STATE OF NEVADA
PUBLIC RECORDS TASK FORCE

GOVERNMENT MEMBERS'

APPENDIX E

Government Members' Summary and Analysis of the Survey of Nevada Government Entities on Public Records Requests

Section 7 of Assembly Bill 128 directed the Task Force to evaluate several topics:

- the impact of broad public records requests on governmental entities
- the cost, burden and time of redacting confidential information
- the financial burden on requesters
- mechanisms for resolving disputes
- methods for collecting and sharing data on public records requests

Nevada does not require governmental entities to track or report how they handle public records requests. To give the Legislature a factual basis for evaluating these topics, Government Members of the Task Force surveyed state, county, local, and specialized government entities about their request volume, staffing, costs, practices, and experience under the Nevada Public Records Act, NRS Chapter 239.

Government Members' Appendix E presents the results from the 92 government entities that responded. It summarizes their answers and organizes the data by topic, so it can be read alongside the corresponding findings in the report. The survey questions are reproduced as Government Members' Appendix E-1. Government Members' Appendix E-2 reproduces every written answer as submitted. Government Members' Appendix E-3 provides examples of government entities' fee schedules. Government Members' Appendix E-4 provides specific examples of public records requests deemed overbroad or unduly burdensome by responding government entities.

The survey records the experience of the government entities that answered it. Requesters' perspectives were presented to the Task Force through public comment and presentations at its meetings.

I. Methodology and Limitations

The survey responses describe the entities that chose to answer, not every Nevada government entity. Figures should be read as indications, not statistical estimates.

Distribution

Leslie Nino Piro, General Counsel of the Office of the Attorney General and Task Force member, distributed the survey to public information officers and public records officers of state, county, local, and specialized government entities. Recipients were encouraged to further disseminate the survey to their government colleagues throughout the state. Ninety-two responses were collected by the Office of the Attorney General from September 21 through October 9, 2026.[1]

Reporting Periods

Volume and hour questions covered calendar years 2023, 2024 and 2025, and January 1 through August 31, 2026. Dispute questions covered January 1, 2023, through August 31, 2026.

Limitations

- *Self-selected.* Responses were voluntary. State agencies are 50% of respondents, and some divisions of one department answered separately.
- *Ranges, not counts.* Request volumes and staff counts were reported in ranges (e.g., 300–999 requests). Changes within a range are not captured.
- *Estimates.* Staff hours were estimated by most respondents. Only 13 entities track hours.
- *Relative frequency.* Frequency questions allowed for good faith estimates (e.g., never to very frequently) in each respondent's judgment, recorded data was not required.
- *Unknown answers.* "Unknown" and blank answers are shown as their own category rather than dropped. Percentages use all 92 respondents unless a figure states otherwise.
- *Written answers.* Open-ended answers were coded into themes by keyword. One answer can fall in more than one theme. Identifying details were removed from quotations in this summary.

II. Government Members' Key Survey Findings

Ninety-two Nevada government entities responded. Their answers describe public records work done mostly by staff with other duties, done largely by hand, and strained by a minority of large, complex requests.

[1] One county office that responded twice is counted once, using its corrected answers.

