



June 5, 2024

## VIA ONLINE FORM

The Office of Governor Eric Holcomb  
200 W. Washington Street, Room 206,  
Indianapolis, IN 46204  
Via Online Form

### **Re: Public Records Request**

Dear Public Official:

Pursuant to the Indiana Access to Public Records Act (APRA), Ind. Code § 5-14-3-1 et seq., American Oversight makes the following request for records.

Since April 18, 2024, more than 2,700 people have been arrested or detained on college campuses across the United States.<sup>1</sup> These actions by law enforcement—typically at the request of university leadership—have been driven by a rise in student-led demonstrations related to the Israel-Palestine conflict. American Oversight seeks records with the potential to shed light on state, university, and law enforcement official responses to civic expression on college campuses and related matters of free speech and academic freedom.

### Requested Records

American Oversight requests that your agency produce the following records within seven days:

All electronic communications (including email messages, complete email chains, calendar invitations, text messages, messages on messaging platforms, and any attachments thereto) about on-campus protests and/or Indiana University Bloomington's response to or handling of any student activism, protests, civil disobedience, and or other forms of civic expression on campus related to the conflict in Gaza, between (a) any of the Indiana Governor's Office officials listed below—or anyone communicating on their behalf, such as a chief of staff, assistant, or scheduler—and (b) any of the external officials listed below.

#### Indiana Governor's Office Officials:

1. Indiana Governor Eric Holcomb
2. Earl Goode, Chief of Staff to the Indiana Governor
3. Courtney Arango, Communications Director for the Indiana Governor

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<sup>1</sup> *Where Protestors on U.S. Campuses Have Been Arrested or Detained*, N.Y. Times (May 8, 2024, 4:18 PM), <https://www.nytimes.com/interactive/2024/us/pro-palestinian-college-protests-encampments.html>.



External Officials:

- a. Indiana State Police Superintendent Douglas Carter
- b. Monroe County Prosecutor Erika Oliphant
- c. Pamela Whitten, President of Indiana University
- d. Rahul Shrivastav, Executive Vice President and IU Bloomington Provost
- e. Brenda Stopher, Chief of Staff to the President and Vice President for Strategic Operations at Indiana University
- f. Nancy Paton, Vice President and Chief Communications and Marketing Officer at Indiana University
- g. J.T. Forbes, President and CEO of the IU Foundation
- h. Anthony Prather, Vice President and General Counsel at Indiana University
- i. Michael Huber, Vice President for University Relations at Indiana University
- j. Benjamin Hunter, Associate Vice President and Superintendent for Public Safety at Indiana University
- k. Margo Bennett, Interim Chief of the IU Police Department Bloomington Division
- l. W. Quinn Becker, Chair of the IU Board of Trustees
- m. Cindy Lucchese, Vice Chair of the IU Board of Trustees
- n. Cathy Langham, IU Trustee
- o. Jeremy Morris, IU Trustee
- p. J. Timothy Morris, IU Trustee
- q. Donna Spears, IU Trustee
- r. Isaac Torres, IU Trustee
- s. Vivian Winston, IU Trustee

**Please provide all responsive records from April 11, 2024, through May 4, 2024.**

Pursuant to Ind. Code § 5-14-3-8(b), American Oversight asks that no fees be charged in connection with searching for or reviewing potentially responsive records. To the extent your office anticipates charging any copying fees for this request in excess of \$100, please notify us prior to incurring such fees.

**Guidance Regarding the Search & Processing of Requested Records**

In connection with its request for records, American Oversight provides the following guidance regarding the scope of the records sought and the search and processing of records:

- Please search all locations and systems likely to have responsive records, regardless of format, medium, or physical characteristics. For instance, please search all locations likely to contain communications, including relevant hard-copy files, correspondence files, appropriate locations on hard drives and shared drives, emails, text messages or other direct messaging systems (such as

iMessage, WhatsApp, Signal, or X—formerly Twitter—direct messages), voicemail messages, instant messaging systems such as Lync or ICQ, and shared messages systems such as Slack.

- Our request for records includes any attachments to those records or other materials enclosed with those records when they were previously transmitted. To the extent that an email is responsive to our request, our request includes all prior messages sent or received in that email chain, as well as any attachments to the email.
- Please search all relevant records or systems containing records regarding agency business. Do not exclude records regarding agency business contained in files, email accounts, or devices in the personal custody of your officials, such as, where relevant, personal email accounts or text messages.<sup>2</sup>
- In the event some portions of the requested records are properly exempt from disclosure, please disclose any reasonably segregable non-exempt portions of the requested records.<sup>3</sup> If a request is denied in whole, please state specifically why it is not reasonable to segregate portions of the record for release.
- Please take appropriate steps to ensure that records responsive to this request are not deleted by the agency before the completion of processing for this request. If records potentially responsive to this request are likely to be located on systems where they are subject to potential deletion, including on a scheduled basis, please take steps to prevent that deletion, including, as appropriate, by instituting a litigation hold on those records.

If you have any questions regarding how to construe this request for records or believe that further discussions regarding search and processing would facilitate a more efficient production of records of interest to American Oversight, please do not hesitate to contact American Oversight to discuss this request. American Oversight welcomes an opportunity to discuss its request with you before you undertake your search or incur search or duplication costs. By working together at the outset, American Oversight and your agency can decrease the likelihood of costly and time-consuming litigation in the future.

Where possible, please provide responsive material in an electronic format by email. Alternatively, please provide responsive material in native format or in PDF format on a USB drive. Please send any responsive material being sent by mail to American Oversight, 1030 15th Street NW, Suite B255, Washington, DC 20005. If it will accelerate release of responsive records to American Oversight, please also provide responsive material on a rolling basis.

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<sup>2</sup> See Opinion of Public Access Counselor, 22-FC-13 (2022); see also Informal Inquiry Response of Public Access Counselor, 16-INF-30 (2016).

<sup>3</sup> Ind. Code § 5-14-3-6(a).

## Conclusion

American Oversight is a 501(c)(3) nonprofit with the mission to promote transparency in government, to educate the public about government activities, and to ensure the accountability of government officials. American Oversight uses the information gathered, and its analysis of it, to educate the public through reports, press releases, or other media. American Oversight also makes materials it gathers available on its public website and promotes their availability on social media platforms, such as Facebook and X (formerly Twitter).<sup>4</sup>

We share a common mission to promote transparency in government. American Oversight looks forward to working with your agency on this request. If you do not understand any part of this request, please contact Ben Sparks at [records@americanoversight.org](mailto:records@americanoversight.org) or (202) 873-1741.

Sincerely,

/s/ Ben Sparks

Ben Sparks  
on behalf of  
American Oversight

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<sup>4</sup> American Oversight currently has approximately 16,000 followers on Facebook and 111,400 followers on X (formerly Twitter). American Oversight, Facebook, <https://www.facebook.com/weareoversight/> (last visited May 29, 2024); American Oversight (@weareoversight), X (formerly Twitter), <https://twitter.com/weareoversight> (last visited May 29, 2024).