



COMMONWEALTH OF KENTUCKY
OFFICE OF THE ATTORNEY GENERAL

DANIEL CAMERON
ATTORNEY GENERAL

CAPITOL BUILDING, SUITE 118
700 CAPITAL AVENUE
FRANKFORT, KENTUCKY 40601
(502) 696-5300
FAX: (502) 564-2894

23-ORD-035

February 16, 2023

In re: Woodrow Lawson, Jr./Williamsburg Police Department

Summary: This Office cannot find that the Williamsburg Police Department (“the Department”) failed to issue a timely response to a request under the Open Records Act (“the Act”) when it claims it did not receive that request.

Open Records Decision

On January 4, 2023, inmate Woodrow Lawson, Jr. (“Appellant”) submitted a request for records to the Department for “phone logs and chain of custody on evidence,” as well as “all reports done by the Kentucky State Police Crime Lab” related to a specific criminal case. On January 10, 2023, having received no further response from the Department, the Appellant initiated this appeal.

When an agency receives a request under the Act, it “shall determine within five (5) [business] days . . . *after the receipt* of any such request whether to comply with the request and shall notify in writing the person making the request, within the five (5) day period, of its decision.” KRS 61.880(1) (emphasis added).

Here, the Appellant claims he submitted his request on January 4, 2023, but the Department never responded to it. However, on appeal, the Department explains that it did not respond to the Appellant’s request because it never received it.¹ The Office has routinely found it is unable to resolve factual disputes between parties,

¹ Although the Department receives mail at both its street address and a post office box, it notes the address to which the Appellant’s request was sent does not match either of these addresses.

such as whether an agency received a request to inspect records. *See, e.g.*, 22-ORD-216; 22-ORD-148, 22-ORD-125; 22-ORD-100; 22-ORD-051; 21-ORD-163. Consequently, this Office is unable to find that the Department violated the Act.

A party aggrieved by this decision may appeal it by initiating action in the appropriate circuit court under KRS 61.880(5) and KRS 61.882 within 30 days from the date of this decision. Under KRS 61.880(3), the Attorney General shall be notified of any action in circuit court, but shall not be named as a party in that action or in any subsequent proceedings. The Attorney General will accept notice of the complaint emailed to OAGAppeals@ky.gov.

Daniel Cameron
Attorney General

s/ Matthew Ray
Matthew Ray
Assistant Attorney General

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Distributed to:

Woodrow Lawson, Jr., #219717
Jason Caddell