



# STATE OF INDIANA

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March 26, 2026

Re: Complaint 25-FC-190  
Brandi Li (Complainant) v.  
West Lafayette Office of the Clerk (Respondent)

This advisory opinion is issued in response to the above-referenced complaint filed August 2, 2025.

A Notice of Complaint, along with a copy of the complaint, was sent to the Respondent on October 24, 2025, requesting a formal response by November 24, 2025. A formal response, submitted by City Attorney Patrick I. Jones on behalf of Respondent, was received in this office on November 24, 2025.

The complaint alleges that Respondent violated the Access to Public Records Act (APRA) by failing to provide copies of the public records within a reasonable time.

## **ANALYSIS**

The public policy of 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." Indiana Code (IC) 5-14-3-1. Respondent is a public agency for purposes of APRA; and therefore, subject to the requirements. IC 5-14-3-2(q). As a result, unless an exception applies, any person has the right to inspect and copy public records during regular business hours. IC 5-14-3-3(a).

A public agency may not deny or interfere with the exercise of the right stated above. If the public agency does not deny the request, within a reasonable time after the request is received by agency the public agency shall either:

- (1) Provide the requested copies to the person making the request; or
- (2) Allow the person to make copies:
  - (A) on the agency's equipment; or
  - (B) on the person's own equipment.

Complainant stated that on April 29, 2025, she had requested records from Respondent for the following:

1. All traffic impact studies (drafts/final) submitted by SK Hynix or Purdue Research Foundation, including:
  - a. methodology, modeling data, and projected vehicle counts and SK
  - b. correspondence between the City of West Lafayette Hynix/PRF about study revisions.
2. Water and sewer capacity analyses, including:
  - a. SK Hynix's projected daily water usage (groundwater/public supply)
  - b. wastewater discharge permits or pre-application materials
  - c. communications with Indiana Department of Environmental Management (IDEM) regarding capacity concerns.
3. Environmental review documents (even if draft or incomplete), such as:
  - a. noise/air quality studies
  - b. spill prevention plans
  - c. PFAS or other contaminant testing agreements
4. All communications (emails, memos, meeting minutes) between the City and SK Hynix/PRF since January 2023 regarding:
  - a. zoning changes
  - b. traffic studies
  - c. environmental impact claims.

The Respondent acknowledged receipt of the request and after some minor revision of the form. On May 2, 2025, Respondent also acknowledged that it was "currently processing the information through technical support." Both Complainant and Respondent acknowledged that they communicated at least monthly regarding the status of the request. On June 2, 2025, Respondent informed Complainant that the search was returning a large amount of data and asked the Complainant if she would like to refine or reduce the request, to which Complainant declined. Respondent stated that on or about September 9, 2025, the Respondent's IT department submitted 31,963 emails/documents in seven (7) separate batches for review and/or redaction.

In Respondent's formal response, it stated that it could have responded that the request was not reasonably particular and should have required Complainant to refine her request. In light of the opinions of multiple courts referenced in several opinions, this office would concur that Complainant's request was not reasonably particular. *Opinion of the Public Access Counselor 25-FC-074.*

However, the Respondent made the decision to go forward and fulfill the records request and therefore must comply with the provisions of APRA.

APRA does not define the term “reasonable time” as provided above. This office has in the past provided guidance on what would be considered a reasonable time for purposes of compliance with the APRA provisions. An informal benchmark this office observes for a typical response time would be thirty (30) days from the receipt of the request. *Opinion of the Public Access Counselor 20-FC-87.*

However, this office has further observed that many requests cannot be fulfilled within thirty (30) days for a variety of reasons. In those circumstances, this office considers the following factors:

- (1) the size of the public agency;
- (2) the size of the request;
- (3) the number of pending requests;
- (4) the complexity of the request; and
- (5) any other operational considerations or factors that may reasonably affect the public records process.

*Opinion of the Public Access Counselor 20-FC-19.* Since Complainant’s request was not challenged as not being reasonably particular, we must consider what is a reasonable amount of time for Respondent to process approximately 31,963 emails/documents?

The records request was voluminous and complex. The operational limitations were outlined by Respondent as significant time spent to identify the records and then provide those records for review. Respondent, by affidavit of City Clerk Sana Booker, described the limited staff available to review of 31,963 emails/documents as herself and two (2) deputies. Also in her affidavit, she explained that *staff must review each email and document to:*

- a. *ensure it is a responsive document;*
  - i. *if non-responsive, the document is removed.*
  - ii. *if responsive, then determine if the email or document should be excluded from production under Indiana Code § 5-14-3-4.*
    1. *If the item is to be excluded, the document is moved to a collection of excluded information, and a log is updated detailing the item.*
    2. *If not excluded, the content of the email or document is reviewed for any information which is required to be redacted.*
      - a. *If no redactions, the item is produced.*

- b. *If redactions are necessary, the redactions are implemented and noted on a log of redactions stating the rule governing the redaction. The original item is placed in a location for items not to be produced and the redacted item is produced.*

IC 5-14-3-7(a) states that *[a] public agency shall protect public records... and regulate any material interference with the regular discharge of the functions or duties of the public agency or employees.* Responding to APRA requests are a part of the duties of those public employees but are not a requirement that ongoing duties be ignored.

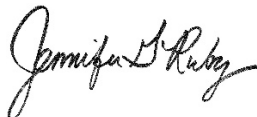
Considering the expansive nature of the record request, the number of documents that were identified in the original request and the limited staff available to review and redact the documents, the response time does not seem to be unreasonable.

The Respondent kept Complainant abreast of the progress and offered an opportunity to refine the request and decrease the number of potentially responsive records for review.

Respondent has supplied Complainant with a portion of the responsive records. As of Respondent's March 18, 2026, Supplemental Letter, an additional 80 MB of data has been provided to Complainant. In total 34 GB of email data was provided for review, almost 10.5 GB has been processed, with approximately 24 GB left for review, processing and release to Complainant.

## **CONCLUSION**

This office finds that the Respondent did not violate APRA as it updated Complainant regularly and released requested documents as they became available. Given the size of the request and the review required, the response time is reasonable.



Jennifer G. Ruby  
Public Access Counselor