



NEW YORK STATE SENATOR

William T. Stachowski

Stachowski Calls for Harsher Punishment for Veterans' Cemetery Desecration

WILLIAM T. STACHOWSKI June 30, 2010

| ISSUE: **CRIME, HISTORICAL PRESERVATION, VETERANS**

The State Senate has today passed legislation (S.8289) sponsored by Senator William T. Stachowski (D, Lake View) that would create a new crime for cemetery desecration of a veteran cemetery plot, grave or burial place. The measure would also prohibit anyone 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 Stachowski. “I am pleased this bill has passed the Senate since it 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. 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 even been fairly recent cases where these valuable items have actually been removed from the cemeteries and sold by cemetery corporations.”

The bill creates the new crime of cemetery desecration in the first and second degrees. Cemetery desecration in the second degree would be a Class A misdemeanor while cemetery desecration in the first degree (causing damage in the amount of \$250 or more) would be a Class E felony. The legislation calls for mandatory community service for anyone who desecrates or vandalizes a veteran's cemetery as a condition for probation or conditional release. "This increased penalty will help to ensure that veteran grave sites will be protected and valued so that we can continue to honor the life and death of these special veterans," said Stachowski.

The bill was sent to the Assembly.