

First Amendment Auditors - A Multi-Agency Approach

WAPRO Fall Conference
October 16, 2025

Panelists:

Alexandra Copeland, WAPRO Director

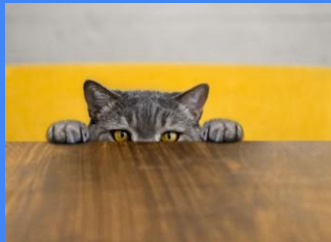
Tisha Gieser, City of Issaquah

Debbie Burke, City of Moses Lake

Melissa McCain, City of Renton

DISCLAIMER

- Informational only
- Contact your agency's staff for legal advice



1 of 10 Amendments



- 1787 - We the People
- 1791 Bill of Rights 1st of 10 Amendments - Freedom of speech
- 2017 - A right to record – photograph, film, or audio record

First Amendment Audit

Recording employees while asking questions

- Audio
- Photo
- Video



Supreme Court has recognized "forums"

- Streets, sidewalks, parks, and town squares
- Military installations, police and fire stations
- Public schools and interiors of government office buildings, and private residences

Who are these Auditors?



- Self-identified journalists
- Civic actors or activists
- Money maker for online postings, settlements on violations, and donation contributors

Possible Auditor Objectives

- Government accountability
- Testing security
- Uncommon locations – where signs don't prohibit access
- Elicit remarks; escalate the situation to garner support from their audience or followers



First Amendment Auditor Rights

- Same rights as any member of the community.
- Video record publicly accessible areas.
- Record areas not open to the public but visible from a public vantage point.
- Not required to identify themselves or provide an explanation for their activities.



How we got here - nationally



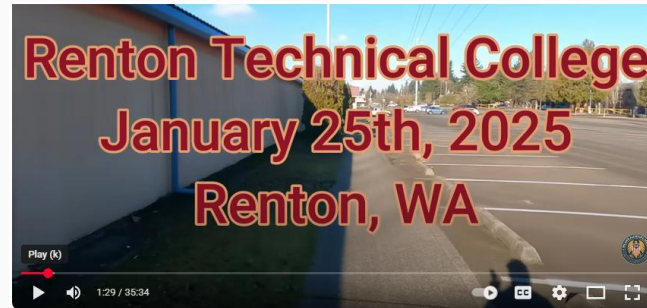
Washington State Clips



Pier 66, Seattle

Uploaded to YouTube July 21, 2019; 74,499 views

IT'S JUST A CAMERA (23.5K subscribers)



Renton Technical College

Uploaded to YouTube January 25, 2025; 70,028 views

I.A.M Free – Inland Auditing Media (100k subscribers)

Reasonable Restrictions

- Time, Place, Manner
- Restrictions must not be targeted
- Regulations must be content-neutral



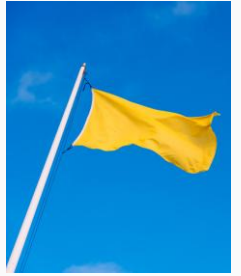
Tips for an audit



- Stay Calm – Breathe!
- Treat them like any other customer
- Be professional, patient and respectful.
- Answer questions and offer assistance to the extent expected of your position (chose your words wisely).
- Expect to be recorded.
- Do not prohibit them from filming in or from areas open to the public.
- Know procedures for public disclosure requests.

How to prepare

- De-escalation Training
- Confidential info out of view
- Private conversation out of ear shot
- Restricted access signs
- Restricted access locks
- Other suggestions?



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your
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