



## STATE OF NEVADA PUBLIC RECORDS TASK FORCE

### MEETING MINUTES

|                   |                                                                                                                                                                   |
|-------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Date:</b>      | July 22, 2026                                                                                                                                                     |
| <b>Time:</b>      | 1:00 p.m. (hard stop at 4:30 p.m. per LCB)                                                                                                                        |
| <b>Locations:</b> | Legislative Counsel Bureau (LCB) Buildings — hearing rooms in Carson City and Las Vegas (video-conferenced), with remote/telephonic public participation via Zoom |

### MEMBERS PRESENT

Ben Lipman, Britney Walker, Colleen McCarty, Kalie Work, Leslie Nino Piro, Mitch Fox, Matt Morris, Matt Christian, Staci Lindberg, and Chair Josh Hicks. A quorum was present.

### 1. CALL TO ORDER AND ROLL CALL

Chair Hicks called the meeting of the State of Nevada Public Records Task Force to order at approximately 1:00 p.m. on July 22, 2026. Roll was called; all members indicated their presence as noted above.

### 2. PUBLIC COMMENT (OPENING)

The Chair opened public comment, first in Carson City, then Las Vegas, then telephonically/online. No public comment was offered in person in Carson City or Las Vegas.

- Kathleen Light (telephonic) addressed the Task Force regarding a prior public records request related to her allegations of sexual assault by a former state employee.

The Chair noted that written public comment received through the day before the meeting had been distributed to all Task Force members.

### 3. APPROVAL OF JUNE 8, 2026 MEETING MINUTES

No revisions were proposed.

*MOTION: Matt Morris moved to approve the June 8, 2026 meeting minutes. SECOND: Mitch Fox. VOTE: Motion carried unanimously.*

## **4. UPDATE ON JULY 9, 2026 PRESENTATION TO THE JOINT INTERIM STANDING COMMITTEE ON GOVERNMENT AFFAIRS**

Ben Lipman and Kalie Work reported on their July 9, 2026 presentation to the Legislature's joint interim standing committee on government affairs.

- The presentation summarized the Task Force's work to date, consistent with previously circulated written materials.
- Committee questions focused on whether the Task Force has sufficient time and what it expects to accomplish; members responded that the Task Force's charge is ambitious and that a final report is due by the end of October 2026.
- No interim status report to the joint committee is required before the final report.
- An Assembly member expressed interest in the Task Force incorporating best practices from other states, potentially as a report appendix.

## **5. REVIEW OF DRAFT REPORT TEMPLATE**

Colleen McCarty distributed a copy of suggested revisions and additions to the draft report template submitted by transparency-advocate members, both by email and in hard copy, and confirmed the document was made available to members of the public present. The Task Force proceeded through the template by section. No formal votes were taken on report content; the discussion below reflects positions and assignments discussed. This remains a working draft subject to further revision.

### **3.1 — Exemptions Review**

- Discussion of whether to review the roughly 597 statutory references to confidentiality/exemptions to identify any that are outdated, redundant, or should be added, without redrafting substantive law.
- Ben Lipman, Matt Christian, and Leslie Nino Piro each reported having, or offered to compile, spreadsheets cataloging exemption statutes; they will informally compare/share these before the next meeting (not as a formally appointed subcommittee).
- Members noted the difficulty of being fully exhaustive given the volume of statutes and cross-references.

### **3.2 — Policies Relating to Review Boards**

- Matt Christian will arrange for a representative of the Las Vegas Police Protective Association to present to the Task Force in August regarding review-board statutes and related pending litigation, primarily applicable to Las Vegas Metropolitan Police Department.

### **3.3 — Impact of Broad Public Records Requests**

- Extended discussion of a proposed addition to "identify the value" of records requests within this section. Government-entity members generally viewed this section as limited to evaluating the impact of broad requests on agencies, with any "value" discussion more appropriately placed in the report's overview or recommendations sections.

Transparency-advocate members maintained that the value of broad/bulk requests should be addressed alongside any discussion of their burdens.

- Leslie Nino Piro and Kalie Work proposed that the Task Force first develop a working definition of “broad public records request,” noting the term is being used inconsistently (e.g., to describe both large/complex requests and discrete bulk-data requests).
- No resolution was reached; the discussion will continue at a future meeting.

