

OPEN RECORDS POLICY

Pursuant to KRS 61.870 to 61.884, the public records of the Commonwealth's Attorney for the 15th Judicial Circuit of Kentucky, other than those exempted by law, are open for inspection by any resident of the Commonwealth upon written request to:

Hon. Leigh Ann Roberts
Commonwealth's Attorney
526 Highland Avenue, P.O. Box 548
Carrollton, KY 41008
Fax: (502) 732-8303

Application for inspection must be in writing and include the following information: (a) name, address, and telephone number of the applicant; (b) the specific record(s) the applicant wishes to inspect or copy; and (c) whether the records are requested for commercial or non-commercial use. If requested for commercial use, applications must include a certified statement of the commercial purpose.

Applicants for inspection of public record will be notified in writing not later than five (5) working days after receipt of an application for inspection of any reason the requested records are not available for public inspection.

Copies of written materials in the public records of this agency will be furnished to any non-commercial purpose applicant upon payment of a fee of \$.10 per page. Copies of non-written materials in the public record (photographs, digital files, etc.) will be furnished upon payment of a charge equal to the actual cost of producing copies of such materials by the most economic process not likely to damage or alter the records. For copies of public records requested for commercial purposes, the custodian may require the applicant to enter into a contract which will include the fees charged by this Office, including but not limited to fees charged for staff time required to produce copies of the records. Any fees shall be paid before copies are made.

Be advised: pursuant to KRS 61.878(1)(h), "records or information compiled and maintained by County Attorneys or Commonwealth's Attorneys pertaining to criminal investigations or criminal litigation shall be exempted from the provisions of KRS 61.870 to 61.884 and shall remain exempted after enforcement action, including litigation, is completed or a decision is made to take no action." See also: *Skaggs v. Redford*, 844 S.W.2d 389 (Ky. 1992).

K.R.S. 61.870(1)(10) defines "Resident of the Commonwealth" as the following:

- a) An individual residing in Kentucky;
- b) A domestic business entity with a location in Kentucky;
- c) A foreign business entity registered with the Secretary of State;
- d) An individual employed and working at a location or locations in Kentucky;
- e) An individual or business entity that owns real property within Kentucky;
- f) An individual or business entity authorized to act on behalf of an individual or business entity defined in sections a) through e) above;
- g) A news-gathering organization as defined in K.R.S. 189.635(8)(b)1.a.-e.

Request to Inspect Public Records

Pursuant to the Kentucky Open Records Act ("the Act"), KRS 61.870 *et seq.*, the undersigned requests to inspect the public records which are described below.

Requester's contact information.

Name: [REDACTED]

Mailing Address: [REDACTED]

E-mail Address (if applicable): [REDACTED]

Records to be inspected:

[REDACTED]

Statement regarding the use of public records. KRS 61.870(4) defines "commercial purpose" as "the direct or indirect use of any part of a public record or records, in any form, for sale, resale, solicitation, rent, or lease of a service, or any use by which the user expects a profit either through commission, salary, or fee." However, "commercial purpose" does not include the publication or related use of the public record by a newspaper or periodical, by a radio or television station in its news or informational program, or by use in the prosecution or defense of litigation by the parties to such an action or their attorney.

This request is (choose one):

- ☐ NOT for a commercial purpose; or
☐ FOR a commercial purpose.

Statement regarding residency. I further state that I am a resident of Kentucky because I am (please check one):

- ☐ An individual residing in the Commonwealth; or
☐ A domestic business entity with a location in the Commonwealth; or
☐ A foreign business entity registered with the Kentucky Secretary of State; or
☐ An individual that is employed and works at a location within the Commonwealth; or
☐ An individual or business entity that owns real property within the Commonwealth; or
☐ An individual or business entity that has been authorized to act on behalf of an individual or business entity listed above; or
☐ A news-gathering organization as defined in KRS 189.635(8)(b)1a. to e.

Signature: [REDACTED]

Date: [REDACTED]

Pursuant to KRS 61.876(4), the Office of Attorney General has promulgated by administrative regulation this form. See 40 KAR 1:040.