

PROCEDURES FOR OBTAINING KENTUCKY STATE POLICE RECORDS

To: KATA Membership

From: Jay Vaughn, Board of Governors

Date: February 1, 2005

There has been some confusion amongst our membership as to how and when an attorney is able to obtain information from the Kentucky State Police regarding an accident they investigated. Below is a summary of the appropriate procedures:

1) Send all requests to:

Kentucky State Police Headquarters
Attn: Deborah Arnold
919 Versailles Road
Frankfort, Kentucky 40601
Tele: (502) 695-6391
Fax: (502) 573-1636
She is the official custodian of records

2) Your request can be for both accident reports & photographs

3) You can cite the Kentucky Open Records Act; but it is not required

4) If a case is not opened (meaning no fatality or criminal charges) or a case has been closed, then Ms. Arnold will be able to release to you the accident report & all photographs (if requested)

5) If a case has been opened (meaning a fatality or criminal charges) & is still pending/open, then Ms. Arnold can only send you the accident report; but cannot send the photographs

a) Exception: the only way you can obtain both the accident report and photographs while a case is open/pending is to send Ms. Arnold a subpoena for the records

6) All photographs are kept at the Central Forensic Lab in Frankfort. However, do not send requests for photographs directly to this location – send them to Deborah Arnold. The Central Forensic Lab can and will only release photographs upon the authorization of Ms. Arnold. Once they receive this authorization, the Lab will send you an invoice/bill. Upon receipt of payment, the Lab will mail the photographs directly to your office.

(This was reviewed by Deborah Arnold for accuracy)