



# Nevada Public Records Act (NPRA)

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# TODAY'S AGENDA

- 1 **Overview**
- 2 **Nevada Public Records Act (NPRA) – NRS Chapter 239**  
Purpose, Defining a Record, Records Retention, PRR Procedures
- 3 **The 5-Day Rule and Beyond**  
Acknowledgement, Clarification, Referral, Estimated Response Date
- 4 **Example Procedure for Processing Public Records Requests**
- 5 **Legal Authorities for Confidentiality**  
Exemptions, Common Law Privileges, Balancing Tests
- 6 **Administrative Procedures for Government Agencies**  
Denying Requests / Withholding Records, Fee Schedule, Actual Costs
- 7 **Judicial Review of NPRA Decisions**  
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- 8 **Checklist / Questions for Responding to Requests**
- 9 **Recent NPRA Case Law**
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# NPRA Overview

The Nevada Public Records Act (NPRA) gives the public broad access to most government records

- NPRA codified at NRS Chapter 239
- NPRA  $\neq$  FOIA (*federal* Freedom of Information Act)
  - But NPRA and FOIA have a similar purpose



# What's the Purpose of the NPRA?

NRS 239.001  
NRS 239.0107(1)(c)

1

**Transparency in government**

2

**Prompt access to records**

– *“as expeditiously as possible”*

3

**Liberal statutory construction**

– *maximize the public's right of access to agency records*

4

**Narrow reading of any exemption or exception**





# Records Retention and Archiving

Agencies are required to maintain records pursuant to records management programs (State & agency specific)

- **Records Retention Schedule** – provides the minimum retention period for an agency's records
- At the appropriate time:
  - Destroy securely, or
  - Send to State Library and Archives

For more information, visit: [https://nsla.nv.gov/state\\_records\\_services](https://nsla.nv.gov/state_records_services) and find the retention schedule you need.

# What is a “Public Record”?

*No comprehensive definition of a “record” or “official state record”*

**Recorded evidence of business operations**

Information an agency *creates* or *receives* to transact public business, which the agency maintains as evidence of its functions, policies, decisions, procedures, operations, or other activities

NRS 239.005, NAC 239.705(1).



# What's NOT a Public Record?

## General guide for what materials are not public records

- Informal notes and drafts
- Stationary and unused blank forms

### Reference materials

- Reference texts, brochures, newsletters, magazines, newspaper articles, textbooks, presentation handouts, catalogs, etc.

### Copies of policy and procedure manuals

### Administrative and personal email & correspondence

- Meeting times, lunch dates, staff association memos, FYI memos, spam email, etc.

### Personal materials

- Errand lists, bills, personal letters and/or photos

### Ad hoc reports

### Convenience copies

- Extra copies of official records

### Publications for distribution

NAC 239.705(2)

For more guidance, see *Nevada Public Records Act: A Manual for Executive Branch Agencies*, available at [https://nsla.nv.gov/ld.php?content\\_id=56642757](https://nsla.nv.gov/ld.php?content_id=56642757), and <https://nsla.nv.gov/public-records/>.



**Non-record materials can—and *should be*—destroyed when they are no longer administratively needed!**



**SHRED**



**RECYCLE**



# Which Records are Subject to Public Records Requests?

## *Legislative Intent*

ALL state agency records are public records unless declared confidential by Nevada law.

NRS 239.010.

- NPRA *presumes* an agency record is a public record, unless specific confidentiality restrictions apply

*City of Sparks v. Reno Newspapers*, 133 Nev. 398, 400 (2017).

# How can Public Records Requests be Submitted?

## Method and Medium for requesting records

The NPRA allows both written and verbal requests for public records. NRS 239.0107(1).

Agencies must provide:

- a *form* for requesting public records, *and*
- an alternative method for disabled individuals to submit a request

NAC 239.863.

The form is titled "OFFICE OF THE ATTORNEY GENERAL PUBLIC RECORDS REQUEST FORM". It includes a Nevada state seal and a note: "Please note that this form is intended for a request for records held by the Office of the Nevada Attorney General. Requests for records of Nevada state agencies must be submitted directly to the records officers for that state agency." The form is divided into several sections: "Date of Request", "Requester Contact Information" (Name, Organization, Address, City, State, Zip, Phone, E-mail), "Records Requested" (Records held by the Office of the Nevada Attorney General: Yes/No, Check one: Paper copies, Electronic copies, Certified copies, Inspection in person), "To complete an estimate, the agency will need the following information:" (I will pick up, Please FedEx, Please send USPS, E-mail (if format allows), Fed Ex billing number), "Statement" (I understand there is a charge for copies of public records...), "Requester Signature", and "Office Use Only" (Request status, Estimate: Request received, Receipt acknowledgment issued, Request filled, Estimated completion, Estimate provided, Request denied in whole, Date request received, Date dispatch received, Actual (if different), Date final payment received, Completed by). At the bottom, it says "Retains request form for 90 days following completing of request. RDA 2008047" and provides contact information for the Office of the Attorney General.

