

BREF

SAMANTHA R. KRONER, ESQ.
Nevada Bar No.: 17233
CHRISTOPHER M. PETERSON, ESQ.
Nevada Bar No.: 13932
**AMERICAN CIVIL LIBERTIES
UNION OF NEVADA**
4362 W. Cheyenne Ave.
North Las Vegas, NV 89032
Telephone: (702) 366-1226
Facsimile: (702) 718-3213
Emails: skroner@aclunv.org
peterson@aclunv.org
Attorneys for Petitioners

CASE NO: A-26-952733-W
Department 8

EIGHTH JUDICIAL DISTRICT COURT

CLARK COUNTY NEVADA

AMERICAN CIVIL LIBERTIES UNION OF
NEVADA, a domestic nonprofit organization, THE
FLORES FIRM LTD. d/b/a EDGAR FLORES
LAW, a domestic corporation, THE MARSHALL
PROJECT, a nonprofit organization, NEVADA
NEWS BUREAU d/b/a THE NEVADA
INDEPENDENT, a domestic nonprofit
organization,

Petitioners,

vs.

LAS VEGAS METROPOLITAN POLICE
DEPARTMENT, a governmental entity,

Respondent.

Case No.:

Department:

Hearing requested

**Opening Brief in Support of Petition
for Writ of Mandamus pursuant to
NRS 239.001 et seq.**

**Expedited Matter Pursuant to
NRS 239.011**

Petitioners American Civil Liberties Union (ACLU) of Nevada, The Flores Firm Ltd. d/b/a
Edgar Flores Law, The Marshall Project, and Nevada News Bureau d/b/a The Nevada Independent
submit this Opening Brief in support of their Petition for Writ of Mandamus requesting the Court
to (1) declare Las Vegas Metropolitan Police Department's (LVMPD) practice of charging
improper and excessive fees for copies of public records violates the Nevada Public Records Act

1 (NPRA), (2) order LVMPD to provide Petitioners with the copies of the public records detailed in
2 their Petition, only charge fees permissible under Nevada law, and reimburse Petitioners for the
3 excess costs paid for the public records detailed in their Petition, (3) enjoin LVMPD from charging
4 more than the actual cost of providing a public record for all future requests as mandated by NRS
5 239.052(1), and (4) award Petitioners' attorneys' fees and costs pursuant to NRS 239.011(2). In
6 addition, Petitioners ask that this Court find LVMPD willfully failed to comply with the NPRA
7 and impose the requisite civil penalty required by NRS 239.340.

8 Pursuant to NRS 239.011(2), this matter should be given priority over other civil matters
9 to which priority is not given by other statutes.

10 This brief is supported by the attached memorandum of points and authorities, any attached
11 exhibits, and the pleadings and papers filed with this Court.

12 **MEMORANDUM OF POINTS AND AUTHORITIES**

13 LVMPD unlawfully and openly charges excessive fees for copies of public records by
14 billing requestors thousands of dollars to cover the salaries of agency staff, an expense that
15 LVMPD would incur whether or not the request was made. Fees charged for public records "must
16 not exceed the actual cost to the governmental entity to provide the copy of a public record," NRS
17 239.052(1), and while Nevada's definition of "actual costs" includes the direct costs of providing
18 a copy of a particular record, for example the cost of ink, paper, or media, it expressly excludes "a
19 cost that a governmental entity incurs regardless of whether or not a person requests a copy of a
20 particular public record." NRS 239.005. As LVMPD incurs the cost of paying its personnel
21 regardless of whether or not a requester asks for a copy of a particular record, its personnel
22 expenses are not an "actual cost" and cannot be passed along to a requester without violating NRS
23 239.052(1). These excessive costs are further demonstrated by LVMPD's overcharged deposits,
24

1 its “estimation” of costs, and the inconsistencies in the rates it charges to process the public’s
2 records requests.

3 LVMPD violates the NPRA willfully. LVMPD repeatedly states its charges are based on
4 personnel time, which is clearly outside the scope of the direct costs enumerated in the definition
5 of “actual cost” pursuant to the NPRA. NRS 239.005. LVMPD also charges these excessive and
6 improper fees at inconsistent rates, relies on estimates, and unlawfully requires deposits of
7 hundreds or thousands of dollars before processing public records requests. In doing so, LVMPD
8 obstructs the public’s access to public records, conflicting with the NPRA’s express purpose of
9 ensuring the public has prompt access to public information. NRS 239.001. That LVMPD price
10 gouges the public out of access to its records is especially concerning when considering the content
11 of the records sought, some of which show evidence of LVMPD’s use of excessive force against
12 people engaging in peaceful protest.¹ LVMPD cannot violate the NPRA and avoid transparency
13 by charging excessive, improper, and prohibitive fees for requested copies of public records.

14 STATEMENT OF FACTS

15 I. LVMPD’s Various Methods of Calculating Costs for Copies of Public Records

16 LVMPD has created a Public Records Unit that is responsible for responding to requests
17 for public records submitted to the agency. Pls.’ Pet. for Writ of Mandamus (“Pet.”) Ex. 1, at 2–3.
18 The Unit’s employees gather responses to requests for public records, review and redact the
19 responsive records when necessary, and provide the requestor with copies. Pet. Ex. 1, at 3. LVMPD
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21
22 ¹ ACLU of Nevada’s request on June 17, 2025, would include records such as the body camera
23 footage produced in litigation related to the protests on June 11, 2025, which shows evidence of
24 the above-mentioned First Amendment violations. See Darcy Spears & Jarah Wright, *Lawsuit
claims LVMPD violated its own use-of-force policies in response to Las Vegas anti-ICE protests*,
KTNV Channel 13 News (Dec. 30, 2025, 7:35 PM) [https://www.ktnv.com/13-
investigates/lawsuit-claims-lvmpd-violated-its-own-use-of-force-policies-in-response-to-las-
vegas-anti-ice-protests](https://www.ktnv.com/13-investigates/lawsuit-claims-lvmpd-violated-its-own-use-of-force-policies-in-response-to-las-vegas-anti-ice-protests) (last visited Jul. 29, 2026).

1 charges rates for copies of public records based on “the actual salaries and benefits of the
2 employees.” Pet. Ex. 1, at 6.

