



## Toledo fire lieutenant fired over social media post files suit against city



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The Toledo Fire & Rescue Department lieutenant who was fired after making a negative social media post after Charlie Kirk's killing has filed a lawsuit against the city.

The Pattakos Law Firm of Fairlawn, Ohio, filed the complaint in the U.S. District Court for the Northern District of Ohio on behalf of Jeffery Schroeder, who was fired after 28 years on the job.

Peter Pattakos, Mr. Schroeder's attorney, alleges his client was fired "based on his constitutionally protected political speech on a matter of public concern."

Announcing the lieutenant's termination in November, fire department officials said his Sept. 10 social media post "was unacceptable and most importantly, does not reflect the values or standards of the Toledo Fire and Rescue Department."

Fire Chief Allison Armstrong cited four administrative or procedural charges the department brought against then-Lt. Schroeder: carelessness and failure to meet a reasonable standard, conduct unbecoming a lieutenant and conduct detrimental to the department, and two violations of the department's social media policy.

In the lawsuit, Mr. Pattakos says Mr. Schroeder was fired “because he posted a Facebook comment — off-hours, from his personal account and in his personal capacity — that was critical of Charlie Kirk in the wake of the divisive political figure's assassination.”

He said Mr. Schroeder's social media post “communicated his opinion that the world would be better off without Kirk's divisive and hateful influence on public discourse.”

“This was fundamental political speech that is protected under the First Amendment,” the lawsuit said.

Mr. Pattakos said the comment — which he said was made before Mr. Schroeder knew of Mr. Kirk's death — expressed that the shooting was totally preventable and avoidable if not for the policies and beliefs of people like Mr. Kirk and that Mr. Schroeder wished the gunman was a better shot since Mr. Kirk “offers nothing but hate and division to society... and discourse would be better without him.”

In his filing, Mr. Pattakos describes the firing as “an especially egregious First Amendment violation because defendants have purported to justify their actions primarily with claims about how members of the public ‘interpreted’ his post, and that it ‘resulted in widespread public outrage and condemnation, with over 1,000 complaints from the public’” after a widely-followed TikTokker shared the comment and urged her followers to contact TFRD and demand the lieutenant's termination.

“Thankfully in America we still have the First Amendment, which protects expressions of opinion on matters of public concern, even by public employees, and which ensures that such opinions remain protected even when highly influential political figures don't like them,” Mr. Pattakos said in a post on his firm's Facebook page.

The suit seeks damages in excess of \$75,000. Mr. Schroeder's attorneys are also asking the court to issue a restraining order and preliminary

injunction forcing the city to reinstate Mr. Schroeder as a lieutenant in the fire department.

In addition to the city, others named as defendants in the lawsuit are Chief Armstrong, Toledo Safety Director George Kral, Battalion Chief Jeremy Vedra, Battalion Chief Robert Thomas, Capt. Matthew Shiple, and Lt. Antwoine Mister.

City officials declined to comment, noting it is city policy not to comment on pending litigation.

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