



COMMONWEALTH OF KENTUCKY
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26-ORD-017

January 15, 2026

In re: Carlos Thurman/Southeast State Correctional Complex

Summary: The Office is unable to find that the Southeast State Correctional Complex (“the Complex”) violated the Open Records Act (“the Act”), because the Office is unable to resolve the factual dispute as to the content of the redacted record.

Open Records Decision

Inmate Carlos Thurman (“Appellant”) submitted a request to the Complex for “any email from [a specific person] with [his] name in it from September 5th through October 6th[,] 2025.” The Complex granted his request and provided 21 pages of responsive records. The Appellant initiated this appeal, taking issue with a redaction in one of the records he received.

Under KRS 197.025(2), the Department of Corrections “shall not be required to comply with a request for any record from any inmate confined in a jail or any facility . . . unless the request is for a record which contains a specific reference to that individual.” Here, the Appellant received a copy of an email that contained a redaction, which he claims is a “paragraph” pertaining to him that is “whited out.” The Appellant claims he is entitled to the record because it pertains to him. However, he provides no evidence of the content of the redaction.

Conversely, on appeal, the Complex states it “redacted sections of the email containing another inmate’s name and inmate number pursuant to KRS 61.878(1)(a) and KRS 197.025(2), incorporated into the ORA by KRS 61.878(1)(k), under which correctional facilities and jails must disclose only those records containing “a specific reference” to the requesting inmate.”¹ In response, on appeal, the Appellant asserts

¹ The Complex, on appeal, also states that it “made additional redactions pursuant to [KRS] 197.025(1), incorporated into the ORA by KRS 61.878(1)(k), because the email contained

the redacted content “was not another inmate’s name, it was a whole paragraph that was whited out” and is in reference to him personally. Thus, a factual dispute exists between the parties as to the content of the redacted material. The Office cannot resolve factual disputes between a requester and a public agency about the content of the records produced. *See, e.g.*, 22-ORD-246; 22-ORD-010; 19-ORD-083; 03-ORD-061; OAG 89-81. Here, therefore, the Office cannot resolve the factual dispute between the parties or find that the Complex’s redaction of the record 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.

Russell Coleman
Attorney General

/s/ Matthew Ray
Matthew Ray
Assistant Attorney General

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information that was deemed to be a security threat if disclosed.” The Complex further states, “The email contains observations that if disclosed could endanger both staff and inmates if made public to the inmate population.” Under KRS 197.025(1), “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 person.” Because those redactions were not the subject of the Appellant’s appeal, that issue is not ripe for review.