

The Rutherford Institute Defends Second Grader Forced by School Officials to Undergo Psych Evaluation for Drawing Crucified Jesus

TAUNTON, Mass., Dec. 16 /Christian Newswire/ -- The Rutherford Institute has come to the defense of the family of a second grader who was allegedly forced by school officials to undergo psychological evaluations after he drew a picture of a stick figure Jesus on the cross with X's over his eyes.

A copy of Jalen's drawing is available at www.rutherford.org.

"This is a case of overreaction by school officials," said John W. Whitehead, president of The Rutherford Institute. "Jalen's drawing was simply a reflection of something he saw at a Christmas light show. The psychological damage to this family is appalling, and it is a clear-cut violation of their constitutional rights."

On December 2, 2009, Jalen Cromwell, a second grader at Lowell M. Maxham School in Taunton, Mass., was taken to the principal's office where he was questioned without the presence of, or even notification to, his parents regarding a drawing he had made earlier that day depicting a stick figure Jesus on the cross with X's over his eyes. The drawing reflected Jalen's impressions about a recent family trip to the Christmas lighting festival at LaSalette. However, Jalen's parents were later informed that, in keeping with school policy, he would not be permitted to return to school until he had undergone a psychological evaluation. Jalen has since informed his parents that he no longer trusts his teachers and does not want to continue attending the school due to the anxiety caused by this incident, a sentiment shared by his parents.

After being contacted by Jalen's family, attorneys for The Rutherford Institute agreed to intervene. In a letter to the superintendent of the Taunton Public Schools, Institute attorneys pointed out that the effective suspension of Jalen from school deprived him and his parents of their constitutional rights to due process and punished Jalen for engaging in expressive activity protected by the First Amendment to the United States Constitution. In light of the fact that this incident has made Jalen's continued attendance at Maxham School untenable, Institute attorneys have also requested that the school arrange for Jalen to be transferred to an out-of-district school and for his parents to be compensated for the associated transportation costs. The Rutherford Institute has requested a response to its demand letter by 5 pm, EST, on Tuesday, December 22, 2009.

The Rutherford Institute is an international, nonprofit civil liberties organization committed to defending constitutional and human rights.