



# STATE OF INDIANA

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April 17, 2026

Re: Complaint 25-FC-240  
William Stroup (Complainant) v.  
Indianapolis Metropolitan Police Department (Respondent)

This advisory opinion is issued in response to the above-referenced complaint filed September 13, 2025.

A Notice of Complaint, along with a copy of the complaint, was sent to the Respondent on November 3, 2025, requesting a formal response by December 4, 2025. A formal response, submitted by the Anne Harrigan, Chief Legal Counsel on behalf of Respondent, was received in this office on December 4, 2025.

The complaint alleges that Respondent violated the Access to Public Records Act (APRA) by failing to respond to Complainant's records request.

## **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 Respondent's public records during regular business hours. IC 5-14-3-3(a).

Complainant alleges that Respondent failed to respond to its records request in a timely manner. His public records request was submitted in writing by hand delivery to the Office of Corporation Counsel as directed on September 10, 2025, along with a Notice of Tort Claim and Notice of Evidence Preservation Demand. Complainant interpreted the statutory provisions to require a response to the request within twenty-four (24) hours, when this did not occur, then proceeded to file its complaint with this office on September 13, 2025.

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) and (2).

The complaint states that no response was received from the Respondent within twenty-four (24) hours of delivering the written request. The request was delivered to the Office of Corporation Counsel information desk as advised. It also appears that Complainant contacted the Office of Corporation Counsel to verify receipt.

If Complainant's documents were accepted and acknowledged at the time they were delivered or if Complainant successfully verified the Office of Corporation Counsel received them, then they were acknowledged as required under IC 5-14-3-4.4(c). However, if there was no acceptance, verification of receipt or acknowledgement within twenty-four (24) hours, then the request would be considered constructively denied.

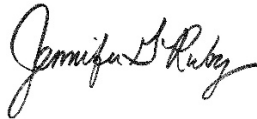
Although the Office of Corporation Counsel processed the Notice of Tort Claim and Notice of Evidence Preservation Demand starting on September 10, 2025, the public records request, also submitted, was not forwarded to Respondent's Legal Unit. Respondent acknowledged that the process for fulfilling the request broke down. The person who received the request should have provided it to Respondent's Legal Unit which is required to input the information into its public records request portal, at which time an automated acknowledgement would have been generated. This did not happen until Respondent received the complaint from our office.

Once receiving the complaint from this office, Respondent acted swiftly to find that the record request had not been handled properly, entered the request into its portal, and took action to fulfill the request. Respondent stated that within seven (7) days certain records were provided to Complainant and much of the request was fulfilled by December 4, 2025.

This office understands that all of the requested records have been provided. Although there was an approximate two (2) month delay in Respondent receiving the request through no fault of Complainant, it completed the request within about another month. Completing the delivery of requested records within ninety (90) days is reasonable.

## **CONCLUSION**

This office finds that the Respondent violated APRA because of the breakdown in process such that the request was not properly received and entered into its system for review and response. However, Respondent acknowledged this, corrected the issue as soon as it was made aware, and then provided Complainant the records within a reasonable timeframe.

A handwritten signature in black ink, appearing to read "Jennifer G. Ruby". The signature is written in a cursive, flowing style.

Jennifer G. Ruby  
Public Access Counselor