



STATE OF INDIANA

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July 31, 2026

Re: Complaint 25-FC-298
Chris A. Hartman (Complainant) v.
Town of Palmyra (Respondent)

This advisory opinion is issued in response to the above-referenced complaint filed October 15, 2025.

A Notice of Complaint, along with a copy of the complaint, was sent to the Respondent on October 22, 2025, requesting a formal response by November 20, 2025. A formal response, submitted by Attorney Coy Travis of Coy Travis Law on behalf of Respondent, was received in this office on December 11, 2025.

The complaint alleges that Respondent violated the Access to Public Records Act (APRA) by failing to provide copies of the requested records.

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 filed an APRA request on September 16, 2025, for:

- 1) Documents related to the general operation and administration of the Town,
- 2) Founding documents of the Town,
- 3) Current Ordinances and Official Records of the Town – last 3 years
- 4) Minutes and Administrative activities of the Board – last 3 years

The same day, September 16, 2025, Respondent's Clerk-Treasurer's office acknowledged the request and invited Complainant to come into the office and review the records during regular business hours.

The Complainant, Respondent's Clerk-Treasurer and Respondent's Attorney exchanged numerous emails regarding the requests, accessibility of the office, and the completeness of the records produced or inspected in the office. Ordinances and minutes were supplied in a digitized format. Respondent's Attorney responded, in part, to this APRA request by notifying Complainant that:

- 1) The Town does not maintain a list of contracts and is not required to create one. Additionally, an offer was made to follow up if the request would be reasonably particular.
- 2) The Nepotism ordinance requested was provided but there were no background details to its adoption since the Attorney did not draft the ordinance. Complainant was referred to the minutes of the meeting where the ordinance was adopted for details of the discussion.
- 3) A response regarding annual training would be reviewed further.

Moreover, Respondent's Attorney invited Complainant to refine his requests to be "reasonably particular" and file them on Respondent's APRA request forms for Respondent to fulfill his requests. Respondent's Attorney also advised Complainant that those requests and responsive materials would be first reviewed by counsel, before release, to determine if the records were disclosable, whether an exception to APRA would apply. IC 5-14-3-4.

APRA requires that record requests "must identify with reasonable particularity the records being requested." IC 5-14-3-3(a)(1). The statutes do not define the term "reasonable particularity".

The Indiana Court of Appeals addressed the meaning of the phrase, "reasonable particularity" in *Jent v. Fort Wayne Police Dept*, 973 N.E.2d 30 (Ind. Ct. App. 2012) which involved a request for daily incident logs. The court concluded that reasonable particularity in a record request "turns in part, on whether the person making the request provides the agency with information that enables the agency to search for, locate, and retrieve the records."

Opinion of the Public Access Counselor 25-FC-112, quoting *22-FC-71*, states that "[r]equiring reasonable particularity relieves a public agency from the guesswork of having to anticipate exactly what a requester is seeking." Numerous other opinions have discussed and held that records requests under APRA must comply with the reasonable particularity provision, such as *Opinions of the Public Access Counselor 25-FC-040 and 25-FC-131*.

Many of Complainant's APRA requests were for broad categories of records, "Current Ordinances and Official Records of the Town" and information rather than records. *Opinion of the Public Access Counselor 25-FC-136, quoting 06-FC-196*, states:

Furthermore, the Public Access Counselor has previously determined a "public agency is not required to compile or create a record to satisfy a person's request for information. Rather, the APRA requires that a public agency make available its current records."

Various records were supplied. However, Complainant's requests lacked reasonable particularity to identify records, compelling Respondent to request narrowing to be reasonably particular. No revised request was submitted that provided the particularity necessary to complete the entire September 16, 2025, request.

Finally, the Respondent has offered access to the office during regular business hours.

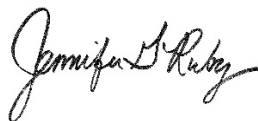
IC 5-14-3-7(a) states that:

[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.

APRA does not require a public agency to abandon routine job responsibilities to address APRA requests but does acknowledge that those requests are part of the routine job responsibilities. It appears that Respondent made multiple efforts to accommodate in office inspection of the records.

CONCLUSION

This office finds that the Respondent did not violate APRA as alleged in the complaint.



Jennifer G. Ruby
Public Access Counselor