



STATE OF INDIANA

MITCHELL E. DANIELS, JR., Governor

PUBLIC ACCESS COUNSELOR
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September 21, 2012

Mr. Randall S. Tison
DOC 127788
P.O. Box 1111
Carlisle, Indiana 47838

Re: *Formal Complaint 12-FC-276*

Dear Mr. Tison:

This advisory opinion is in response to your formal complaint, 12-FC-276, filed on September 14, 2012.

In your formal complaint form, you provide that "Darren Newman (Court Reporter)" is the public agency that denied your request for records pursuant to the APRA. Your original request for records was submitted to "Darren Newman, Debbie Caswell, and Farris Reporting." As Mr. Newman, the individual listed as the public agency in your formal complaint form, is not considered to be a public agency pursuant to I.C. § 5-14-3-2(m), your formal complaint has been rejected. I have enclosed a copy of a formal complaint form, should you wish to re-file a properly completed complaint.

I would note that the APRA requires a public agency to provide one copy of a disclosable public record but does not require an agency to provide additional copies or to repeatedly provide copies of a particular record. See I.C. § 5-14-3-8(e). A public agency would not violate the APRA by failing to provide multiple copies of an identical record. The plain language of your complaint provides that you have already been provided with a copy of the record that you seek. Our office has issued multiple opinions that have provided that a public agency is not required to provide duplicative copies of the same record. See *Opinions of the Public Access Counselor 07-FC-19; 08-FC-75; 08-FC-259; 12-FC-208*. Further, a Court would not violate the APRA in failing to provide a copy of the audio recordings of a hearing, *if* it has previously provided a copy of a written transcript. See *Opinions of the Public Access Counselor 07-FC-185 and 12-FC-45*.

Please let me know if I may 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" following.

Joseph B. Hoage
Public Access Counselor