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26-ORD-465

October 15, 2026

In re: Shonna Maxie/Justice and Public Safety Cabinet

Summary: The Justice and Public Safety Cabinet ("the Cabinet") did not violate the Open Records Act ("the Act") when it denied a request due to the requester's failure to state how she qualified as a resident of the Commonwealth of Kentucky.

Open Records Decision

Shonna Maxie ("the Appellant") submitted a request by email to the Cabinet for "all documents that have been generated since 2024 that define [the] desirability of granting parole, and the best interest of society[,] that are used in the consideration process for granting parole." The Cabinet denied the request under KRS 61.872(2)(a) on the grounds that the Appellant had "not provided a statement of the manner in which [she was] a 'resident of the Commonwealth' under KRS 61.870(10)(a)–(f)." This appeal followed.

Under KRS 61.872(2)(a), only a "resident of the Commonwealth shall have the right to inspect public records." When a person requests inspection of records, "[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)." KRS 61.872(2)(a). The relevant definitions of "resident of the Commonwealth" are as follows:

(a) An individual residing in the Commonwealth;
(b) A domestic business entity with a location in the Commonwealth;
(c) A foreign business entity registered with the Secretary of State;
(d) An individual that is employed and works at a location or locations within the Commonwealth;
(e) An individual or business entity that owns real property within the Commonwealth; [or]

> (f) Any individual or business entity that has been authorized to act on behalf of an individual or business entity defined in paragraphs (a) to (e) of this subsection[.]

KRS 61.870(10).

On appeal, the Appellant states she is a resident of Paducah, Kentucky, which would qualify her as a "resident of the Commonwealth" under KRS 61.870(10)(a). However, the Appellant did not provide a statement to that effect with her request. Therefore, the Cabinet did not violate the Act when it denied the Appellant's request. *See, e.g.,* 21-ORD-193.

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

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Distributed to:

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