3 LVMPD’s webpage linking to its “Public Records Request Portal” outlines LVMPD’s
4 service charges.² Pet. Ex. 2. For the service charges effective from February 1, 2026, until July 1,
5 2026, the chart on LVMPD’s website stated that “Body Worn Camera Video/Audio Preparation,
6 Research, Redaction” costs \$87.00 per hour.³ Pet. Ex. 2. The chart further provided that the per
7 hour rate for LVMPD’s “Research Fee (for records and information not readily available)” and
8 “Redaction Fee” “varies”. Pet. Ex. 2. Below LVMPD’s posted charges, the webpage stated, “All
9 fees may be subject to additional charge for additional personnel costs, as permitted by NRS
10 239.052(1) and NRS 239.005(1).” Pet. Ex. 2. The chart did not explain why video preparation,
11 research, or redaction would incur additional personnel costs beyond those already listed.

12 LVMPD has also used its “Service Charges Schedule” to determine its charges for copies
13 of public records. Pet. Ex. 3. LVMPD’s “Service Charges” document, effective February 1, 2026,
14 provides that the charge for “Video/Audio Case Preparation/Research/Redaction” for body worn
15 camera footage is \$87.00 per hour and the cost for “Case Preparation/Research/Redaction” for
16 other public records is \$47.00 per hour. Pet. Ex. 3, at 1. Copies to “CD/DVD/Flash Drive” are
17 listed as \$32.00 each, and “Incident Crime Report Reproduction” is listed at \$12.00 each (up to 20
18 pages), with requests over 20 pages charged at a rate of \$0.40 per page. Pet. Ex. 3, at 1. The
19 document notes that expedited requests are charged at 1.5 times the hourly rate. Pet. Ex. 3, at 1.⁴

20 ² Las Vegas Metropolitan Police Department, *Public Records*, <https://www.lvmpd.com/i-want-to/file/public-records> (last visited July 23, 2026).

21 ³ Effective July 1, 2026, LVMPD once again increased the cost of the service charges listed on its
22 webpage. See Las Vegas Metropolitan Police Department, *Public Records*,
23 <https://www.lvmpd.com/i-want-to/file/public-records> (last visited July 23, 2026).

24 ⁴ Prior to February 1, 2026, LVMPD’s Service Charges Schedule charged \$85.00 per hour for
“Video/Audio Case Preparation/Research/Redaction” for body worn cameras and the cost for
“Case Preparation/Research/Redaction” for other public records was \$47.00 per hour. Pet. Ex. 4,

1 The “Service Charges” document also provides that “Crime Analysis Research for Public Records
2 Requests and Subpoenas” costs \$73.00 per hour. Pet. Ex. 3, at 1. Again, apart from stating the
3 “service charge is a set fee based upon the actual cost of providing the service . . . [a]s permitted
4 by NRS 239.052(1) and NRS 179A.140,” the chart does not explain how any of these rates have
5 been calculated. *See* Pet. Ex. 3, at 1-2.

6 In some instances, LVMPD’s Public Records Unit has used “working tools”, such as its
7 internal tabulation worksheets, to estimate personnel time, calculating charges for the hours spent
8 on “investigative research”, “redactions”, “quality assurance”, and “video/audio case preparation”.
9 ⁵ Pet. Ex. 5, at 2 (describing LVMPD’s “tabulation worksheets” as “working tools”); Pet. Exs. 6-
10 7 (estimating the hours spent working on body worn camera requests). In other instances, LVMPD
11 has charged for copies of body worn camera footage at a rate by minute of footage rather than the
12 hourly rate listed in its “Service Charges” sheet, again without explanation. *Compare* Pet. Ex. 6
13 (calculating costs at hourly rate), *with* Pet. Ex. 8 (charging at a rate per minute of footage). LVMPD
14 explained to ACLU of Nevada that “LVMPD does not maintain a standalone ‘policy’ or
15 ‘procedure’ document [for determining charges for public records] beyond [its] published Service
16 Charge Schedule.” Pet. Ex. 5, at 1.

17 **II. Petitioner ACLU of Nevada’s Requests**

18 ACLU of Nevada is a non-profit organization whose mission is to defend and advance the
19 civil liberties, civil rights, and other fundamental human rights of all Nevadans. As part of ensuring
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21 at 1. Copies to “CD/DVD/Flash Drive” were listed as \$31.00 each, and “Incident Crime Report
22 Reproduction” was listed at \$12.00 each (up to 20 pages). Pet. Ex. 4, at 1.

23 ⁵ Both LVMPD’s prior “Service Charges Schedule” and its “tabulation worksheets” were provided
24 in response to a request that ACLU of Nevada submitted to LVMPD on September 30, 2025. Pet.
Ex. 5. The request sought the policies and procedures related to LVMPD’s calculation or
estimation of costs or fees charged for copies of public records, as well as a calculation or
estimation of the costs for ACLU of Nevada’s request for body worn camera footage on June 17,
2025, and for Edgar Flores Law’s request for body worn camera footage. Pet. Ex. 9.

1 people's civil rights are protected, ACLU of Nevada frequently submits public records requests to
2 governmental entities, including to LVMPD.

3 In the wake of LVMPD's use of tear gas and pepper balls at a protest on June 11, 2025,
4 ACLU of Nevada submitted requests for public records related to the incident. The requests sought
5 LVMPD officers' body worn camera footage from the protest and LVMPD's training materials on
6 protest response tactics.

7 **A. Request for Body Worn Camera Footage**

8 On June 17, 2025, ACLU of Nevada submitted a request for public records to LVMPD via
9 LVMPD's online "Public Records Center" portal.⁶ This request sought body worn camera footage
10 from officers who issued dispersal orders, engaged in the use of force, or who were involved in
11 arrests the evening of June 11, 2025. Pet. Ex. 10, at 1–2. After LVMPD told ACLU of Nevada its
12 original request was too burdensome, ACLU of Nevada narrowed the scope of its request multiple
13 times. Pet. Ex. 12, at 1–4. On September 4, 2025, LVMPD emailed ACLU of Nevada a link to the
14 invoice with LVMPD's charges for this request. Pet. Ex. 11. Despite ACLU of Nevada's
15 narrowing of the request and its request for a waiver of fees, Pet. Ex. 10 at 2, LVMPD still required
16 full payment of \$6,811.33 for a copy of the footage prior to work being initiated.⁷ Pet. Ex. 6; Pet.
17 Ex. 11.

18 Over the next several months, ACLU of Nevada made multiple attempts to further narrow
19 its request to reduce the costs of receiving copies of the requested body camera footage. *See* Pet.
20 Ex. 14, at 12; Pet. Ex. 16, at 5. With each proposed change to the request, LVMPD provided
21 invoices, but the invoices calculated the proposed costs at different rates and units of measurement.
22 While the original invoice was calculated in estimated hours spent by LVMPD staff, Pet. Ex. 6,

23 ⁶ Las Vegas Metropolitan Police Department, *Public Records*, <https://www.lvmpd.com/i-want-to/file/public-records> (last visited July 23, 2026).

