



NEW YORK STATE SENATOR

William Larkin

Larkin Calls For Harsher Punishment For Veterans' Cemetery Desecration

[WILLIAM J. LARKIN JR.](#) May 24, 2006

The State Senate has passed legislation (S.2348-A) sponsored by Senator Bill Larkin (R-C, Cornwall-on-Hudson) that would create two new crimes for cemetery desecration of a veteran cemetery plot, grave or burial place. The measure would also prohibit cemeteries from selling veteran commemorative cemetery markers, flag holders, monuments, statues or other physical memorabilia that are over 75 years old if those items are already placed or located within a cemetery.

"There is currently no law that specifically protects veteran grave sites or which regulates the sale of historic veteran cemetery markers or monuments," said Senator Larkin. "This bill makes it a crime to desecrate grave sites. It also protects the unauthorized purchase, sale or transfer of veteran statues, gravestones, monuments or other personal property that commemorates the life and death of these veterans. This problem was first brought to my attention by the Sons of Union Veterans of the Civil War, Department of New York. There are certain individuals who are taking advantage of the fact that Civil War artifacts like cemetery markers, statues and monuments have become particularly valuable. There have been recent cases where these valuable items have actually been removed from the cemeteries and sold by cemetery corporations."

The bill calls for mandatory community service for anyone who desecrates or vandalizes a veteran's cemetery as a condition for probation or conditional release. It would also allocate ten percent of the fines collected for the desecration of a cemetery to be transferred to the state cemetery vandalism restoration and administration fund. "This will help to ensure that veteran grave markers or other veteran monuments will be preserved from physical deterioration so that we can continue to memorialize the life and death of these special veterans," said Larkin.