1. **Few dedicated staff.** Half of responding entities (46 of 92) have no employee whose primary duty is public records.
2. **Costs are largely untracked.** Only 13 of 92 (14%) track staff hours. The 33 entities that estimated their 2025 hours reported roughly 90,000 hours combined, about 43 full-time positions. Given the lack of tracking and several large entities that answered "thousands" without a figure, the true total is higher (likely significantly higher).
3. **Most requests are routine; a minority drive the burden.** 71% of entities often give a final response within 5 business days, but 29% at least occasionally handle requests requiring more than 30 staff hours.
4. **Redaction causes delay.** Redaction is needed at least occasionally for 82% of entities, and redaction workload extends response times at least occasionally for 66%.
5. **Repeat, commercial, and automated requests are common.** 65% often receive requests from repeat or high-volume requesters, and 47% often receive commercial-purpose requests. 66% at least occasionally receive requests that appear AI-generated.
6. **Records are scattered and the work is manual.** 85% must search several separate systems for a typical request, and about 75% redact by hand or in standard PDF software.
7. **Few entities recover staff costs.** 75% never charge for staff time. Where charged, the cost threshold ranges from 1 to 10 hours before fees are assessed for staff time.
8. **Litigation is uncommon; alternative dispute resolution is untested.** Of the 60 entities that reported, 43 report no petitions since 2023. Asked whether they would join a low-cost voluntary process, 21 said yes, 65 maybe, and 6 no.
9. **Reporting would require new resources.** Only 24 of 92 (26%) could report annual metrics without new systems or staff.
10. **Top priority is statutory clarity on confidentiality.** Of entities rating each item, 79% rated a presumption of confidentiality for personnel and internal affairs records very or extremely important. 78% did so for open criminal investigations and 75% for victim and witness identities. A statewide ombudsperson ranked last, at 40%.

III. Survey Respondent Profile

Survey respondents range from boards with fewer than 50 employees to departments with more than 1,000. Request volume spans the same range: 20 entities received 25 or fewer requests in 2025, and 21 received 1,000 or more.

Table E-1. Survey respondents by entity type and size (n = 92)

Entity type	Count
State agency, department or division	46
County agency, department or division	33
Municipal agency, department or division	6
Other[2]	7

Entity type	Count
Total employees	Count
Fewer than 50	38
50–99	11
100–499	21
500–999	7
More than 1,000	15

Table E-2. Public records requests received, by year (number of entities)

Requests received	2023	2024	2025	2026 (Jan.–Aug.)
1–25	22	22	20	20
26–99	23	16	20	23
100–299	14	18	15	17
300–999	16	18	16	17
1,000 or more	17	18	21	15

From 2023 to 2025, 15 entities moved into a higher range and 1 moved into a lower one; 76 stayed in the same range. Because the ranges are wide, this understates growth. The 2026 column covers eight months, so it is not comparable to full years.

IV. Impact of Overbroad Requests

Public records work falls mostly on staff with other duties. Most requests are handled quickly, but a minority of large, unclear or repetitive requests consume disproportionate time.

Staffing

Half of respondents (46 of 92) have no employee whose primary duty is public records. Even among the 21 entities receiving 1,000 or more requests a year, 7 have none and 9 have only one to three. Instead, 84 entities rely on employees for whom records work is a secondary duty, and 29 spread it

[2] One each: constitutional agency, trust fund created by the Nevada Constitution, NSHE institution, district court, board, bistate compact agency, local agency.

across more than 10 such employees. Attorneys take part in responding at 84 entities; 56 use assigned government counsel such as a Deputy Attorney General or Deputy District Attorney.

Table E-3. Employees whose primary duty is public records, by 2025 request volume (number of entities)

Requests received in 2025	None	1–3	4–10	More than 10
1–25	9	9	2	0
26–99	12	6	2	0
100–299	8	7	0	0
300–999	10	5	0	1
1,000 or more	7	9	3	2
All respondents	**46**	**36**	**7**	**3**

