STATE OF NEVADA
PUBLIC RECORDS TASK FORCE

MEETING MINUTES

Date:	September 29, 2026
Time:	9:13 a.m. – approx. 4:20–4:30 p.m.
Location:	Legislative Counsel Bureau — Carson City and Las Vegas (hybrid), with telephonic public comment

MEMBERS PRESENT

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

1. CALL TO ORDER AND ROLL CALL

Chair Hicks called the meeting to order at 9:13 a.m. Roll call was taken; all ten members were present (see above). The Chair noted the meeting's YouTube livestream was active.

2. PUBLIC COMMENT (OPENING)

Kathleen Light (Las Vegas, in person) addressed the Task Force regarding her unsuccessful public records lawsuit against the Attorney General's Office concerning records of the investigation into her sexual assault allegation against a former Deputy Insurance Commissioner, and concerns that responsive records may now be subject to destruction under standard retention schedules. She proposed codifying explicit record-preservation periods, including a rule tolling retention until all appeals are exhausted and an extended retention period for criminal matters tied to the statute of limitations, and submitted written comments with sample legislative language. No other public comment was offered.

3. APPROVAL OF AUGUST 5, 2026 MINUTES

The August 5, 2026 meeting minutes, previously distributed, were presented for approval.

> *MOTION: Matt Morris moved to approve the August 5, 2026 minutes.*
> *SECOND: Brittany Walker.*

> *DISCUSSION: None. The record was corrected to reflect approval of the August 5th minutes (not the 25th).*
> *VOTE: Unanimous in favor. Motion carried.*

4. PRESENTATION: JOHN ABEL, LAS VEGAS POLICE PROTECTIVE ASSOCIATION

Mr. Abel, government affairs director for the LVPPA, the collective bargaining unit for the Las Vegas Metropolitan Police Department (LVMPD) officers below the rank of sergeant, presented in support of maintaining current confidentiality protections for law enforcement personnel records, including:

- NRS 289.025 (officer home address/photograph confidentiality), NRS 289.040 (exclusion of unsustained allegations from administrative files), and NRS 289.080, which the Nevada Supreme Court interpreted in a March 2026 ruling as rendering internal affairs investigative files confidential unless and until the agency recommends punitive action.
- The distinct threat model faced by peace officers and the risk that disclosure of personnel files could function as a "targeting package."
- Concerns that broader disclosure would chill internal reporting and peer-support use, cause reputational harm from unsustained complaints, and worsen recruitment and retention.

In response to a question from Chair Hicks, Mr. Abel stated that existing law adequately protects law enforcement personnel records, while acknowledging that some changes, such as addressing a citizen review board's posting of officer names online, could strengthen existing protections.

5. PRESENTATION: ACLU OF NEVADA

Athar Haseebullah (Executive Director) and Christopher Peterson (Legal Director), ACLU of Nevada, presented on barriers to records access, illustrated with three litigation examples:

- LVMPD/ICE cooperation records – encountered a broad "law enforcement privilege" and a novel "immigration privilege" claim asserting records held by a federal agency were privileged on that basis alone.
- Durango High School / Clark County School District –represented two students in litigation after a viral detention incident; the district invoked the juvenile justice information privilege (NRS Chapter 62H) to withhold records even from the subject students themselves. The district court did not agree the privilege applied. The matter settled for $1 million.
- DMV / Signal communications (pending litigation) –DMV's initial denial was later followed by a corrective affidavit (credited in part to the Office of the Attorney General) acknowledging use of the encrypted platform Signal for some communications.

