



**COMMONWEALTH OF KENTUCKY
OFFICE OF THE BOONE COUNTY ATTORNEY**

Jordan Dallas Turner, Boone County Attorney

OPEN RECORDS POLICY (KRS 61.870 to 61.884)

(effective May 1, 2023)

1. The public is hereby notified that all requests for inspection of public records of the Boone County Attorney's Office must be submitted during regular office hours to the following Official Records Custodian:

William G. Knoebel, Assistant Boone County Attorney
2970 Union Square
P.O. Box 83
Burlington, KY 41005
Phone: (859) 334-3200
Fax: (859) 334-3212

Email: bknoebel@boonecountky.org

Office hours: Monday – Friday, 8:30am-4:30pm (excluding holidays)

2. The request must be in writing and include the following information: (a) requestor's name, mailing address, and telephone number; (b) the specific record(s) the requestor wishes to inspect or request copies of; (c) whether the records are requested for commercial or noncommercial use; and (d) a statement regarding residency. Requests should be itemized and described as clearly as possible by the requestor.

If requested for commercial use, an additional certified statement must accompany the request and indicate the commercial purpose for which the records will be used. The Office may require the requestor to enter into a contract with the Office, permitting the use of the public records for the stated commercial purpose for a fee, as set forth in (7.).

Available public records are open for copy and inspection only by residents of the Commonwealth of Kentucky. A listing of who is considered a resident is set forth in KRS 61.870(10), namely:

- (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 that is employed and works at a location(s) within Kentucky;
- (e) An individual or business entity that owns real property in Kentucky;
- (f) An individual or business entity that has been 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 KRS 189.635(8)(b)(1)(a)-(e)

3. A request may be sent electronically to the Official Records Custodian, or they may be mailed or hand-delivered to the Official Records Custodian at the address set forth in (1.) above. All requests must include all information in (2.) above, along with a signature and date.
4. A standard request form is available to aid citizens in making their request, which is available below, in hard-copy at the Office, and via at the Attorney General's website [here](#).
5. Upon receipt of a request which meets the above requirements, the Boone County Attorney's Office will respond within 5 (five) working days (excepting weekends and legal holidays).

If a response is delayed, the Office shall provide notice to the requestor of the delay and explain the circumstances necessitating additional processing time.

If the record(s) requested is open for public disclosure, the Office will either provide copies of the requested records as set forth in items (6.) and (7.) or set a time when the requestor may inspect the requested records with a notification of the approval of the request. If the set time is not convenient for the requestor, the Office will attempt to coordinate a new inspection time convenient to all parties, but it may exceed 5 (five) working days.

If the requested record(s) is not open for public disclosure and is denied, the Office will notify the requestor and provide the statutory exemption(s) under which the request falls. Certain records may be excluded in whole or in part.

6. Nonexempt public records requested for noncommercial purposes shall be available for copying in either standard electronic or standard hard copy format, as designated by the requestor, where the Office currently maintains the records in electronic format; if currently maintained in hard copy format, said records shall be copied in standard hard copy format. The Office is not required to convert hard copy format records to electronic records.

The Office may charge 10 (ten) cents per page for photocopied material. For recordings, computer disks, and tapes, \$5.00 per copy. Copies of other types of records shall be furnished on payment of a fee equal to the actual cost of production. Additionally, the Office may charge postage fees for transmittal.

When records are to be sent electronically to the requestor, there is no charge so long as the format and size of the requested record(s) may be transmitted electronically.

The Office will not charge for staff time required to reproduce records for noncommercial use, and costs shall not exceed the actual cost of reproduction, including the costs of the media and any mechanical processing time by the Office.

Estimated costs will be communicated to the requestor before costs are incurred. Any fees must be paid before copies are produced.

7. For nonexempt public records requested for commercial purposes, a reasonable fee shall be charged. The Office reserves the right to charge for the cost to the Office of media, mechanical processing, and staff required to produce a copy of the public record(s), as well as the cost to the Office of the creation, purchase or other acquisition of the public records, pursuant to KRS 61.874(4)(a) and (c).
8. Certain records are exempted from application of the Open Records Act pursuant to KRS 61.878(1), federal and state law, and/or rulings of the Attorney General or Courts. The Office will

not make said exempted records available for public inspection or copy. Please note that under KRS 61.878(1)(h), all prosecutorial files held by a County Attorney are exempt from disclosure.

9. Questions may be directed to the Official Records Custodian set forth above.