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26-ORD-050

February 12, 2026

In re: Lawrence Trageser/Zoneton Fire Protection District

Summary: The Zoneton Fire Protection District (“the District”) did not violate the Open Records Act (“the Act”) when it withheld home addresses and personal telephone numbers of its trustees under KRS 61.878(1)(a).

Open Records Decision

Lawrence Trageser (“the Appellant”) submitted a request to the District for “[t]he names of the current [District] Board of Trustee’s [sic], their personal addresses and personal phone numbers.”¹ In a timely response, the District referred the Appellant to a list of names of current trustees on its website, but denied his request for personal addresses and phone numbers under KRS 61.878(1)(a). This appeal followed.

KRS 61.878(1)(a) exempts “[p]ublic records containing information of a personal nature where the public disclosure thereof would constitute a clearly unwarranted invasion of personal privacy.” In reviewing an agency’s denial of an open records request based on the personal privacy exemption, the courts and the Attorney General balance the public’s right to know what is happening in government against the personal privacy interest at stake in the record. *See Zink v. Commonwealth, Dep’t of Workers’ Claims*, 902 S.W.2d 825, 828 (Ky. App. 1994). However, the Supreme Court of Kentucky has held that certain categories of personal information about individuals provide minimal insight into governmental affairs and may be categorically redacted under KRS 61.878(1)(a). *Ky. New Era, Inc. v. City of Hopkinsville*, 415 S.W.3d 76, 89 (Ky. 2013). These categories include home addresses and personal phone numbers. *Id.* However, in exceptional circumstances where

¹ The Act does not require public agencies to fulfill requests for information, but only requests for records. *See* KRS 61.872(2)(a) (a request to inspect records must include a description of “the records to be inspected”). Here, however, the District apparently construed the Appellant’s request for addresses and phone numbers as a request for records containing that information.

disclosure of the information would substantially advance the interests of the Act, the public interest may be found to outweigh the privacy interest. *See, e.g.*, 22-ORD-037 (finding residential addresses of candidates for office and their cosigners were directly relevant to whether election officials were properly performing their duties to prevent voter fraud).

Here, the Appellant claims the privacy interest of the District's trustees in their home addresses is outweighed by a heightened public interest in ensuring that the trustees meet statutory residency requirements. However, under KRS 75.031(1)(a), only two of the seven trustees of the District are required to be non-firefighter property owners "who personally reside in the district."² Thus, the Appellant has not articulated a heightened public interest in the home addresses of the other five trustees.

Regarding the two trustees subject to the residency requirement, the Appellant argues that the public interest in ensuring they meet the requirement outweighs the trustees' privacy interest in their home addresses. The Appellant claims 22-ORD-037 compels that conclusion because it involved residency requirements for elective office and the two trustees are "elected by the property owners of the district." KRS 75.031(1)(a). But the determinative public interest in 22-ORD-037 was an interest "in ensuring that election officials 'are properly discharging their statutorily assigned duties and thereby preventing voter fraud.'" 22-ORD-037 (quoting 03-ORD-034).³ Here, by contrast, the District is not responsible for overseeing elections. Thus, the disclosure of the trustees' home addresses would shed no light on how the District performs its statutory duties. Accordingly, the Appellant has not articulated a heightened public interest in disclosure of this information.

Alternatively, the Appellant claims the trustees' privacy interest in their home addresses is not substantial because their addresses can be found by searching property tax records. But personal information in public records "is no less private simply because that information is available someplace." *Zink*, 902 S.W.2d at 828. Thus, the fact that the information the Appellant seeks could be found elsewhere does not override the personal privacy interest in that information under KRS 61.878(1)(a). *See, e.g.*, 23-ORD-342. Moreover, the Appellant's argument would vitiate the privacy interest in home addresses, not only for trustees of the District, but equally for all individuals who pay property taxes. The Act "is not meant to turn the state's agencies into clearing houses of personal information about private citizens readily available to anyone upon request." *Ky. New Era*, 415 S.W.3d at 89. Here, the Appellant has not shown exceptional circumstances in which a public interest in

² Of the remaining five trustees, two are firefighters "elected by the members of the firefighters of the district" and three are appointed by the county judge/executive. KRS 75.031(1)(a).

³ In both 22-ORD-037 and 03-ORD-034, the public agency was a County Clerk's office, which received the paperwork filed by candidates as part of its responsibilities pertaining to elections.

disclosure outweighs the trustees' privacy interest in their home addresses. Therefore, the District properly withheld that information under KRS 61.878(1)(a).

Turning to the nondisclosure of the trustees' personal phone numbers, the Appellant claims "the public in general have the right to be able to contact elected members about issues involving business overseen by" the trustees. However, the Appellant's interest in being "able to contact" the trustees is not the public interest contemplated by the Act. "At its most basic level, the purpose of disclosure focuses on the citizens' right to be informed as to what their government is doing." *Zink*, 902 S.W.2d at 829. The Act serves that purpose by creating a right to inspect public records, not a right to contact individuals in government on their personal telephones.⁴ Because the Appellant has not articulated a public interest that would override the substantial privacy interest the trustees have in their personal addresses and telephone numbers, the District did not violate the Act when it denied the Appellant's request under KRS 61.878(1)(a).⁵

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
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⁴ Taken to its logical conclusion, the Appellant's argument would subject the Governor of Kentucky to calls on his personal phone from over 4,000,000 Kentuckians because he "oversee[s]" the "business" of state government.

⁵ The Appellant also claims the District has not properly complied with KRS 65A.020(2)(a)1., which requires special purpose governmental entities to provide certain information to the Department for Local Government. Because that issue is unrelated to the Act, the Office has no jurisdiction under KRS 61.880(2) to adjudicate the Appellant's allegation. *See, e.g.*, 23-ORD-218.

Distributed to:

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