, and the new law takes effect on July 1, 2026.

In recent years, public agencies have reported an increasing number of bulk public records requests that appear to originate from automated sources rather than individuals. Additionally, public agencies reported a growth of phishing attempts when reviewing requests that have been submitted via email. The increasing number of requests, together with the rise of data scraping and automated systems employed by certain organizations to aggregate data for commercial purposes, resulted in significant strain on public agency resources. To address this growing trend, HEA 1360 makes several significant changes to Indiana's APRA. The changes modernize the public records process and set reasonable limits to protect agency resources.

HEA 1360 also requires OPAC to coordinate with public agencies and compile information from Indiana's public agencies. Specifically, OPAC must track the number and type of requests received and flag patterns tied to automation, phishing, or data scraping. IC 5-14-4-10(8). To support this, public agencies must report certain information to OPAC throughout the year and submit a full annual report each June.

OPAC developed guidance to explain HEA 1360 and its many facets as well as to develop online reporting mechanisms for the public agencies. The online reports include two (2) contemporaneous reports and an annual report so that OPAC can compile the data and share it with General Assembly in its annual report starting next year.

PAC Website

OPAC maintains a website at www.in.gov/pac. The website contains helpful information like the handbook, complaint form, past advisory and informal opinions as well as past annual reports. The PAC collaborated with IOT to improve the search functionality of the website.

PART II Annual Report FY26 - July 1, 2025 to June 30, 2026

Total number of formal complaints received	679
Complaints received from the public	659
Complaints received from the media	20
Complaints received from a government entity	0

Formal complaints by agency type	
State agencies	93
County agencies	189
City agencies	150
Town agencies	103
Township agencies	21
School corporations	58
Other	65

Formal complaints by subject matter	
Access to Public Records Act	530
Open Door Law	110
Both	28
Other ³	10

³ These complaints did not fall into either category; for example, the complaint was not in reference to a specific APRA or ODL issue; the complainant failed to identify the subject matter; or the complainant failed to provide sufficient information.

Total number of formal complaints closed⁴	533
Advisory Opinions Issued	134
Resolved	67
Withdrawn by complainant	13
Rejected ⁵	289
Void ⁶	14
Lawsuit filed during pendency	16
Pending Matters	289
Opinions Pending	21

⁴ Some complaints were received prior to the FY26 reporting period but were resolved or closed during the reporting period.

⁵ Complaints that are summarily dismissed at the outset because: OPAC lacks jurisdiction over the issue raised in the complaint; the complaint is untimely; the responding entity is not a public agency; the complainant failed to properly submit the complaint; or some other similar issue.

⁶ Complaints that are dismissed during the pendency of OPAC's consideration for other reason.