



10/5/2021

Tom Lawson, Chief
Nevada DPS Parole and Probation
1445 Old Hot Springs Road, Suite 104
Carson City, Nevada 89701

Kim Yoko Smith, Public Information Officer
Nevada Department of Public Safety
555 Wright Way
Carson City, NV 89711

(by email to ky.smith@dps.state.nv.us)

Dear Chief Lawson,

We write to draw your attention to the lack of response by the Nevada Department of Public Safety to All Voting is Local's Freedom of Information Act request sent March 9, 2021, regarding the department's accuracy of any information distributed to incarcerated and released individuals. All arms of the state government have an obligation to ensure that the information provided to the public is accurate and up to date, particularly when it deals with the exercise of fundamental civil rights. On the other hand, the Department of Public Safety webpage on the Restoration of Civil Rights was recently updated with the 2019 voting rights restoration law, Assembly Bill 431. We extend our appreciation to the DPP for updating this website information as this law and providing the correct information impacts thousands of potential new voters. We accompany this notice with a new public records request for all information about the DPP's implementation of the new law.

Public records request

In order to ensure that the Department of Public Safety is complying with NRS 213.155(2) and NRS 176A.850 (6) and to ensure the accuracy of any and information distributed to individuals under supervision and those released, we are requesting the following public records regarding the Department's process, procedure, and implementation of civil rights restoration pursuant to Nevada Open Records Act § 239 et seq.:

- Records of any policies or practices related to rights restoration, voting and voter registration for supervised or discharged people; including but not limited to procedures for providing information about upcoming elections, registering to vote, checking voter

eligibility, obtaining an acceptable photo ID with which to vote, checking registration status, requesting an absentee ballot, or casting a ballot on election day.

- Records related to guidance or notification given to supervised or discharged people regarding the restoration of their rights prior to release, including how people who are incarcerated have been informed of their rights restoration since July 1, 2019.
- Records indicating the policies or procedures for assisting supervised people with registering to vote.
- Records indicating how any of the above policies are being implemented, including any data or analysis showing:
 - The number of supervised and discharged people who have been informed that their rights have been restored since July 1st, 2019.
 - The number of NDOC facilities who have implemented programs or procedures to inform supervised and discharged people of their rights restoration upon release.
- Records showing the implementation of Assembly Bill 431 into department guidelines, press releases, information provided to the public, and information stated on department websites.

The term “records” includes all records or communications preserved in electronic or written form, including but not limited to reports, correspondence, documents, data, files, guidance, evaluations, instructions, analyses, memoranda, notes, orders, or studies. You can transfer these records to Kerry Durmick at kerry@allvotingislocal.org, or by mailing a USB drive, if appropriate.

If any material responsive to this request is deemed to be exempt from disclosure, identify the material withheld and specify the asserted basis for the exemption. Please release all segregable portions of otherwise exempt material.

All Voting is Local is a non-profit organization fighting to eliminate needless and discriminatory barriers to the ballot before they happen, to build a democracy that works for us all. The nonpartisan Campaign Legal Center advances democracy through law at the federal, state and local levels, fighting for every American’s rights to responsive government and a fair opportunity to participate in and affect the democratic process. Addressing issues regarding the right to vote is an integral part of each of our organizations’ missions. Therefore, I would also like to request a waiver of all fees in that the disclosure of the requested information is in the public interest and will contribute significantly to the public’s understanding of jail voting and registration. This information is not being sought for commercial purposes.

Should you decline to do so and the request will cost in excess of \$50, please advise me before proceeding.

Thank you for your assistance. If you have any questions, you can reach me by calling 775-225-9135.

Sincerely,

Kerry Durmick
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