The presenters recommended: (1) no record be withheld in its entirety, since even a heavily redacted record has evidentiary value in establishing scope; (2) clearer statutory definitions addressing encrypted-communications technology; and (3) a fully funded and staffed ombudsperson or inspector-general-style office with defined response timelines. On internal affairs records,

Mr. Peterson argued that key facts (e.g., the mere date of an investigation) should never be confidential, and that blanket withholding of entire investigative files—as opposed to redaction—raises more questions than it answers. On questioning by Leslie Nino Piro, Mr. Haseebullah expressed caution regarding a commercial-requester fee/waiver system, citing definitional difficulty (what counts as "commercial use," treatment of non-profits/trade associations/media and newer forms of journalism such as independent/social-media content creators), but indicated the ACLU of Nevada would not oppose exploring increased taxation of businesses as an alternative funding mechanism for public records compliance.

6. PRESENTATION: COLLEEN MCCARTY — COMPARATIVE RECORDS REQUEST TEST

Member Colleen McCarty described submitting an identical public records request (an internal staff/phone list, excluding personal contact information) to three northern Nevada law enforcement agencies in April 2026:

Agency	Time to Production	Result	Cited Legal Basis
Sparks PD	18 days (1 extension)	Produced phone directory, personnel list, HR report (all but assignments)	Non-trivial privacy interests; officer safety
Washoe County Sheriff's Office	96 days (3 extensions)	No responsive records found	N/A
Reno PD	75 days (multiple extensions)	Produced 16-page phone list; redacted personal cell/home numbers and assignments	Investigative technique; Officer's Bill of Rights; personal information

No agency met the five-business-day statutory benchmark, and extension-notice language was frequently identical across agencies. Ms. McCarty recommended amending the Nevada Public Records Act to require a substantive, individualized review within five days resulting in an actual determination, rather than an automated acknowledgment. Members Matt Christian and Brittany Walker noted mitigating factors, including multi-database recordkeeping and small-agency staffing constraints, as well as Nevada Supreme Court precedent establishing a privacy interest in undercover-officer unit assignments.

7. PRESENTATION: COLLEEN MCCARTY — PUBLIC RECORDS FEE SCHEDULE RESEARCH

Member Colleen McCarty presented research on publicly posted fee schedules, finding wide inconsistency in what is charged and how much—body-camera processing rates ranged from a reported high of $89/hour (LVMPD) to roughly $30–$40/hour at other agencies, with some agencies

charging nothing. She noted that AI search tools are surfacing outdated fee information scraped from stale web pages. Member Matt Christian noted that NRS 239.052(3) already requires posting a fee schedule in a "conspicuous place" but that the statute's language should be updated to require online posting. Matt Morris noted the State Library, Archives and Public Records Division's existing rulemaking authority as a potential vehicle for achieving uniformity by regulation.

(Short recess, approximately 11:05–11:15 a.m.)

8. DRAFT FINAL REPORT — DISCUSSION

Brittany Walker, at the Chair's request, walked the Task Force through the government caucus's working draft final report, circulated and posted with the agenda. The draft was described as a group work product, incorporating Matt Morris's interim report to the Government Affairs Committee and Chair Hicks's original template. Colleen McCarty and Ben Lipman objected that the draft was circulated to the transparency caucus only the evening before the meeting. Leslie Nino Piro responded that the draft was timely produced under Open Meeting Law constraints and to comply with the statutory reporting deadline. Matt Morris proposed identifying a third "consensus/shared concerns" category in the final report alongside government- and transparency-specific positions, which was broadly supported.

Government-Entity Survey

Members discussed two separate survey—one sent to government entities and one to law-enforcement entities—to gather baseline data on records-request volume, staffing, and cost. Colleen McCarty and Ben Lipman raised concerns that the survey had not been presented to or reviewed by the transparency caucus in advance. After discussion of Open Meeting Law posting requirements, the Task Force agreed to circulate the survey questions to the full body and post them following the meeting, with results to be compiled and posted with the agenda for the October 19 meeting (survey responses due October 7).

