



STATE OF INDIANA

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November 4, 2019

Town of Highland
Michael Griffin, Clerk-Treasurer
3333 Ridge Road
Highland, IN 46322

VIA EMAIL: mgriffin@highland.in.gov

Re: Informal Inquiry 19-INF-16; Home Addresses in Meeting Minutes

Dear Mr. Griffin,

This is in response to the informal inquiry you submitted to our office on September 3, 2019. Specifically, you inquire as to whether a resident who frequently attends meetings can request to have his remarks from a public comment forum redacted as to his home address. Name and address are traditionally required before an individual can give remarks to the Town Council.

Under the Open Door Law, the requirements for minutes are fairly straightforward and found at Indiana Code section 5-14-1.5-4(b). Minutes (or memoranda) must be kept to include the following items:

- (1) The date, time, and place of the meeting.
- (2) The members of the governing body recorded as either present or absent.
- (3) The general substance of all matters proposed, discussed, or decided.
- (4) A record of all votes taken by individual members if there is a roll call.
- (5) Any additional information required under section 3.5 or 3.6 of this chapter or any other statute that authorizes a governing body to conduct a meeting using an electronic means of communication.

Notably, nothing in the statute mandates that public commenters be recorded for posterity purposes. I believe it is sufficient to simply denote that a public comment period took place, and the names of who chose to speak and regarding what subject matter. Addresses would be superfluous to the recording of minutes for official purposes.

As far as redacting those minutes which have already been documented, the Access to Public Records Act does not specifically declare home addresses to be confidential in the milieu of public meetings. That written, there are indeed certain portions of the statute which do declare home addresses to be confidential in other contexts. My recommendation is to redact the house number unless a requester of the minutes absolutely insists that they be unredacted.

Alternatively, if the Council wishes for a commenter to declare residency before speaking, perhaps neighborhood or general area of residency be required instead of specific home address.

Please do not hesitate to contact me with any questions.

Best regards,

A handwritten signature in black ink, appearing to read 'LHB', with a long, sweeping underline.

Luke H. Britt
Public Access Counselor