A records request form should be posted on an agency's website and made available in-person.

NAC 239.862.

Example:

[https://ag.nv.gov/Contact/Public\\_Records\\_Requests/](https://ag.nv.gov/Contact/Public_Records_Requests/)



# What Must Agencies Do in 5 Days?

The NPRA provides three options:



## Acknowledgment and Estimated Response

If records cannot be made available within five (5) days, a written *acknowledgement* and estimated response date must be provided.

NRS 239.0107(1)(c).



## Respond with No Responsive Records or a Referral

Tell requester the agency does not have responsive records and, if known, provide the contact information for a government entity that does.

NRS 239.0107(1)(b).



## Full Response and Records Release

Provide a copy of the records requested

NRS 239.0107(1)(a).



# Acknowledgments & Readily Available Records

Written communications are **REQUIRED** by the NPRA

**Acknowledgement:** Agencies must respond in writing within **five (5) business days** after a request is received. NRS 239.0107(1).

When a record is “**readily available**,” agencies must provide a copy of the record within *five (5) business days*.

- Does your agency have policies and procedures to ensure the 5-day time frame is met?

# Request for Clarification

NPRA Requests  $\neq$  requests for production of documents under civil procedure rules



## *Reasonable requests for public records*

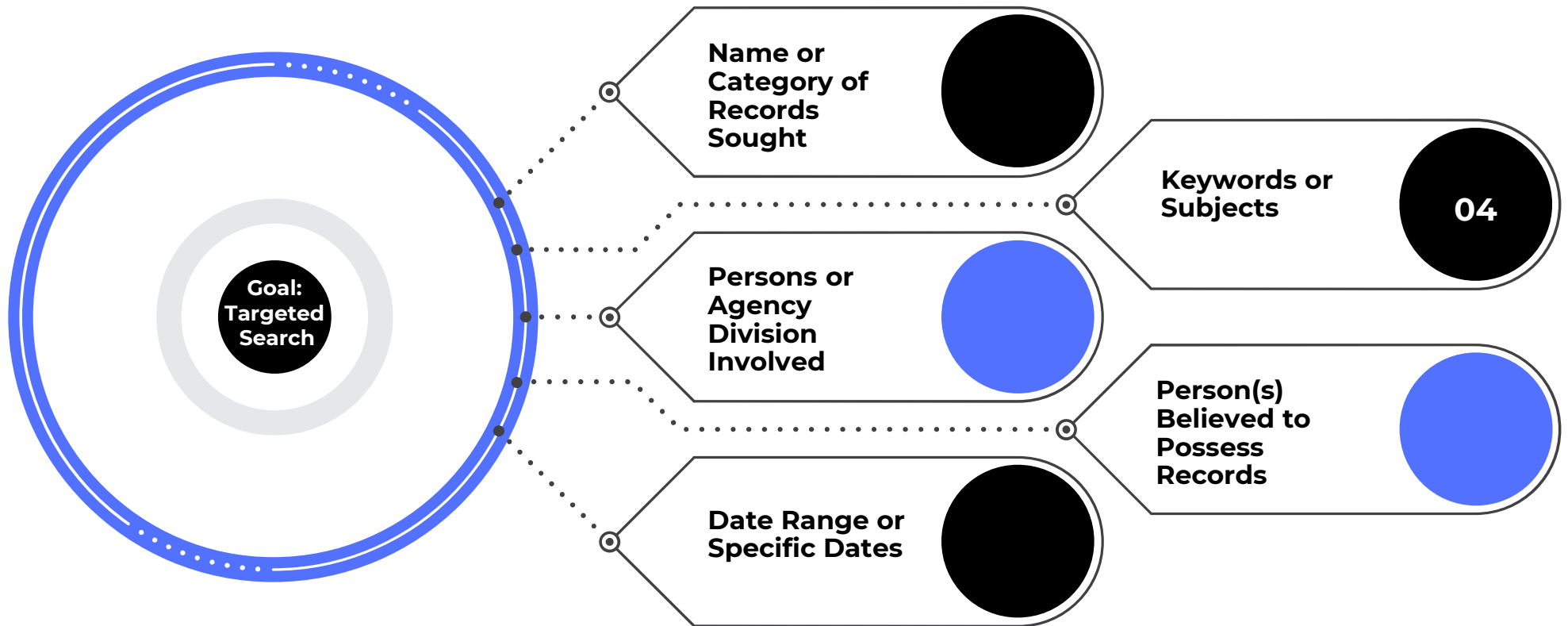
When a request is overbroad or unreasonable, the agency is obligated to **request a clarification and narrowed time frame**. NRS 239.0107(1)(c)(2).

