



For Immediate Release

PRESS RELEASE

Contact: Gregg Wooding, Mobile: 214.558.9455, Office: 972.941.4453, gwooding@libertyinstitute.org

KOUNTZE ISD CHEERLEADERS SEEK TO REVERSE COURT OF APPEALS DECISION IN BIBLE BANNER CASE

Attorneys File Petition in Texas Supreme Court to Continue Defense of Kountze ISD Cheerleaders Religious Speech Rights

KOUNTZE, TX, August 6, 2014—Today, Liberty Institute; Gibson, Dunn & Crutcher, LLP; and Beaumont attorney David Starnes on behalf of the Kountze cheerleaders and their parents filed a petition asking the Supreme Court of Texas to protect the private speech rights of the cheerleaders and guarantee their right to display religious messages on run-through banners at Kountze ISD sporting events. Currently, the school district continues to violate the cheerleaders' constitutional rights by declaring the religious messages on the banners to be government speech that the school has full discretion to censor. The attorneys seek to overturn the Beaumont Court of Appeals ruling declaring the case, *Kountze ISD v. Matthews*, moot. To view a copy of the petition online, follow this link: <http://libertyinstitute.org/kountze-cheerleaders>

James Ho of Gibson, Dunn & Crutcher, LLP and former Solicitor General of Texas said, "For over two decades, everyone understood that the banners are the cheerleaders' speech, not the government's speech. So the cheerleaders should have the right to include religious messages if they want to. We're disappointed that district leaders have sided with the ACLU and its allies in this case in calling this government speech. But we thank our state's leaders—Senators John Cornyn and Ted Cruz and Attorney General Greg Abbott—for siding with the cheerleaders. We ask the Texas Supreme Court to protect our rights to freedom of speech and religious expression."

"No government should be able to take ownership of private religious speech and have the power to censor it or completely ban it in the future without any justification whatsoever," said Hiram Sasser, Director of Litigation for Liberty Institute.

David Starnes said, "It is critical that the Court grant this petition. If the opinion below is not reversed, it will inevitably lead to the silencing of the speech of the cheerleaders—whose only desire is to cheer on their fellow students with a message of their own choosing and their own faith."

In an effort to share positive and uplifting messages with players and fans, high school and middle school cheerleaders in Kountze, TX, decided to paint Bible verses on their student-made run-through banners at their school football games. After receiving a complaint from the Freedom from Religion Foundation, the Kountze ISD superintendent banned the messages. Then, in Sept. 2012, Beaumont attorney David Starnes and Liberty Institute filed a lawsuit, *Coti Matthews on behalf of her minor child, Macy Matthews, et al., v. Kountze Independent School District*, on behalf of Kountze ISD cheerleaders and their parents. In October 2012, the court granted a temporary injunction allowing student-made religious banners to continue until a final decision in the case. In May 2013, a Hardin County District Court Judge entered an order granting the Kountze cheerleaders a victory over the permissibility of displaying run-through banners with the Bible messages at Kountze ISD sporting events.

Liberty Institute is a nonprofit legal group dedicated to defending and restoring religious liberty across America — in our schools, for our churches and throughout the public arena. Liberty’s vision is to reestablish religious liberty in accordance with the principles of our Founding Fathers. For information, visit www.LibertyInstitute.org.