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-446

October 2, 2026

In re: Chad Schmidt/Campbell County Public Library

Summary: The Office cannot find that the Campbell County Public Library ("the Library") violated the Open Records Act ("the Act") because the Office cannot resolve the factual dispute as to whether the Library issued a written response to the request.

Open Records Decision

On June 4, 2026, Chad Schmidt ("the Appellant") submitted two requests to the Library. One, titled "Intimidation Incidents Open Records Request," sought incident reports related to incidents occurring on March 16 and 19, 2026. The second, titled "May Incident Open Records Requests," sought an incident report related to an incident occurring on May 27, 2026. On September 3, 2026, the Appellant initiated this appeal, claiming he had received no response from the Library.[1]

Upon receiving a request to inspect records, a public agency must decide within five business days whether to grant or deny the request and notify the requester in writing of its decision. KRS 61.880(1). On appeal, the Library asserts that it responded on June 5, 2026. As proof, the Library provides two June 5 emails in which the Library responded to the Appellant's requests. The Appellant argues that those emails had to do with his requests related to incidents that took place on March 16 and 19, and that he did not receive a response to his request related to the May 27 incident.

The Office has regularly found that it is unable to resolve factual disputes between a requester and a public agency, including whether the agency issued a response to a particular request or whether the requester received it. *See, e.g.,* 25-

[1] In a September 18, 2026, supplemental communication, the Appellant clarified that he had received a response to the request for the March records and that this appeal concerns only the request for the May 27 incident report.

ORD-292; 23-ORD-220. At bottom, the parties disagree regarding which requests to which the Library's responses relate. The Office cannot resolve that factual dispute. Accordingly, the Office cannot find that the Library violated the Act.

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:

Chad Schmidt
Steve Franzen
Chantelle Phillips
Mary Stewart