

Nevada high court rules private devices subject to open records law

By Colton Lochhead, Las Vegas Review-Journal

A public employee's personal devices are open to public inspection under the state's public records laws, the Nevada Supreme Court ruled on Thursday.

"We conclude that the (Nevada Public Records Act) does not categorically exempt public records maintained on private devices or servers from disclosure," Justice Michael Cherry wrote in the opinion, which was unanimously affirmed by the six other justices. "To withhold a public record from disclosure, the government entity must present, with particularity, the grounds on which a given public record is exempt."

The ruling overturns a decision by Washoe County District Court Judge Steven Kosach determining that records on personal devices and accounts are not subject to public inspection because they are outside the control of the public agency.

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