

PROPERTY REPORT

Incident **SEARCH WARRANT** EVIDENCE

Felony Gross Misd Misdemeanor
List other related event #'s (if any):

Impounding Officer (print name) **LEP**Assigned Supervisor (print name) **LEP**

Date of LVMPD Possession	Time of LVMPD Possession	Page(s)
3/6/2025	2130	1 of 1
Event #	2 5 0 3 0 0 0	2 0 8 2 6
<input type="checkbox"/> NO EVIDENTIARY VALUE: <input type="checkbox"/> No Owner Identified <input type="checkbox"/> Destroy <input type="checkbox"/> Return to DMV		<input type="checkbox"/> SAFEKEEPING Must provide owner information in the Persons section below and assign an owner #.
		<input type="checkbox"/> HIGH RISK ORDER FOR PROTECTION – FIREARM(S) SURRENDERED

Assigned Bureau **CIS** P#/Initials **LEP** Task Force officers from other jurisdictions:
Print LVMPD sgt. name and P#.

Assigned Bureau **CIS** P# **LEP**

PERSONS – (S)USPECT / (V)ICTIM / (O)WNER / (F)INDER

S <input checked="" type="checkbox"/> O <input type="checkbox"/> V <input type="checkbox"/> F <input type="checkbox"/> Last Name:	GOODWIN			DOB: PII 1992	
Assign Owner #: 1	First Name, MI:				Phone #:
	VICTORIA				
Street Address:	City: PRVCY	State:	Zip Code:	Arrest Date: 3/6/2025	ID# 8811357
S <input type="checkbox"/> O <input type="checkbox"/> V <input type="checkbox"/> F <input type="checkbox"/> Last Name:				DOB:	
Assign Owner #: 1	First Name, MI:				Phone #:
	PENDING				
Street Address:	City:	State	Zip Code	Arrest Date	ID#
S <input type="checkbox"/> O <input type="checkbox"/> V <input type="checkbox"/> F <input type="checkbox"/> Last Name:				DOB:	
Assign Owner #: 1	First Name, MI:				Phone #:
	Charge(s):				
Street Address:	City:	State	Zip Code	Arrest Date	ID#

Remarks (Relating to Impound)

ITEMS FROM SEARCH WARRANT

Pkg #	Item #	Assign Owner # (Corresponds to owner # listed above.)	Serial #, Owner Applied Number, State and Gov. Issued ID #s	Qty	Property Description (Include make, brand, model, color, etc. when applicable.)	Recovered Stolen or Embezzled?
1	1	1	JYJKTQ9TW	1	IPHONE 14 PRO w/ PURPLE CASE	<input type="checkbox"/>
2	2	1	GC7FFAYPQ16X	1	IPAD PRO w/ PINK CASE	<input type="checkbox"/>
3	3	1	D7FJQRF4LQ	1	MACBOOK w/ MULTI COLOR CASE	<input type="checkbox"/>
						<input type="checkbox"/>
						<input type="checkbox"/>
						<input type="checkbox"/>
						<input type="checkbox"/>
						<input type="checkbox"/>

FIELD RELEASE ONLY

Released Item(s) #	Officer (P#/initials)	Released to Owner # (from above)	Owner's Signature
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PII

Personal Identifying Information

The record(s) you seek contain personal identifying information.

NRS 239.001 provides that public records are open to inspection. However, NRS 239.010(1) expressly creates exemptions to the disclosure of records falling under various statutes, including NRS 239B.030. NRS 239B.030 makes “personal information” confidential. NRS 603A.040 defines “personal information” to include social security numbers, driver’s license numbers, account numbers, and the like.

Here, because the record(s) you seek contain confidential personal identifying information, they have been redacted.

PRVCY

Privacy Interests

The record(s) you seek contain information the disclosure of which would constitute an unwarranted invasion of a person's privacy interests.

In *Reno Newspapers v. Sheriff*, 126 Nev. 211, 218, 234 P.3d 922, 927 (2010), the Nevada Supreme Court recognized that an individual's privacy must be balanced with the public's general right to open government, "especially because private and personal information may be recorded in government files"). Later, in *Clark County Sch. Dist. v. Las Vegas Review-Journal*, --- Nev. ---, 429 P.3d 313, 319-20 (2018), the Court adopted a balancing test in which the burden shifts to the requester of a record if the public agency demonstrates a "nontrivial personal privacy interest" including "intrusion[s] into a person's reasonable expectation of privacy, seclusion, or solitude." Privacy interests include information that may cause "embarrassment, shame, stigma, [or] harassment" or "endangerment, or similar harm." *Las Vegas Metro. Police Dep't v. Las Vegas Review-Journal*, 136 Nev. Ad. Op 86, --- P.3d -- (2020). Medical information, personnel files, details about sexual orientation, and other information about a person's life give rise to privacy interests. *Clark County Office of the Coroner/Medical Examiner v. Las Vegas Review-Journal*, 136 Nev. Adv. Op. 5, --- P.3d -- (2020).

