

## Horst, Rachel

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**From:** CEER@brevardfl.gov  
**Sent:** Thursday, January 1, 2026 2:01 PM  
**To:** Horst, Rachel  
**Subject:** A new CEER Recommendation has been submitted as ID #2026003

### Recommendation # 2026003

Dear CEER Administrator,

Speak Up Brevard Recommendation ID #2026003 has been submitted. Please login to the CEER Application to start the recommendation evaluation workflow.

#### Contact Information:

##### Group/Organization

**Name** Tom Kennelly  
**Address** 3711 Indian River Dr, Cocoa FL 32926  
**Phone** (321) 228-5314  
**Email** tekennellyp@gmail.com  
**Alternate Email**

#### Recommendation Information:

**Recommendation ID** 2026003  
**Recommendation Title** Government Policy: Citizen Journalism and Photography on Public Property  
**Areas Affected**  
**Department Affected**  
**Current problem** Many government employees and law enforcement officials think incorrectly that public property is private property and attempt to enforce rules in a manner allowed for private businesses but not public areas. Government employees are unaware of the level of openness and transparency we strive for in our government are are likely to make up rules on the spot to prevent that transparency especially when a citizen journalist is using a camera. Citizen journalism is especially important and relevant given the very recent fraud allegations in Minnesota, Ohio, and Washington State and the uncovering of the fraud by citizen journalists. Government officials could not speak out to the main stream media because they were in league with the fraudsters whereas citizen journalists give government officials another avenue to document fraud.  
**Recommendation** Policy Statement: This policy aims to foster transparency and public access to information while safeguarding the operational integrity and security of government facilities. We recognize the growing role of citizen journalism and acknowledge the public's right to document events in the public interest. This policy seeks to create a

framework that encourages responsible reporting while protecting legitimate operational needs.

**I. Acknowledgement and Encouragement of Citizen Journalism**

**Public Employee Photography:** All public employees are subject to reasonable public observation and photography. We encourage responsible citizen journalism that contributes to a better understanding of government operations. We recognize that citizen journalists often act as an important check on authority and play a valuable role in informing the public.

**Open Access Policy:** Government facilities are designed to be accessible to the public. We will strive to maintain an environment that supports open access, subject to reasonable restrictions outlined below.

**II. Restricted Areas & Signage**

**Signage Requirements:** All public lobbies and areas where citizen journalism is permitted will display clear and consistent signage.

**Removal of Prohibitive Signs:** All existing signage prohibiting video photography or filming in public lobbies and common areas will be removed.

**New Signage:** New signage will be prominently displayed at entrances to areas with specific restrictions, clearly stating the reason for the restriction (e.g., "Security Cameras Operational – Recording in Progress," "Restricted Area – Authorized Personnel Only," or "Sensitive Documents – No Photography"). Signage will be in multiple languages where appropriate.

**Trespassing Definitions:**

- Trespassing will be strictly limited and applied only in cases where a citizen journalist:**
- Breaks the Law:** Violates any applicable laws or regulations while attempting to photograph or film.
- Creates a Disruptive Environment:** Engages in behavior that significantly disrupts government operations, poses a safety hazard, or interferes with the performance of official duties. This includes, but is not limited to, persistent obstruction, refusal to comply with reasonable requests, or behavior intended to intimidate or harass staff.

**III. Staff Training & Interaction**

**Staff Training:** All public-facing staff will receive training on this policy, emphasizing:

- Positive Engagement:** How to politely and professionally engage with citizen journalists, providing information about access restrictions and procedures.
- De-escalation Techniques:** Strategies for respectfully disengaging from citizen journalists if they become disruptive, aggressive, or persistently violate the policy. Staff will be instructed to avoid confrontation but not hallucinate safety issues as an excuse not to deal with the public.
- Policy Knowledge:** A thorough understanding of the policy's rationale and the reasons for any restrictions.

**Designated Contact Person:** Each facility will designate a point of contact (e.g., information desk employee) to handle inquiries and address concerns from citizen journalists. However security is likely not staffed by government employees and should be avoided.

