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25-ORD-355

November 12, 2025

In re: Matthew Johnson/Kentucky State Police

Summary: The Kentucky State Police (“KSP”) did not violate the Open Records Act (“the Act”) when it denied a request that did not precisely describe the records requested.

Open Records Decision

On September 29, 2025, Mathew Johnson (“Appellant”) submitted a request to KSP for “all records, specifically emails” that mention six variations of his name or two personnel numbers for the period of January 1, 2019, to the date of the request. The Appellant further stated that he sought the records of “[a]ll members of the [KSP] Legal Staff and the Justice and Public Safety Cabinet Legal Staff” (“Cabinet”), identified by title 12 positions at KSP and the Cabinet that he would consider responsive to his request, and stated that he also sought records of “[a]ny other staff” within KSP and the Cabinet’s legal departments. In response, KSP denied the request under KRS 61.872(3)(b) because it did not precisely describe the records sought. KSP further explained that it does not have a record identifying every individual who has held the 12 identified positions since January 1, 2019, meaning it cannot conduct a comprehensive search for the identified records. This appeal followed.

When a person requests copies of public records under the Act, “[t]he public agency shall mail copies of the public records to a person . . . after he or she precisely describes the public records which are readily available within the public agency.” KRS 61.872(3)(b). A description is precise “if it describes the records in definite, specific, and unequivocal terms.” 98-ORD-17 (internal quotation marks omitted). This standard may not be met when a request does not “describe records by type, origin, county, or any identifier other than relation to a subject.” 20-ORD-017 (quoting 13-ORD-077). In particular, requests for any and all records “related to a

broad and ill-defined topic” generally fail to precisely describe the records. 22-ORD-182; *see also* 21-ORD-034 (finding a request for any and all records relating to “change of duties,” “freedom of speech,” or “usage of signs” did not precisely describe the records); *but see Univ. of Ky. v. Kernel Press, Inc.*, 620 S.W.3d 43, 48 n.2 (Ky. 2021) (holding a request was proper when it sought “all records detailing [the] resignation” of a named employee).

Here, the Appellant has asked for “emails” belonging to anyone who has held one of 12 different positions at KSP or the Cabinet since January 1, 2019. KSP has explained that it “does not maintain a record or listing from which it can derive the names of individual employees whose e-mail accounts it can search, *i.e.*, employees that comprise KSP Legal Staff; [Cabinet] Legal Staff; and 10 other categories of employees currently or previously.” Moreover, KSP explains that the individuals who would fit the parameters of the Appellant’s request have varied over time at both KSP and the Cabinet when individuals have been “hired; terminated; retire[d]; or separate[d] from their employment and there is no existing record that KSP can use to identify” relevant employees at a specific “month or year during the past six years.” Additionally, KSP explains that it employs multiple individuals who share the same first and last name as the Appellant, further complicating its ability to conduct a comprehensive search for records.

At bottom, a request to inspect public records must describe those records in a manner “adequate for a reasonable person to ascertain the nature and scope of [the] request.” *Commonwealth v. Chestnut*, 250 S.W.3d 655, 661 (Ky. 2008). Because the Appellant’s request is unclear as to whose records he seeks or which individuals the records may be related to, the request did not “precisely describe[] public records which are readily available within the public agency,” as required by KRS 61.872(3)(b). Accordingly, KSP did not violate the Act when it denied the request.

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
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Distributed to:

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