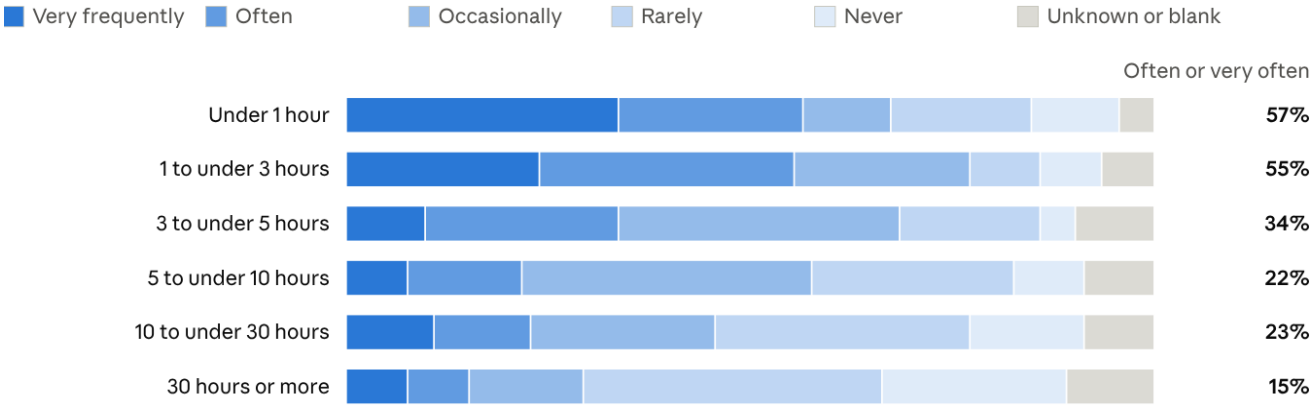
Staff Hours

Only 13 entities (14%) track staff hours spent on public records. **The 33 that gave a numeric estimate for 2025 reported roughly 90,000 hours combined, about 43 full-time positions at 2,080 hours each**. The median was about 500 hours, and the largest single estimate was 35,000. Several large entities answered "thousands" without a figure, so the true total is higher.

Time Per Request and Time to Respond

Figure B-1. Most requests take under 3 staff hours; 15% often see requests over 30

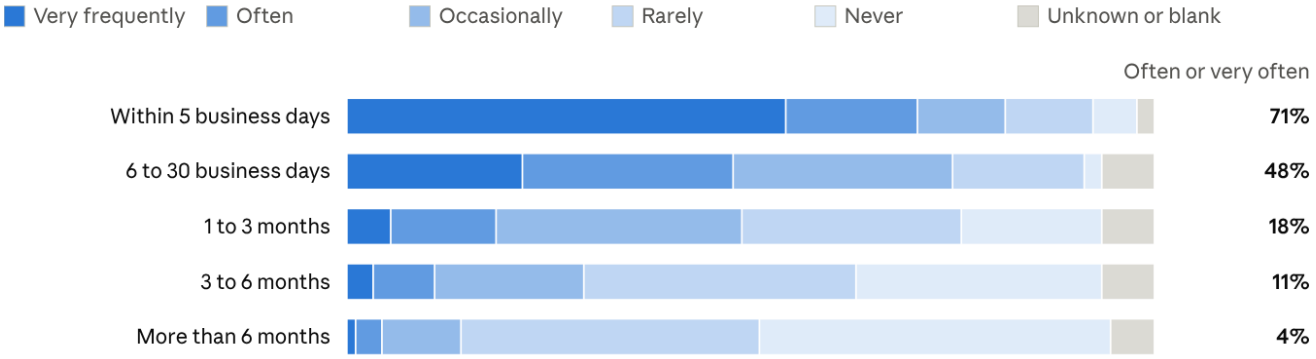
How often a request takes each range of staff hours, share of 92 responding entities



Most requests are quick: 57% of entities often handle requests in under an hour. The burden sits in the tail. 29% at least occasionally handle requests requiring more than 30 staff hours, and 46% handle requests of 10 to 30 hours.

Figure B-2. 71% of entities often give a final response within 5 business days

How often a final response takes each length of time, share of 92 responding entities