- Agencies must make a reasonable effort to assist the requester to maximize the likelihood the requester will receive a copy of the record as expeditiously as possible.

Records must be identifiable and requests must not be overbroad. *Freedom Watch, Inc. v. Dep't of State*, 925 F. Supp. 2d 55, 62 (D. D.C. 2013).

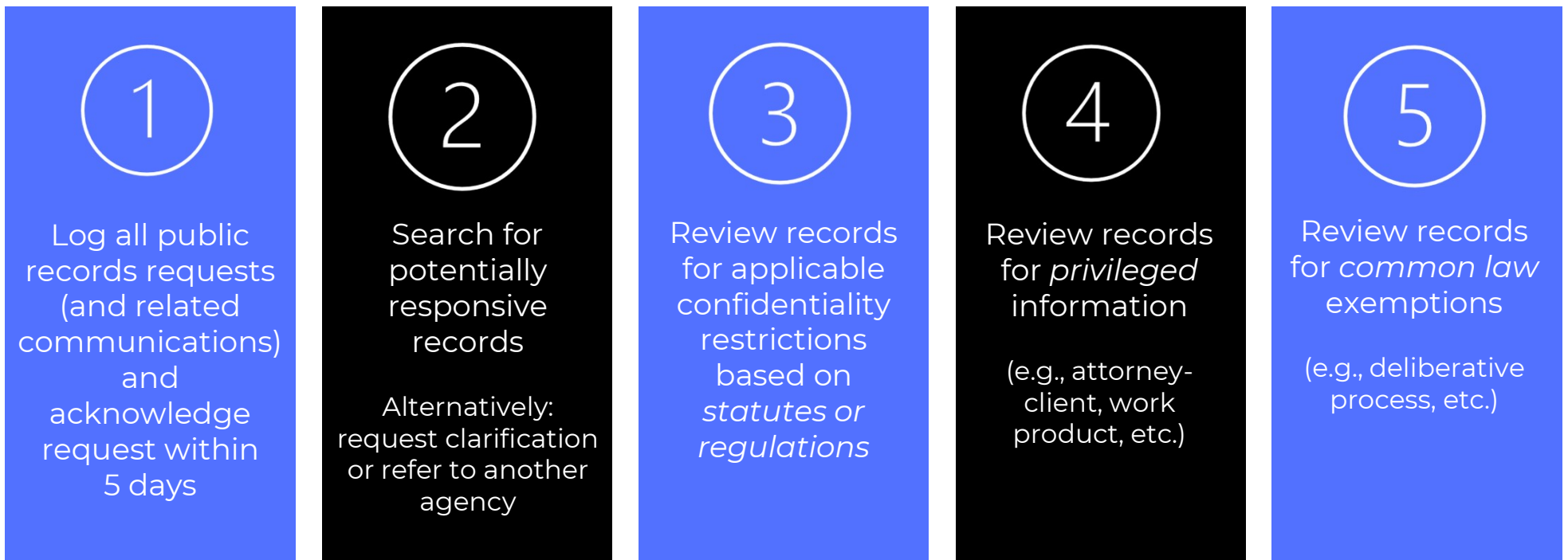


# Specific Requests for Clarification



# Example Procedure for Processing Public Records Requests

\* Note that each agency should develop agency-specific protocols in coordination with counsel.



# Example Procedure for Processing Public Records Requests

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6

Consider the appropriate *balancing test* if no specific privileges or confidentiality statutes apply

7

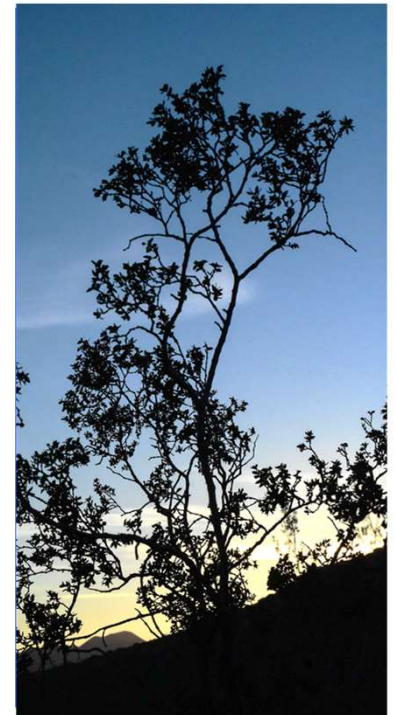
Confer with agency counsel to confirm all applicable legal restrictions on release, if needed

8

*Redact* any personal privacy information (PII) or other privileged or confidential information from responsive records, if needed

9

Release the records and/or cite applicable legal authority for withholding records, if needed



# Statutory Authority to Withhold Records or Redact Information

NRS 239.010 Public books and public records open to inspection; confidential information in public books and records; copyrighted books and records; copies to be prepared by governmental entity and provided in electronic format unless other medium requested.

