



COMMONWEALTH OF KENTUCKY  
OFFICE OF THE ATTORNEY GENERAL

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26-ORD-228

May 21, 2026

In re: Rebecca Bowman/Nelson County Sheriff's Office

**Summary:** The Nelson County Sheriff's Office ("the Sheriff's Office") violated the Open Records Act ("the Act") by failing to send a written response within five business days of receiving the request as required by KRS 61.880(1).

***Open Records Decision***

On April 10, 2026, Rebecca Bowman ("the Appellant") submitted a request to the Sheriff's Office seeking: (1) "[w]ritten confirmation that there are no accessible personnel records" or "paper files" pertaining to Adrian Lewis [Jr.'s] personnel file"; (2) documentation of "efforts made to locate" Mr. Lewis' missing personnel file and explanation for its nonexistence; (3) Brandon Bryan's personnel file "pertaining to most recent hire"; (4) Office policies "regarding employment/personnel file record keeping practices"; (5) documentation regarding notification to employees or former employees that personnel files were lost "and to any other entity such as [Kentucky Department for Libraries and Archives]"; (6) documentation of the procedures used to determine which personnel files were maintained physically and which files were maintained electronically; (7) records of employees "whose personnel files were lost in service crash on or around April 2025," and any documentation of efforts undertaken to locate such records; (8) information concerning "the date when records were transferred from paper to electronic format"; (9) documentation regarding the April 2025 server crash "to include agency notification, regulatory agencies, and calls for repair/service"; and (10) the contract or agreement "for IT services from outside agencies and record of utilization of such services from 2021 – present."

Having received no response from the Sheriff's Office, the Appellant sent follow-up emails on April 21 and 22 regarding the status of her request but did not receive a response to those emails.

On April 22, 2026, the Appellant initiated this appeal, challenging the Sheriff's Office's failure to respond upon receipt of her April 10 request for "information that I

feel I did not receive in the response from the Sheriff's office regarding my first request, along with additional information related to the matter." The Appellant maintains the "agency's complete failure to respond constitutes a denial of my request under the Act." In response, the Sheriff's Office acknowledges it failed to respond within five business days of receiving the Appellant's April 10 request, and it does not dispute it failed to respond to her follow-up emails regarding the status of the request.

Upon receipt of a request, a public agency "shall determine within five (5) days, excepting Saturdays, Sundays, and legal holidays," whether to comply with the request and "shall notify in writing the person making the request, within the five (5) day period, of its decision." KRS 61.880(1). Here, the Sheriff's Office failed to respond within five business days and therefore violated the Act.<sup>1</sup>

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

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<sup>1</sup> The Sheriff's Office explained that it believed what the Appellant "was referring to was an email of follow up questions that was sent on the same date. I had overlooked but found the Open Records Request and have completed the request. It is available at the front desk of the Sheriff's Office currently."

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Distributed to:

Rebecca Bowman, Appellant

Ramon Pineiroa, Nelson County Sheriff

Joshua Greenwell, Nelson County Chief Deputy Sheriff

Brandon Bryan, Nelson County Deputy Sheriff

Arch McKay, Nelson County Attorney