24 ⁷ The link to this invoice has since expired, however the fee LVMPD charged for the requested records are reflected in its "tabulation worksheet" for this request. *See* Pet. Ex. 6.

1 later invoices for body camera footage charged ACLU of Nevada at a rate of \$5.67 per minute of
2 footage, Pet. Exs. 17–18. Just days later, LVMPD sent ACLU of Nevada an invoice charging at a
3 rate of \$5.80 per minute of footage. Pet. Ex. 15. LVMPD provided no explanation for why it
4 deviated from its listed rate of \$87 per hour by charging per minute of footage, or why the “per
5 minute” rate increased since the invoice for ACLU of Nevada’s previous requests received just
6 days prior.

7 ACLU of Nevada also attempted to narrow its request by going into LVMPD’s office to
8 review some of the footage in person and find the clips relevant to ACLU of Nevada’s requests.
9 Pet. Ex. 14, at 12. Despite ACLU of Nevada working with two detectives at the public records
10 office for several hours to narrow the request, LVMPD later stated that it could not shorten the two
11 videos that ACLU of Nevada was interested in and sent ACLU of Nevada an invoice charging
12 \$2,766.60 for the full videos that were reviewed in office. Pet. Ex. 14, at 12; Pet. Ex. 15.

13 During this process, a news story broke in December of 2025 that protesters from the June
14 11, 2026, incident had filed suit against LVMPD alleging constitutional violations, and that
15 LVMPD had disclosed body worn camera footage from the protest through the discovery process.⁸
16 According to the news coverage, the released footage depicted a single officer shooting at least
17 157 pepper balls the evening of June 11, including at the backs of non-violent protesters.⁹ The
18 report also described how an officer who reloaded that same officer’s pepper ball gun – responsible
19 for over 20% of the pepper bullets fired that evening according to one lawsuit – can be heard on
20 the footage encouraging the officer to “have fun”.¹⁰ The article highlights another scene from the
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22 ⁸ Darcy Spears & Jarah Wright, *Lawsuit claims LVMPD violated its own use-of-force policies in*
23 *response to Las Vegas anti-ICE protests*, KTNV Channel 13 News (Dec. 30, 2025, 7:35 PM)
24 [https://www.ktnv.com/13-investigates/lawsuit-claims-lvmpd-violated-its-own-use-of-force-](https://www.ktnv.com/13-investigates/lawsuit-claims-lvmpd-violated-its-own-use-of-force-policies-in-response-to-las-vegas-anti-ice-protests)
[policies-in-response-to-las-vegas-anti-ice-protests](https://www.ktnv.com/13-investigates/lawsuit-claims-lvmpd-violated-its-own-use-of-force-policies-in-response-to-las-vegas-anti-ice-protests) (last visited Jul. 29, 2026).

⁹ *Id.*

¹⁰ *Id.*

1 footage in which a protestor complied with orders from law enforcement to “move that way” and
2 was subsequently shot in the back with at least 46 pepper balls, many at close range, with 22 of
3 the shots from the same rogue officer.¹¹ The article further reports on the lawsuits filed against
4 LVMPD, describing an officer’s threats that protesters could face “life in prison” for attending
5 protests the following Saturday, false statements in an officer’s Declaration of Arrest inaccurately
6 stating the place of arrest of a protestor was the same location where dispersal orders were issued,
7 and arrests of people peacefully livestreaming the protest.¹²

8 Because ACLU of Nevada’s attempts to work with LVMPD to narrow its requests and
9 reduce the costs associated were unsuccessful after months of effort, and in light of these
10 concerning reports that video footage produced from the June 11, 2025, protests depicted
11 significant and pervasive First Amendment violations,¹³ ACLU of Nevada emailed LVMPD on
12 February 24, 2026, asking it to provide ACLU of Nevada with records responsive to its original
13 request submitted on June 17, 2025, as well as an updated invoice for the charges and a breakdown
14 of the costs since the link to the prior invoice was no longer active. Pet. Ex. 14, at 7–8. LVMPD
15 did not respond to ACLU of Nevada’s request that LVMPD provide the original footage it
16 requested, nor did it respond when ACLU of Nevada sent a follow up email and later attempted to
17 contact LVMPD through its public records portal. Pet. Ex. 14, at 1–4. As of the date of this filing,
18 LVMPD has yet to respond to any of ACLU of Nevada’s inquiries about this request. *See* Pet. Ex.
19 14. While the reporting seems to contradict LVMPD’s press release the next day pointing to
20 “violent actions” by protestors,¹⁴ LVMPD’s prohibitive charges for ACLU of Nevada’s request
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23 ¹¹ *Id.*

24 ¹² *Id.*

¹³ *Id.*

¹⁴ *See id.*

1 have barred its access to the body camera footage that shows the actual unfolding of events at the
2 June 11, 2025, protests.¹⁵ *See* Pet. Ex. 6.

3 **B. Request for Trainings**

4 On September 30, 2025, ACLU of Nevada submitted a public records request to LVMPD
5 seeking seven Power Point trainings. Pet. Ex. 20. On October 17, 2025, LVMPD sent ACLU of
6 Nevada an email with an attached invoice for \$329.00, stating that work on ACLU of Nevada's
7 request would resume after payment. Pet. Exs. 22–23. ACLU of Nevada asked LVMPD to clarify
8 the basis for the fee and provide an explanation for how it was calculated. Pet. Ex. 24. LVMPD
9 responded, stating it had determined 7 personnel hours were required to process ACLU of
10 Nevada's request. Pet. Ex. 25, at 1. LVMPD further explained: "**Pursuant to the published rate**
11 **of \$47.00 per hour, the total cost for review and redaction is \$329.00.** If the actual time is less,
12 we will reduce the charge and refund any overage; if additional time appears necessary, we will
13 notify you in advance." Pet. Ex. 25, at 2 (emphasis in the original document).

