



LIBERTY JUSTICE CENTER

October 24, 2025

Via email & first-class mail

Becky Salato, Superintendent
Konocti Unified School District
9430B Lake Street
Lower Lake, CA 95457

Re: Konocti Unified School District First Amendment Violation

Superintendent Salato:

I am an attorney with the Liberty Justice Center writing on behalf of our clients, Corey DeAngelis and Beth Bourne. This week, the Konocti Unified School District (the District) violated the First Amendment rights of Mr. DeAngelis and Ms. Bourne. The District blocked Mr. DeAngelis and Ms. Bourne from its social media pages after both posted comments on matters of public interest. This letter presents an opportunity for the District to avoid litigation for violating the First Amendment rights of Mr. DeAngelis and Ms. Bourne.

On Saturday, October 18, 2025, an Obsidian Middle School teacher was recorded at a public gathering chanting “he’s dead” in response to references to the late Charlie Kirk. The video of the Obsidian teacher purporting to celebrate murder circulated on myriad social media platforms and accounts. On Monday, October 20, 2025, Ms. Bourne posted the video to her personal social media accounts and tagged both the Obsidian Middle School and the District Facebook pages. Within 20 minutes, the district blocked Ms. Bourne, preventing her from being able to see or interact with both the District’s and the middle school’s social media pages.

On October 21, 2025, Mr. DeAngelis posted the same video to his personal social media profiles. Mr. DeAngelis also sought an official response from the District by posting the video on the District’s Facebook page. Instead of providing a response, the District deleted Mr. DeAngelis’ comments. Then the district blocked Mr. DeAngelis from the District’s Facebook page, preventing him from being able to see or interact with the page’s content. The District then closed all public comment on its own Facebook page and the Obsidian Middle School Facebook page, prohibiting all members of the public from exercising their First Amendment right to comment on matters of public concern.

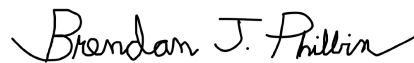
Government officials violate the First Amendment when they block critics on social media. The Supreme Court makes this fact quite clear.¹ A government entity's official social media page is a "public forum" for purposes of the First Amendment.² In such fora, "restrictions based on viewpoint are prohibited."³ By blocking our clients for criticizing the District and seeking comment about its employee's conduct, the District committed a textbook case of unlawful viewpoint discrimination.

The Liberty Justice Center recently litigated this exact issue on Mr. DeAngelis' behalf, resulting in a federal consent decree and an award of attorneys' fees. *See DeAngelis v. Pulaski Cnty. Bd. Of Educ.*, No. 6:25-CV-004-CHB-HAI (E.D. Ky. July 2, 2025). While we are prepared to litigate this issue again, we would prefer to resolve this amicably.

To avoid the same fate as the Pulaski County school board and remedy this violation of our clients' First Amendment rights, we ask that, by close of business on Wednesday, October 29, 2025, the District commit in writing that it will (1) not block Mr. DeAngelis, Ms. Bourne, and the general public from interacting with its social media pages based on criticism of the District or its employees; and, (2) provide training to the District's communications staff on the applicability of the First Amendment to the District's social media accounts.

You or your legal counsel should feel free to contact me at the email address below to discuss.

Sincerely,



Brendan Philbin
Senior Attorney
Liberty Justice Center
bphilbin@ljc.org

cc:

Zabdy Neria, President, Board of Trustees, zabdy.neria@konoctiusd.org

¹ See, e.g., *Lindke v. Freed*, 601 U.S. 187, 195 (2024) (recognizing, among other things, that "public schools" engage in state action when they operate social media pages).

² *People for the Ethical Treatment of Animals v. Tabak*, 109 F.4th 627, 634 (D.C. Cir. 2024) (citing *Garnier v. O'Conner-Ratcliff*, 41 F.4th 1158, 1178–79 (9th Cir. 2002), *vacated and remanded on other grounds*, 601 U.S. 205 (2024); *Davison v. Randall*, 912 F.3d 666, 682 (4th Cir. 2019); *Knight First Amend. Inst. at Columbia Univ. v. Trump*, 928 F.3d 226, 237 (2d Cir. 2019), *vacated on other grounds*, 141 S. Ct. 1220 (2021)).

³ *Pleasant Grove City v. Summum*, 555 U.S. 460, 469 (2009).