Staff Time and Fee Charging

Extensive discussion addressed whether agencies should be permitted to charge for staff time. Matt Christian and Brittany Walker described burdensome/vexatious request patterns and the actual cost of staff time to taxpayers; Ben Lipman and Colleen McCarty maintained that staff time should never be chargeable, as it is already taxpayer-funded. Mitch Fox occupied a middle position favoring threshold-based fees for high-volume requests. Leslie Nino Piro proposed separating the uncontested standardized-fee-schedule framework (Section 4.6) from the separately contested staff-time provision so the body could vote on the former independently. Additionally, Leslie Nino Piro explained that her research found 44 states statutorily authorize some form of fee for staff time.

Ombudsperson / Advisory Council

Members expressed broad, notably bipartisan support for establishing an independent ombudsperson, dispute-resolution, and/or advisory-council office, referencing Oregon's Public Records Advocate (non-binding mediation, approximately 7-day average resolution time) and

Illinois's Public Access Counselor (binding-opinion authority, housed within the state Attorney General's office) as comparative models. Discussion addressed whether the office should function as an arbiter, a mediator, or both; potential housing within the judicial branch with Nevada Supreme Court appointment; staffing needs (general agreement on a minimum of an ombudsperson plus at least one deputy attorney and one administrative staff person); and funding approaches, including a small per-request fee dedicated to the office.

Personally Identifiable Information and Bulk / Compiled Data

Kalie Work raised concerns regarding bulk/compiled data requests from commercial entities and automated web-scraping of public-facing government portals, proposing a distinct bulk-data handling procedure, a dissemination/data-use agreement requirement for high-risk data sets, and authority to demand return of unlawfully obtained records. A detailed discussion followed regarding which categories of information should be treated as presumptively confidential personally identifying information; general sentiment favored a narrow, clearly defined list to reduce inconsistency across agencies without broadly expanding confidentiality.

Criminal Investigative Records

Matt Christian presented the government caucus's position that open/pending criminal investigation files should be categorically confidential during the pendency of investigation or prosecution, citing fair-trial, witness-contamination, and victim-privacy concerns, and noting that approximately 42 states provide some statutory protection for criminal investigative records. Ben Lipman and Colleen McCarty disputed this position, citing the absence of Nevada case law finding pretrial publicity impaired a fair trial, and using the pending *City of Sparks v. Bluth* litigation to illustrate the potential harm of categorical closure to the very individuals such a rule is meant to protect. The discussion did not reach resolution; both sides agreed to continue the discussion at a future meeting.

SCHEDULING OF FUTURE MEETINGS

After extended discussion of member availability, the Task Force confirmed two additional meeting dates:

- October 19, 2026, 9:00 a.m. — a working/discussion meeting (no votes planned).
- November 4, 2026, 1:00 p.m. — the meeting at which the Task Force intends to vote on and finalize its report, given the inability to secure full attendance for a vote any earlier. Members noted the statutory report deadline is understood as October 29, with a practical expectation of submission by approximately November 2.

9. PUBLIC COMMENT (CLOSING)

Kathleen Light (in person) again addressed the Task Force, commenting on sourcing in the draft report, describing her experience obtaining records from Vermont and difficulty obtaining an unredacted police report for victims'-compensation purposes, and reiterating her allegation that the

Attorney General's Office is withholding records related to the investigation of her sexual assault complaint against a former Deputy Insurance Commissioner. She expressed support for an independent public-records ombudsperson. No other public comment was offered.

These remarks reflect one commenter's unverified personal allegations and were not addressed substantively by the Task Force on the record.

10. ADJOURNMENT

> *MOTION: To adjourn.*
> *SECOND: Given.*
> *VOTE: Unanimous in favor. Motion carried.*

Chair Hicks thanked members for their engagement and for the written work contributed to the draft report. The meeting was adjourned at approximately 4:28 p.m. The next meetings were confirmed for October 19, 2026, at 9:00 a.m. (discussion) and November 4, 2026, at 1:00 p.m. (anticipated vote/finalization meeting).

Minutes prepared from the meeting's auto-generated video transcript, available at Nevada State Legislature - Public Records Task Force Meeting, and confirmed by Task Force members to summarize official Task Force action (motions, seconds, and votes) and the substance of discussion.