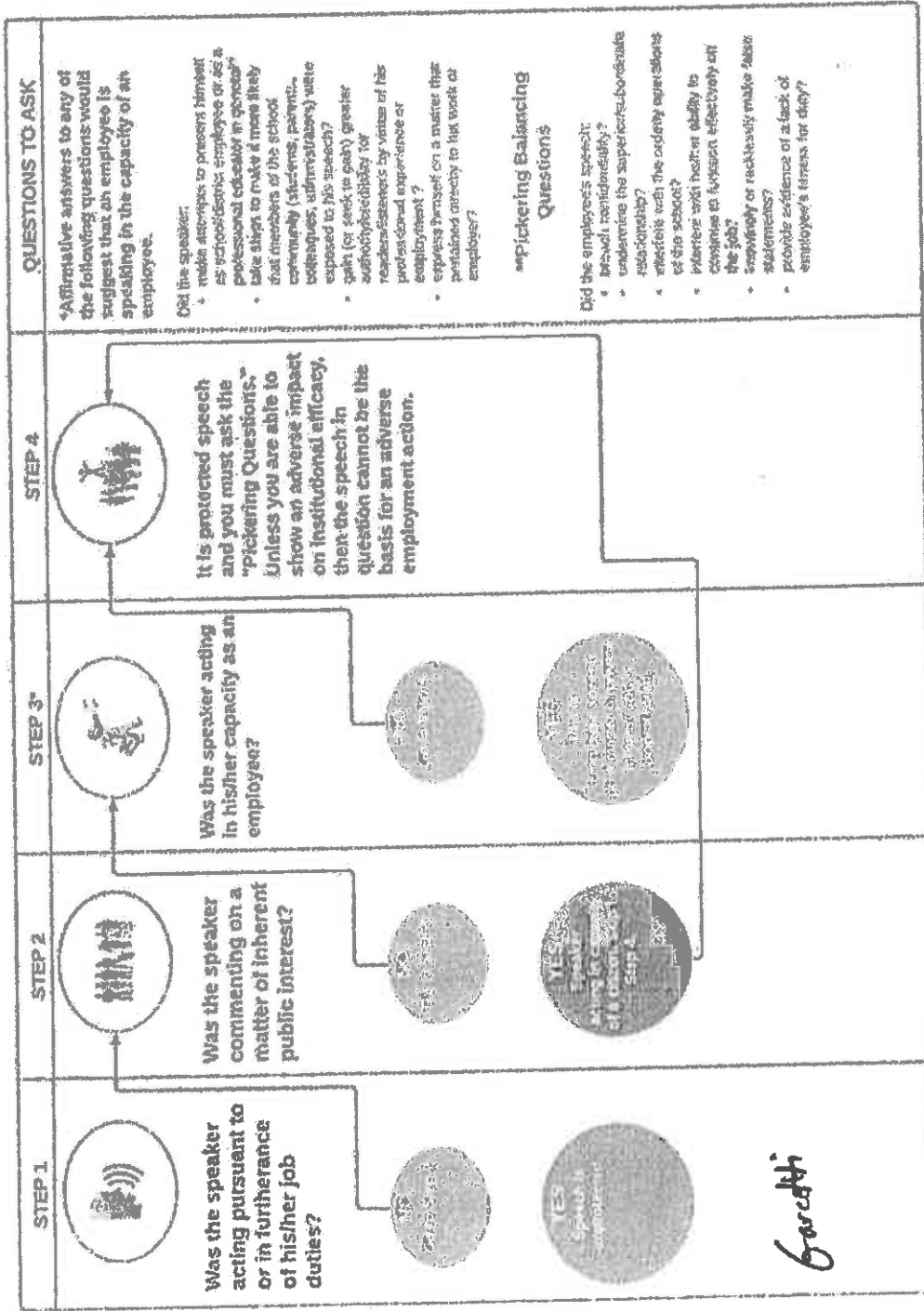


Table 1: Summary of Federal Holdings on Public Employees and Internet Speech

Date/Court	Case	Speech	Pursuant to Duties?	Public Concern?	Pickering Balance Test
Ninth Circuit: 2009	<i>Richerson v. Beckon</i>	Curriculum specialist blogs insulting remarks about supervisors and colleagues.	No.	Assumed yes, but not decided.	Failed – undermined workplace relationships and personal effectiveness.
Third Circuit: 2015	<i>Munroe v. Central Bucks Sch. Dist.</i>	Teacher blogged disparaging comments about students.	No.	Yes.	Failed – invective directed at students undermined teacher effectiveness.
Fourth Circuit: 2013	<i>Bland v. Roberts</i>	Deputy sheriffs "liked" and made supportive comments on Facebook page of boss's political opponent.	No.	Yes.	Passed – no showing of disruption within sheriff's office.
Seventh Circuit: 2013	<i>Craig v. Rich Township School District</i>	High school guidance counselor and girls' coach self-publishes sexually explicit self-help book for women.	No.	Yes.	Failed – speech that objectified females would justifiably erode confidence and trust in employee as counselor.
District of New Jersey: 2015	<i>Czapinski v. Bd. of Educ.</i>	School security guard posts about "black thugs" involved in shooting of Philadelphia police officer.	No.	Yes.	Failed – comment impeded ability to do daily duties/cast doubt upon her judgment and fairness.
District of Maryland: 2015	<i>Baker v. Howard Co.</i>	Paramedic comments on Facebook disparaging gun control and liberals. After being directed to remove comment, he complained about social media policy.	No.	Yes with regard to initial post, no with regard to subsequent posts.	Failed – comment could undermine loyalty, discipline and good working relationships within department.
Eastern District of Virginia: 2015	<i>Liverman v. City of Petersburg</i>	Two police officers engage in Facebook exchange expressing disapproval of promotion procedures.	No.	Liverman, yes. Richards, no.	Passed (Liverman) due to lack of evidence of disruption. NA (Richards).
Northern District of West Virginia: 2014	<i>Austin v. Preston Co. Commission</i>	County animal shelter director puts objectionable posts on official animal shelter Facebook page, refuses to give password to bosses.	Yes.	NA.	NA.
Northern District	<i>Duke v. Hamill</i>	Deputy Police Chief posts rebel flag	No.	Yes.	Failed – speech



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of Georgia: 2014		and calls for second revolution the morning after President Obama's re-election.			communicated racist ideology which undermines public trust and confidence in law enforcement.
Southern District of Iowa: 2014	<i>Vincent v. Story Co.</i>	Employee in county attorney's office "likes" Facebook post that is highly critical of findings clearing local police officers in the shooting of a family member.	No.	Yes.	Failed – speech adversely impacted working relationships between county attorney, local police and attorney general offices.
Northern District of Mississippi: 2013	<i>Graziosi v. City of Greenville</i>	Veteran police officer criticizes chief's decision not to send representative to officer funeral in neighboring city.	No.	No.	NA – but would have failed if speech had been deemed on public concern, due to disruption of working relationships.
Eastern District of Arkansas: 2011	<i>Mattingly v. Milligan</i>	Public employee makes sympathetic remark on Facebook regarding fired co-workers.	No.	Yes.	Passed – employer showed no evidence of disruption.
District of Connecticut: 2008	<i>Spanierman v. Hughes</i>	Teacher interacts inappropriately with students on MySpace page.	No.	No, except for an anti-war poem that played no role in decision to dismiss.	NA (but would have failed, disruption would have outweighed First Amendment value of speech.
Eastern District of Pennsylvania: 2008	<i>Snyder v. Millersville Univ.</i>	Student teacher posts "drunken pirate" picture on MySpace page.	No.	No.	NA.

