

1 OFFICE OF THE ATTORNEY GENERAL

2 STATE OF NEVADA

3 In the matter of:

4 NEVADA COMMISSION ON AUTISM
5 SPECTRUM DISORDERS

OAG FILE NO.: 13897-552

**FINDINGS OF FACT AND
CONCLUSIONS OF LAW**

7
8 **BACKGROUND**

9 Steven Cohen filed a complaint with the Office of the Attorney General (“OAG”)
10 alleging violations of the Nevada Open Meeting Law (“OML”) by the Nevada
11 Commission on Autism Spectrum Disorders (“Commission”), stemming from its
12 October 18, 2024, meeting. Specifically, Mr. Cohen alleges the following:

13 **ALLEGATION NO. 1:** The Commission failed to retain the audio or video
14 recording of its October 18, 2024, meeting, as required pursuant to NRS
15 241.035(4).

16 The OAG has statutory enforcement powers under the OML and the authority
17 to investigate and prosecute violations of the OML. NRS 241.037; NRS 241.039; NRS
18 241.040.

19 The OAG’s investigation of the Complaint included a review of the following:

- 20 1. The Complaint;
- 21 2. The Response filed on behalf of the Commission, dated August 4, 2025, and
22 all attachments thereto, including the agenda and minutes for the October
23 18, 2024, meeting.

24 After investigating the Complaint, the OAG determines that the Commission
25 committed a technical violation of the OML by failing to retain the October 18, 2024,
26 meeting recording. However, for the reasons set forth below, the OAG will not pursue
27 enforcement or penalties.

1 **FINDINGS OF FACT**

- 2 1. The Commission held a public meeting on October 18, 2024, at 3:30 p.m.
- 3 2. The Commission recorded the meeting using the Microsoft Teams platform.
- 4 The meeting was not transcribed by a court reporter certified pursuant to NRS
- 5 Chapter 656.
- 6 3. The recording of the meeting was not downloaded or otherwise preserved and
- 7 expired from the Microsoft Teams cloud storage system.
- 8 4. On December 13, 2024, the complainant attended a subsequent Commission
- 9 meeting and requested access to the October 18, 2024, recording. Commission
- 10 staff informed the complainant that the recording was no longer available.
- 11 5. A written transcription of the October 18, 2024, meeting was retained by the
- 12 Commission.
- 13 6. On August 4, 2025, the Commission submitted a Response outlining corrective
- 14 measures, including formal public meeting policies, centralization of
- 15 Commission support staff, and OML training provided to the Commission on
- 16 April 18, 2025.

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18 **LEGAL STANDARDS AND CONCLUSIONS OF LAW**

19 The Commission is a “public body” as defined in NRS 241.015(4) and is

20 therefore subject to the OML.

21 **A. Allegation No. 1: The Commission violated the OML by failing to**

22 **retain the recording of its October 18, 2024, meeting pursuant to**

23 **NRS 241.035(4).**

24 The OML requires that a public body record its meetings on audiotape or video

25 or cause the meeting to be transcribed by a court reporter. NRS 241.035(4). If a public

26 body elects to record a meeting rather than use a certified court reporter, it must

27 retain the recording for at least three (3) years after adjournment. NRS 241.035(4)(a).

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1 Here, the Commission recorded the October 18, 2024, meeting via Microsoft
2 Teams but did not retain the recording beyond the automatic expiration period. The
3 existence of written minutes or a transcription does not satisfy the statutory
4 requirement to retain the recording. Accordingly, the OAG finds that the Commission
5 violated NRS 241.035(4).

6 While the OAG finds a violation, the failure to retain the recording resulted
7 from a technical oversight, not intentional concealment. The Commission promptly
8 implemented corrective measures, including formal retention procedures and staff
9 training. Under NRS 241.035(8), the OAG exercises discretion not to pursue
10 enforcement or penalties in this instance.

11 12 **SUMMARY**

13 Upon investigating the Complaint, the OAG finds that the Commission
14 violated the OML by failing to retain the recording of its October 18, 2024, meeting
15 as required by NRS 241.035(4).

16 If the Attorney General investigates a potential OML violation and issues
17 findings of fact and conclusions of law, “the public body must include an item on the
18 next agenda posted for a meeting of the public body which acknowledges the findings
19 of fact and conclusions of law.” NRS 241.0395. The public body must treat the OAG
20 opinion as supporting material for the agenda item(s) in question for the purposes of
21 NRS 241.020. Accordingly, the Commission must place an item on its next meeting
22 agenda acknowledging the present Findings of Fact and Conclusions of Law
23 (“Opinion”) and include the OAG Opinion in the supporting materials for that
24 meeting.

25 Lastly, NRS 241.037 confers upon the OAG the power to bring suit “in any
26 court of competent jurisdiction to have an action taken by a public body declared void
27 or for an injunction against any public body or person to require compliance with or
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1 prevent violation of [NRS 241].” NRS 241.037(1). Further, NRS 241.0365(1) provides
2 that if a public body takes action to correct an alleged violation within 30 days of the
3 alleged violation, the Attorney General may decide not to commence prosecution of
4 the alleged violation if doing so would be in the best interests of the public. Here,
5 while the OML violation occurred, the OAG concludes that the corrective measures
6 implemented by the Commission are sufficient to address the violation.

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8 Dated: March 31, 2026

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10 AARON FORD
11 Attorney General

12 By: /s/ Stephanie Itkin-Goodman
13 STEPHANIE ITKIN-GOODMAN
14 Deputy Attorney General
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CERTIFICATE OF SERVICE

I hereby certify that on the 31st day of March 2026, I served the foregoing
FINDINGS OF FACT AND CONCLUSIONS OF LAW by depositing a copy of
the same in the United States mail, properly addressed, postage prepaid,
CERTIFIED MAIL addressed as follows:

Steven Cohen

Complainant

Certified Mail No.: [REDACTED] 6609

Cheyenne Pasquale
Nevada Commission on Autism Spectrum Disorders
1161 S. Valley View Boulevard
Las Vegas, Nevada 89102
Agency Manager to ADSD

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/s/ Quintina Buck
An employee of the Office of the
Nevada Attorney General