



COMMONWEALTH OF KENTUCKY
OFFICE OF THE ATTORNEY GENERAL

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26-ORD-226

May 20, 2026

In re: Brandon Bryan/Greater Hardin County Narcotics Task Force

Summary: The Greater Hardin County Narcotics Task Force (“the Task Force”) violated the Open Records Act (“the Act”) when it did not grant or deny the Appellant’s request within five business days.

Open Records Decision

On March 9, 2026, Brandon Bryan (“Appellant”) submitted a request to the Task Force seeking all records dated between January 1, 2023, and the date of the request that contain any of 23 different names and keywords. In response, the Task Force stated this request seeks “substantially the same documents” that the Appellant had previously requested from the Task Force, and which the Task Force had denied. The Task Force further noted that its denial had been appealed by the Appellant. Thus, the Task Force said that it would hold the request “in abeyance” until the Appellant’s earlier appeal is resolved. This appeal followed.

Upon receiving a request to inspect public records, a public agency must determine within five business days whether to grant the request or deny it. KRS 61.880(1). If the agency chooses to deny the request, it “shall include a statement of the specific exception authorizing the withholding of the record and a brief explanation of how the exception applies to the record withheld.” *Id.* An agency response denying a request for records must explain the denial by “provid[ing] particular and detailed information,” not merely a “limited and perfunctory response.” *Edmondson v. Alig*, 926 S.W.2d 856, 858 (Ky. 1996). “The agency’s explanation must be detailed enough to permit [a reviewing] court to assess its claim and the opposing party to challenge it.” *Ky. New Era, Inc. v. City of Hopkinsville*, 415 S.W.3d 76, 81 (Ky. 2013).

On appeal, the Task Force states that it has not yet denied the Appellant's request. Rather, it is waiting for a ruling in the Appellant's previous appeal to the Office. However, the Act does not allow an agency to simply hold a request "in abeyance," even if other appeals involving similar requests are currently pending before the Office. Moreover, no other appeal before the parties is currently pending before the Office.¹ When the Task Force received the request, it was required to either grant or deny that request within five business days. Because it did not do so, it violated the Act.

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

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Distributed to:

Brandon Bryan, Appellant
Jeremy Thompson, Elizabethtown, Chief of Police
Jessica Graham, Elizabethtown City Clerk
Ken Howard, Elizabethtown City Attorney

¹ The referenced appeal was dismissed by the Office on February 25, 2026, because the Appellant had not provided all materials required by KRS 61.880(2)(a) (requiring an individual seeking the Office review to provide "a copy of the written request and a copy of the written response denying inspection"). When it dismissed the appeal, the Office stated it would adjudicate the appeal upon receipt of all required materials. As of the date of this decision, the Appellant has not provided all required materials, and so no appeal is currently pending before the Office related to the Appellant's earlier requests.