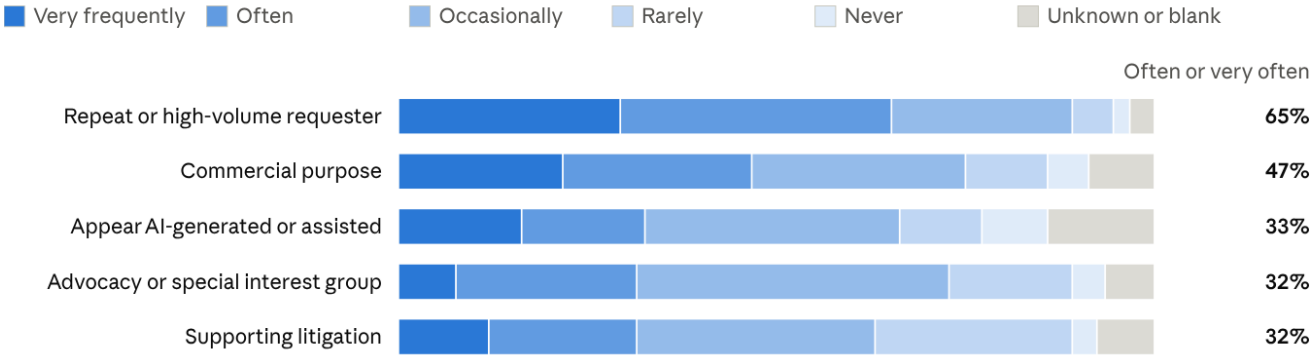


Delays beyond three months are uncommon but not rare: 27 entities at least occasionally take three to six months, and 13 at least occasionally take more than six months. Several respondents routinely provide records within five business days.

Nature of Public Records Requests

Figure B-3. Two-thirds often receive requests from repeat or high-volume requesters

How often requests appear to have each characteristic, share of 92 responding entities



AI-generated requests are already widespread: 61 entities (66%) see them at least occasionally, and 13 could not say. Requests that support litigation reach 63% of entities at least occasionally. Asking requesters to clarify is routine, and many requests are abandoned or redirected afterward.

Table E-4. Clarification, withdrawal, and referral (n = 92)

How often the entity…	Often or very often	At least occasionally	Unknown
Asks to clarify an overbroad request (e.g., no date range)	40 (43%)	76 (83%)	2
Asks to clarify what records are sought	42 (46%)	74 (80%)	2
Asks to clarify a request for information rather than records	44 (48%)	75 (82%)	2
Asks to clarify an unduly burdensome request (e.g., spanning decades)	44 (48%)	69 (75%)	2
Sees a request abandoned after clarification is sought	11 (12%)	37 (40%)	7
Sees a request abandoned after a fee estimate	9 (10%)	21 (23%)	17
Refers the requester to another entity that may hold the record	29 (32%)	68 (74%)	1

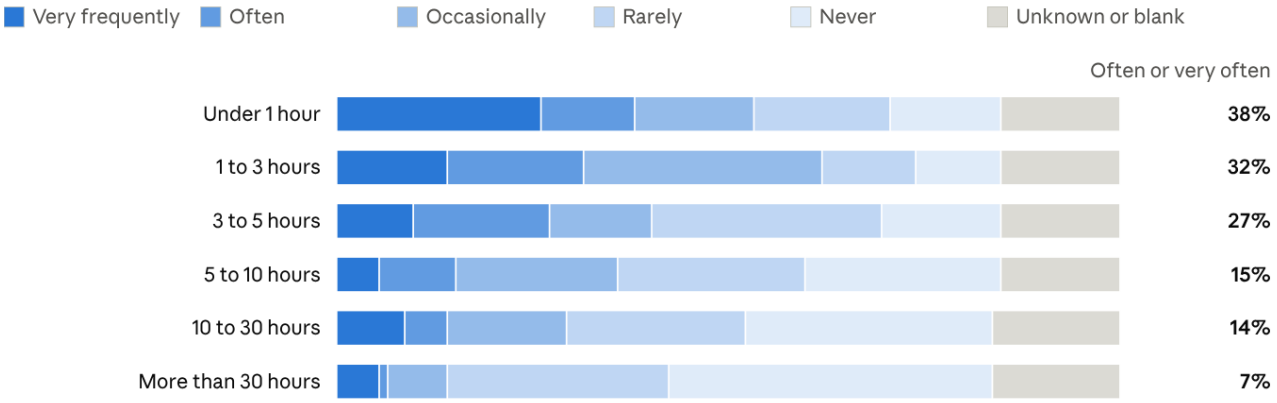
See Government Members' Appendix E-4 for specific examples of public records requests considered overbroad or unduly burdensome by responding government entities.

