



COMMONWEALTH OF KENTUCKY
OFFICE OF THE ATTORNEY GENERAL

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21-ORD-021

February 8, 2021

In re: Taquan Neblett/Kentucky State Reformatory

Summary: The Kentucky State Reformatory (“Reformatory”) did not violate the Open Records Act (“the Act”) when it denied an inmate’s request for records that do not contain a specific reference to him.

Open Records Decision

On December 21, 2020, inmate Taquan Neblett (“Appellant”) requested from the Reformatory a copy of the Terms of Service for the JPay email service used in the Reformatory.¹ The Reformatory timely responded to deny the request because the requested record does not specifically refer to the Appellant by name.

KRS 197.025(2) provides that the Reformatory is not “required to comply with a request for any record from any inmate . . . unless the request is for a record which contains a specific reference to that individual.” KRS 197.025(2). The Terms of Service that the Appellant requested is a generally applicable policy related to the JPay email system. It does not refer to any specific inmate. Accordingly, the Reformatory did not violate the Act in denying the request.

A party aggrieved by this decision may appeal it by initiating action in the appropriate circuit court pursuant to KRS 61.880(5) and KRS 61.882. Pursuant to

¹ This Office has previously explained the contractual relationship between JPay, Inc. and the Department of Corrections. *See* 20-ORD-109.

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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.

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/s/Marc Manley
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Assistant Attorney General

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Distributed to:

Taquan Neblett #119028

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