1. Except as otherwise provided in this section and NRS 1468.3, 1468.7, 1A.110, 3.2203, 41.0397, 41.071, 49.095, 49.293, 62D.420, 62D.440, 62E.316, 62E.620, 62H.025, 62H.030, 62H.170, 62H.220, 62H.320, 75A.100, 75A.150, 76.160, 78.152, 80.113, 81.850, 82.183, 86.246, 86.54615, 87.513, 87.5413, 87A.200, 87A.380, 87A.640, 88.3355, 88.5927, 88.6067, 88A.345, 88A.7345, 89.045, 89.251, 90.730, 91.160, 116.757, 116A.270, 116B.880, 118B.026, 119.260, 119.265, 119.267, 119.280, 119A.280, 119A.653, 119A.677, 119B.370, 119B.382, 120A.640, 120A.690, 125.130, 125B.140, 126.141, 126.161, 126.163, 126.730, 127.007, 127.057, 127.130, 127.140, 127.2817, 128.090, 130.312, 130.712, 136.050, 159.044, 159A.044, 172.075, 172.245, 176.015, 176.0625, 176.09129, 176.156, 176A.630, 178.39801, 178.4715, 178.5691, 179.495, 179A.070, 179A.165, 179D.160, 200.3771, 200.3772, 200.5095, 200.604, 202.3662, 205.4651, 209.392, 209.3923, 209.3925, 209.419, 209.429, 209.521, 211A.140, 213.010, 213.040, 213.095, 213.131, 217.105, 217.110, 217.464, 217.475, 218A.350, 218E.625, 218F.150, 218G.130, 218G.240, 218G.350, 224.240, 226.300, 228.270, 228.450, 228.495, 228.570, 231.069, 231.1473, 232.1369, 233.190, 237.300, 239.0105, 239.0113, 239.014, 239B.026, 239B.030, 239B.040, 239B.050, 239C.140, 239C.210, 239C.230, 239C.250, 239C.270, 239C.420, 240.007, 241.020, 241.030, 241.039, 242.105, 244.264, 244.335, 247.540, 247.550, 247.560, 250.087, 250.130, 250.140, 250.150, 268.095, 268.0978, 268.490, 268.910, 269.174, 271A.105, 281.195, 281.805, 281A.350, 281A.680, 281A.685, 281A.750, 281A.755, 281A.780, 284.4068, 284.4086, 286.110, 286.118, 287.0438, 289.025, 289.080, 289.387, 289.830, 293.4855, 293.5002, 293.303, 293.504, 293.558, 293.5757, 293.870, 293.906, 293.908, 293.910, 293B.135, 293D.510, 331.110, 332.061, 332.351, 333.333, 333.335, 338.070, 338.1379, 338.1593, 338.1725, 338.1727, 348.420, 349.597, 349.775, 353.205, 353A.049, 353A.085, 353A.100, 353C.240, 360.240, 360.247, 360.255, 360.753, 361.044, 361.2242, 361.610, 365.138, 366.160, 368A.180, 370.257, 370.327, 372A.080, 378.290, 378.300, 379.0075, 379.008, 379.1495, 385A.830, 385B.100, 387.626, 387.631, 388.1455, 388.259, 388.501, 388.503, 388.513, 388.750, 388A.247, 388A.249, 391.033, 391.035, 391.0365, 391.120, 391.925, 392.029, 392.147, 392.264, 392.271, 392.315, 392.317, 392.325, 392.327, 392.335, 392.850, 393.045, 394.167, 394.16975, 394.1698, 394.447, 394.460, 394.465, 396.1415, 396.1425, 396.143, 396.159, 396.3295, 396.405, 396.525, 396.535, 396.9685, 398A.115, 408.3885, 408.3886, 408.3888, 408.3888, 408.5484, 412.153, 414.280, 416.070, 422.2749, 422.305, 422A.342, 422A.350, 425.400, 427A.1236, 427A.872, 432.028, 432.205, 432B.125, 432B.280, 432B.290, 432B.4018, 432B.407, 432B.430, 432B.560, 432B.5902, 432C.140, 432C.150, 433.534, 433A.360, 439.4941, 439.4988, 439.840, 439.914, 439A.116, 439A.124, 439B.420, 439B.754, 439B.760, 439B.845, 440.170, 441A.195, 441A.220, 441A.230, 442.330, 442.395, 442.735, 442.774, 445A.665, 445B.570, 445B.7773, 447.345, 449.209, 449.245, 449.4315, 449A.112, 450.140, 450B.188, 450B.805, 453.164, 453.720, 458.055, 458.280, 459.050, 459.3866, 459.555, 459.7056, 459.846, 463.120, 463.15993, 463.240, 463.3403, 463.3407, 463.790, 467.1005, 480.535, 480.545, 480.935, 480.940, 481.063, 481.091, 481.093, 482.170, 482.368, 482.5538, 483.340, 483.363, 483.575, 483.659, 483.800, 484A.469, 484B.830, 484B.833, 484E.070, 485.316, 501.344, 503.452, 522.040, 534A.031, 561.285, 571.160, 584.655, 587.877, 598.0964, 598.098, 598A.110, 598A.420, 599B.090, 603.070, 603A.210, 604A.303, 604A.710, 612.265, 616B.012, 616B.015, 616B.315, 616B.350, 618.341, 618.425, 622.238, 622.310, 623.131, 623A.137, 624.110, 624.265, 624.327, 625.425, 625A.185, 628.418, 628B.230, 628B.760, 629.047, 629.069, 630.133, 630.2671, 630.2672, 630.2673, 630.30665, 630.336, 630A.327, 630A.555, 631.332, 631.368, 632.121, 632.125, 632.3415, 632.3423, 632.405, 633.283, 633.301, 633.4715, 633.4716, 633.4717, 633.524, 634.055, 634.1803, 634.214, 634A.169, 634A.185, 635.111, 635.158, 636.262, 636.342, 637.085, 637.145, 637B.192, 637B.288, 638.087, 638.089, 639.183, 639.2485, 639.570, 640.075, 640.152, 640A.185, 640A.220, 640B.405, 640B.730, 640C.580, 640C.600, 640C.620, 640C.745, 640C.760, 640D.135, 640D.190, 640E.225, 640E.340, 641.090, 641.221, 641.2215, 641.325, 641A.191, 641A.217, 641A.262, 641B.170, 641B.281, 641B.282, 641C.455, 641C.760, 641D.260, 641D.320, 642.524, 643.189, 644A.870, 645.180, 645.625, 645A.050, 645A.082, 645B.060, 645B.092, 645C.220, 645C.225, 645D.130, 645D.135, 645G.510, 645H.320, 645H.330, 647.0945, 647.0947, 648.033, 648.197, 649.065, 649.067, 652.126, 652.228, 653.900, 654.110, 656.105, 657A.510, 661.115, 665.130, 665.133, 669.275, 669.285, 669A.310, 671.170, 673.450, 673.480, 675.380, 676A.340, 676A.370, 677.243, 678A.470, 678C.710, 678C.800, 679B.122, 679B.124, 679B.152, 679B.159, 679B.190, 679B.285, 679B.690, 680A.270, 681A.440, 681B.260, 681B.410, 681B.540, 683A.0873, 685A.077, 686A.289, 686B.170, 686C.306, 687A.060, 687A.115, 687B.404, 687C.010, 688C.230, 688C.480, 688C.490, 689A.696, 692A.117, 692C.190, 692C.3507, 692C.3536, 692C.3538, 692C.354, 692C.420, 693A.480, 693A.615, 696B.550, 696C.120, 703.196, 704B.325, 706.1725, 706A.230, 710.159, 711.600, sections 35, 38 and 41 of chapter 478, Statutes of Nevada 2011 and section 2 of chapter 391, Statutes of Nevada 2013 and unless otherwise declared by law to be confidential, all public books and public records of a governmental entity must be open at all times during office hours to inspection by any person, and may be fully copied or an abstract or memorandum may be prepared from those public books and public records.

