



COMMONWEALTH OF KENTUCKY OFFICE OF THE ATTORNEY GENERAL

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25-ORD-193

July 25, 2025

In re: Ben Richard/Lee Adjustment Center

Summary: The Lee Adjustment Center (“the Center”) violated the Open Records Act (“the Act”) when it initially failed to explain the reason for making redactions to public records. However, the Center did not violate the Act when it redacted records to remove information posing a security threat under KRS 197.025(1).

Open Records Decision

On June 9, 2025, inmate Ben Richard (“the Appellant”) submitted a request to the Center for (1) copies of emails sent or received by a grievance coordinator between May 28 and June 5, 2025, that mentioned the Appellant, and (2) a copy of a particular grievance filed by him. In a timely response, the Center provided the records, but redacted employee telephone numbers and email addresses.¹ The response made no mention of the redactions and cited no statutory authority for making them. This appeal followed.

Under KRS 61.880(1), “[a]n agency response denying, in whole or in part, inspection of any record shall include a statement of the specific exception authorizing the withholding of the record and a brief explanation of how the exception applies to the record withheld.” Here, the Center failed to note the redactions and failed to explain its legal basis for redacting employee phone numbers and email addresses. Therefore, the Center violated the Act.

On appeal, the Center asserts KRS 197.025(1) as a basis for its redactions. Under KRS 197.025(1), which is incorporated into the Act by KRS 61.878(1)(l), “no person shall have access to any records if the disclosure is deemed by the commissioner of the department or his designee to constitute a threat to the security of the inmate, any other inmate, correctional staff, the institution, or any other

¹ The Appellant claims the Center also redacted employees’ job titles. However, the Center denies this and there is no evidence of such redactions.

person.” Here, the Center asserts that the contact information for an employee of either the Center or the Department of Corrections “could be used for any purposes, many of them illegitimate, and accordingly the safety and security of the institution or staff could be compromised.” Specifically, the Center states the phone numbers and email addresses could be used to facilitate identity theft if disclosed to an inmate.

The Office has historically deferred to the judgment of correctional facilities in determining whether the release of certain records would constitute a security threat under KRS 197.025(1). Here, the Center has articulated a minimally sufficient basis for deeming the redacted information a security threat. Accordingly, the Center did not violate the Act when it redacted portions of the emails under KRS 197.025(1).²

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

Russell Coleman
Attorney General

/s/ James M. Herrick
James M. Herrick
Assistant Attorney General

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Distributed to:

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² Because KRS 197.025(1) is dispositive of the issues on appeal, it is unnecessary to address the Center’s alternative argument under KRS 61.878(1)(a).