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-455

October 14, 2026

In re: Howard Froehlicher/Campbell County Detention Center

Summary: The Campbell County Detention Center ("the Jail") did not violate the Open Records Act ("the Act") when it responded to a request by providing all responsive records in its possession.

Open Records Decision

Howard Froehlicher ("the Appellant") submitted an 11-part request to the Jail for records relating to his incarceration following an arrest in April 2024. In response, the Jail stated that "[f]orty-four (44) pages of records have been identified as responsive to this request" and provided those records to the Appellant, with certain redactions that are not at issue.[1] This appeal followed.

The Appellant complains that the Jail did not individually respond to each of the 11 categories of records in his request by indicating whether any responsive records exist "or identify[ing] a statutory basis for withholding them." However, the Jail issued a complete response to the Appellant's request by indicating that only 44 pages of records were responsive to his request. A statement from a public agency that it has disclosed all responsive records is "tantamount to an affirmative statement that the remaining records requested do not exist." 04-ORD-040. Therefore, the Jail did not violate the Act when it provided all records responsive to 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

[1] Specifically, the Jail redacted the full names of staff members under KRS 197.025(1); "home address, personal telephone number, emergency contact information, and driver's license photo" under KRS 61.878(1)(a); and "medical and mental health information [under] HIPAA."

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/ James M. Herrick
James M. Herrick
Assistant Attorney General

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Distributed to:

Howard Froehlicher
James Daley, Jailer
Steve Franzen, Esq.
Wil Schroder, Esq.
Zachary Smith