

September 21, 2005

Hi Everyone

Sorry it has been so long since my last update. We have been back and forth to Court several times since the last time I wrote to you but the justice system is very slow. The good news is it seems to be picking up steam after yesterday's hearing.

Yesterday Judge Benson heard arguments from the misdemeanor's defense attorneys as to why they believed their client's trial should be severed from the felons. Stating that it would be prejudicial for the jury to hear what happened after they left the basement and that the information was irrelevant to their clients. That it would be a financial hardship to them to have to continue to come to court while evidence is being shown regarding the couple of hours that they weren't present.

The felon's attorneys argued that they wanted the trials to be severed (and I was a little unclear here as to how many trials they were talking about possibly separating all of them) because they wanted to call other defendants as witnesses for their clients and cannot do so if they are all on trial together.

DA Ramsey pointed out that at least four 5-gallon water containers were emptied - presumably consumed by and poured upon Matt and another pledge - before the misdemeanors left the basement.

He argued that the same evidence is relevant for all defendants, whose charges are based on misdemeanor hazing - defined as any method of initiation into a student organization which is likely to cause bodily danger, physical harm or personal degradation.

"That harm will be the evidence that counsel is saying is not relevant to their clients..." Ramsey said.

After Judge Stephen Benson denied defense counsel's requests, he set a return to court for 8:30am October 14. The judge instructed Ramsey to produce a witness list, along with a DVD he plans to show to a jury, at that time and his jury questionnaire. And the defense attorneys are to produce their jury questionnaire and any motions they plan to bring.

He scheduled another court date for 8:30am October 28 when the defense attorneys are to produce their witness list and prepare for trial to begin on November 2. If the trial begins on November 2 it will begin with jury selection, which could take at least three days possibly more.

Most of you know that Matt's birthday is November 10th so those of you that are coming up on that date I want the defendants to know that it is Matt's birthday, that he will not be celebrating it this year or any other year. We could have birthday signs in the parking lot or whatever you would like to do. It would be great if our biggest turnouts are opening arguments, Matt's birthday and closing arguments but we need people their everyday to show our support of Matt. Those on trial, as well as the press, need to realize that Matt was special and is missed by many. They need to know how many people have been affected by their actions whether they knew Matt or not.

We need to take advantage of the press if we want to reach our goals in making others aware of the dangers of hazing. Stop the pain, save our children, put an end to hazing here and now. Don't be afraid to speak to the press if you are approached.

Be sure to read Matt's Law on his website, lets make sure that those that perform these hideous acts on our children are held accountable. At the end of the year we will be starting a campaign to let our legislature know how we feel and how important it is that Matt's Law becomes a reality. We are hoping to have a link on Matt's site for you to send a letter right from there but if we are unable to make that work we will still have a letter you will be able to print out, sign and mail to addresses that will be available on his site.

As I said before we will have Matt badges available to everyone that comes to court but if we are asked to remove them while in court everyone be sure to wear **RED** (Matt's signature color and his favorite team color 49ers) to show your support of Matt.

When coming to court be sure to be there no later than 8am, seating is first come first serve. I would hate for you to drive all that way and not be able to get into the courtroom. For those that are coming from the Chico area (hopefully students of Chico State as well as residents of the area will attend) please allow the supporters from the bay area first access to the seating since they will be coming from so far then take a seat. Those that want to support throughout the day, please come to the courthouse to show your support whether you get in or not.

We must take a stand, we are not going to sit back and watch this continue to happen in our own backyards and believe me it is still happening right under our noses.

We will be staying at the Heritage Inn Express on Broadway in Chico during the weeks of the trial so if any of you find that you need to stay overnight or are in the area please feel free to come by.

Thank you everyone, don't forget to hug your children and tell them that you love them.

Love,

Debbie, MM

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