

Experts: Sandoval's texts to NV Energy should be public

By Scott Lucas, Las Vegas Sun

Gov. Brian Sandoval has weak legal and public policy grounds to defend his decision to withhold text messages between himself and the leadership of NV Energy, according to open government experts, if the examples in other states and cities were to be followed in Nevada.

Courts and attorneys general in at least 18 states have addressed the issue, of which “decisions have overwhelmingly favored public access,” according to a paper written by Joey Senat, a professor who teaches media law at Oklahoma State University. As of 2014, the law in 15 states requires correspondence related to state business to be turned over in public records requests – even if that information is stored on private phones or computers.

“If you limit freedom of information laws to those communications that take place over government-owned channels, then you arbitrarily exclude communications – maybe even most communications – based on a meaningless distinction about which technology you used,” said Peter Scheer, the executive director of the First Amendment Coalition.

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