## Many statutory exemptions are listed in the NPRA

Exemption = NPRA does not apply

NRS 239.010 refers to other provisions of Nevada law

- Cite *both* NRS 239.010 and the statute listed therein
- If records are confidential under **federal law or regulations**, they may be exempt from the NPRA. *City of Reno v. Reno Gazette-Journal*, 119 Nev. 55 (2003).



# Regulatory Authority to Withhold Records or Redact Information

## **Regulatory exemptions are stated in the NAC or agency regulations**

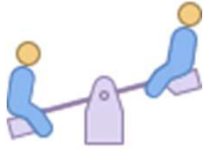
- Agencies may adopt regulations declaring certain records confidential.

NRS 233B.040(1)(a) (reasonable regulations appropriately adopted by an agency “*have the force of law*”); *Banegas v. State Indus. Ins. Sys.*, 117 Nev. 222, 227 (2001).

- *E.g.*, NAC 441A.335(2) protects certain health information, medical records, or reports
- **But beware:** Nevada Supreme Court has held that NACs do not limit the scope of the NPRA

*Comstock Residents Ass'n v. Lyon Cty. Bd. of Commissioners*, 134 Nev. 142, 414 P.3d 318 (2018); *Clark Cty. Sch. Dist. v. Las Vegas Rev.-J.*, 134 Nev. 700, 429 P.3d 313 (2018).





