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26-ORD-104

March 19, 2026

In re: Morgan Hilton/Fulton County Detention Center

Summary: The Fulton County Detention Center (“the Center”) did not violate the Open Records Act (“the Act”) when it charged a reasonable fee for reproduction.

Open Records Decision

Morgan Hilton (“Appellant”) submitted a request to Center seeking her “complete personnel file and all supporting documentation related to” her August 11, 2025, termination. In response, the Center stated that it possessed 626 pages of responsive records, which it would make available upon payment of a copying fee of \$62.60, or 10 cents per page. In this appeal, the Appellant challenges the copying fee charged for the requested records.

Under KRS 61.874(1), “[w]hen copies are requested, the custodian may require . . . advance payment of the prescribed fee.” Thus, a requester is entitled to receive a copy of a record only after “complying with the reasonable charge of reproduction.” *Friend v. Rees*, 696 S.W.2d 325, 326 (Ky. App. 1985); *see also* 26-ORD-048; 23-ORD-176; 23-ORD-029; 95-ORD-105. Ten cents per page is a reasonable charge for copies. *Id.* Here, the Center identified 626 pages of responsive records and stated that copies would be made available upon payment of 10 cents per page. The Center did not violate the Act by requiring payment of its reasonable fee before producing the requested records.¹

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

¹ On appeal, the Appellant asks whether the Center can be compelled to mail the records to her home address. In response, the Center states that it will mail the records to the Appellant upon payment of its copying fee and postage costs. *See* KRS 61.874(1) (“the custodian may require . . . advance payment of the prescribed fee, *including postage where appropriate.*” (emphasis added)).

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
Zachary M. Zimmerer
Assistant Attorney General

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Distributed to:

Morgan Hilton, Appellant
Steven Williams, Fulton County Detention Center, Jailer
Deputy Benjamin Parker, Fulton County Detention Center, Records Custodian
Amanda Major, Fulton County Attorney