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26-ORD-309

July 15, 2026

In re: Anonymous/Oak Grove Police Department

Summary: The Oak Grove Police Department (“the Department”) violated the Open Records Act (“the Act”) when it did not timely respond to a request. The Department did not violate the Act when it denied a request in which the requester did not state how he or she qualified as a resident of the Commonwealth.

Open Records Decision

On May 5, 2026, an anonymous requester, under the title Trustee of the LPF Private Living Trust (“Appellant”), submitted a request to the Department seeking records related to two citations issued by the Department. On June 22, 2026, having received no response from the Department, the Appellant initiated this appeal.

On appeal, the Department explains that it received the Appellant’s request on May 5, 2026, and responded by mail on May 14, 2026. Under KRS 61.880(1), a public agency must decide within five business days whether to grant a request or deny it and “notify in writing the person making the request, within the five (5) day period, of its decision.” Because the Department’s response was issued on the seventh business day after receipt, the response was untimely and violated the Act.

Substantively, the Department’s response asked the Appellant to state how he qualified as a resident of the Commonwealth and to provide his name before it fulfilled his request. Under KRS 61.872(2)(a), only a “resident of the Commonwealth” has the right to inspect public records. Thus, “[t]he official custodian may require the applicant to provide a statement in the written application of the manner in which the applicant is a resident of the Commonwealth under KRS 61.870(10)(a) to (f).” Moreover, all applications to inspect records must contain the name and signature of the person making the request. KRS 61.872(2)(a) (authorizing the official custodian to require that an application be “signed by the applicant and with his or her name printed legibly on the application”). “[A]n application for records that includes a pseudonym instead of the requester’s real name fails to comply with

KRS 61.872(2)(a).” 25-ORD-171; *see, e.g.*, 22-ORD-122 (finding an anonymous request did not comply with KRS 61.872(2)(a)); 21-ORD-115 (same).

Here, the Appellant’s request did not include his or her name or explain how he or she qualifies as a resident of the Commonwealth. Accordingly, the Department did not violate the Act when it did not grant the Appellant’s request.

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:

Trustee of LPF Private Living Trust, Appellant
Victor Lynch, Oak Grove Police Department, Chief of Police
Lee Wilson, Oak Grove, City Attorney