



STATE OF INDIANA

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September 14, 2026

Re: Complaint 26-FC-088
Gabriel M. Whitley (Complainant) v.
Indianapolis Metropolitan Police Department (Respondent)

This advisory opinion is issued in response to the above-referenced complaint filed on February 27, 2026.

A Notice of Complaint, along with a copy of the complaint, was sent to the Respondent on March 13, 2026, requesting a formal response by April 13, 2026. A formal response, submitted by Deputy Chief Legal Counsel Daniel Harrison on behalf of Respondent, was received in this office on April 13, 2026.

The complaint alleges that Respondent violated the Access to Public Records Act (APRA) by not timely providing 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(s). 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 February 9 of 2026, seeking information regarding the use the Respondent’s officers at a particular date and location. Complainant then filed a complaint with this office on February 27, 2026, alleging that Respondent “has stalled for a month and has refused to give any documents over....” However, Complainant’s submission shows that less than a month elapsed from the time of submission to his complaint filing.

The APRA request was timely acknowledged by the agency that same day. According to Respondent’s formal response, it responded to the underlying

request on March 5, 2026, after this formal complaint had been filed but prior to receiving notice. The response indicated that the Respondent had no responsive records as there was no IMPD detail assigned at that particular date and location.

As a threshold to filing a formal complaint, APRA provides the following requirement in relevant part:

(a) A person or a public agency that chooses to file a formal complaint with the counselor must file the complaint not later than thirty (30) days after:

(1) the denial...

IC 5-14-5-7. Here, no denial occurred.

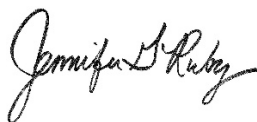
APRA provides that if the public agency does not deny the request, within a reasonable time after the request is received by the agency the agency shall provide the requested copies to the person making the request. IC 5-14-3-3(b).

APRA does not define the term “reasonable time”. 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. *Advisory Opinion of the Public Access Counselor 20-FC-87.*

The Respondent fulfilled its obligation under the APRA request within the 30-day informal benchmark observed under APRA for a reasonable amount of time as the request was made on February 9, 2026, and responded to on March 5, 2026 - a total of 24 days lapsed.

CONCLUSION

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



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