



COMMONWEALTH OF KENTUCKY
OFFICE OF THE ATTORNEY GENERAL

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25-ORD-340

October 30, 2025

In re: Christopher Young /Eastern Kentucky Correctional Complex

Summary: The Eastern Kentucky Correctional Complex (“the Complex”) did not violate the Open Records Act (“the Act”) when it declined to provide copies of records to the inmate requester without prepayment of reproduction charges.

Open Records Decision

Inmate Christopher Young (“Appellant”) submitted a request to the Complex seeking a copy of an “appeal response and letter.” In response, the Complex denied his request because he failed to prepay a ten cents per page copying fee.¹ This appeal followed.²

The Act does not require a public agency, such as the Complex, to provide a requester with free copies of records. Rather, under KRS 61.874(1), a public agency “may require . . . advance payment of the prescribed fee” for copies of public records. Consequently, the Appellant is entitled to receive a copy of public records only after “complying with the reasonable charge of reproduction.” *Friend v. Rees*, 696 S.W.2d 325, 326 (Ky. App. 1985) (finding that ten cents per page is a reasonable fee under the Act). It is “entirely proper for [a correctional] facility to require prepayment, and to enforce its standard policy relative to assessment of charges to inmate accounts.”

¹ Specifically, the Complex denied the Appellant’s request because he had insufficient funds in his account.

² The Appellant also sought to appeal the Complex’s August 25, 2025, denial of his August 18, 2025, request. Under KRS 197.025(3), “all persons confined in a penal facility shall challenge any denial of an open record [request] with the Attorney General by mailing or otherwise sending the appropriate documents to the Attorney General within twenty (20) days of the denial.” The Appellant submitted his appeal to the Office on September 25, 2025, as reflected by the postmark of his appeal. Thus, the Appellant’s appeal from the Complex’s response to his August 18 request is time-barred under KRS 197.025(3).

95-ORD-105. As a result, the Office cannot find that the Complex violated the Act when it required prepayment of copying fees before providing the requested records to the Appellant.

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/ Zachary M. Zimmerer
Zachary M. Zimmerer
Assistant Attorney General

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Distributed to:

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