



COMMONWEALTH OF KENTUCKY  
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26-ORD-032

February 2, 2026

In re: Daniel Woodie/Park Hills Police Department

**Summary:** The Park Hills Police Department (“the Department”) did not violate the Open Records Act (“the Act”) when it allegedly denied portions of two requests for public records because the requester is not a resident of the Commonwealth.

***Open Records Decision***

This appeal concerns requests for public records submitted to the Department by Daniel Woodie (“the Appellant”) on November 14 and November 21, 2025. In both requests, the Appellant claimed he was a resident of the Commonwealth under KRS 61.870(10)(d). The Department provided records in response to both requests. The Appellant subsequently initiated this appeal on the grounds that the Department had partially denied his requests by failing to provide all responsive records.

Under KRS 61.872(2)(a), “[a]ny resident of the Commonwealth shall have the right to inspect public records.” A public agency “may require the applicant to provide a statement in the written application of the manner in which the applicant is a resident of the Commonwealth under KRS 61.870(10)(a) to (f).” *Id.* The Act defines “resident of the Commonwealth” in KRS 61.870(10) as:

- (a) An individual residing in the Commonwealth;
- (b) A domestic business entity with a location in the Commonwealth;
- (c) A foreign business entity registered with the Secretary of State;
- (d) An individual that is employed and works at a location or locations within the Commonwealth;
- (e) An individual or business entity that owns real property within the Commonwealth;
- (f) Any individual or business entity that has been authorized to act on behalf of an individual or business entity defined in paragraphs (a) to (e) of this subsection; or

- (g) A news-gathering organization as defined in KRS 189.635(9)(b)1.a. to e.

The requester need only qualify as a resident of the Commonwealth under any one of these paragraphs for purposes of the Act. *See* 24-ORD-224.

On appeal, the Department asserts the Appellant is not entitled to inspect public records because he is not a resident of the Commonwealth of Kentucky. The Department cites 25-ORD-156 and 25-ORD-397, in which the Office found the Appellant was not a resident of the Commonwealth under KRS 61.870(10)(d). A “public agency is not required to simply accept a statement of residency that it knows to be false.” 25-ORD-156. Here, nothing in the record on appeal indicates the Appellant’s employment situation has changed so as to qualify him as a resident of the Commonwealth under KRS 61.870(10)(d).

In response to the Department’s argument, the Appellant claims he is a resident under KRS 61.870(10)(f), and provides a statement from a resident of Florence, Kentucky, purportedly authorizing the Appellant to request public records on her behalf. However, the Act allows a public agency to require a statement, *at the time of the request*, as to “the manner in which the requester is a resident of the Commonwealth under KRS 61.870(10)(a) to (f).” KRS 61.876(4)(e)2. In the two requests at issue, the Appellant claimed to be a resident of the Commonwealth only under KRS 61.870(10)(d). Moreover, it is a matter of record that the Kentucky resident who purportedly authorized the Appellant to request records on her behalf has subsequently revoked that authorization. *See* 26-ORD-031. Accordingly, the Department did not violate the Act when it allegedly denied portions of the Appellant’s requests.

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/ James M. Herrick  
James M. Herrick  
Assistant Attorney General

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Distributed to:

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