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U.S. Supreme Court Brief Filed Today by Victimized Military Family Seeking Redress for Extremists Protest at Son's Military Funeral

*17 State Attorneys General Join Amicus Brief in Support of Family:
Deadline Approaches for Other AGs to Follow*

WASHINGTON – Monday, May 24, 2010 - The family of Marine Lance Corporal Matthew Snyder filed their brief today with the United States Supreme Court to determine Constitutional limits on the First Amendment, and whether freedom of speech supersedes the right of families to mourn at military funerals. The Supreme Court granted *Cert.* on March 10, 2010. The brief can be found under "Documents" at www.matthewsnyder.org.

Lance Corporal Matthew Snyder was killed while on duty in Iraq. In an incident that made national headlines, his 2006 funeral was protested by members of the Westboro Baptist Church. In October 2007, a Maryland jury awarded the Snyder family \$11 million in damages after it determined, by clear and convincing evidence, that the protestors' actions were malicious and intended to inflict harm on the grieving family.

In 2009, the Fourth Circuit reversed the District Court's ruling. The case is *Snyder v. Phelps*, 580 F.3d 206 (4th Cir. 2009). If the Supreme Court affirms the Fourth Circuit decision, a Federal law, the *Respect for America's Fallen Heroes Act*, as well as more than 40 similar state laws, will be in jeopardy as families could be denied the right to mourn with dignity. In addition, states could lose the right to protect private citizens who seek redress of injury through tort remedies as extremists will be permitted to harass private citizens anywhere.

"This case is a test of whether we as a nation, with full legal justification, have the decency to provide the men and women of our military with the unwavering support they deserve whenever their rights are at risk," said [Sean Summers](#), partner in the law firm of Barley Snyder, who represents the Snyder family. "The conduct by the Westboro Baptist Church goes well beyond the bounds of basic human decency in a civilized nation. Intentionally inflicting emotional distress on others is not a Constitutional right."

To date, 17 out of 50 state Attorneys General have joined the Amicus Brief, drafted by Kansas Attorney General Steve Six, in support of the Snyder family case: Arizona; Arkansas; Connecticut; Kansas; Kentucky; Louisiana; Nebraska; Nevada; New Mexico; North Dakota; Ohio; Oklahoma; Pennsylvania; South Carolina; Utah; West Virginia; and Wisconsin. States have until end of business on Thursday, May 27, 2010 to join the Brief.

"If states want to demonstrate support for the military and grieving families, the way to do it is to join the Kansas brief," Summers concluded.

Steven J. Heyman, professor of law at Chicago-Kent College of Law and a leading First Amendment scholar, said: "I'm not surprised that so many states have already signed onto the Kansas amicus brief. If states want to defend the funeral picketing laws they have passed, it's essential that they take part in this case." Heyman added: "These laws have overwhelming public support. Americans believe in freedom of speech, but they don't believe that that gives people the right to disrupt a funeral and interfere with the family's ability to mourn. I think that that's why there's been such a strong public reaction to this case."

On March 3, 2006, U.S. Marine Lance Corporal Matthew A. Snyder, of Finksburg, Maryland, was killed in Iraq. His family planned a traditional burial service at St. John's Catholic Church in Westminster, MD on March 10, 2006. Members of the Westboro Baptist Church, based in Topeka, KS, staged a protest during the funeral right outside the entrance of the church, which disrupted the private ceremony and forced the funeral procession to be re-routed.

The Church's members claim that "God hates America" because they believe the United States supports homosexuality. Therefore, they believe that anyone who fights and dies to protect and preserve America and its rights is evil. Members of the church have staged protests at more than 200 funerals.

According to Lieutenant General Carol A. Mutter, United States Marine Corp (retired), "Throughout America's history, our Marines have fought long and hard to defend and protect all our sacred freedoms and rights, but not at the expense of a military family's right to bury our heroes with dignity and respect. Disrupting the formal ceremony designed to honor the deceased demeans their service and their families' sacrifice. It is unconscionable!"

An interactive map showing which states have joined the Amicus Brief, and those actively considering, can be found here: <http://www.matthewsnyder.org/Governor.html>.

For more information on the case and how you can join millions of supporters, please visit: <http://www.matthewsnyder.org/>.

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