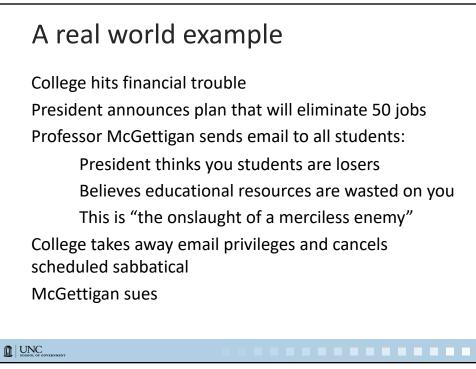


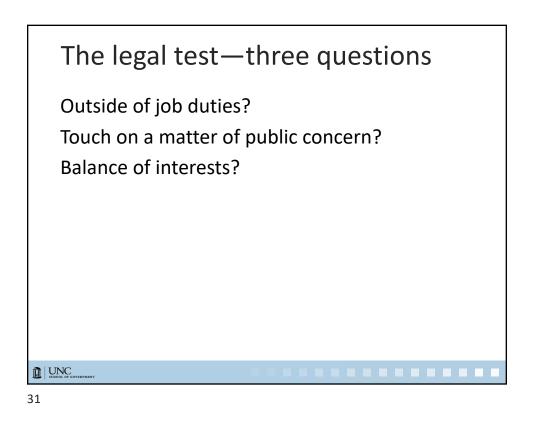
A real world example

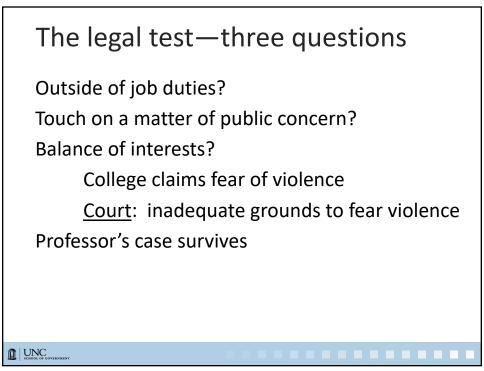
College hits financial trouble President announces plan that will eliminate 50 jobs Professor McGettigan sends email to all students: President thinks you students are losers Believes educational resources are wasted on you This is "the onslaught of a merciless enemy" College takes away email privileges and cancels scheduled sabbatical

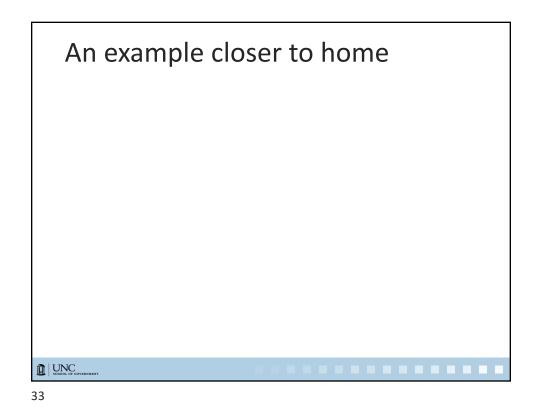
29

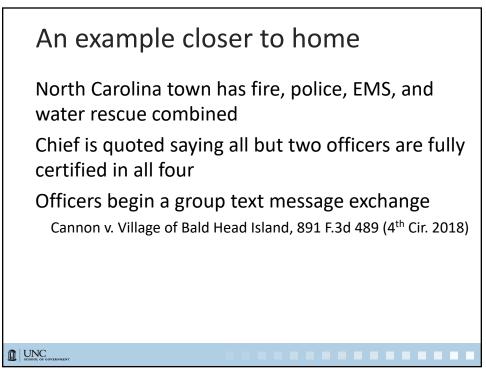
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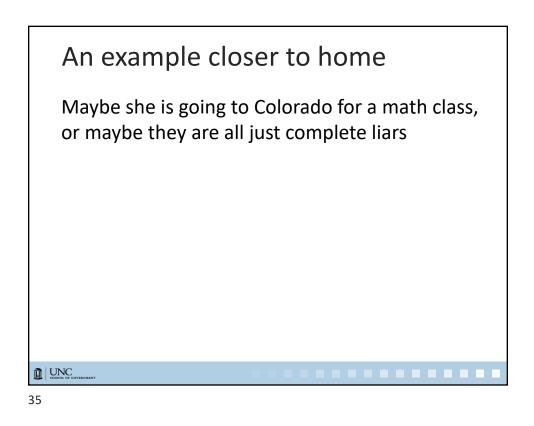


