



# STATE OF INDIANA

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May 18, 2026

Re: Complaint 25-FC-254  
Andrew-John: O'Shea (Complainant) v.  
Howard County (Respondent)

This advisory opinion is issued in response to the above-referenced complaint filed September 24, 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 Alan Wilson, Howard County Attorney on behalf of Respondent, was received in this office on January 15, 2026.

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 July 14, 2025, seeking:

- 1) The name and address of any bonding company, surety or insurance company provider.
- 2) The bond amount, bond number and any related instruments, including applicable riders, endorsements or claims filed.
- 3) Any liability insurance policies covering a specific named individual.

- 4) Any contracts or agreements outlining terms of public service or employment or public service.
- 5) Any policies or procedures governing bonding, insurance, indemnification, or liability for public officers, deputies or agents.
- 6) The name and contact information for the Risk Management Officer responsible for oversight of such matters.

Respondent submitted a response to Complainant on August 27, 2025, stating that most of the requested items were not reasonably particular to conduct a search and that most of the request were requests for information, rather than records. Respondent cited IC 5-14-3-3(a). Respondent produced the copy of the liability policy requested, denied that the specified individual was an employee of Howard County, and therefore, had none of the requested records, and referred Complainant to the Indiana Code for statutory bonding requirements.

Complainant takes exception to the response of Respondent in that specific statutory cites were not given for the denials as set forth in APRA. However, as above, Respondent provided documentation where IC 5-14-3-3(a) was cited as to the *reasonable particularity* issues.

APRA provides that a request for inspection or copying of a record must identify with *reasonable particularity* the record being requested. IC 5-14-3-3(a). This is the provision that the Respondent cited in its denial. *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*.

Complainant alleges that Respondent violated the APRA provision for not giving a reason for the denial pursuant to IC 5-14-3-9 and not disclosing the person responsible for the denial. APRA provides, if a request for records is made in writing then a public agency may deny the request if the denial is in 1) writing, and 2) the denial includes a) a statement of the specific exemption or exemptions authorizing the withholding of all or a part of the public record; and b) the name and the title or position of the person responsible for the denial.

Respondent did not deny the request or withhold records pursuant to a statutory exemption. Therefore, there were no exemptions to cite. Respondent denied the request for lack of *reasonable particularity* and cited the statutory provision. The response was submitted by the Howard County Attorney on the County letterhead and clearly identified the party making the denial.

## **CONCLUSION**

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

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