V. Time for Redaction

Redaction is the step most often tied to delay. It is needed at least occasionally at 82% of entities (often or very often at 51%). Redaction workload extends response times at least occasionally for 66% of entities, and often or very often for 41%.

Figure B-4. Redacting one request usually takes under 5 hours; 13 often spend 10–30

When redaction is needed, how often it takes each range of staff hours per request, share of 92 entities



Redaction of a single request takes 10 to 30 hours at least occasionally for 27 entities (29%), and more than 30 hours for 13 (14%). About one in six entities could not estimate redaction time per request.

Table E-5. Share of public records staff hours spent reviewing and redacting, by 2025 request volume (number of entities)

Requests received in 2025	Under 10%	10–25%	26–50%	Over 50%	Unknown or blank
1–25	7	5	0	3	5
26–99	4	9	3	2	2
100–299	3	2	2	5	3
300–999	4	3	2	4	3
1,000 or more	2	3	3	8	5
All respondents	**20**	**22**	**10**	**22**	**18**

The redaction share rises with volume: 8 of the 21 highest-volume entities spend more than half their records hours reviewing and redacting.

VI. Technological Challenges

Where Records are Kept

78 of 92 entities (85%) store records in several digital systems that must be searched separately. Most report two to five systems for a typical request; some report 10 to 20.

Tools

The work it takes to respond to public records requests is largely manual. About 75% of entities (69 of 92) redact documents by hand or in standard PDF software, and about 62% (56 of 91) track requests by hand or in a spreadsheet. Almost no entity uses artificial intelligence for search or redaction. The exception is video redaction tools for body-worn camera footage, which respondents say still need substantial manual correction. Reasons given for not adopting AI tools: cost, accuracy, legal and confidentiality risk, and procurement.

Table E-6. Technology survey respondents said they need, with reported cost

Need	Reported cost
Request tracking and portal software	$7,500–$35,000 a year (four quotes); one platform about $72,000 to implement plus $15,000 a year
Enterprise request-management system	$80,000
AI-assisted video redaction	$49,999 for two licenses
AI add-on to an existing e-discovery platform	$5,100 a year
Added storage and PDF redaction licenses	$15,000
Digitizing microfilm	about $280,752

Current annual costs of the systems entities already use ranged from a few hundred dollars to more than $400,000. Most of those systems also serve other functions.

VII. Fees Charged to Requesters

Most entities charge requesters nothing for staff time, and those that do apply widely different thresholds and rates. 43 of 92 (47%) charge no fees at all, 40 charge only in certain circumstances and 9 charge routinely. For staff or attorney time, 69 (75%) never charge, 19 charge only above a threshold, and 4 charge routinely. *See* Government Members' Appendix E-3 for examples of Nevada government entities' fee schedules.

Table E-7. Government entities charging for staff or attorney time, by 2025 request volume (number of entities)

Requests received in 2025	Never	Only above a threshold	Yes
1–25	19	1	0
26–99	14	4	2
100–299	14	1	0
300–999	11	4	1
1,000 or more	11	9	1
All respondents	**69**	**19**	**4**

Charging rises with volume: 10 of the 21 highest-volume entities charge for staff time, compared with 1 of the 20 lowest-volume entities.

Table E-8. Staff-time thresholds and rates reported by respondents

Entity type	Free time before charges begin	Rate charged
County	1 hour	$35 an hour
Local	1 hour	$30 an hour staff; $60 an hour attorney
County	2 hours	$30.42 an hour
County	2 hours	Up to $0.50 a page
County	10 hours	$23.31 an hour
County	10 hours	$25.45 an hour (office assistant rate)
County	10 hours	$26.34 an hour (lowest office position)
County	10 hours	Lowest office support rate
Municipal	10 hours	$32 an hour
State	10 hours	Hourly rate of qualified personnel
Municipal	Not stated	$25 an hour
Municipal	Body-worn camera video only	$34 an hour, in 15-minute increments
County	Body-worn camera video only	$89 an hour for non-media requesters
State	Statutory research fee	$3 a page when added search, review or redaction is needed

Where a rate is tied to a position, it is usually the lowest-paid classification qualified to do the work, about $23–$35 an hour. A 10-hour threshold is the most common among local entities.

