



STATE OF INDIANA

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November 21, 2025

Re: Complaint 25-FC-040
Kenneth Kingshill (Complainant) v.
Town of Whitestown (Respondent)

This advisory opinion is issued in response to the above-referenced complaint dated March 17, 2025.

A Notice of Complaint, along with a copy of the complaint, was sent to the Respondent on March 27, 2025, requesting a formal response by April 22, 2025. A formal response, submitted by Ashley M. Ulbricht of the Taft Law Firm on behalf of Respondent, was received in this office on April 22, 2025.

The complaint alleges that Respondent violated the Access to Public Records Act (APRA) by denying the records request for lack of reasonable particularity necessary to identify the 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 is to provide the information." Indiana Code (IC) 5-14-3-1.

Complainant filed a request for copies of public records on February 4, 2025. There were eight (8) categories of documents requested many of which began "All documents, records, email messages and/or internal memorandum dating from January 1, 2015 to the present...". The remainder of the requested categories specified "missed or late payments by the Town", "late fees and/or charges incurred by the Town", payments or insurance claims resulting from computer scam or phishing incident including public relation responses thereto and "payroll errors made by the Clerk-Treasurer's office". Other requests asked for certain job descriptions and other employee security issues.

Respondent stated that the record request generally lacked "reasonable particularity" in order to identify the records being requested. Respondent did supply certain records, including requested job descriptions, where it could identify such records.

APRA requires that record requests “must identify with reasonable particularity the records being requested.” IC 5-14-3-3(a)(1). The statutes do not define the term “reasonable particularity”.

Respondents denied the majority of the record request based upon the lack of reasonable particularity. Respondent’s formal response cited an advisory opinion of this office that held that the sort of language “all contracts and agreements for multiple years” is generally not considered a reasonably particular request. *Justice v. Town of Upland*, Formal Advisory Opinion No.22-FC-71.

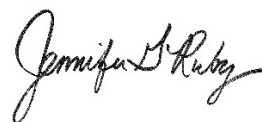
The Indiana Court of Appeals addressed the meaning of the phrase in *Jent v. Fort Wayne Police Dept*, 973 N.E.2d 30 (Ind. Ct. App. 2012) which involved a request for daily incident logs. The court concluded that reasonable particularity in a record request “turns in part, on whether the person making the request provides the agency with information that enables the agency to search for, locate, and retrieve the records.”

The record request also sought copies of email messages for certain purposes, but failed to identify sender and recipient. This office has given guidance on the four (4) aspects of what is required to identify emails for purposes of record requests. The aspects are 1) a named sender, 2) a named recipient, 3) a reasonable time frame, and 4) a subject matter or set of unique and connected words. *Wolfe v. Indiana State Police*, Formal Advisory Opinion No 23-FC-59 (2023). In *Anderson v. Huntington County Bd. Of Commissioners*, 983 N.E.2d 613 (Ind. Ct. App. 2013) the Indiana Court of Appeals held that an identified sender and recipient of an email are necessary for a request to satisfy APRA’s reasonable particularity standard.

Respondent supplied records to Complainant where Respondent was able to identify the records requested. However, the Respondent notified the Complainant on March 5, 2025, that the majority of Complainant’s request was too broad and requested that Complainant narrow the request so Respondent could provide the requested records. Complainant did not resubmit his request with narrowed parameters. This office also finds that the request lacks the reasonable particularity to identify the desired records.

CONCLUSION

This office finds that Respondent did not violate the APRA by denying Complainant’s request for lack of reasonable particularity needed to identify the desired records.



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