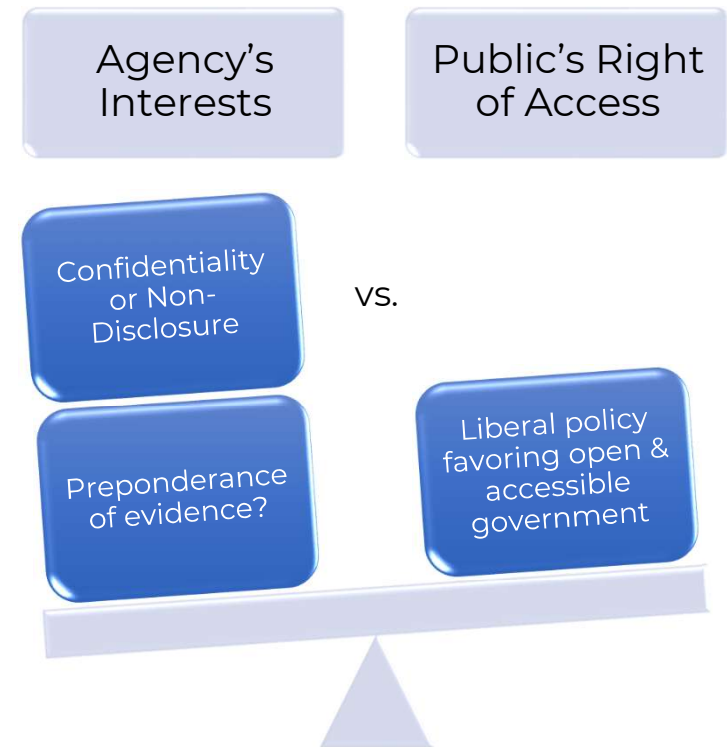
# Nevada's General Balancing Test

The General Balancing Test *must be* used by government agencies to determine if a withholding is justified when a record is not explicitly made confidential by statute

*Donrey of Nevada, Inc. v. Bradshaw*, 106 Nev. 630 (1990)  
*Reno Newspapers, Inc. v. Gibbons*, 127 Nev. 873 (2011)

- Government must explain why the records are not disclosed and provide *specific legal authority* justifying withholding
- Government interest in withholding must outweigh the public interest in disclosure by a “preponderance of the evidence.” NRS 239.0113.
- Test generally should not be used to withhold record in its entirety

This test “weighs”:



# Personal Privacy Balancing Test

Basic two-part inquiry for withholding information based on **personal privacy interests**:

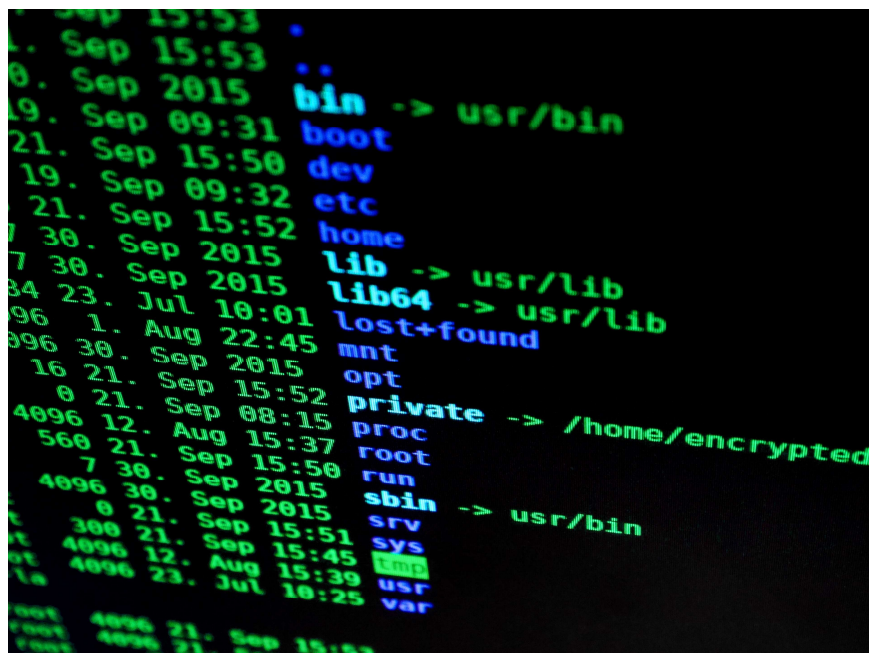
1. Government must establish a “*nontrivial*” personal privacy interest —interest = “*more than de minimis*”
2. If successful, the *burden shifts* to the requester to show that disclosure/info sought are likely to advanced a significant public interest



*Clark Cnty. School Dist. v. Las Vegas Rev.-J.*, 34 Nev. 700 (2018) (adopting the Ninth Circuit’s test in *Cameranesi v. U.S. Dep’t of Defense*, 856 F.3d 626 (9th Cir. 2017) (personnel and medical files may be shielded from public disclosure to prevent an unwarranted invasion of personal privacy)).