Fee estimates rarely end a request. 40 entities have never seen a request withdrawn after a fee estimate, and 17 do not know (Table E-4). This fits the low rate of charging overall.

VIII. Dispute Resolution

Few disputes reach court, and almost no entity has used mediation or another alternative process. Support for a voluntary process is conditional: 21 entities would participate, 65 might and 6 would not.

Table E-9. Disputes and petitions reported, January 1, 2023 – August 31, 2026 (number of entities, n = 92)[3]

What the entity reported	Disputes escalated beyond ordinary correspondence	Petitions filed under NRS Chapter 239
Gave a count or range	54	60
None[4]	20	43
1–3	20	13
4–10	8	4
More than 10	6	0
Gave an estimate without a number ("several," "a few," "fewer than 10")	8	0
Unknown or not tracked	11	10
Other answer[5]	1	2
No answer	18	20
Total	**92**	**92**

Six entities reported more than 10 escalated disputes: three counties and three state agencies, five of them receiving fewer than 300 requests a year. The largest number of disputes is one county's 100–200. Several survey respondents said disputes are handled by their district attorney or assigned counsel. One county reported a case assigned to a court settlement program before a senior judge and described that process as successful so far for disputes over burdensome and AI-driven requests.

[3] Both Questions 55 and 56 were open-ended. Answers are grouped by what each entity wrote. Ranges are placed by their upper end, and "at least" answers by the stated minimum.

[4] Includes qualified answers such as "none that I am aware of": 5 for disputes and 9 for petitions.

[5] Disputes: one county defers to its district attorney. Petitions: that county and one state agency reported a complaint to the Attorney General, rather than a judicial petition.

Table E-10. Features survey respondents said would make a non-judicial process workable or unworkable

Workable	Unworkable
A neutral decision-maker experienced in public records law	A decision-maker without that experience, or seen as politically motivated
Fast, simple and low cost	Costs comparable to litigation
Little staff time; remote participation; no extensive briefing	Heavy staff time or repeated back-and-forth
Confidentiality protection for records under review	Releasing confidential records to an outside reviewer
Clear limits on which disputes may be brought	A step that adds delay without resolving the dispute
An internal appeal or good-faith meet-and-confer first	Fee-shifting or a waiver of sovereign immunity
A small filing fee to deter automatic appeals; judicial review preserved	Inconsistent interpretations across hearing officers; more filings overall

Respondents split on whether decisions should be binding. Some wanted binding decisions that cap exposure to attorney fees. Others said a final, binding decision would make the process unworkable.

IX. Data Collection and Reporting

Most entities could not meet an annual reporting requirement without new systems or staff. Only 24 of 92 (26%) said they could; 33 said they could not and 35 were unsure. Ability to report does not rise with volume, and only 13 entities track staff hours today (Section IV).

Table E-11. Could the entity report annual metrics without new systems or staff? By 2025 request volume (number of entities)

Requests received in 2025	Yes	Maybe	No
1–25	6	9	5
26–99	5	5	10
100–299	4	7	4
300–999	4	5	7
1,000 or more	5	9	7
All respondents	**24**	**35**	**33**

Asked which metrics would help their own management, 74 entities gave a substantive answer. The most common themes:

