



STATE OF INDIANA

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March 30, 2026

Re: Complaint 25-FC-193
Mindi M. Morris, MD (Complainant) v.
Princeton Mayor's Office (Respondent)

This advisory opinion is issued in response to the above-referenced complaint filed August 26, 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 James G. McDonald, III of the McDonald Law Office on behalf of Respondent, was received in this office on November 3, 2025.

The complaint alleges that Respondent violated the Access to Public Records Act (APRA) by failing to respond within the required seven (7) days of the APRA submission and failing to provide a copy of or access to the Respondent's video recording of an incident at the public pool.

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).

Complainant states that on August 18, 2025, she hand-delivered her request to inspect or obtain a copy of any video recording of an interaction between the Complainant's daughter and the pool supervisor at the Princeton Aquatic Center on July 4, 2025. Complainant states that Respondent did not respond within seven (7) days.

APRA states that if a person makes a request by phone or in person, the public entity needs to acknowledge the request within 24 hours. However, if a person submits the request by email, fax or postal mail, the public entity has seven (7) days to acknowledge the request. If the request is not acknowledged within these timeframes, it is considered a constructive denial. IC 5-14-3-4.4(c)(1) & (2). Once the public entity has acknowledged the request, it has additional "reasonable" time to research and

produce the documents that have been requested. *Opinion of the Public Access Counselor 25-FC-096.*

Complainant states that she hand-delivered the request to the Mayor's Office on August 18, 2025. If the request was hand-delivered and accepted by any staff person within the Mayor's Office, then this would satisfy the acknowledgement requirement at the time of hand delivery, which would be within the required 24 hours. Neither Complainant nor Respondent was specific about the hand-delivery, receipt, or acknowledgement of the request on August 18, 2025.

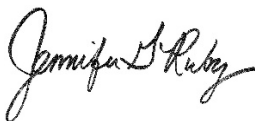
Next, we can look at the dates involved. Complainant delivered her request to the Mayor's Office on August 18, 2025. On August 25, 2025, two (2) different things happened: 1) Complainant followed up by phone regarding her records request and 2) Respondent responded to Complainant's record request through its counsel James G. McDonald, III, by mailing a letter explaining the records were not available. August 25 minus August 17, 2025, is seven (7) days. At that time Complainant received a response, not just an acknowledgement.

As to the records request itself, the formal response by Respondent does not invoke an exclusion or exception to disclosure of the record as requested. The response states that Princeton Aquatics Center's network system, "presently in place stores videos for approximately thirty-five (35) days. Regretfully, the footage on July 4, 2025, is not available due to the storage limitations." This office presumes that the video requested is rolling security footage of the facility and as such those videos are either destroyed or reused on a thirty-five (35) day rotation.

As Complainant requested the video footage on August 18 for July 4, 2025, approximately forty-five (45) days had lapsed. Therefore, the video footage may not have been available on the day that the Complainant requested it. APRA does not require the production of records that do not exist. *Opinion of the Public Access Counselor 25-FC-112.*

CONCLUSION

This office finds that the Respondent likely did not violate APRA in acknowledging Complainant's request within the first twenty-four (24) hours of hand-delivery and did respond to Complainant in approximately seven (7) days. Further, this office finds that Respondent did not violate APRA when it failed to provide copies of a video which no longer existed at the time of Complainant's request.



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