



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-238

May 26, 2026

In re: Richard Wells/Jeffersontown Police Department

Summary: The Jeffersontown Police Department (“the Department”) violated the Open Records Act (“the Act”) when it failed to send a written response within five business days of receiving a request.

Open Records Decision

On December 24, 2025, inmate Richard Wells (“the Appellant”) submitted a request to the Department, seeking records found in the file associate with his robbery arrest. The Appellant specified that this included “det[ective] notes, witness interviews, [and] lab reports.” On March 18, 2026, having received no response from the Department, the Appellant initiated this appeal.

Upon receiving a request for public records, a public agency must determine within five business days whether to comply with the request or deny it and “shall notify in writing the person making the request, within the five (5) day period, of its decision.” KRS 61.880(1). A public agency may extend the deadline for production of the records, but only if the records are “in active use, in storage or not otherwise available” and the agency provides “a detailed explanation of the cause . . . for further delay and the place, time, and earliest date on which the public record[s] will be available for inspection.” KRS 61.872(5).

On appeal, the Department explains that it received the request on December 30, 2025, and that it has not provided the requested records because it is a “redaction heavy request and there are special circumstances surrounding the type of media [the Department] send[s] due to” the records being sent to a correctional facility. The Department also acknowledged that its “delay letter was sent late.” Because the Department admits it did not timely respond to the request, the Office finds that the Department violated the Act.¹

¹ Subsequently, the Department has stated that it has provided the Appellant with redacted copies of the requested records.

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/ Zachary M. Zimmerer
Zachary M. Zimmerer
Assistant Attorney General

#223

Distributed to:

Richard Wells #123556, Appellant
Richard Sanders, Jeffersontown, Chief of Police
Heather Keller, Jeffersontown Police Department, Records Custodian
Fred Fischer, Jeffersontown City Attorney
Bill Fox, Jeffersontown City Clerk