



COMMONWEALTH OF KENTUCKY OFFICE OF THE ATTORNEY GENERAL

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25-ORD-413

December 18, 2025

In re: Karlyn Schnapp/Kenton County Police Department

Summary: The Office cannot find that the Kenton County Police Department (“the Department”) violated the Open Records Act (“the Act”) because the Office cannot resolve the factual dispute between the parties.

Open Records Decision

On July 11 and 14, 2025, Karlyn Schnapp (“Appellant”) submitted two requests for records to the Department. Both requests sought records related to a “sting operation” in which the Department was involved. On November 20, 2025, having received no written response¹ to her requests, the Appellant initiated this appeal.

Under KRS 61.880(1), upon receiving a request for records under the Act, a public agency “shall determine within five (5) [business] days . . . after the receipt of any such request whether to comply with the request and shall notify in writing the person making the request, within the five (5) day period, of its decision.” According to the Appellant, on November 20, 2025, he had yet to receive a response to both her requests.

For its part, the Department states that it issued a response to both requests, by email, on July 18, 2025. As proof, the Department provides a copy of a response dated July 18, 2025.² The Office has consistently found that it is unable to resolve factual disputes between a requester and a public agency, such as whether a requester received a response to her request. *See, e.g.*, 23-ORD-276. Similarly, here, the Office cannot find the Department violated the Act because the Office cannot

¹ The Appellant claims that a Department detective left her two voicemails related to her requests.

² The Department also explains that its calls to the Appellant were meant to help facilitate its delivery of responsive records to her.

resolve the factual dispute between the parties as to whether the Appellant received the Department's response to her July 11 and 14 requests.³

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

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Distributed to:

Karlyn Schnapp
Stacy Tapke, Kenton County Attorney
Jill Stulz

³ Because this appeal was brought regarding the Appellant's claim that the Department had failed to respond to her request, the Office need not consider the adequacy of the Department's response.