



COMMONWEALTH OF KENTUCKY
OFFICE OF THE ATTORNEY GENERAL

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26-ORD-240

May 28, 2026

In re: Samantha Jones/Nelson County Sheriff's Office

Summary: The Nelson County Sheriff's Office ("the Sheriff's Office") violated the Open Records Act ("the Act") when it denied a request solely because it had a commercial purpose.

Open Records Decision

On February 20, 2026, Samantha Jones ("the Appellant") submitted a request to the Sheriff's Office seeking records related to an arrest made by the Sheriff's Office on June 27, 2025. The Appellant indicated that her request was submitted for a commercial purpose. In response, the Sheriff's Office denied the request, stating the Sheriff "does not wish to share videos or records for commercial purposes." This appeal followed.

Under KRS 61.874(4), if public records are requested for a commercial purpose, the public agency may impose certain requirements, such as a reasonable fee including staff costs. A denial may only be issued on the basis that a request has a commercial purpose if "an enactment of the General Assembly prohibits the disclosure of public records to persons who intend to use them for commercial purposes." KRS 61.874(4)(a). Otherwise, "if copies of nonexempt public records are requested for commercial purposes, the public agency may establish a reasonable fee." *Id.*

The Office has previously found that a public agency violated the Act when it denied a request solely because the request was made for a commercial purpose. *See, e.g.,* 18-ORD-124. Here, the Sheriff's Office's basis for denial was the commercial purpose of the Appellant's request. The Sheriff's Office has not cited any separate provision that allows it to deny a request because it was made for a commercial purpose. Therefore, the Sheriff's Office violated the Act when it denied a request solely because it was submitted for a commercial purpose.

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

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Distributed to:

Samantha Jones, Appellant
Brandon Bryan, Nelson County Deputy Sheriff
Ramon Pineiroa, Nelson County Sheriff