14 **III. Petitioner Edgar Flores Law's Request**

15 Edgar Flores Law submitted a public records request for body worn camera footage in
16 relation to one of its cases. Pet. Ex. 26. On August 30, 2025, LVMPD sent Edgar Flores Law an
17 email confirming receipt of the request and a link to the invoice for the request, stating that "[f]ull
18 payment for this request is required prior to work being initiated."¹⁶ Pet. Ex. 26. LVMPD's
19 tabulation sheet for this request outlines the cost of providing a copy of the 194 minutes of body

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21 ¹⁵ In one of its letters to The Marshall Project, LVMPD claims that "[f]or large incidents that have
22 created a public interest, voluminous records are provided without charge. For instance, we will
23 publish body-worn camera footage on our YouTube channel for events like mass shootings or
24 protests." Pet. Ex. 1, at 3. However, LVMPD's steep charges for ACLU of Nevada's protest related
request, *see* Pet. Ex. 6, and LVMPD's failure to post any footage from the protests on June 11,
2025, call this claim of transparency into question in circumstances where it does not serve
LVMPD's own interest.

¹⁶ The link to this invoice has also since expired, however the fee LVMPD charged for the
requested records are reflected in its "tabulation worksheet" for this request. *See* Pet. Ex. 7.

1 worn camera footage, which came to a \$1,099.33 total at a rate of \$85 per hour for standard
2 processing. Pet. Ex. 7. However, the tabulation sheet only estimates a total of 4 hours of work: 1
3 hour for “investigative research”, 1 hour for “redactions”, 1 hour for “quality assurance”, and 1
4 hour for “video/audio case preparation”. Pet. Ex. 7. Using the \$85 per hour rate for standard
5 processing, the total for 4 hours of work is \$340.00.

6 **IV. Petitioner The Marshall Project’s Requests**

7 **A. Requests for Officer Reports and Arrest Affidavits**

8 The Marshall Project is a nonpartisan, nonprofit news organization that seeks to create and
9 sustain a sense of national urgency about the U.S. criminal justice system. On June 2, 2025, The
10 Marshall Project submitted two public records requests for “Officer Reports” and arrest affidavits
11 or declarations of warrant for fifteen homicide cases. *See* Pet. Ex. 27. LVMPD sent The Marshall
12 Project a letter and invoice for these requests, charging \$46 per hour for an estimated ten hours of
13 personnel time spent on “redaction and review.” *See* Pet. Ex. 28, at 1. The Marshall Project paid
14 \$460 for LVMPD to produce 312 pages of records. *See* Pet. Ex. 29; Pet. Ex. 37, at 2.

15 During the month of September 2025, The Marshall Project submitted multiple public
16 records requests. *See* Pet. Ex. 37, at 2. LVMPD did not charge any fees when it provided The
17 Marshall Project with copies of the requested “Officer Reports” for nineteen homicide cases and
18 two incident reports. *See* Pet. Ex. 37, at 2. LVMPD also provided The Marshall Project with a
19 Computer-Aided Dispatch Report, for which The Marshall Project paid \$30. Pet. Exs. 30–31.

20 On October 9, 2025, The Marshall Project requested “Officer Reports” from eleven
21 homicide cases and two homicide investigation files from LVMPD. *See* Pet. Ex. 32, at 1; Pet. Ex.
22 37, at 2. LVMPD charged The Marshall Project for each of these requests, later explaining it was
23 charging for labor and personnel costs at a rate of \$47 per hour “based on the actual salaries and
24 benefits of the employees.” Pet. Ex. 1, at 6. LVMPD charged a total of \$940 for 215 pages of

1 records responsive to ten of The Marshall Project's requests. Pet. Ex. 33; Pet. Ex. 37, at 2. After
2 paying LVMPD to produce the eleventh of the thirteen requested records, Pet. Ex. 34, The
3 Marshall Project discovered that LVMPD provided a Force Investigation Team report in response
4 to the eleventh of The Marshall Project's requests. Pet. Ex. 1, at 6 (explaining FIT report was
5 provided because no other report existed). The FIT document was not responsive to The Marshall
6 Project's request for the "homicide investigative report" or "officer report" for an incident, and a
7 version of the FIT report provided was already publicly available online for free.¹⁷ Pet. Ex. 35.

8 LVMPD refused to refund The Marshall Project for the payments it made to LVMPD in
9 excess of the "actual cost" LVMPD incurred in providing the Marshall Project's requested records
10 from June to October, including for the unresponsive FIT record, despite the sole basis provided
11 for the costs of these requests being "the labor costs associated with the production of records",
12 which were based upon "the actual salaries and benefits" of PRU employees. Pet. Ex. 37, at 1–5
13 (The Marshall Project requesting a refund for the excess costs paid, including for the FIT report);
14 Pet. Ex. 1, at 6–7 (LVMPD asking The Marshall Project to reconsider this request).

15 **B. Request for Body Worn Camera Footage**

16 On April 17, 2026, The Marshall Project submitted a public records request for body worn
17 camera footage related to a domestic violence arrest. Pet. Ex. 38, at 4. LVMPD sent The Marshall
18 Project an invoice charging a total of \$1,473.20 for the request. Pet. Ex. 39. The invoice showed
19 LVMPD charged \$5.80 per minute of footage for the "video/audio case preparation/redaction" of
20 254 minutes of footage. Pet. Ex. 39. LVMPD provided no explanation as to why it charged a per
21 minute rate rather than the \$87.00 per hour rate listed on its "Service Charges" sheet. *Compare*
22 Pet. Ex. 39, *with* Pet. Ex. 3, at 1.

23
24 ¹⁷ See Las Vegas Metro. Police Dep't, *Force Investigation Team Report: Fatal Officer-Involved Shooting* (Aug. 30, 2022),
<https://www.lvmpd.com/home/showpublisheddocument/1724/638326183794770000>.

V. Petitioner The Nevada Independent's Request

The Nevada Independent is a Nevada based nonprofit newsroom committed to illuminating the state’s most pressing issues and holding those in power to account. On January 13, 2026, a reporter from The Nevada Independent submitted a request under the NPRPA for homicide data. Pet. Ex. 40, at 5–7. On January 21, 2026, LVMPD provided The Nevada Independent with an invoice for the request, which charged \$584 for “Crime Analysis Research for Public Records Requests and Subpoenas” at a rate of \$73.00 per hour. Pet. Ex. 41. In response, the reporter explained that the homicide data would have already been collected and reported to the federal government through Uniform Crime Reporting, or for more recent data, via the National Incident Based Reporting System. Pet. Ex. 40, at 2–3. Even though the data should have been readily available due to the reporting requirements to the federal government, the reporter offered to narrow the request to make the records easier to provide. Pet. Ex. 40, at 3. LVMPD then explained that it had forwarded the request to the Crime Analysis Group and assured the reporter they would forward their response or produce the requested data. Pet. Ex. 40, at 1. On February 25, 2026, LVMPD sent a message stating it had forwarded the reporter’s concerns to its Office of Legal Counsel. Pet. Ex. 40, at 1. The Nevada Independent has yet to receive a message from LVMPD’s Office of Legal Counsel, nor has it received any of the requested data. *See* Pet. Ex. 40.