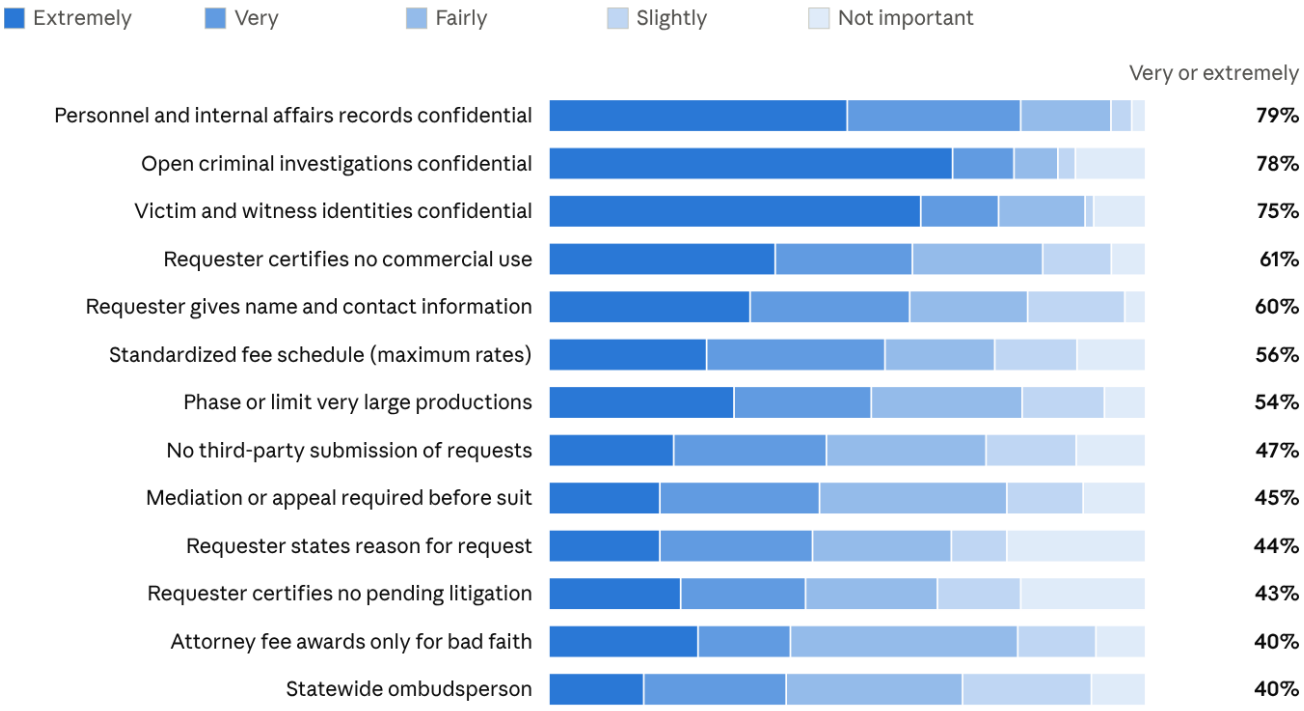
- staff hours or time spent per request (about 39)
- number of requests received (about 24)
- requester type, including media, commercial and repeat requesters (about 21)
- response or processing time (about 16)
- cost of responding, and denials or redactions (about 11 each)

X. Policy Priorities

Respondents gave the highest priority to statutory presumptions of confidentiality. Procedural proposals, such as a statewide ombudsperson or requiring requesters to state a reason, ranked lowest. The survey asked entities to rate 13 proposals from "not important" to "extremely important"; the full wording of each is in Government Members' Appendix E-1.

Figure B-5. Confidentiality presumptions rank highest; a statewide ombudsperson last

How important each proposal is to the entity, share of entities rating it (not applicable and blank excluded)



About 18 entities, mostly without a law enforcement role, marked the criminal-investigation and victim-witness proposals "not applicable." Among entities that rated those two items, support matched the personnel-records proposal. The fee-schedule item was framed as a schedule of *maximum* rates for direct costs, which may explain why it ranks in the middle although fees are the change most often requested in written answers (*see* Section XI).

