

FOR IMMEDIATE RELEASE**June 30, 2017**

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GOVERNOR STONEWALLING RECORDS REQUESTS

Citizens Action Coalition files complaint in Marion County Court

INDIANAPOLIS – Citizens Action Coalition of Indiana (CAC) and Jennifer Washburn, CAC Staff Attorney, filed a complaint in Marion County Court today against the Office of the Governor of the State of Indiana alleging violations of the Indiana Access to Public Records Act (APRA). Among other things, the complaint asks the Court to enter judgement against the Office of the Governor and make available the documents requested by CAC.

The request sought records related to communications between then Governor and Vice President-Elect Mike Pence, then President-Elect Donald Trump, Carrier and Carrier's parent company United Technologies, from November 14, 2016 through November 29, 2016. The original request from CAC was filed on December 27, 2016.

After months of back and forth, on April 13, 2017, the Office of the Governor claimed that CAC's request failed "to satisfy legal requirements under APRA". The Office of the Governor demanded that CAC provide "clarification" of its request, noting that the Indiana Public Access Counselor (PAC) had published numerous opinions regarding the requirement of "reasonable particularity" under APRA.

CAC filed a formal complaint with the PAC on June 1, 2017, alleging that the Office of the Governor had denied disclosure given its lengthy delay in producing documents and its unwarranted and imprecise demand for additional "reasonable particularity". The PAC declined to offer an advisory opinion, instead informally opining that the matter was not "ripe for the adversarial process" because the request was not clarified pursuant to the Governor's demand.

"Our request should have easily met APRA's threshold requirement for reasonable particularity. The Governor's Office is stonewalling production of the documents, hiding from the sunlight of transparency which is essential to good government," stated Kerwin Olson, Executive Director for CAC. "Our request for documents about the Carrier deal was very specific in terms of time frame, and set forth in detail the documents we wanted and still want the Governor's Office to produce."

"If governmental officials can keep demanding increasing levels of specificity of an APRA requestor, it will result in lengthy delays and effectively shift the burden of proof for nondisclosure from the public agency to the citizen seeking access to the public records. This would eviscerate APRA's stated purpose of promoting governmental transparency and insuring that all persons timely receive information they request regarding the affairs of state government," added William Groth, Counsel for CAC.

A copy of the filing and related documents are available upon request.