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25-ORD-022

January 28, 2025

In re: Bryan Brown/Lee Adjustment Center

Summary: The Lee Adjustment Center (“the Center”) violated the Open Records Act (“the Act”) when it did not respond to a request under the Act.

Open Records Decision

On October 11, 2024, inmate Bryan Brown (“Appellant”) submitted a request to the Center for a “copy of the pending detainer the [Center] is using to hold [the Appellant] to answer for murder.” On December 12, 2024, claiming to have received no response from the Center, the Appellant initiated this appeal.

Under KRS 61.880(1), upon receiving a request for records under the Act, a public agency “shall determine within five (5) [business] days . . . after the receipt of any such request whether to comply with the request and shall notify in writing the person making the request, within the five (5) day period, of its decision.” Here, the Appellant submitted a request to the Center and he never received a response to that request. On appeal, the Center admits it “did not respond to this specific open records request.”¹ Accordingly, the Center violated the Act.

A party aggrieved by this decision may appeal it by initiating an action in the appropriate circuit court under KRS 61.880(5) and KRS 61.882 within 30 days from the date of this decision. Under 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

¹ The Center states that between its receipt of the October 11 request and the Appellant’s initiation of this appeal, it obtained responsive records from outside sources and has provided those to the Appellant. As proof, the Center provides two previous requests from the Appellant and its responses to those requests.

any subsequent proceedings. The Attorney General will accept notice of the complaint emailed to OAGAppeals@ky.gov.

Russell Coleman
Attorney General

/s/ Matthew Ray
Matthew Ray
Assistant Attorney General

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Distributed to:

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