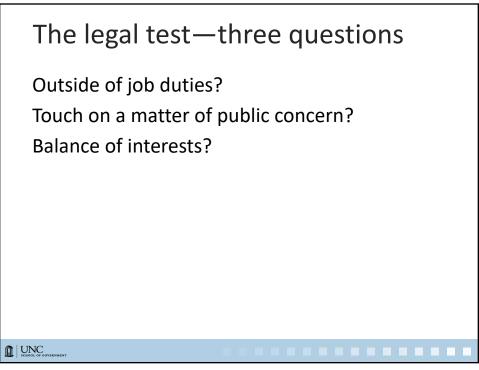


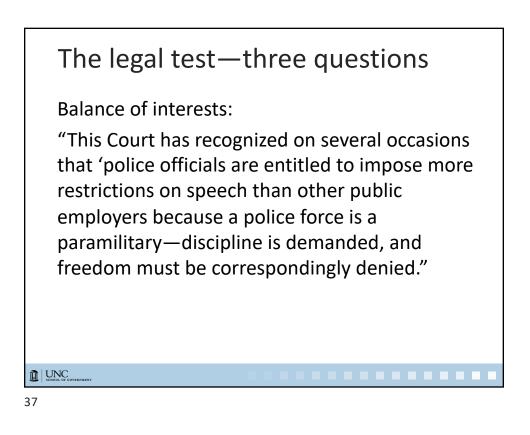


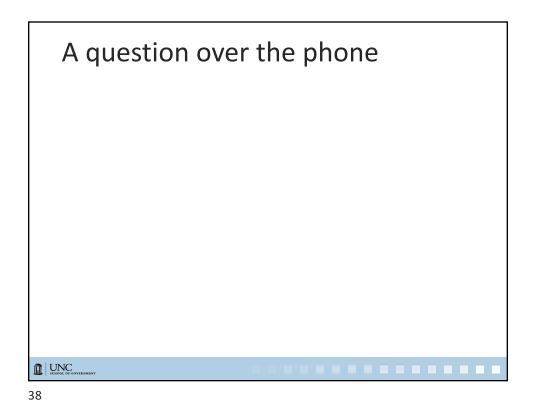


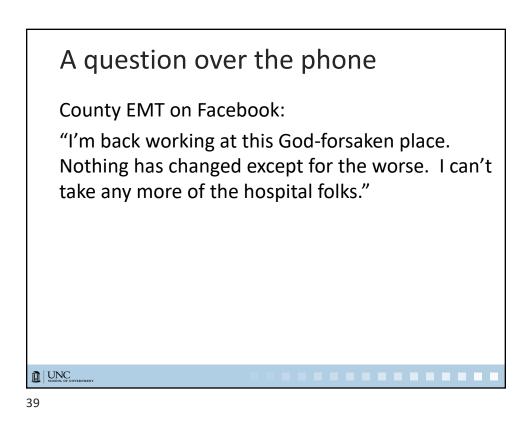


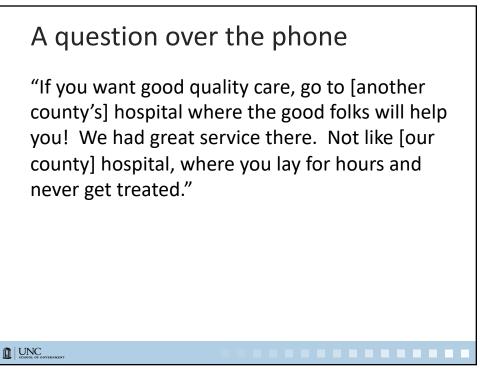


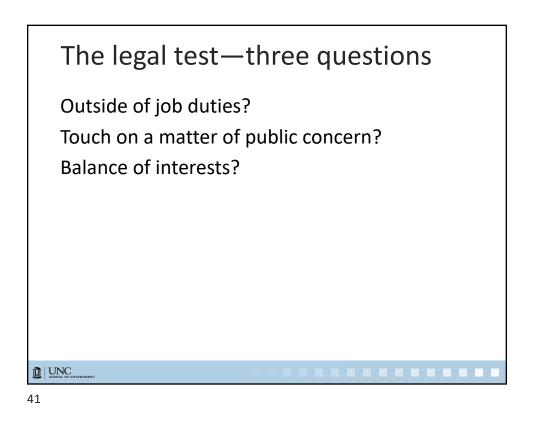


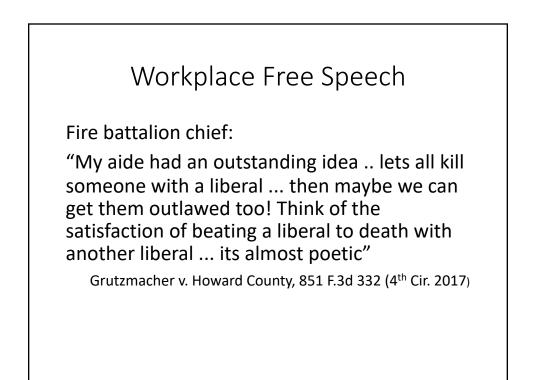






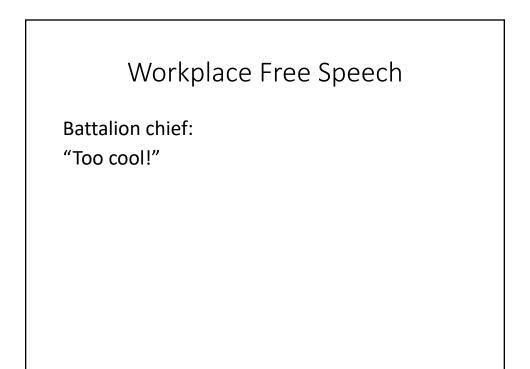




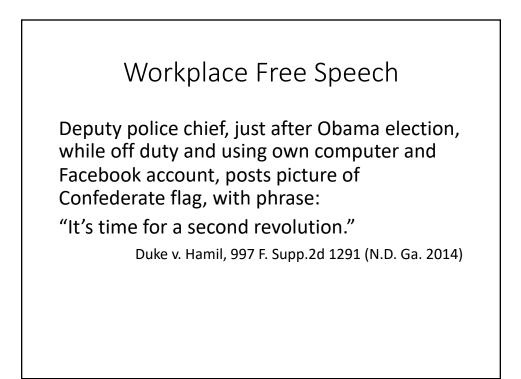


Response:

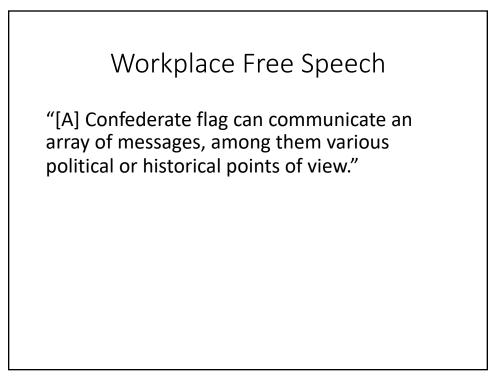
"But.... was it an 'assult liberal'? Gotta pick a fat one, those are the 'high capacity' ones. Oh ... pick a black one, those are more 'scary'. Sorry had to perfect on a cool idea!"



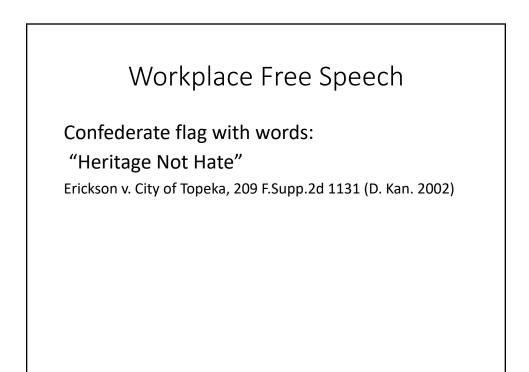
Outside of job duties? Touch on a matter of public concern? Balance of interests?



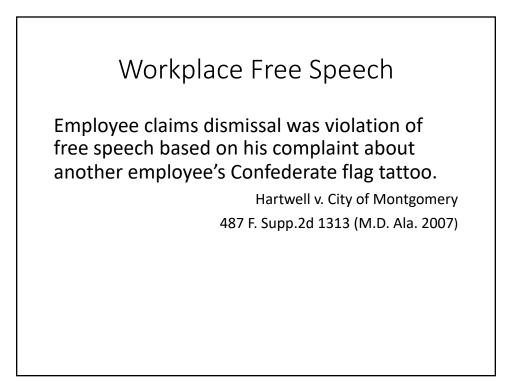
Outside of job duties? Touch on a matter of public concern? Balance of interests?



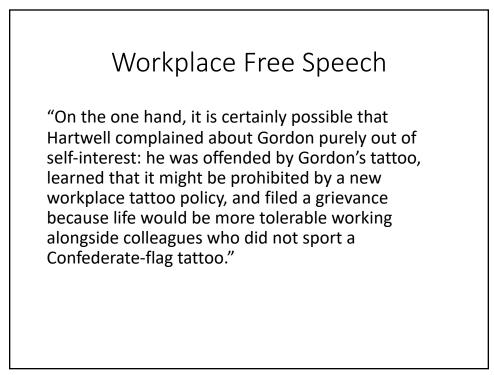
"After all, while the Court acknowledges that Plaintiff intended to express his disapproval of Washington politicians, on its face his speech could convey a drastically different message with different implications. Many of these messages are controversial, divisive, and prejudicial to say the least. Because these potentially offensive messages came from the Department's second-in-command, [the chief] did not have to wait to see if the controversy affected the discipline, mutual respect, or trust among the officers Plaintiff supervised before addressing it."



Outside of job duties? Touch on a matter of public concern? Balance of interests?



Outside of job duties? Touch on a matter of public concern? Balance of interests?



"On the other hand, it is equally possible that Hartwell complained about Gordon in the public interest: he felt, as a citizen, that it reflected poorly on the city and the fire department for public employees to bear racially insensitive tattoos; that taxpayer dollars should not pay the salaries of such persons; and that African–Americans employed by the government should not be forced to stand by in silence while such persons contribute to racial tension in the workplace."