

October 27, 2005

VIA FACSIMILE AND FIRST CLASS MAIL

Mr. Roy Rucks, Principal
Maxwell High School of Technology
990 McElvaney Lane
Lawrenceville, GA 30044
770-963-6838
770-338-4612 fax

Re: Ramirez v. Roy Rucks and Maxwell H.S. of Technology

Dear Principal Rucks,

The Alliance Defense Fund has been retained by Brian Ramirez, a student at Maxwell High School, through his parents, regarding a violation of his constitutional right to free speech by school officials. By way of introduction, ADF is a non-profit, public interest law firm that focuses on First Amendment rights. We work to educate public officials about these rights and, when necessary, litigate these issues.

Brian has been wearing t-shirts and sweatshirts with pro-life messages throughout the year. These include a t-shirt stating that "She is a Child not a Choice" with a depiction of a small child and a sweatshirt with a message on the front that "Abortion is Homicide" and on the back that "You will not silence my message; you will not mock my God, and you will stop killing my generation." Yesterday and today Brian wore the sweatshirt and was told by Mr. Krug, one of the assistant principals, that if he did not remove it, he would be given in-school suspension. Brian respectfully refused to censor his speech and was suspended as promised. He was also told that he would be given a "0" grade for each day's lab that he missed while in suspension and would continue to be suspended each day that he wears a pro-life message. These actions blatantly violate Brian's rights under the U.S. Constitution and Georgia law.

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It is imperative that Brian's constitutional rights be restored immediately. In light of the immediacy of these issues, and due to the fact that Brian is being suspended on a continuing basis, please notify my office in writing by close of business tomorrow, Friday, October 28, 2005, that the school will no longer prohibit Brian, or any other student, from wearing such messages. We also request that the suspensions immediately cease, that any "0" he has received be removed from his grades, that he be permitted to make up lost work without any penalty, and that his file be expunged of any information or documentation related to this incident. If we fail to hear from you by tomorrow, or if his rights continue to be violated, we will inform our client of his right to seek redress in federal court. Please contact me if you have any questions.

Sincerely,

David A. Cortman
Senior Legal Counsel
<mailto:dcortman@telladf.org>

cc: The Ramirez family