

RECEIVED VSC
SUPREME COURT
STATE OF WASHINGTON
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BY RONALD R. CARPENTER

CLEAK

IN THE SUPREME COURT
OF THE STATE OF WASHINGTON

STATE OF WASHINGTON,

Respondent,

vs.

HELEN D. IMMELT,

Petitioner.

No. 83343-5

STATEMENT OF
ADDITIONAL AUTHORITIES

Petitioner, Helen D. Immelt, submits the following additional authorities, RAP 10.8:

1. Quotation from *Hurley* on the particularized message standard:¹

The protected expression that inheres in a parade is not limited to its banners and songs, however, for the Constitution looks beyond written or spoken words as mediums of expression.

¹ *Hurley v. Irish-American Gay, Lesbian and Bisexual Group of Boston* 515 U.S. 557, 569, 115 S.Ct. 2338, 2345 (U.S.Mass.,1995).

ORIGINAL

FILED AS
ATTACHMENT TO EMAIL

Noting that “[s]ymbolism is a primitive but effective way of communicating ideas,” *West Virginia Bd. of Ed. v. Barnette*, 319 U.S. 624, 632, 63 S.Ct. 1178, 1182, 87 L.Ed. 1628 (1943), our cases have recognized that the First Amendment shields such acts as saluting a flag (and refusing to do so), *id.*, at 632, 642, 63 S.Ct., at 1182, 1187, wearing an armband to protest a war, *Tinker v. Des Moines Independent Community School Dist.*, 393 U.S. 503, 505-506, 89 S.Ct. 733, 735-736, 21 L.Ed.2d 731 (1969), displaying a red flag, *Stromberg v. California*, 283 U.S. 359, 369, 51 S.Ct. 532, 535, 75 L.Ed. 1117 (1931), and even “[m]arching, walking or parading” in uniforms displaying the swastika, *National Socialist Party of America v. Skokie*, 432 U.S. 43, 97 S.Ct. 2205, 53 L.Ed.2d 96 (1977). As some of these examples show, a narrow, succinctly articulable message is not a condition of constitutional protection, which if confined to expressions conveying a “particularized message,” *cf. Spence v. Washington*, 418 U.S. 405, 411, 94 S.Ct. 2727, 2730, 41 L.Ed.2d 842 (1974) (per curiam), would never reach the unquestionably shielded painting of Jackson Pollock, music of Arnold Schönberg, or Jabberwocky verse of Lewis Carroll.

RESPECTFULLY SUBMITTED this 1st day of July, 2010.

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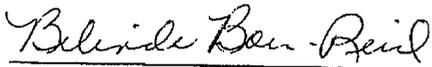
Certificate of Service

I hereby certify that I caused to be served the Statement of Additional Authorities on the following person by First-class mail on July 1, 2010.

SERVED PERSON:

Mr. Charlie Blackman
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