



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-257

June 4, 2026

In re: Emily Lopez/Louisville Metro Police Department

Summary: The Louisville Metro Police Department (“the Department”) did not violate the Open Records Act (“the Act”) when it denied a request for records from a requester that is not a resident of the Commonwealth under the Act.

Open Records Decision

Emily Lopez (“Appellant”) submitted a request to the Department for “the complete Computer Assist Dispatch Record Report for #LMPD230117572.” The Department denied the request because the Appellant is “not a resident of the Commonwealth.” This appeal followed.

Under KRS 61.872(1), “[a]ll public records shall be open for inspection by any resident of the Commonwealth.” Thus, only a “resident of the Commonwealth shall have the right to inspect public records.” *Id.* The Act provides seven ways in which a person may qualify as a “resident of the Commonwealth.” *See* KRS 61.870(10). *Id.* If a requester fails to provide a statement regarding how they qualify as a resident of the Commonwealth, then the agency’s records custodian may ask the requester to provide such a statement. KRS 61.872(2)(a).

Here, the Appellant did not provide a statement explaining how she qualifies as a resident of the Commonwealth. Further, on appeal, the Appellant stated she is a resident of Westerville, OH.¹ Consequently, the Office cannot find that the Department violated the Act when it denied the Appellant’s request because she is not a “resident of the Commonwealth” under KRS 61.870(10).

¹ The Appellant further states on appeal that the “subject” of the records she requested are related to “custody proceedings” in “Franklin County Domestic Relations Court” and provides a case number. This is not a basis for which an individual can be considered a resident of the Commonwealth.

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/ Matthew Ray
Matthew Ray
Assistant Attorney General

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Distributed to:

Emily Lopez
Alice Lyon
Nicole Pang
Natalie S. Johnson
Annale Taylor
Donald Haas