LEGAL STANDARD

The NPRA sets forth that records of governmental entities belong to the public. NRS 239.010(1) mandates that, unless a record is 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” The NPRA’s express purpose “is to foster democratic principles by providing members of the public with prompt access to inspect, copy, or receive a copy of public books and records to the extent permitted by law.” NRS 239.001. The provisions mandating access

1 to public records “must be construed liberally to carry out this important purpose[.]” NRS
2 239.001(1) and (2). “Any exemption, exception or balancing of interests which limits or restricts
3 access to public books and records by members of the public must be construed narrowly[.]” NRS
4 239.001(3).

5 NRS 239.011 provides:

6 “If a request for inspection, copying or copies of a public book or record open to
7 inspection and copying is denied or unreasonably delayed or if a person who
8 requests a copy of a public book or record believes that the fee charged by the
9 governmental entity for providing the copy of the public book or record is excessive
10 or improper, the requester may apply to the district court in the county in which the
book or record is located for an order: (a) Permitting the requester to inspect or
copy the book or record; (b) Requiring the person who has legal custody or control
of the public book or record to provide a copy to the requester; or (c) Providing
relief relating to the amount of the fee, as applicable.”

11 NRS 239.011(4) further provides that “[t]he rights and remedies recognized by this section are in
12 addition to any other rights or remedies that may exist in law or in equity.” A government agency’s
13 willful failure to adhere to the NPRA imposes penalties upon that agency. NRS 239.340.

14 A petition for a writ of mandamus is the proper means to secure compliance with the
15 NPRA. NRS 239.011; *Reno Newspapers, Inc. v. Gibbons*, 127 Nev. 873, 884, 266 P.3d 623, 630
16 n.4 (2011); *see also DR Partners v. Bd. of Cty. Comm’rs of Clark Cty.*, 116 Nev. 616, 621, 6 P.3d
17 465, 468 (2000) (citing *Donrey of Nev. v. Bradshaw*, 106 Nev. 630, 798 P.2d 144 (1990) (writ of
18 mandamus is the appropriate procedural remedy to compel compliance with the NPRA).

19 ARGUMENT

20 LVMPD interferes with the public’s right of prompt access to public records pursuant to
21 the NPRA by charging improper and excessive fees based on staff salaries and benefits for the
22 personnel time spent responding to public records requests. In doing so, LVMPD willfully violates
23 the NPRA’s requirement that a fee must not exceed the “actual cost” to the governmental entity,
24 NRS 239.052(1), which expressly excludes costs like salaried personnel time, as an agency incurs

1 this cost regardless of whether or not a particular record is requested. NRS 239.005(1). Charging
2 hundreds to thousands of dollars in excess of the actual cost of providing copies of public records
3 not only conflicts with NRS 239.052’s statutory restriction, but also with the NPRA’s purpose of
4 ensuring transparency and accountability, and for some requestors these prohibitive charges create
5 an insurmountable hurdle depriving people of their right to access this information altogether. *DR*
6 *Partners*, 116 Nev. at 621, 6 P.3d at 468 (stating the purpose of the NPRA is to “ensure the
7 accountability of the government to the public by facilitating public access to vital information
8 about governmental activities”); *Reno Newspaper*, 127 Nev. at 878, 266 P.3d at 626 (noting the
9 NPRA is “designed to promote government transparency and accountability”).

10 **I. LVMPD VIOLATES THE NEVADA PUBLIC RECORDS ACT BY**
11 **UNLAWFULLY CHARGING FEES IN EXCESS OF THE “ACTUAL COST” OF**
12 **PROVIDING A PUBLIC RECORD.**

13 “A statute's provisions should be interpreted harmoniously, and the text should be
14 construed as a whole. If a statute's language is unambiguous, its plain meaning controls.” *Las*
15 *Vegas Metro. Police Dep't v. Mayorga*, 569 P.3d 624, 629 (Nev. 2025). “A statute's express
16 definition of a term controls the construction of that term no matter where the term appears in the
17 statute.” *State v. Second Judicial Dist. Court of Nev.*, 136 Nev. 191, 195, 462 P.3d 671, 674 (2020)
(quoting *Williams v. Clark Cty. Dist. Attorney*, 118 Nev. 473, 485, 50 P.3d 536, 544 (2002)).

18 NRS 239.052(1) provides:

19 “Except as otherwise provided in this subsection, a governmental entity may charge
20 a fee for providing a copy of a public record. Such a fee must not exceed the actual
21 cost to the governmental entity to provide the copy of the public record unless a
specific statute or regulation sets a fee that the governmental entity must charge for
the copy. . . .”

22 The text of NRS 239.052 is unambiguous. It prohibits governmental entities from charging
23 fees that exceed the actual cost to the governmental entity for providing the copy of the public
24 record. NRS 239.052(1). The term “actual cost” as used in the NPRA is statutorily defined in NRS

1 239.005(1). “Actual cost” is defined as “the direct cost incurred by a governmental entity in the
2 provision of a public record, including, without limitation, the cost of ink, toner, paper, media and
3 postage.” NRS 239.005(1). According to the same subsection, “[t]he term [“actual cost”] does not
4 include a cost that a governmental entity incurs regardless of whether or not a person requests a
5 copy of a particular public record.” NRS 239.005(1).

6
7 **A. LVMPD unlawfully charges for staff time and benefits in excess of the “actual
cost” it incurs in providing a public record.**

8 The NPRA clearly allows for an entity to charge for the cost of material items that are
9 incurred as a result of a particular request, such as “the cost of ink, toner, paper, media and
10 postage.” NRS 239.005(1). Along with these enumerated items, the plain language of the statutory
11 definition makes clear that “actual costs” includes “without limitation” other material items such
12 as CDs, DVDs, or flash drives used for making copies of records. *See* NRS 239.005(1). If LVMPD
13 could show its fees for such items reflect the actual cost of the printed reproduction of records and
14 the actual cost of CDs, DVDs, and flash drives, its charges for these requests are within the
15 definition of “actual costs.”¹⁸

16 However, NRS 239.052(1) provides that governmental entities are not permitted to charge
17 in excess of the “actual cost” incurred to provide the copy of the public record, and the express
18 language of the NPRA defining “actual cost” further provides that an “actual cost” does not include
19 a cost that a governmental entity incurs “regardless of whether or not a person requests a copy of

20 _____
21 ¹⁸ LVMPD’s Service Charges sheet states that it charges \$32.00 for each “Copy CD/DVD/Flash
22 Drive” for body worn camera footage and \$12.00 per each (up to 20 pages) for “Incident Crime
23 Report Reproduction”. Pet. Ex. 3, at 1. However, LVMPD has not offered anything that shows
24 that a single CD, DVD, and flash drive all actually cost \$32.00, or that all reports requested cost
the agency \$12.00 in ink, paper, or other materials used to print a report, regardless of the number
of pages up to 20 pages. If LVMPD’s charges for its material items such as CDs, flash drives,
paper, and ink exceed the cost LVMPD actually incurs in providing copies of records to requestors,
LVMPD also violates the NPRA by charging requestors fees in excess of the “actual cost” of
providing these public records. NRS 239.052(1).

