



COMMONWEALTH OF KENTUCKY
OFFICE OF THE ATTORNEY GENERAL

RUSSELL COLEMAN
ATTORNEY GENERAL

1024 CAPITAL CENTER DRIVE
SUITE 200
FRANKFORT, KY 40601
(502) 696-5300

26-ORD-140

April 1, 2026

In re: Melanie Barker/Kentucky State Police

Summary: The Kentucky State Police (“KSP”) violated the Open Records Act (“the Act”) when it denied a request under KRS 61.872(2)(a) from a requester who provided a statement of residency when asked.

Open Records Decision

On March 2, 2026, Melanie Barker (“Appellant”) submitted a request to KSP for a “Request for Authorization of Out of Country Travel document” for “Governor Andy Beshear and employees – Out of Country Trip to Davos.” On March 3, 2026, KSP denied the request under KRS 61.872(2)(a) because the Appellant had not “provided a statement explaining the manner in which [she is] a ‘resident of the Commonwealth’ under KRS 61.870(10)(a) to (f).” That same day, the Appellant resubmitted her request and explained that she is “a resident of Kentucky because” she is “[a]n individual residing in the Commonwealth.” The Appellant also listed a Kentucky address as her address on the form. On March 4, 2026, KSP again denied the Appellant’s request for the same reason and “closed” the request.

Under KRS 61.872(2), “[t]he official custodian 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).” KRS 61.872(2)(a). A “[r]esident of the Commonwealth” includes “[a]n individual residing in the Commonwealth.” KRS 61.870(10)(a).

On appeal, KSP states that it overlooked the statement of residency the Appellant provided on March 4. As such, KSP violated the Act when it denied the Appellant's second request on the basis of residency.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 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

#165

Distributed to:

Melanie Barker
Sara Talarigo
Charles Bates
Captain Bradley Stotts
Sgt. Zack Morris
Emmalie K. Hankinson
Jonathan Courtwright
Ann Smith

¹ On appeal, KSP states that it "conducted a diligent search for the record" described in the Appellant's "March 3 request, but was unable to locate any responsive records." This portion of KSP's response has not been challenged on appeal.