**IV. Protecting Sensitive Information**

**Security Zones:** Areas containing sensitive information (e.g., legal documents, personnel records, classified data) will be clearly marked as restricted zones. Access to these areas will be strictly controlled, and citizen journalists will be denied entry.

Abuse use of preventative signage discouraged and it discourages transparency.

**Attachments**


No Documents were attached.

Please do not reply to this e-mail, as it will go to an unmonitored mailbox.



County Attorney's Office  
2725 Judge Fran Jamieson Way  
Building C, Room 308  
Viera, Florida 32940

BOARD OF COUNTY COMMISSIONERS

**TO:** Jim Liesenfelt, County Manager  
**THRU:** Morris Richardson, County Attorney   
**FROM:** Shannon Wilson, Assistant County Attorney  
**SUBJ:** Citizen Efficiency and Effectiveness Recommendation #2026003

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CEER #2026003, titled *Government Policy: Citizen Journalism and Photography on Public Property*, was received by the County from Mr. Tom Kennelly.

**Citizen Statement:**

*Many government employees and law enforcement officials think incorrectly that public property is private property and attempt to enforce rules in a manner allowed for private businesses but not public areas. Government employees are unaware of the level of openness and transparency we strive for in our government and are likely to make up rules on the spot to prevent that transparency especially when a citizen journalist is using a camera. Citizen journalism is especially important and relevant given the very recent fraud allegations in Minnesota, Ohio, and Washington State and the uncovering of the fraud by citizen journalists. Government officials could not speak out to the main stream media because they were in league with the fraudsters whereas citizen journalists give government officials another avenue to document fraud.*

**Citizen Recommendation:**

*Policy Statement: This policy aims to foster transparency and public access to information while safeguarding the operational integrity and security of government facilities. We recognize the growing role of citizen journalism and acknowledge the public's right to document events in the public interest. This policy seeks to create a framework that encourages responsible reporting while protecting legitimate operational needs. I. Acknowledgement and Encouragement of Citizen Journalism Public Employee Photography: All public employees are subject to reasonable public observation and photography. We encourage responsible citizen journalism that contributes to a better understanding of government operations. We recognize that citizen journalists often act as an important check on authority and play a valuable role in informing the public. Open Access Policy: Government facilities are designed to be accessible to the*

*public. We will strive to maintain an environment that supports open access, subject to reasonable restrictions outlined below. II. Restricted Areas & Signage Signage Requirements: All public lobbies and areas where citizen journalism is permitted will display clear and consistent signage. Removal of Prohibitive Signs: All existing signage prohibiting video photography or filming in public lobbies and common areas will be removed. New Signage: New signage will be prominently displayed at entrances to areas with specific restrictions, clearly stating the reason for the restriction (e.g., "Security Cameras Operational – Recording in Progress," "Restricted Area – Authorized Personnel Only," or "Sensitive Documents – No Photography"). Signage will be in multiple languages where appropriate. Trespassing Definitions: Trespassing will be strictly limited and applied only in cases where a citizen journalist: Breaks the Law: Violates any applicable laws or regulations while attempting to photograph or film. Creates a Disruptive Environment: Engages in behavior that significantly disrupts government operations, poses a safety hazard, or interferes with the performance of official duties. This includes, but is not limited to, persistent obstruction, refusal to comply with reasonable requests, or behavior intended to intimidate or harass staff. III. Staff Training & Interaction Staff Training: All public-facing staff will receive training on this policy, emphasizing: Positive Engagement: How to politely and professionally engage with citizen journalists, providing information about access restrictions and procedures. De-escalation Techniques: Strategies for respectfully disengaging from citizen journalists if they become disruptive, aggressive, or persistently violate the policy. Staff will be instructed to avoid confrontation but not hallucinate safety issues as an excuse not to deal with the public. Policy Knowledge: A thorough understanding of the policy's rationale and the reasons for any restrictions. Designated Contact Person: Each facility will designate a point of contact (e.g., information desk employee) to handle inquiries and address concerns from citizen journalists. However security is likely not staffed by government employees and should be avoided. IV. Protecting Sensitive Information Security Zones: Areas containing sensitive information (e.g., legal documents, personnel records, classified data) will be clearly marked as restricted zones. Access to these areas will be strictly controlled, and citizen journalists will be denied entry. Abuse use of preventative signage discouraged and it discourages transparency.*