1 a particular public record.” NRS 239.005(1). Despite this, LVMPD expressly includes such costs
2 in its fees when charging the public for records. LVMPD openly states that its rates are based on
3 “the actual salaries and benefits of the employees” in its Public Records Unit (PRU), which
4 includes full-time staff assigned to the PRU. Pet. Ex. 1, at 6. Staff members’ salaries, benefits, and
5 labor costs—which LVMPD pays regardless of the time expended on a particular request—are
6 costs LVMPD incurs regardless of whether or not a person requests a copy of a particular record.
7 Therefore, these charges cannot be passed along to the requestor without violating NRS
8 239.052(1).

9 LVMPD’s invoices for Petitioners’ requests further reflect that LVMPD openly and
10 routinely charges in excess of the “actual cost” of providing a public record—i.e. the direct costs
11 of material items such as paper, ink, DVD’s, or flash drives—by charging for costs it would
12 otherwise incur. LVMPD repeatedly states its costs are charging for staff time spent on work
13 LVMPD is statutorily obligated to perform under the NPRA.¹⁹ Pet. Ex. 25, at 2 (charging \$329 for
14 the 7 personnel hours required to process ACLU of Nevada’s request); Pet. Ex. 7 (charging Edgar
15 Flores Law \$1,099 for the 4 hours of estimated work time spent on “research”, “quality assurance”,
16 “redaction” and “case preparation”); Pet. Ex. 28, at 1 (charging The Marshall Project \$460 for the
17 10 hours of estimated personnel time spent on “redaction and review.”); Pet. Ex. 1, at 6 (stating
18 LVMPD was charging for labor and personnel costs at a rate of \$47 per hour); Pet. Ex. 41 (charging
19 The Nevada Independent \$584 for 8 hours of “crime analysis research”). Because costs for staff
20 time and benefits are incurred regardless of whether or not a particular public records request is
21 made, LVMPD openly and willfully violates the clear, unambiguous language of NRS 239.052(1)

22
23 ¹⁹ Finding, redacting, and copying records for requestors are part of LVMPD’s statutory duties
24 under the NPRA. *See* NRS 239.010(3) (mandating that a governmental entity redact confidential
information, rather than deny request based on confidentiality); NRS 239.010(5) (requiring
personnel of governmental entities with legal custody and control of a public record to prepare the
copy of the public record upon request and in the requested medium).

1 by charging Petitioners and other requestors fees in excess of the “actual cost” of providing a
2 public record.

3
4 **B. LVMPD unlawfully charges more than the “actual cost” it incurs in providing a**
5 **public record, as demonstrated by its overcharges on deposits, arbitrary**
6 **estimates, and inconsistent rates.**

7
8 **1. LVMPD’s overcharges on deposits prove that it charges more than the**
9 **“actual cost” of providing a public record.**

10 While the NPRA allows a governmental entity to charge a fee based on the “actual cost”
11 of providing a record, the NPRA does not permit the entity to require a requestor to make a deposit
12 for such requests. NRS 239.052(1) requires that a governmental entity limit its fees for public
13 records to the “actual cost” it incurs in providing a particular record. This eliminates the need for
14 pre-payment, as the rates should already be set based upon the costs that the entity actually incurs
15 in providing that record. And there is no need for the governmental entity to promise to “refund
16 any overage” from these deposits, Pet. Ex. 25, at 2, as the fee charged cannot exceed the “actual
17 cost” that the governmental entity incurs in providing a public record. Not only is LVMPD
18 charging requestors for costs outside of those contemplated by the NPRA, but LVMPD is
19 unlawfully forcing requestors to make a deposit of hundreds to thousands of dollars in excess of
20 the “actual cost” of providing a public record. For each of Petitioners’ requests, LVMPD required
21 Petitioners to make a deposit prior to work being initiated. *See e.g.*, Pet. Ex. 11 (requiring ACLU
22 of Nevada to make a full deposit of \$6,811.33 for its request for body worn camera footage prior
23 to work being initiated).

24 While the basis of LVMPD’s charges is already unlawful, The Marshall Project’s
experience further demonstrates why LVMPD’s unlawful pre-payment requirement conflicts with
the purpose of the NPRA. Prior to completing one of The Marshall Project’s public records
requests, LVMPD required a deposit of \$235 for “case preparation/research/redaction”. Pet. Ex.

1 32, at 2 (LVMPD stating it would not provide any documents unless an invoice is paid); Pet. Ex.
2 34. However, when it provided a response, LVMPD produced a record that was not responsive to
3 The Marshall Project’s request and that was publicly available online for free.²⁰ See Pet. Ex. 1, at
4 6 (explaining FIT report was provided because no other report existed); Pet. Ex. 35 (requesting
5 “the homicide investigation report” or “officers report” for an incident). Despite LVMPD’s earlier
6 assurance that it would “refund any excess monies” from deposits made by The Marshall Project,
7 Pet. Ex. 28, at 1, LVMPD refused to refund the payment for the non-responsive, publicly available
8 document. Pet. Ex. 1, at 7 (asking The Marshall Project “to reconsider [its] position” when
9 responding to The Marshall Project’s request for refund).

10 The NPRA does not permit LVMPD to require deposits for its charges at all, nonetheless
11 for charges that exceed the “actual cost” it incurs in providing a particular record. LVMPD’s
12 method of requiring requestors to make a deposit for public records requests results in prohibitive
13 fees that bar access to these records altogether. This enables LVMPD to operate without oversight
14 or accountability, directly conflicting with the NPRA’s purpose of ensuring transparency and “the
15 accountability of the government to the public by facilitating public access to vital information
16 about governmental activities”. *DR Partners*, 116 Nev. at 621, 6 P.3d at 468; *see also Reno*
17 *Newspaper*, 127 Nev. at 878, 266 P.3d at 626 (noting the NPRA is “designed to promote
18 government transparency and accountability”). That LVMPD overcharges on deposits and states
19 that it will “refund any overage” proves that its charges exceed the actual costs it incurs in
20 providing a particular public record. Pet. Ex. 25, at 2. This further demonstrates LVMPD’s willful
21 violation of NRS 239.052(1).

