



**OFFICE OF THE PROSECUTING ATTORNEY
ERIC M. HOFFMAN, PROSECUTOR
46TH JUDICIAL CIRCUIT
DELAWARE COUNTY, INDIANA**

100 W. MAIN STREET, ROOM 312
MUNCIE, IN 47305

TELEPHONE 765-747-7801
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**Access to Public Records Act (APRA)
Request for Public Documents Form**

Date (month, day, year):		<i>(Internal use only Date Received)</i>		
Requester Name:				
Requester Firm/Organization (if applicable):				
Requester Address (number and street):		City:	State:	ZIP Code:
Requester Telephone Number (e.g. business, home, cell):		Requester E-mail Address:		
Please indicate the name and e-mail address <u>or</u> mailing address where the record(s) should be sent, if different from the requester above:				
Identify in detail each record(s)/document(s) that you are requesting: (Use additional pages if necessary.)				
1.				
2.				
3.				
4.				
5.				
6.				
7.				
8.				

**Please complete the form in its entirety and
return it to the Prosecutor's Office in person or by mail to:
100 W. Main Street, Suite 312, Muncie, IN 47305**

Requests for Disclosure of Public Records Guidelines:

Requests for public records are governed by Indiana's Access to Public Records Act (APRA) which has been codified at Indiana Code § 5-14-3 *et seq.*

General Rule: Records of a public agency are public records and must be disclosed upon request, unless the request falls under an exception provided the law. A public agency must state that a record falls under an identified APRA exception in order to withhold a specific record. Some exceptions include:

- Records deemed confidential by law.
- Investigatory records of a law enforcement agency.
- Grand jury documents.
- Attorney and client communications.
- The work product of an attorney.
- Materials relating to the deliberative process.
- Personnel files.
- Criminal intelligence information.

All Requests: A request for inspection or copying must identify with reasonable particularity the record being requested. See IC § 5-14-3-3(a)(1). This means a request must include a description of the record or document with enough detail to allow agency staff to locate and produce the requested record or document. A request for inspection or copying must be in writing on a form provided by the agency. See IC § 5-14-3-3(a)(2). The Delaware County Prosecutor's Office requires that all requests for public records be made on the "Request Form" provided by the Prosecutor's Office. The Request Form must be completed in its entirety and returned by mail or in person to the Delaware County Prosecutor's Office c/o Public Records Request 100 W. Main Street Suite 312, Muncie, IN 47305.

Response by Agency: The APRA requires a public agency to respond to requests within a specified time.

Important Note: This response does not mean that the requested record must be produced at that time. First, the agency must, at a minimum, acknowledge receipt of a request. Second, the record(s), if disclosable, must be produced within a "reasonable time" after the request is received.

Records That Do Not Exist: Under the APRA, an agency is not required to create any record(s) in response to a public record request. An agency is only required to disclose existing records.

Fees: Public agencies may charge fees for copies.

Fee Schedule for copying or printing records is as follows:

- There is no charge for documents that the requester asks be provided by email. This can be done *if* the documents are not voluminous and the file size permits it to be attached to one email. If not, then the requestor must pay for paper copies or for copies to be placed on to a compact disc (CD), digital video disc (DVD)
- \$.10 per one-sided page for black and white standard sized 8.5" x 11" paper records.
- \$.25 per one-sided page for color standard sized 8.5" x 11" paper records.
- \$5.00 per compact disc (CD), digital video disc (DVD) for copying of records onto an electronic storage medium.

Important Note: The fees set forth above are pursuant to Indiana Code § 5-14-3-8. The Prosecutor's Office requires payment for fees in advance. Acceptable forms of payment are: certified check, money order, or Visa and MasterCard. **The fee is to be paid to the Delaware County Clerk's Office.** You will be notified in advance if there is a fee to fulfill your public record request.

Office Hours: The Prosecutor's Office is open from 8:30 a.m. to 4:00 p.m., Monday through Friday, excluding holidays.