



STATE OF INDIANA

MIKE BRAUN, Governor

PUBLIC ACCESS COUNSELOR
BRITTNEY A. LONG

Statehouse Room 105
200 West Washington Street
Indianapolis, Indiana 46204-2745
Telephone: (317) 234-0906
Fax: (317) 233-3091
Toll Free: 1-800-228-6013
Email: pac@opac.in.gov
Website: www.IN.gov/pac

October 16, 2026

Re: Complaint 26-FC-109
Robert Haskins (Complainant) v.
Fort Wayne Police Department (Respondent)

This advisory opinion is issued in response to the above-referenced complaint filed on March 9, 2026.

A Notice of Complaint, along with a copy of the complaint, was sent to the Respondent on March 17, 2026, requesting a formal response by April 15, 2026. No formal response was received from Respondent concerning the complaint.

The complaint alleges that Respondent violated the Access to Public Records Act (APRA) when it denied his fee waiver request regarding paying fees for his requested 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 it is to provide the information." 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(s). 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).

On February 23, 2026, Complainant filed an APRA request through an online portal. The request was for:

- 1) Incident, offense, arrest, and supplemental reports, including face sheets and narratives, for the identified incident/offense numbers and any other FWPD incident numbers on 09/02/2025-09/04/2025 involving the above-named individuals.

- 2) CAD/dispatch logs, call-for-service records, and disposition codes for the identified events, including unit history and timestamps.
- 3) 911 audio recordings (and associated CAD event numbers) for the identified events;
- 4) Law-enforcement recordings (body-worn camera and in-car/dash video) for responding officers to the identified events. If copying is restricted, please schedule an appointment for viewing consistent with FWPD policy; requester agrees to viewing in a secure area, with redactions, without recording, and with note-taking only.
- 5) Photographs, scene diagrams, and any digital media collected for the identified incidents.
- 6) Property/evidence sheets, evidence logs, and chain-of-custody records related to items collected for the identified incidents.
- 7) Arrest/booking sheets and arrest summaries in FWPD's possession for the identified incidents.
- 8) Any affidavits authored by a detective or officer (including detective affidavits or probable-cause-related affidavits) concerning the identified incidents/offenses. If treated as investigatory records, please produce all reasonably segregable, non-exempt portions and cite the specific basis for any withheld portions.
- 9) Witness/victim statements, interview recordings/transcripts, and supplemental detective notes or case summaries in FWPD's possession concerning the identified incidents/offenses. To the extent any portion is withheld as an investigatory record or on another exemption, please disclose all segregable factual portions and provide the statutory basis for each withholding.
- 10) Any records showing service or attempted service by FWPD of criminal no-contact orders or civil protection orders involving these parties within the date range, including proof/return of service, if maintained by FWPD.

Respondent provided a response on February 23, 2026. Part of the response included notification of fees assessed for the Respondent to provide body/dash camera video, photos, 911 Records Standard Fee, and 911 Records Additional Fee. The total for all is \$115.00.

On March 9, 2026, Complainant requested a fee waiver due to being a medically documented disabled individual. On the same date, Respondent indicated after consulting with city legal, the fee would not be waived.

Indiana Code 5-14-3-8 allows for public agencies to charge reasonable fees for producing public records. "The fee may not exceed the average cost of copying records by state agencies or ten cents (\$0.10) per page, whichever is greater. IC 5-14-3-8(c).

In addition, "providing a duplicate of a computer tape, computer disc, microfilm, law enforcement recording, or similar or analogous record system containing information owned by the public agency or entrusted to it, a public agency may charge a fee, uniform to all purchasers, that does not exceed the sum of the following:

- (1) The agency's direct cost of supplying the information in that form. However, the fee for a copy of a law enforcement recording may not exceed one hundred fifty dollars (\$150).
- (2) The standard cost for selling the same information to the public in the form of a publication if the agency has published the information and made the publication available for sale.
- (3) In the case of the legislative services agency, a reasonable percentage of the agency's direct cost of maintaining the system in which the information is stored. However, the amount charged by the legislative services agency under this subdivision may not exceed the sum of the amounts it may charge under subdivisions (1) and (2)."

IC 5-14-3-8(g).

Nothing in the APRA requires that a public agency waive a copying fee.
Opinions of the Public Access Counselor 11-FC-34 and 10-FC-59.

CONCLUSION

This office opines that the Respondent did not violate APRA.

A handwritten signature in black ink, appearing to read "Brittney A. Long". The signature is stylized with a large, looped "B" and a long, sweeping "L" at the end.

Brittney A. Long
Public Access Counselor