

20.6 OPEN RECORDS REQUESTS

The Jefferson County Sheriff's Office is a public agency. Consequently, access to the records of the Sheriff's Office is governed generally by the Kentucky Open Records Act, KRS 61.870 to 61.884. Pursuant to that act, the following procedures will be followed:

- A. Any resident of the Commonwealth may request to inspect Public Records. The definition of "resident" will be codified at KRS 61.870 (10), but includes individuals and businesses living, operating, and working within the Commonwealth, as well as news-gathering organizations. A person submitting a request to inspect public records must include with the request a statement that the person making the request is a resident of the Commonwealth. A public agency may deny a request to inspect records that does not include such a statement. See KRS 61.872 (2)
- B. All Open Records Request should be directed to the Administrative Service Division located at 531 Court Place #600, Louisville, KY 40202. Hours of operation are 8am -4pm Monday through Friday except for holidays. Requests can also be submitted by email by sending an email to mlittlefield@jcsoky.org.
- C. Because of the complexity of legal issues regarding disclosure of public records, legal counsel should be consulted in cases of any doubt.
- D. Although the Sheriff's Office may provide public records without a written request, whenever there is a question regarding whether records should be produced, the requesting party should be told that the request must be made in writing.
- E. Upon receipt of a written request for records, the Sheriff's Office must make a written response, stating whether or not the records will be produced in whole or in part, within five business days (i.e., excluding Saturdays, Sundays, and legal holidays).
- F. If a portion of the records request is denied, the response must identify the records which will not be provided, and state the exemption in the Open Records Act or other law authorizing the withholding of the records, and briefly explain the application of that exemption to the records withheld.
- G. The response must be made within the five-day period even if it is impractical to provide the records requested within the five days; however, if it is impractical to provide the requested records, the response may state that the records will be provided at a later date because immediate provision would be impractical

H. Requested records must be provided unless exempted from public disclosure by a provision of the Open Records Act or other law. Records that should not be provided under the Open Records Act include:

1. Records containing the address, social security number, medical information, or names of dependents, of employees of the Sheriff's Office.
2. Records which contain information that might place a member of the public, or a Sheriff's Office employee, in danger. This might include recorded communications wherein a person requested law enforcement assistance in a domestic violence situation, or information that could expose a deputy to threat from an arrested subject.
3. Records concerning on-going criminal investigations or prosecutions.
4. Records concerning on-going disciplinary investigations or prosecutions.

I. In some circumstances it may be appropriate to provide a requested record with certain information redacted.