Table E-12. Share of survey respondents rating each proposal very or extremely important, by entity type

Proposal	County	Municipal and other	State
Personnel and internal affairs records confidential	71% (22 of 31)	92% (11 of 12)	81% (35 of 43)
Open criminal investigations confidential	84% (21 of 25)	80% (8 of 10)	73% (24 of 33)
Victim and witness identities confidential	85% (22 of 26)	80% (8 of 10)	67% (22 of 33)
Requester certifies no commercial use	61% (19 of 31)	67% (8 of 12)	59% (26 of 44)
Requester gives name and contact information	65% (20 of 31)	58% (7 of 12)	58% (25 of 43)
Phase or limit very large productions	48% (15 of 31)	58% (7 of 12)	57% (25 of 44)
Standardized fee schedule (maximum rates)	56% (18 of 32)	75% (9 of 12)	51% (22 of 43)
No third-party submission of requests	45% (14 of 31)	33% (4 of 12)	51% (22 of 43)
Mediation or appeal required before suit	45% (14 of 31)	17% (2 of 12)	53% (23 of 43)
Requester states reason for request	35% (11 of 31)	50% (6 of 12)	49% (21 of 43)
Requester certifies no pending litigation	52% (16 of 31)	33% (4 of 12)	40% (17 of 43)
Attorney fee awards only for bad faith	45% (14 of 31)	55% (6 of 11)	33% (14 of 42)
Statewide ombudsperson	35% (11 of 31)	25% (3 of 12)	47% (21 of 45)

State agencies gave more support than local entities to a statewide ombudsperson and to mediation before suit. Local entities gave more support to limiting attorney fee awards and to the confidentiality presumptions for criminal investigations and victims.

XI. Statutory Issues in Survey Respondents' Own Words

Staff time dominates the challenges respondents describe. Confidentiality, the definition of a "record," and fees dominate the statutory ambiguities they identify. Fees and request specificity are the primary changes government entities seek.

Table E-13. Themes in written answers (number of entities mentioning each theme)

Theme	Top operational challenges (79 answers)	Statutory ambiguities (61 answers)	Changes requested (57 answers)
Staffing and staff time	50	10	15
Records systems and technology	33	7	7
Request volume	25	0	5
Overbroad, unclear or burdensome requests	25	13	17
Confidentiality, privacy and redaction	20	24	11
AI-generated or automated requests	12	2	4
Commercial requests and data resale	9	2	6
Fees and cost recovery	6	15	19
Definition of "record"	4	16	9
Law enforcement records and open investigations	4	9	9
Five-day response requirement	5	4	8

Themes were coded by keyword, and one answer can fall under several themes.

Table E-14. Representative quotations (identifying details removed)

Theme	Quotation	Entity type
Staffing	"We do not have staff solely dedicated to working on public records requests so we must compete with deadline for other records management tasks."	State

Theme	Quotation	Entity type
Volume	"The volume and complexity of requests have increased, but staffing has not."	County
Overbroad requests	"Typical examples ask for 'all communications,' 'all records relating to,' or every document in a subject area over a multi-year period."	State
Commercial requests	"Broad and burdensome requests for commercial purposes, such as to identify customers, create content on personal media platforms, or add to commercial databases."	Municipal
AI-generated requests	"Most of the disagreements in recent times arise because an AI generated response suggests that records exist (that actually don't)."	State
Definition of "record"	"The definition of what a public record is not clearly defined, and by default, it is often interpreted as anything that could possibly exist is public."	County
Exemptions	"The current structure of hundreds of separate exemptions is unworkable."	Municipal
Personnel records	"Under current law, State employees' personnel files are explicitly protected (NAC 284), but not County or City employees?"	Municipal
Law enforcement records	"Chapter 239 does not have a section specifically for police records, and therefore it causes issues when we deny requests based on ongoing investigations or litigation."	County

Categories of Records Survey Respondents Want Addressed by Statute

- Personnel and internal affairs records of local government employees, matching the protection state employees have under NAC Chapter 284
- Records of open criminal investigations and pending prosecutions
- Identities and contact information of victims, witnesses and complainants
- Body-worn camera and other government video
- Juvenile records, coroner and autopsy records
- Security-sensitive infrastructure and network information
- Drafts, notes and other working documents
- Attorney-client communications, work product and deliberative materials