### **3.4 — Cost, Burden, and Time Constraints for Redaction**

- Members discussed the relationship between broad requests, redaction burden, and commercial use of records (e.g., body-worn camera footage requested for entertainment purposes).
- Proposed solutions discussed a standardized front-end mechanism/resource to help requesters narrow requests before submission; and a designated point of contact at agencies for requesters.
- Leslie Nino Piro will solicit cost and staff-hours information from state agencies to include as examples in the report.
- Members discussed redaction technology currently in use (e.g., frame-by-frame body-worn camera review, Adobe-based document redaction, exploratory use of AI) and its costs; Matt Christian and Leslie Nino Piro noted interest in surveying agencies statewide on tools and associated costs as a basis for a possible funding recommendation.
- Members noted that locating responsive records across multiple databases (not only redacting them) is itself a significant cost driver.

### **3.5 — Financial Burden / Fee Structures**

- Assignments: Colleen McCarty will compile fee schedules from local governments/municipalities (Southern Nevada); Leslie Nino Piro will compile fee schedules from state agencies. Staci Lindberg offered to provide Lyon County’s departmental fee schedule.
- Matt Christian described Metropolitan Police Department’s published fee schedule, including a body-worn-camera review/redaction rate of \$89/hour reflecting the actual cost of the commissioned personnel assigned to that task, and offered to explain Metro’s legal basis for its fees if the department is cited as an example in the report.
- Members noted NRS requires agencies to publish fee schedules following approval at an open meeting.

### **3.6 — Dispute Resolution Mechanisms**

- Colleen McCarty reported ongoing engagement with the Reporters Committee for Freedom of the Press to research dispute-resolution models (including ombudsperson models) used in other states, with a report expected at the September meeting.
- Members discussed the current litigation process (petition for writ of mandamus) under NRS Chapter 239, including its relative speed when expedited (cited example: resolved in approximately 40 days) versus the cost barrier posed by district court filing fees

(approximately \$400+) for individual requesters, noting fee waivers are available for indigent filers.

- Proposals discussed included a pre-litigation mediation or administrative-review step (e.g., an independent, non-agency-employee hearing officer), whether as an optional or required step; no consensus was reached on whether such a step should be mandatory.
- Members also discussed a front-end resource/point of contact to help requesters craft requests before submission, potentially reducing the volume of disputes reaching litigation.

### **3.7 — Data Collection and Sharing Methods**

- No comments or proposed revisions at this time; to be developed further.

### **4.1 — Clarification of Custodianship and Control**

- Members discussed ambiguity in NRS Chapter 239 regarding “legal custody and control” of records, including circumstances where an agency possesses another entity’s records or third-party materials (e.g., voluntarily provided surveillance footage), without a statutory definition of “public record.”
- General agreement that this area of law would benefit from legislative clarification, though members did not agree on what the substantive rule should be.

### **4.2 — Protection of Sensitive Information and Transparency**

- Extensive discussion of the personal privacy balancing test (“CCSD balancing test”). Positions included:
  - Concern (Ben Lipman) that the balancing test is frequently overused by agencies absent a genuine, legislature-recognized privacy interest, and that clarification of the applicable standard would be beneficial.
  - Support (Matt Christian) for developing a reference list of common record categories with clear confidentiality determinations, while retaining the balancing test as a fail-safe for records not otherwise categorized.
  - Concern (Colleen McCarty) that categorical lists may not account for context-dependent situations where disclosure serves an important public interest.
  - Concerns raised (Leslie Nino Piro, Kalie Work) regarding bulk/AI-driven data-aggregator requests, the potential chilling effect of disclosure on victims/witnesses, and agency liability exposure.
  - Discussion of statutory inconsistency between newly protected categories (e.g., nonprofit donor identity) and other information that remains fully public (e.g., certain property records).
  - Discussion (Staci Lindberg, Matt Christian) distinguishing records reflecting government/official conduct (appropriately public) from records primarily reflecting private individual conduct with limited public-accountability value, referencing Ninth Circuit case law (*Houston v. Maricopa County*) regarding constitutional limits on using government records that may be used for punitive/shaming purposes.

- Countervailing view (Ben Lipman, Colleen McCarty) that expanded public disclosure and media coverage of sexual assault cases over recent decades has coincided with increased, not decreased, reporting by victims.
- Matt Morris raised NRS 239.012 (immunity for good-faith disclosure/non-disclosure decisions) as an area warranting clarification, noting it has not been judicially tested. Leslie Nino Piro noted the statute's ambiguity as to entity-level (not solely individual) liability and related financial exposure.
- Leslie Nino Piro identified two additional factors she considers in privacy-balancing analysis: potential chilling effect on future reporting by victims/witnesses, and potential for disclosed information to be used to facilitate retaliation.

