



COMMONWEALTH OF KENTUCKY
OFFICE OF THE ATTORNEY GENERAL

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26-ORD-167

April 16, 2026

In re: Kenneth Perry/Louisville Metro Government

Summary: To invoke the jurisdiction of the Attorney General under KRS 61.880(2), as required to seek his review of an alleged violation of the Open Records Act (“the Act”), a person is first required to submit a request for public records to a public agency under KRS 61.880(1).

Open Records Decision

On December 17, 2025, Woody Ransdell submitted a request to Louisville Metro Government (“Metro”) for a copy of “Video from camera covering supervisors [sic] offices 9:20am to 10:00 am on 9/19/2025. At Signs & Markings on 3507 Newburg Rd.” Metro responded on December 19, 2025, advising Mr. Ransdell that, “[i]n compliance with the Metro Records Retention Schedule, the records you requested have been destroyed.” On March 19, 2026, Kenneth Perry (“the Appellant”) initiated this appeal, claiming that Metro “has destroyed the camera footage that would have proved my innocence in a code 1 write up.” Because the Appellant subsequently confirmed that he did not actually make the December 17, 2025, request and that Mr. Ransdell, his union representative, did, the Office lacks jurisdiction over this matter and hereby dismisses the appeal. *See* 25-ORD-180.

In Kentucky, administrative proceedings, like appeals under the Act, “are creatures of statute and therefore require strict compliance with the enabling statutes.” 25-ORD-180; *see, e.g., Kenton Cnty. Bd. of Adjustment v. Meitzen*, 607 S.W.3d 586, 594 (Ky. 2020). Thus, for a person to invoke the jurisdiction of the Office under KRS 61.880, he must strictly comply with the requirements of the statute. 25-ORD-180; 22-ORD-165. Specifically, “[i]f a person enforces [the Act] pursuant to [KRS 61.880], he or she shall begin enforcement under [KRS 61.880(1)] before proceeding to enforcement under [KRS 61.880(2)].” KRS 61.880(1) (emphasis added). In other words, to proceed under the Act, a person must first submit a request to a public agency.¹ The Office has recognized that “[t]he statutory phrase ‘he or she’

¹ KRS 61.870(2).

clearly refers to the preceding noun, ‘person,’ indicating that, to invoke the Office’s jurisdiction, the person seeking to enforce the Act by appeal to the Attorney General must be the same person who submitted the request” for public records.² 25-ORD-351; 25-ORD-180.

Under KRS 61.872(2)(a), a public agency’s official custodian of records “may require a written application, signed by the applicant and with his or her name printed legibly on the application, describing the records to be inspected.” On appeal, Metro asserts that the Appellant is not the person who submitted the request at issue, and the Appellant does not dispute that fact. Because the Appellant did not comply with KRS 61.880 by first submitting his own request under KRS 61.880(1), the Office lacks jurisdiction under KRS 61.880(2) to consider his appeal. Therefore, the Appeal is dismissed.

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/ Michelle D. Harrison
Michelle D. Harrison
Assistant Attorney General

² Here, as in 25-ORD-180, the Office notes that “an attorney representing the requester stands in the shoes of the requester and can therefore submit an appeal on the requester’s behalf. Similarly, an editor of a newspaper or other media organization can submit an appeal when a reporter’s request is denied, as the media organization itself is the ‘person’ requesting the records.” But the Appellant provides no basis on which the Office could conclude that he and his “union representative” are the same person for purposes of this request.

#232

Distributed to:

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