



STATE OF INDIANA

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Re: Complaint 25-FC-139
Brielle La Fontaine (Complainant) v.
Valparaiso Police Department (Respondent)

This advisory opinion is issued in response to the above-referenced complaint filed on September 28, 2025.

A Notice of Complaint, along with a copy of the complaint, was sent to the Respondent on October 28, 2025, requesting a formal response by November 26, 2025. A formal response, submitted by Patrick Lyp, City Attorney on behalf of Respondent, was received in this office on November 21, 2025.

The complaint alleges that Respondent violated the Access to Public Records Act (APRA) by failing to provide the copies of the requested records and communications primarily regarding an incident on February 22, 2025.

ANALYSIS

The public policy of APRA states that “[p]roviding persons with the 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).

The Complainant alleges that Respondent violated APRA when it failed to respond to the record request of July 2, 2025. The records request sought the: 1) K-9 deployment logs of two (2) Valparaiso police officers, 2) Miranda procedure policies and bodycam muting protocols, 3) specific officer’s traffic stop history and 4) DCS communications regarding kinship placement decisions.

Respondent, in its formal response, states that numerous record requests were submitted by Complainant, some of which were duplicative, and those requests were fulfilled. Respondent detailed those requests and the accompanying responses. In all cases the response appears to be within the reasonable time requirement of the statute. IC 5-14-3-3.

Specifically, Respondent states that the K-9 deployment logs and Miranda procedures and policies were provided to Complainant on August 22, 2025. The body worn camera policies were provided to Complainant on July 15, 2025, while acknowledging that Respondent does not have a policy for muting/pausing body worn cameras. The traffic stop history, as requested, was provided to Complainant on August 22, 2025.

Respondent provided copies of record requests and the Respondent's communications with Complainant when those requests were fulfilled. This office does not find a remaining issue of outstanding records request.

Respondent did not respond to the complaint's allegation that the request for Indiana Department of Child Services (DCS) communications, presumably with Respondent and DCS, regarding kinship placement decisions. A review of the documentation of the requests for records submitted by Complainant and related responses, prepared by Respondent, revealed Complainant made no information request of Respondent for DCS communications. Additionally, unless those communications involve Respondent in some form, Respondent has no access to the records in order to provide them. Therefore, this element of the complaint is not addressed.

CONCLUSION

This office finds that the Respondent did not violate APRA in responding to the records request as received by the Respondent.



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