



COMMONWEALTH OF KENTUCKY OFFICE OF THE ATTORNEY GENERAL

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25-ORD-179

July 18, 2025

In re: Kevin Black/Louisville Metro Office of Inspector General

Summary: The Louisville Metro Office of Inspector General (“OIG”) violated the Open Records Act (“the Act”), when it failed to issue a response to a request for records within five business days.

Open Records Decision

On May 21, 2025, inmate Kevin Black (“Appellant”) submitted a request to OIG inquiring as to “the cost for obtaining a copy of any and all correspondence mailed to” him by a specific OIG employee on or after February 24, 2025.¹ On June 13, 2025, having received no response from OIG, the Appellant initiated this appeal.

Upon receiving a request to inspect records, a public agency must decide within five business days whether to grant the request, or deny the request and explain why. KRS 61.880(1). Here, the Appellant submitted a request to OIG on May 21, and on June 13, OIG had yet to respond to the request. On appeal, OIG explains that “it received [the Appellant’s] request and immediately entered” it into Louisville Metro’s records request “system on June 2, 2025,” but “[t]he request was closed without sending a response.”² Consequently, OIG violated the Act when it failed to respond to a request within five business days.

¹ Under KRS 61.872(2), a person submitting an application to inspect public records must describe the records to be inspected. The Appellant labeled his correspondence to OIG as an “Open Records Request” and stated it was being submitted under the Act. While a request for information about the cost for obtaining certain records may not be the same as a request for such records, an agency still cannot ignore it and must respond to it within five business days. A response is required by the Act, even if it merely denies the request as one seeking information instead of public records. *See, e.g.*, 23-ORD-194.

² On appeal, OIG provides a copy of its response to the Appellant, dated June 25, in which it denied the Appellant’s request because the identified employee has not communicated with him since

A party aggrieved by this decision may appeal it by initiating an 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.

Russell Coleman
Attorney General

/s/ Matthew Ray
Matthew Ray
Assistant Attorney General

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Distributed to:

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February 24, 2025. Because this appeal was brought due to an alleged failure to respond, the adequacy of OIG's June 25 response is not at issue. *See, e.g.,* 23-ORD-135 n.3.