



COMMONWEALTH OF KENTUCKY
OFFICE OF THE ATTORNEY GENERAL

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26-ORD-116

March 23, 2026

In re: William Cope/Southeast State Correctional Complex

Summary: The Southeast State Correctional Complex (“the Complex”) did not violate the Open Records Act (“the Act”) when it did not fulfill a request for information that failed to describe public records to be inspected.

Open Records Decision

On February 10, 2026, inmate William Cope (“the Appellant”) submitted a “Request to Inspect Public Records” form to the Complex with the inquiry, “Do I have any upcoming court appearances?” The Appellant provided the case number of a pending civil action in an unidentified circuit court. In a timely response on February 11, 2026, the Complex stated that the Appellant’s file contained “no documentation regarding the requested case number” and that the Department of Corrections does not retain records pertaining to civil actions. This appeal followed.¹

On appeal, the Complex notes the Appellant did not request to inspect records, but only asked whether he had “any upcoming court appearances.” The Complex therefore asserts it need not honor the request because “an agency is not obligated to honor a request for information under the law.”

The Act does not require public agencies to answer interrogatories or provide *information*. Rather, it requires public agencies to produce *public records* for inspection. *See* KRS 61.872(2)(a) (a request to inspect records must include, among other things, a description of “the records to be inspected”); *see also Dep’t of Revenue*

¹ The Appellant provided, as part of his appeal, a copy of a letter dated February 11, 2026, in which he purportedly replied to the Complex’s response and stated he wished to “inspect [his] entire record on file within [the Complex’s] data base & all hard copies.” The Complex, however, denies having received that letter. The Office cannot adjudicate disputed issues of fact, such as whether an agency received a request to inspect records. *See, e.g.,* 24-ORD-040. Additionally, the Appellant initiated this appeal by mail on February 13, 2026, prior to the time when the Complex’s five-day response period would have expired for a request submitted on February 11, 2026. *See* KRS 61.880(1); KRS 197.025(7).

v. Eifler, 436 S.W.3d 530, 534 (Ky. App. 2013) (“The [Act] does not dictate that public agencies must gather and supply information not regularly kept as part of [their] records.”). Here, the Appellant requested only information—whether he had upcoming court appearances in a civil action. Although that information may appear somewhere in the Complex’s records,² the Appellant did not describe any public records he wished to inspect. Thus, the Complex had no duty under the Act to provide the requested information. Accordingly, the Complex did not violate the Act.

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:

William Cope, #197416
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² The Complex states that it received a copy of a scheduling order in the civil action after this appeal was initiated and will provide that document to the Appellant upon request.