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**POLITICAL SUBDIVISIONS - NEVADA**

## Matter of Public Records Requests to Las Vegas Metropolitan Police Department

**Supreme Court of Nevada - May 29, 2025 - P.3d - 2025 WL 1535023 - 141 Nev. Adv. Op. 26**

Metropolitan police department filed petition under Judicial Confirmation Law (JCL) seeking an advisory opinion about its disclosure obligations under Nevada Public Records Act (NPRA) after media outlets requested records about police investigation of an alleged sexual assault by professional athlete, and alleged victim filed answer and counterclaim seeking declaratory relief that certain documents that were subject of prior federal ruling were not privileged.

The District Court granted motion to dismiss petition for failure to state a claim, denied motion to amend petition to assert claim for declaratory relief, and dismissed counterclaim. Police department appealed, and alleged victim cross-appealed.

The Supreme Court held that:

- As matter of first impression, police department was not a "municipality" with a governing body that could seek advisory opinion under JCL;
- As matter of first impression, sheriff was not a "governing body" under JCL section on advisory opinions;
- As matter of first impression, Nevada Public Records Act (NPRA) does not allow a governmental entity to seek declaratory relief in response to records request;
- Trial court properly denied police department's motion to amend petition;
- Alleged victim lacked standing to answer petition;
- Alleged victim was not a "party" who could file counterclaim for declaratory relief; and
- Issue preclusion barred counterclaim for declaratory relief.

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