



# St. Joseph County Prosecutor's Office

## REQUEST FOR ACCESS TO PUBLIC RECORDS

(See reverse for laws pertaining to the Indiana Access to Public Records Act)

Requestor, please complete the following information\*:

Name					
Address					
City		State		ZIP	
Phone Number		Fax Number			
Email					

(\*This information is not required in order to request documents; however, we ask that you provide an identifier so that we may track the request.)

Description of Request: *(Please describe requested records as specifically as possible.)*

Do you want to  receive a copy of the record?    OR     examine the record?

Signature of Requestor		Date
For Office Use Only		
Received by	Date	Time
Response issued by	Date	Time



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## IC 5-14-3 is the Indiana law pertaining to access to public records

**IC 5-14-3-3(a)** Any person may inspect and copy the public records of any public agency during the regular business hours of the agency, except as provided in section 4 of this chapter. A request for inspection or copying must:

- (1) identify with reasonable particularity the record being requested; and
- (2) be, at the discretion of the agency, in writing or in a form provided by the agency.

**IC 5-14-3-4(b)** Except as otherwise provided by subsection (a), the following public records **shall be excepted** from section 3 of this chapter at the discretion of a public agency [emphasis ours]:

- (1) investigatory records of law enforcement agencies...However, certain law enforcement records **must** be available for inspection and copying as provided in section 5 of this chapter. [Emphasis ours; *Note*: section 5 applies to daily police logs]
- (2) The work product of an attorney representing, pursuant to state employment or appointment by a public agency:
  - (A) A public agency;
  - (B) The state; or
  - (C) An individual

**IC 5-14-3-2(r)** "Public record" means any writing, paper, report, study, map, photograph, book, card, tape recording, or other material that is created, received, retained, maintained, or filed by or with a public agency and which is generated on paper, paper substitutes, photographic media, chemically based media, magnetic, or machine readable media, electronically stored data, or any other material, regardless of form or characteristics.

**IC 5-14-3-2(i)** "Investigatory record" means information compiled in the course of the investigation of a crime.

**IC 5-14-3-2(u)** "Work product of an attorney" means information compiled by an attorney in reasonable anticipation of litigation. The term includes the attorney's:

- (1) notes and statements taken during interviews of prospective witnesses; and
- (2) legal research or records, correspondence, reports, or memoranda to the extent that each contains the attorney's opinions, theories, or conclusions.

**Please note:** If a request was made orally or a written request was hand-delivered, the public agency must respond within 24 hours after the request was received. If a written request was received by the public agency by facsimile, mail, or electronic mail, the public agency must respond within 7 calendar days after the request was received. The response must be either (a) a statement by the agency that the records will be provided and an estimated date by which the records will be produced; (b) a statement by the agency that the request is denied because the records are confidential or nondisclosable and a statement of the statutory authority under which the denial is made; (c) a statement that the agency does not have the requested records; or (d) a statement that the agency may have the requested records and that the agency is reviewing its files and/or retrieving stored files and the estimated date by which the agency will provide an additional response.