



COMMONWEALTH OF KENTUCKY
OFFICE OF THE ATTORNEY GENERAL

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25-ORD-310

October 14, 2025

In re: James Harrison/Fayette County Detention Center

Summary: The Office cannot find that the Fayette County Detention Center (“the Jail”) violated the Open Records Act (“the Act”) because the Office cannot resolve the factual dispute between the parties concerning receipt of a request for records.

Open Records Decision

On July 13 and September 8, 2025, inmate James Harrison (“the Appellant”) allegedly submitted requests to the Jail for certain records relating to his confinement, his criminal prosecution, and contact between the Jail and his family members. Having received no response by September 12, 2025, the Appellant initiated this appeal.

Under KRS 61.880(1) and KRS 197.025(7), a correctional facility must respond within five business days after receipt of a request for records. Here, the Appellant claims the Jail failed to timely respond to his requests. However, the Jail states it did not receive either of the requests until September 11, 2025.¹ Because the Office cannot adjudicate disputed issues of fact, such as whether an agency received a request to inspect records, the Office cannot find that the Jail failed to respond in a timely manner. *See, e.g.*, 22-ORD-010. Accordingly, the Office cannot find that the Jail violated the Act.

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.

¹ The Jail says it issued a response to the Appellant’s requests after receipt on September 11, 2025.

**Russell Coleman
Attorney General**

/s/ Zachary M. Zimmerer
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