# Personal Privacy Balancing Test - *reaffirmed*



NVSC has reaffirmed key parts of the personal privacy balancing test:

- Test applies whenever the government asserts a nontrivial personal privacy interest
- **Threshold to show a nontrivial privacy interest is low**
- “avoidance of harassment is a cognizable privacy interest”
  - embarrassment, stigma

*Las Vegas Metro. Police Dep't v. Las Vegas Rev.-J.*, 478 P.3d 383 (Nev. 2020) (discussing *Clark Cnty. School Dist. v. Las Vegas Rev.-J.*, 34 Nev. 700 (2018), and *Cameranesi v. U.S. Dep't of Defense*, 856 F.3d 626 (9th Cir. 2017)).

# Denying a Request or Withholding Records

## Statutory or regulatory authority justifying confidentiality:

- State statutes: NRS 239.010 and other NRS provisions
- Federal statutes
- State NACs (use with a balancing test!)

## Common Law

- Privileges

## Balancing Tests

- General Balancing test (*Bradshaw/Gibbons*)
- Personal Privacy Balancing test (*CCSD/Cameranesi*)







# Denying a Request or Withholding Records

## ***Provide specific citations***

Agencies must provide a written response and a specific citation to statute or other legal authority making a record confidential. NRS 239.0107(d).

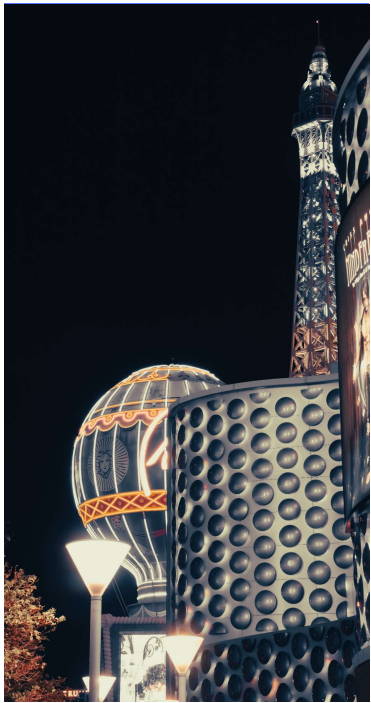
## ***Privilege Log or Index***

Agencies are *not* required to produce a log or “Vaughn index” of confidential records *unless and until* the requester files a lawsuit. *Gibbons*, 127 Nev. at 881–83.

- NVSC declined to define the precise form that a log must take or what it must contain
- “adequate log” will vary depending on the circumstances of each case



# Helpful Questions for Responding to Public Records Requests



1

Are records  
(or  
information)  
responsive to  
the request?

2

Do the  
requested  
records  
exist?

3

Does the  
agency have  
**legal custody**  
**or control** of  
the requested  
records?

4

Do any  
statutory  
exceptions  
apply? (state  
or federal)

# Helpful Questions for Responding to Public Records Requests

5

Do any **common law** privileges or confidentiality doctrines apply?

6

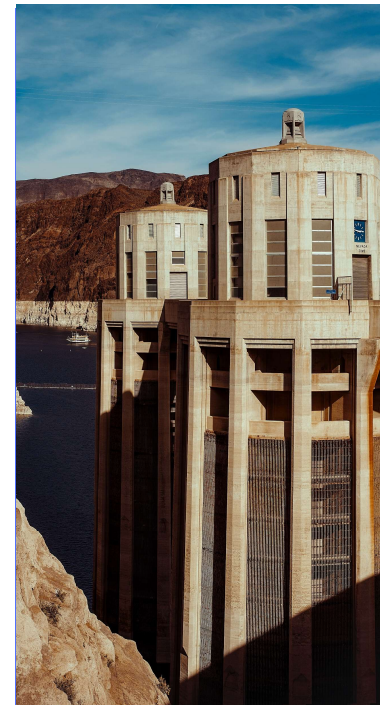
Do the **general** or **personal privacy** balancing tests favor withholding?

7

Are responsive records confidential *in their entirety*?

8

Do the responsive records require **redactions**?



# Common Personal Privacy Info (PII) for Redaction

Redactions should be “narrowly tailored” to fit only the protected info

- Social Security Number or Tax ID Number
- Driver’s license number or identification card number
- Name of a minor child
- Date of birth and place of birth
- Race or Gender
- Home address
- Personal e-mail address (*i.e.*, any non-government email address)
- Signature, fingerprint, or any other biometric record
- User name or unique personal identifier
- Direct telephone number (*e.g.*, direct line, an assistant, or cell phone)
- Ride Share (*i.e.*, Uber/Lyft) pickup or drop-off address
- Medical identification number or a health insurance identification number
- Airline flight, ticket, or confirmation numbers, and departure/arrival times
- Financial account number or credit/debit card number
- Bank name and associated information (address, phone, routing number, etc.)
- Tracking number and package signer for any shipping carrier (*e.g.*, Fed Ex, UPS, U.S. Postal Service, DHL, etc.)
- Video conference meeting IDs, passcodes, phone conference IDs, and video conference device links (*e.g.*, Teams, Zoom, Lifesize)
- Criminal Justice Information (CJI) (*e.g.*, personal data, property data, other information related to incidents and cases)
- Criminal History Record Information (CHRI), (*e.g.*, arrest descriptions and notations, conviction status, etc.)

