

Opinion: Court's decision reinforces public's right to information

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Many Nevadans may not care about the specific contents of the more than 100 emails that former Gov. Jim Gibbons tried to keep secret, but the principle set forth by the Nevada Supreme Court in last week's decision on the controversy is critical to everyone in the state.

Ruling in a lawsuit brought by the Reno Gazette-Journal, the court rejected Gibbons' attempt to simply declare the emails private without offering any proof.

The unanimous decision written by Chief Justice Nancy Saitta requires that Gibbons, who lost a bid for re-election in 2010, provide the newspaper with a log of the emails, including a "general factual description" of them and a specific explanation of why he believes they aren't public.

In other words, the court said that the burden of proof is on an official when he or she wants to prevent the public – not just a newspaper, but all of us – from seeing a document. Otherwise, it's public.

The Supreme Court's decision has implications well beyond the governor's emails, written on a state-owned computer and sent to staffers, family, friends and political campaign contributors.

The principle espoused by the Nevada Public Records Act is rather simple: Unless there's a specific exemption in law, all government records are considered public.

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