The Nevada Supreme Court equates the type of information that should be withheld under the Nevada Public Records Act with the common law tort of invasion of privacy. *Clark County Sch. Dist.*, *supra*, at 708, 549 P.3d at 320. "The tort of invasion of privacy embraces four different tort actions: '(a) unreasonable intrusion upon the seclusion of another; or (b) appropriation of the other's name or likeness; or (c) unreasonable publicity given to the other's

private life; or (d) publicity that unreasonably places the other in a false light before the public.” *Franchise Tax Bd. of Cal. v. Hyatt*, 133 Nev. 826, 842, 407 P.3d 717, 733 (2017), overturned on other grounds by *Franchise Tax Bd. v. Hyatt*, 139 S. Ct. 1485 (2019) quoting RESTATEMENT (SECOND) OF TORTS § 652A (1977); see also *PETA v. Bobby Berosini, Ltd.*, 111 Nev. 615, 629, 895 P.2d 1269, 1278 (1995), overruled on other grounds by *City of Las Vegas Downtown Redevelopment Agency v. Hecht*, 113 Nev. 644, 650, 940 P.2d 134, 138 (1997).

Here, the record(s) you seek contain information the disclosure of which would constitute an unwarranted invasion of a person’s privacy interests. Therefore, they are confidential and must be withheld or redacted.

LEP

Law Enforcement Privilege

The record(s) you seek are law enforcement records that contain sensitive information.

A law enforcement agency may withhold records under the Nevada Public Records Act when its interest in nondisclosure clearly outweighs the public's presumed right to access. *Reno Newspapers, Inc. v. Gibbons*, 127 Nev. 873, 880, 266 P.3d 623, 628 (2011). There is a presumption that records are not confidential, that exceptions must be narrowly construed, that redactions are preferred over withholding, and that the purpose of the Nevada Public Records Act is to facilitate government transparency. However, Nevada law and public policy recognize the importance of maintaining the integrity of certain information possessed by law enforcement agencies. See, for example:

- NRS 179A.070 – 179A.100 (strictly regulating the dissemination of records of criminal history; in particular, there is no requirement to disseminate records of criminal history to the general public; moreover, records of criminal history are not public records pursuant to NRS 239.010(1) (listing statutes that are exempted from the Nevada Public Records Act, including NRS 179A.070).
- *Donrey v. Bradshaw*, 106 Nev. 630, 636, 798 P.2d 144, 148 (1990) (in a public records case, recognizing that law enforcement files could be confidential when pertaining to a “pending or anticipated criminal proceeding” or if there is a danger of “denying someone a fair trial” and concluding that records could be made public because there was “no pending or anticipated criminal proceeding; there [were] no confidential sources or investigative techniques to protect; there was no possibility of denying someone a fair trial; and there was no potential jeopardy to law enforcement personnel.” *Id.* at 636, 798 P.2d at 148.
- *Reno Newspapers v. Gibbons*, 127 Nev. 873, 878, 266 P.3d 623, 627 (2011) (recognizing that the balancing test first announced in *Donrey* had been modified by legislative changes to the Nevada Public Records Act, but nonetheless noting that the result in *Donrey* was “based on the facts that no criminal proceeding was pending or anticipated, no confidential sources or investigative techniques were contained in the report, there was no possibility of denying anyone a fair trial, and disclosure did not jeopardize law enforcement personnel”).
- NRS 49.335 – 49.355 (making the identity of informants who provide information to law enforcement confidential until they testify).
- *Las Vegas Metro. Police Dep't v. Anderson (In re 12067 Oakland Hills, Las Vegas)*, 134 Nev. 799, 806, 435 P.3d 672, 678 (Nev. Ct. App. 2018) (noting that, generally, the

police do not need to return evidence seized from its owner if the “property [is] related to an ongoing criminal investigation”).