*See, e.g., NRS 603A.040; 34 C.F.R. § 99.3;  
Fed. R. Civ. P. 5.2; D. Nev. LR IC 6-1; EDCR 5.214.*

# Fee Schedule – List of Fees

Fees charged to fulfill public records requests can be a very contentious issue for government agencies

## **NRS 239.052(3)**

An agency must prepare and *maintain a list of its fees* for providing public records and post the list in a conspicuous place in each of its offices.

## **NRS 239.053(2)**

If applicable, the agency's list of fees must also include per page fee for court reporter transcripts.



# Meetings: Minutes & Recordings



## No Charge for Minutes and Recordings

- Minutes or audiotape recordings of meetings must be made available to the public within *30 working days*. NRS 241.035(2).
- Upon request, a copy of the minutes or audio recordings must be made available to a member of the public at *no charge*. NRS 241.035(2).
- Agencies must retain five (5) years of minutes. The remainder may be sent to State Archives. NRS 241.035(2).

# Charging “Actual Costs”

- Providing copies of public records is part of agencies’ regular duties
- But, the NPRA still allows agencies to recover *actual costs* NRS 239.052
- Actual costs = include, *but are not limited to*, the “direct cost” incurred in responding to a records request, such as those for ink, toner, paper, media, and postage NRS 239.005
  - 2019: Legislature repealed “Extraordinary Use” fees NRS 239.055

## ★ ACTUAL COSTS CHARGED MUST BE EXACT ★

- It may be difficult to ascertain these costs unless an agency has a dedicated public records employee(s)

# Charging “Actual Costs”

- “Actual cost” does *not* include a cost an agency “incurs regardless of whether or not a person requests a copy of a particular public record” NRS 239.052
  - Discourages agencies from depending on such fees to make up annual budget shortfalls
- In 2019, the **Legislature expressly considered and chose not to exclude overhead, personnel, and labor costs** from the definition of actual costs
  - Legislators found such costs appropriate when requests are “*incredibly onerous*” or “*incredibly large*”
  - Flexibility to recoup costs for broad requests that disproportionately utilize agency resources, so costs are *not borne taxpayers but are made the requester’s responsibility*

June 3, 2019 Mins. Assembly Comm. on Gov’t Affairs, SB 287

# Judicial Review by the District Court

A requester may file a petition for review before the district court involving their NPRA request on three grounds:

1. Denial of a request
2. Unreasonable delay
3. Excessive or Improper fees

NRS 239.011

## Relief available?

- Compel agency or person with legal custody to provide a copy of the record
- Provide relief relating to fees
- Award attorneys' fees & costs
  - Requester *must* prevail

Immunity from damages liability for acting in good faith





# Civil Penalties for *Willful* Violations

If a court decides that an agency willfully failed to comply with the NPRA, the court must impose a civil penalty:

1. First violation = \$1,000
2. Second violation = \$5,000
3. Third or subsequent violation = \$10,000

NRS 239.340(1) (violations within 10-year period)

- Penalty is imposed on agency
- Money goes toward improving access to public records



# Recent NVSC Decisions

***LVRJ v. LVMPD***, 139 Nev. Adv. Op. 8 (Nev. 2023)

- *Background*: newspaper seeks records of LVMPD's criminal investigation of an NHP trooper
- *Holding*: Confidential Informant (CI) privilege (NRS 49.335) does not justify withholding records in their entirety; LVMPD failed to demonstrate government interests in confidentiality "**clearly outweighed**" public interests favoring disclosure

Key takeaways for public agencies:

- If withholding records under general balancing test, be prepared to provide a **detailed** explanation of risks and harms that may stem from disclosure
- Avoid tendency to minimize public interest in access to records
- **Consider redact and release approach** if no confidentiality statute or privilege applies and arguments to withhold under general balancing test are weak

## Recent NVSC Decisions

***Conrad v. Reno Police Dep't***,  
139 Nev. Adv. Op. 14 (Nev. 2023)

- *Background*: news website sought RPD's unredacted body camera footage
- *Holding*: unredacted body camera footage is exempt from disclosure under NRS 289.025

Key takeaways for public agencies:

- NRS 289.025 provides that any photograph of a peace officer in the possession of a law enforcement agency is confidential and “not public information”
- Any body camera footage responsive to a PRR that identifies officers' faces must be redacted prior to release



There were  
NO  
2021 or 2023  
Legislative  
Amendments  
to the NPRA!





# Public Records Q & A

