



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-242

May 28, 2026

In re: Daniel Woodie/Campbell County Attorney

Summary: The Office cannot find that the Campbell County Attorney (“the County Attorney”) violated the Open Records Act (“the Act”) because the County Attorney established by clear and convincing evidence that a request it denied posed an unreasonable burden under KRS 61.872(6).

Open Records Decision

On March 18, 2026, Daniel Woodie (“Appellant”) submitted a request to the County Attorney seeking: (1) any communications from 2022 to the date of his request between the County Attorney or any employee of the County Attorney’s office that mentions or is related to any of 92 different individuals or entities; (2) records documenting the “personal relationships/friendships” between the County Attorney or any employee of the County Attorney’s office and three named individuals; (3) documentation regarding the removal of the Appellant from a particular location in March 2025; (4) communications from 2023 to the date of the request regarding the Appellant and one other individual with the staff of five public agencies; and (5) documentation showing why the County Attorney did not reveal an alleged conflict of interest “due to his past involvement with” the Appellant and a named individual.

On March 20, 2026, the County Attorney confirmed receipt of the request and stated a “substantive response” would be issued on April 17, 2026. On April 28, 2026, the County Attorney denied the request as unreasonably burdensome under KRS 61.872(6).¹ This appeal followed.

¹ The Appellant has not challenged the timeliness of the County Attorney’s response.

Under KRS 61.872(6), if a request for public records “places an unreasonable burden in producing public records . . . the official custodian may refuse to permit inspection of the public records or mail copies thereof. However, refusal under this section shall be sustained by clear and convincing evidence.” “When determining whether a particular request places an unreasonable burden on an agency, the Office considers the number of records implicated, whether the records are in a physical or electronic format, and whether the records contain exempt material requiring redaction.” 22-ORD-221. Of these, the number of records implicated “is the most important factor to be considered.” 22-ORD-182.

In 25-ORD-322, the Office found an agency had shown an unreasonable burden by clear and convincing evidence when its search resulted in 11,482 emails and attachments, which required review for “exemptions under personal privacy and [the Family Educational Rights and Privacy Act (FERPA), 20 U.S.C. § 1232g], and potentially attorney-client privilege or preliminary drafts, notes, correspondence, or recommendations or memoranda.”

Here, the County Attorney asserts that its search yielded about 29,000 responsive emails. It further explains that those 29,000 emails would need to be reviewed and redacted or withheld pursuant to the Health Insurance Portability and Accountability Act of 1996 (HIPAA); KRS 202A.091, which exempts records relating to the hospitalization of the mentally ill; KRS 222.271, which exempts records concerning the treatment of patients in treatment for substance abuse disorder; and the attorney-client privilege.

Consequently, here, the burden on the County Attorney is much greater than the burden found to be unreasonable in 25-ORD-322. Accordingly, the County Attorney has established by clear and convincing evidence that it properly denied the request under KRS 61.872(6). As a result, the Office cannot find that the County Attorney violated the Act.²

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

² Because the Appellant’s request imposes an unreasonable burden on the County Attorney, the Office need not address the County Attorney’s alternative arguments that the Appellant intended to disrupt the agency’s essential functions, is not a resident of the Commonwealth, and is engaged in the unauthorized practice of law.

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:

Dan Woodie, Appellant

Steve Franzen, Campbell County Attorney

Adam Hill, Assistant Campbell County Attorney, Records Custodian

James Patrick Dady, Assistant Campbell County Attorney