



STATE OF INDIANA

MITCHELL E. DANIELS, JR., Governor

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October 11, 2011

John Fearing
210 S. 22nd St
Richmond, Indiana

Informal Inquiry 11-INF-57; Reasonable Particularity

John,

The Richmond Police Department has provided that in order to provide a copy of a report you must provide the date, time, location, and involved parties names in order for it to be able to search the state database and retrieve the report for printing. The APRA requires that a records request "identify with reasonable particularity the record being requested." I.C. § 5-14-3-3(a)(1). "Reasonable particularity" is not defined in the APRA, but the public access counselor has repeatedly opined that "when a public agency cannot ascertain what records a requester is seeking, the request likely has not been made with reasonable particularity." Ops. of the Public Access Counselor 10-FC-57; 08-FC-176. However, because the public policy of the APRA favors disclosure and the burden of proof for nondisclosure is placed on the public agency, if an agency needs clarification of a request, the agency should contact the requester for more information rather than simply denying the request. See generally IC 5-14-3-1; Opinion of the Public Access Counselor 02-FC-13.

Here, it would appear that you are able to identify the date, time, and location of the accident. After reviewing the buycrash.com search engine, I observed that a search of the database is possible with only providing the date of the incident and the Police Agency involved; or alternatively the report number. If you still are unable to locate a copy of the report after providing the identifiers listed above, I would encourage you to contact the Richmond Police Department and provide all identifying information that you have in your possession to allow the Department to search the state database. Also, further information regarding the accident may be available in your arrest report, which the Department has provided the necessary steps to receive a copy of.

Please let us know if we can be of any further assistance.

Best regards,

A handwritten signature in black ink, appearing to read "J. Hoage". The signature is written in a cursive style with a large initial "J" and a distinct "Hoage" at the end.

Joseph B. Hoage
Public Access Counselor