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26-ORD-473

October 22, 2026

In re: Leah Rose/Boone County Sheriff's Office

Summary: The Office cannot find that the Boone County Sheriff's Office ("the Sheriff's Office") violated the Open Records Act ("the Act") because the Office cannot resolve the factual dispute between the parties concerning receipt of a request for records.

Open Records Decision

On September 14, 2026, Leah Rose ("the Appellant") allegedly submitted a request to the Sheriff's Office for records relating to a certain camera installed near an intersection in Boone County. Having received no response by September 24, 2026, the Appellant initiated this appeal.

Under KRS 61.880(1), a public agency must respond within five business days after receipt of a request for records. Here, the Appellant claims the Sheriff's Office failed to timely respond to her request. However, the Sheriff's Office states it did not receive the request because the Appellant sent it to an incorrect email address.[1] Because the Office cannot adjudicate disputed issues of fact, such as whether an agency received a request to inspect records, the Office cannot find that the Sheriff's Office failed to respond in a timely manner. *See, e.g.,* 25-ORD-403. Accordingly, the Office cannot find that the Sheriff's Office violated the Act.

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] The Sheriff's Office has provided the Office with a copy of its Open Records Rules and Regulations on appeal. From a review of that document, it appears the Appellant transposed two letters in the email address for the Sheriff's Office's records custodian. If so, that would explain why the Sheriff's Office did not receive the Appellant's request.

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:

Leah D. Rose
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