### **4.3 — Criteria for Granting or Denying Access**

- Members noted this topic had substantially been addressed through the preceding discussion; no additional comments at this time.

### **4.4 — Penalties for Delayed or Incomplete Responses**

- Leslie Nino Piro proposed prioritizing training/certification requirements for records custodians over monetary penalties, noting that monetary penalties are ultimately funded by taxpayers.
- Matt Christian noted existing statutory penalties (including fee-shifting for unsuccessful agency defense) are already significant.
- Extended discussion regarding whether the five-business-day statutory response deadline remains realistic given the substantial increase in the volume and complexity of government-held data (email, body-worn camera footage, multiple databases) since the deadline was established, without reaching resolution. Members generally agreed that improved technology and staffing, supported by legislative funding recommendations, would help address underlying delay.

### **4.5 — Criminal Investigations**

- Britney Walker noted this section heading had been inadvertently struck from the template and requested it be restored, as it is specifically identified in AB128.

### **Proposed Additional Sections (4.8–5.2)**

- Matt Christian expressed a preference for maintaining the report's structure consistent with AB128's enumerated topics rather than adding new numbered sections, while noting related concepts could be incorporated within existing sections.
- Members discussed proactive online publication of public records and meeting minutes (Sections 5.1–5.2) as a means of reducing the need for individual records requests; general support was expressed for including this concept in the report.

## **6. SUBCOMMITTEES / INTERIM WORK**

The Task Force determined that formally appointed subcommittees would trigger Open Meeting Law obligations and, given the limited time before the next meeting, declined to appoint formal subcommittees. Individual members were encouraged to independently

prepare proposed recommendations, and where practicable, proposed statutory language for the Legislature's consideration, for discussion at the next meeting. The Task Force clarified that its charge is to produce a report, not to draft legislation.

## 7. NEXT MEETING(S)

- **August 5, 2026, 9:00 a.m.** — LCB Building (Carson City / Las Vegas hybrid, same format as today's meeting). Agenda will substantially mirror today's, with possible presentations (Las Vegas Police Protective Association; potentially State Bar of Public Lawyers, Reporters Committee for Freedom of the Press, and Nevada Department of Transportation). Colleen McCarty will prepare the agenda.
- **September 10, 2026, 9:00 a.m.** (placeholder) — Location to be confirmed: LCB Building if available, or Ballard Spahr's Las Vegas office as a fallback, with a Northern Nevada location to be determined. Scheduling conflicts were noted for several members; availability will be revisited at the August 5, 2026 meeting.

## 8. PUBLIC COMMENT (CLOSING)

- Tyson Faulk (Carson City, in person) raised concerns regarding: the absence of any limit on repeated extensions of an agency's self-determined "reasonable" response date beyond the five-day statutory deadline; the Attorney General's Office's dual role as counsel to other state agencies while also directing requesters to those agencies for certain records; the lack of attorney-fee recovery for self-represented requesters who must litigate to obtain records; and the need for a clearer definition of "overly broad" requests, including whether pending or contemplated litigation should factor into that analysis.
- Jeff Church (telephonic) urged the Task Force to recommend an ombudsman or independent hearing-officer mechanism, citing reported delays of 18–24 months in some records disputes; objected to characterizing news-media requesters as "commercial" for fee purposes; renewed a request for comparative research on other states' approaches; reported a recurring nonfunctioning telephonic public-comment line; and described an unresolved multi-week request to Washoe County for a routine interagency contract.
- Kathleen Light (telephonic) provided further comment continuing from her earlier public comment, describing personal circumstances related to a prior public records request and a pending legal matter.

## 9. ADJOURNMENT

*MOTION: Ben Lipman moved to adjourn. SECOND: Colleen McCarty. VOTE: Motion carried unanimously.*

The meeting adjourned at approximately 4:25 p.m.

*Minutes prepared from the meeting's auto-generated video transcript, available at [https://www.youtube.com/live/xE8tOEp52Sc?si=L6yFD63DipMkTJ\\_u](https://www.youtube.com/live/xE8tOEp52Sc?si=L6yFD63DipMkTJ_u). The source captions were auto-generated*

*and, per the posting agency, “not an official representation of what is being spoken”; speaker attributions and quotations herein should be verified against the official record before adoption.*