22
23
24 ²⁰ See Las Vegas Metro. Police Dep’t, *Force Investigation Team Report: Fatal Officer-Involved Shooting* (Aug. 30, 2022),
<https://www.lvmpd.com/home/showpublisheddocument/1724/638326183794770000>.

1 **2. LVMPD estimates its charges, demonstrating that its fees cannot reflect**
2 **the “actual cost” it incurs in providing a particular public record.**

3 If a governmental entity charges a fee for a public record, the governmental entity must
4 show that the fee is based on the “actual cost” it incurs in providing a copy of a public record. NRS
5 239.052(3) provides:

6 “A governmental entity shall prepare and maintain a list of the fees that it charges
7 at each office in which the governmental entity provides copies of public records.
8 A governmental entity shall post, in a conspicuous place at each office in which the
9 governmental entity provides copies of public records, a legible sign or notice
10 which states: (a) [t]he fee that the governmental entity charges to provide a copy of
11 a public record; or (b) [t]he location at which a list of each fee that the governmental
12 entity charges to provide a copy of a public record may be obtained.”

13 The NPRA requires a governmental entity to determine the actual costs of providing a public
14 record and to maintain a publicly accessible list of these actual costs so that requestors know what
15 to expect when requesting records. *See* NRS 239.052(3). LVMPD cannot contravene the
16 requirement that it maintain a publicly accessible list of fees by stating that the fees for certain
17 requests “varies.” Pet. Ex. 2. The mandate that an entity maintain a list of the fees charged for
18 particular records demonstrates that “actual costs” are those costs that can be determined ahead of
19 time – such as the price of a CD, flash drive, ink, or paper – it does not include estimations of
20 personnel time spent on a request. However, LVMPD consistently estimates its charges for public
21 records, proving these charges cannot reflect the “actual cost” it incurs in providing a particular
22 public record.

23 As shown in its “tabulation worksheets”, LVMPD routinely estimates the costs it charges
24 for its public records and requires the requestor to make a deposit based upon that estimation.
LVMPD charged ACLU of Nevada \$6,811.33 for an estimated 82.06 hours of work. *See* Pet. Ex.
6. Similarly, LVMPD’s “tabulation worksheet” for Edgar Flores Law’s request showed charges of
\$1,099.33 for an estimated 4 hours of work time for “research”, “quality assurance”, “redaction”,
and “case preparation”. Pet. Ex. 7. LVMPD’s assurances that it will “refund any overage” or

1 “refund excess monies” further demonstrate that LVMPD’s charges are estimates and do not
2 reflect the “actual cost” it incurs in providing a public record. Pet. Ex. 25, at 2; Pet. Ex. 28, at 1.
3 LVMPD arbitrarily assesses charges based upon its own estimations of costs rather than the “actual
4 cost” of providing a copy of a public record, which can easily be determined ahead of time and
5 should be reflected in its list of fees. As such, LVMPD violates the express provisions of NRS
6 239.052(1), which prohibits charges in excess of the “actual cost” of providing a public record.

7 **3. LVMPD’s inconsistent rates show that it is not considering the “actual**
8 **cost” of providing a public record when charging for public records**
9 **requests.**

10 The NPRA prohibits governmental entities from charging more than the “actual cost” of
11 providing a public record. NRS 239.052(1). Further, it requires a governmental entity to maintain
12 a list of the fees reflecting those “actual costs”. NRS 239.052(3). Despite this, LVMPD charges
13 requestors at random, inconsistent rates, demonstrating that LVMPD’s rates do not reflect the
14 “actual cost” it incurs when providing a public record.

15 For example, LVMPD charged ACLU of Nevada \$6,811.33 for 1,202 minutes of body
16 worn camera footage, charging about \$85 per hour for an estimated 82.06 hours of work. Pet. Ex.
17 6. When ACLU submitted narrowed requests for this footage, LVMPD then charged ACLU of
18 Nevada at a rate of \$5.67 per minute of footage, Pet. Exs. 17–18, rather than the hourly rate
19 reflected in its “Service Charges” document. Pet. Ex. 3. Days later, LVMPD arbitrarily increased
20 this per minute rate to \$5.80 per minute of footage. Pet. Ex. 8; Pet. Ex. 15. LVMPD similarly
21 charged The Marshall Project at a rate of \$5.80 per minute of footage, Pet. Ex. 38, rather than the
22 \$87 per hour rate reflected in its Service Charges sheet and webpage. Pet. Exs. 2–3. LVMPD
23 provided no explanation for these varied, inconsistent rates. LVMPD also charged Edgar Flores
24 Law \$1,099.33 for its request—a total that inexplicably far exceeds the \$340 total for the estimated

1 four hours of work if charged at \$85 per hour which was the then posted rate and referenced in the
2 tabulation sheet provided for Edgar Flores Law’s request. *See* Pet. Ex. 7.

3 In addition, LVMPD steeply and disproportionately increased charges for The Marshall
4 Project’s recent requests for records, which were similar to those provided a month earlier at no
5 cost. *See* Pet. Ex. 32, at 3; Pet. Ex. 37, at 2. LVMPD charged The Marshall Project \$940 for its
6 October requests—over double the charge for The Marshall Project’s similar request in June
7 despite the response containing 100 less pages of records. *Compare* Pet. Ex. 33, at 1–10 (charging
8 a total of \$940 for 215 pages of records), *with* Pet. Ex. 29 (charging \$460 for 312 pages of records).
9 LVMPD also needlessly charged The Marshall Project \$235 for a record that is publicly available
10 online for free and that was not responsive to The Marshall Project’s request for “Officer Reports.”
11 Pet. Ex. 34. Similarly, LVMPD charged the Nevada Independent at a rate of \$73 per hour for 8
12 hours spent on “crime analysis research” for its request, a \$584 total for homicide data that should
13 already be compiled and reported to NIBRS as required by the federal government. Pet. Ex. 41
14 (charging \$584 for the request); Pet. Ex. 40, at 3 (explaining data should already be compiled and
15 submitted via Uniform Crime Reporting or the National Incident-Based Reporting System).

