



COMMONWEALTH OF KENTUCKY
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23-ORD-067

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In re: Barbara Culberson/Grayson County Detention Center

Summary: The Grayson County Detention Center (“the Jail”) violated the Open Records Act (“the Act”) when it failed to respond to a request for records within five business days.

Open Records Decision

On February 3, 2023, Barbara Culberson (“Appellant”) requested copies of certain video recordings, commissary transactions, grievances, medical requests, resident requisitions, and medical records pertaining to an inmate incarcerated at the Jail. After receiving no response, the Appellant initiated this appeal on February 27, 2023.

Under KRS 61.880(1), a public agency must respond to a request for public records within five business days of receiving it. On appeal, the Jail admits it did not respond to the Appellant’s request in a timely manner. Thus, the Jail violated the Act.¹

A party aggrieved by this decision may appeal it by initiating action in the appropriate circuit court pursuant to KRS 61.880(5) and KRS 61.882 within 30 days from the date of this decision. Pursuant to 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.

¹ After this appeal was initiated, the Jail provided the requested records to the Appellant, with the exception of the video recordings, which the Jail states no longer exist because video footage “becomes unavailable after 30 days as it is taped over.” The requested footage was from January 6, 2022. The Jail’s ultimate disposition of the request is not at issue in this appeal because the Appellant has challenged only the Jail’s failure to timely respond to her request.

Daniel Cameron
Attorney General

s/ James M. Herrick
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Distributed to:

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