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**21-ORD-060**

March 29, 2021

In re: Robert Manley/Eastern Kentucky Correctional Complex

**Summary:** The Eastern Kentucky Correctional Complex (“Complex”) did not violate the Open Records Act (“the Act”) when it denied an inmate’s request for a record that did not contain a specific reference to him.

***Open Records Decision***

On February 20, 2021, Robert Manley (“Appellant”) requested from the Complex a copy of “the Kentucky DOC newly revised 2021 Classification Manual.” In a timely response, the Complex denied the request under KRS 197.025(2) because the manual did not contain a specific reference to him. This appeal followed.

Under KRS 197.025(2), “the department shall not be required to comply with a request for any record from any inmate confined in a jail or any facility or any individual on active supervision under the jurisdiction of the department, unless the request is for a record which contains a specific reference to that individual.” The manual does not contain a specific reference to Appellant. The Attorney General has consistently recognized that KRS 197.025(2) expressly authorizes correctional facilities to deny an inmate’s request if the records do not contain a specific reference to that inmate. *See, e.g.,* 20-ORD-130; 10-ORD-216; 08-ORD-008. Accordingly, the Complex 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 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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