### **Staff Analysis:**

This CEER recommends that the Board of County Commissioners adopt a policy to encourage citizen journalism at County government facilities.

As an initial matter, the CEER presumes that there is no Brevard County Government policy relating to the matter of citizen journalists or photography at County buildings. In May 2019, former County Manager Frank Abbate disseminated a managerial policy to all Brevard County Government employees regarding First Amendment auditors, who often identify as citizen journalists. County Manager Abbate's statement represents Brevard County Government's standing policy relative to the subjects of citizen journalism and photography on County property and is circulated from time to time to remind employees of their responsibilities in this regard. Following is an excerpt of that managerial direction:

Brevard County Government not only strives to be transparent, but also to be responsive and respectful to our residents and customers. I want to make staff aware of potential encounters with First Amendment Auditors, and to remind staff to always be professional and courteous. Be mindful at all times that there are protected First Amendment Rights that allow photography and filming inside and outside government buildings. Those constitutional protections include photographing and videotaping government officials and employees performing duties in a public place. However, please keep in mind that there also are areas of County building[s] that are not generally accessible to the public. We need to make sure those areas are clearly indicated through appropriate signage that restricts public access.

All of us must be prepared to respond to First Amendment Audits appropriately. If an encounter with First Amendment Auditor results in an actual or perceived violation of the auditor's constitutional or other protected rights, then the video will likely be posted on social media or serve as a basis for a claim or lawsuit.

If you believe someone from the public is in a restricted area, or is in a public access area but is impeding your ability to perform your work duties, making unreasonable demands, or you feel your personal safety is threatened, please calmly contact your supervisor for assistance. Understanding that these kinds of audits may happen, remaining calm, and knowing and carrying out your legal responsibilities appropriately, including not impeding the auditor's rights when they have the right to be in a public place, will be our best response.

Thanks for your careful review of this information. Supervisors, please share this information with those who do not have County e-mail service.

Further, the CEER broadly asserts that government employees "think incorrectly that public property is private property," and that they "are unaware of the level of openness and transparency we strive for in our government." Those sentiments are antithetical to

the mindset of our dedicated employees, and contrary to our longstanding policies and practice.

County employees recognize that the public has the right to engage in citizen journalism and photography in a manner that is not disruptive in appropriate areas of the County facilities. Individuals who refer to themselves as citizen journalists (also referred to as citizen auditors, first amendment auditors, etc.) have the same access rights as any other member of the public who comes to County facilities whether for specific services, to attend a meeting, to attend a protest, or other appropriate reasons.

However, focusing on the access of the citizen journalist, there is no right to unfettered access to the various county offices in which staff conduct their day-to-day functions. To provide direction to the public about where they are authorized/not authorized in the various areas of County facilities, the departments have posted signage in lobby and entrance areas advising “Employees Only Beyond This Point,” “Stop, Do Not Enter, Only County Employees Beyond this Point,” or similar signage.

While the citizen’s concerns are addressed by standing policy and practice, the County Attorney’s Office suggests that employee awareness of the existing managerial policy might be elevated by inclusion of the policy within an Administrative Order (AO) issued by the County Manager, and the provision of formal training through the Human Resources Department.

**Staff Recommended Action:**

It is recommended that the Board of County Commissioners accept CEER #2026003 with revisions. Specifically, it is recommended that the Board direct the County Attorney and County Manager to develop an Administrative Order memorializing the guidance set forth in existing Brevard County Government policy and providing for inclusion of the subject in new hire orientation sessions.