- Att. Gen. Op. 83-3 (recognizing the “legitimate public policy interests in maintaining confidentiality of criminal investigation records and criminal reports”). AGO 83-3 further provides: “The legitimate public policy interests in maintaining confidentiality of criminal investigation records and criminal reports includes the protection of the elements of an investigation of a crime from premature disclosures, the avoidance of prejudice to the later trial of the defendant from harmful pretrial publicity, the protection of the privacy of persons who are arrested from the stigma of being singled out as a criminal suspect, and the protection of the identity of informants.”
- Nev. Const., art. I, § 8A (Marsy’s Law, constitutionalizing victims’ rights to privacy, safety, and a diligent pursuit of justice).
- NRS 174.235 (making the disclosure of police files and evidence collected subject to strict discovery rules in open criminal prosecutions); see also *Tennessean v. Metro. Gov’t of Nashville & Davidson Cty.*, 485 S.W.3d 857 (Tenn. 2016) (interpreting criminal rule of procedure similar to NRS 174.235 and holding that discovery of materials gathered by state for use in criminal prosecution may be obtained by defendant pursuant to rules of discovery, not by newspaper through a public records request); *Wilson v. Layne*, 526 U.S. 603, 119 S. Ct. 1692 (1999) (holding that when balancing a person’s Fourth Amendment right to be secure in their persons, houses, papers, and effects, probable cause may justify a police entry and seizure but it does not justify the media’s entry and/or seizure).
- NRS 179.045(4) (making search warrant applications, which regularly contain detailed facts gathered in open criminal investigations, confidential upon a showing of good cause).
- *In re Search Warrants Regarding Seizure of Documents*, 2023 WL 2861201 (Nev. Ct. App. 2023) (unpublished) (holding that good cause existed to keep search warrant application under seal because dissemination would threaten the integrity of an active and ongoing criminal investigation).
- NRS 172.245. Evidence and information obtained by grand juries during their investigations are confidential. The purposes of confidentiality include: (1) To prevent the escape of those whose indictment may be contemplated. (2) To insure the utmost freedom to the grand jury in its deliberations and to prevent persons subject to indictment, or their friends, from importuning the grand jurors. (3) To prevent subornation of perjury or tampering with the witnesses who may testify before the grand jury and later appear at the trial of those indicted by it. (4) To encourage free and untrammeled disclosures by persons who have information with respect to the commission of crimes. (5) To protect an innocent accused, who is exonerated, from disclosure of the fact that he has been under investigation. *Shelby v. Sixth Judicial Dist. Court*, 82 Nev. 204, 210, 414 P.2d 942, 945 (1966).
- *Houston v. County of Maricopa*, -- F.4th --, 2024 U.S. App. LEXIS 22564, 2024 WL 4048897 (9th Cir. Sep. 5, 2024) (holding that dissemination of a pretrial detainees’ booking photo to the public is generally unconstitutional under the substantive due process clause of the 14th Amendment because it constitutes punishment without due process).

Given the totality of the law governing the disclosure of information in the possession of law enforcement, the following non-exclusive factors are considered in evaluating whether law enforcement interests in confidentiality clearly outweigh the public's presumed interest in access:

- Whether premature disclosure of information about the open investigation may allow individuals to ascertain that they are or were the subject of the investigation, as well as the focus of the investigation. This may lead an individual to alter behavior, conceal evidence of wrongdoing, delete or destroy evidence, or attempt to influence witnesses or adjust communication methods or content to avoid further collection of evidence or to avoid apprehension.
- Whether premature disclosure of information may provide bad actors with the ability to falsify or misrepresent information, such as encounters, activities, or associations that pose evidence. This may impact testimony and representations of future witnesses and/or suspects, which would disable or hinder the ability to fully evaluate such evidence and, therefore, obstruct enforcement, implementation, and application of the law.
- Whether protecting the integrity of the investigation better enables detectives and prosecutors to evaluate the credibility of any information that may come in the future. If a future witness were to know what other witnesses have said, or what other evidence has revealed, the future witness' statements will not be as reliable.
- Whether witnesses and informants have provided information that, if disclosed, could create danger or at least embarrassment to them.
- Whether any privacy interests and/or constitutional rights of any victims, witnesses, or subjects would be impacted by disclosure.
- Whether premature disclosure would have a chilling effect on future witnesses coming forward to provide information in this or other cases.
- Whether law enforcement officers have acted in an undercover capacity, or whether any witnesses have provided information as confidential informants.
- Whether premature disclosure poses a risk to any future prosecution. Criminal defendants have significant constitutional rights, like the right to receive exculpatory and impeachment material and the right to a fair trial. A criminal defendant should generally obtain information against them before the public or any third party.
- Whether disclosure would reveal confidential techniques or tactics that would risk enabling subjects to circumvent the law in the future.

In this case, after a careful examination of all factors, there are law enforcement interests in nondisclosure that clearly outweigh the public's presumed interest in access. Therefore, the records and/or the information in the records you seek are confidential, at least at this time, and must be redacted.