16 If LVMPD’s charges reflected the “actual cost” of providing a public record, these rates
17 would be consistent regardless of the requestor and would not radically increase in such a short
18 period of time. LVMPD does not explain its various rates or why its charges for research or
19 redaction vary depending on whether a public record, body worn camera, or crime data is
20 requested. Although it is unclear how LVMPD calculates its costs, it is clear that LVMPD fails to
21 comply with its obligation to ensure its rates do not exceed the “actual cost” of providing the record
22 as mandated by NRS 239.052(1). LVMPD’s charges are not restricted to the direct costs of
23 materials like DVDs and thumb drives or the cost of electronic transfer. Instead, LVMPD violates
24 the NPRA by charging requestors at inconsistent rates not reflected in the list it is required to

1 prepare and maintain pursuant to NRS 239.052(3). The NPRA is designed to promote transparency
2 related to public records—not leave requestors in the dark as to the hundreds to thousands of
3 dollars they could be charged for their requests. LVMPD’s inconsistent rates show that these
4 charges do not reflect the “actual cost” it incurs to provide copies of public records, further
5 demonstrating LVMPD’s willful violation of NRS 239.052(1).

6
7 **II. LVMPD’S VIOLATION OF THE NPRA IS WILLFUL, WARRANTING CIVIL
PENALTIES PURSUANT TO NRS 239.340.**

8 If a court determines that a governmental entity “willfully failed to comply with the
9 provisions” of the NPRA “concerning a request to inspect, copy or receive a copy of a public book
10 or record, the court must impose on the governmental entity a civil penalty” for each violation.
11 NRS 239.340(1). A \$1,000 penalty is imposed for the first willful violation of the Nevada Public
12 Records Act within a 10-year period; a \$5,000 penalty is imposed for the second willful violation
13 of the Nevada Public Records Act within a 10-year period; and, after the second willful violation
14 of the Nevada Public records within a 10-year period, a \$10,000 penalty is imposed for each
15 subsequent willful violation within a 10-year period. NRS 239.340(1)(a)-(c).

16 Because governmental entities’ fees for public records must not exceed the “actual cost”
17 the governmental entity incurs to provide the copy of the public record, NRS 239.052(1), and costs
18 that are incurred regardless of whether or not a particular record is requested are expressly
19 excluded from the definition of “actual costs” under the NPRA, NRS 239.005(1), LVMPD
20 willfully violates the NPRA by charging requestors fees in excess of the “actual cost” it incurs in
21 providing a copy of a particular public record.

22 LVMPD’s willful violation of NRS 239.052(1) is shown through its repeated statements
23 that its charges are based on the personnel time spent on a request. *See e.g.*, Pet. Ex. 25, at 2
24 (charging ACLU of Nevada for 7 personnel hours required to process request); Pet. Ex. 7 (charging

1 Edgar Flores Law for estimated work time spent on “research,” “quality assurance,” “redaction,”
2 and “case preparation” for its request); Pet. Ex. 28, at 1 (explaining charges for the 10 hours of
3 estimated personnel time spent on “redaction and review” for The Marshall Project’s requests);
4 Pet. Ex. 41 (charging The Nevada Independent for 8 hours of “crime analysis research”). LVMPD
5 admits that its rates “are based on the actual salaries and benefits of [its] employees” in an
6 unprofessional letter to The Marshall Project, despite the fact that LVMPD incurs the costs of
7 paying its full time, salaried employees regardless of whether a copy of a particular record is
8 requested. Pet. Ex. 1, at 6. This further demonstrates that LVMPD’s violation of the NPRA is
9 willful. LVMPD’s unlawful charges are also reflected on LVMPD’s website (charging for “Body
10 Worn Camera Video/Audio Preparation,” “Research,” and “Redaction”), Pet. Ex. 2, in its Service
11 Charge Schedule (charging for “Video/Audio Case Preparation/Research/Redaction” and “Case
12 Preparation/Research/ Redaction”), Pet. Ex. 3, and in its tabulation worksheets (estimating hours
13 spent on “research,” “quality assurance,” “redaction,” and “case preparation”), Pet. Exs. 6–7. And
14 as shown by LVMPD’s invoices charging ACLU of Nevada inconsistent rates for body camera
15 footage, the marked increase in its charges for The Marshall Projects’ requested records even
16 where publicly available for free, and the \$1,099.33 charge for an estimated total of four hours of
17 work for Edgar Flores Law’s request, LVMPD’s charges not only exceed the “actual cost” of
18 providing a public record, but at times also far exceed the personnel costs LVMPD supposedly
19 uses to determine its charges, demonstrating a complete disregard for the restrictions imposed
20 under NRS 239.052(1) in willful violation of the NPRA.

21 **CONCLUSION**

22 NRS 239.052(1) requires that fees charged by governmental entities are not to exceed the
23 “actual cost” of providing a public record. Rather than abide by the clear requirement outlined in
24 NRS 239.052(1), LVMPD blatantly charges for personnel costs, overcharges on the deposits it

1 unlawfully requires, estimates its fees, and charges requestors inconsistent, arbitrary, and
2 prohibitive rates for its copies of public records. In doing so, LVMPD price gouges the public out
3 of access to public records, allowing it to operate without transparency and accountability to the
4 public they are meant to serve. LVMPD's improper and excessive charges based on staff salaries
5 and benefits demonstrate a willful violation of the NPRA that warrants civil penalties against
6 LVMPD pursuant to NRS 239.340. Petitioners respectfully request this Court declare LVMPD's
7 use of improper and excessive fees unlawful, enjoin LVMPD from charging requestors more than
8 the "actual costs" of providing a copy of a particular record for all future public records requests,
9 and order LVMPD to provide Petitioners with the requested records outlined within their Petition
10 at a rate that reflects the "actual cost" of providing a copy of those records, and reimburse
11 Petitioners for any fees paid in excess of such costs for the requests outlined within their Petition.
12 In addition, Petitioners ask for their reasonable costs and attorneys' fees pursuant to NRS
13 239.011(2).

14
15 Dated: July 30, 2026.

16 **AMERICAN CIVIL LIBERTIES**
17 **UNION OF NEVADA**

18 /s/ Samantha R. Kroner
19 SAMANTHA R. KRONER, ESQ.
20 Nevada Bar No.: 17233
21 CHRISTOPHER M. PETERSON, ESQ.
22 Nevada Bar No.: 13932
23 4362 W. Cheyenne Ave.
24 North Las Vegas, NV 89032
Telephone: (702) 366-1226
Facsimile: (702) 718-3213
Email: skroner@aclunv.org
Attorneys for Petitioners