



NEW YORK STATE SENATOR

Dean G. Skelos

Senate Passes Legislation to Limit Protests at Military Funerals

DEAN G. SKELOS March 14, 2011

“The Specialist Thomas Wilwerth Military Dignity Act”

The New York State Senate today passed legislation (S.3901), sponsored by Senator Lee Zeldin (R,C,I- Shirley), that would limit protests at military funerals. Called “The Specialist Thomas Wilwerth Military Dignity Act,” the proposed law is named for an Iraq War Veteran who lost his life in combat in 2006.

The bill prohibits protests within 2,500 feet of military services, funerals, and processions of deceased service members unless the protest organizers post a bond to the local municipality to defray the increased security costs associated with demonstrations that occur closer to these funeral activities. Protestors would also not be permitted within 500 feet of funeral activities and would have to apply for a permit with the New York State Division of Veterans' Affairs under this measure.

“This past Saturday, I was proud to announce this legislation in my district,” Senator Zeldin said. “I am even more proud that this legislation will be named after one of our hometown heroes, Specialist Thomas Wilwerth. Today we are sending an important message to current and future Gold Star families that we are fighting to protect the dignity, respect and honor that their fallen military veteran deserves.

“This legislation takes into consideration the free speech rights of those who choose to protest military funerals with hateful rhetoric and tactics,” Senator Zeldin said. “We must balance that right with the need to protect our Gold Star families and allow them to peacefully mourn the loss of their military hero and loved one. With its passage today, I call upon the State Assembly to take action on this bill so we can deliver it to Governor Cuomo for his signature.”

Senate Majority Leader Dean G. Skelos said, “Senator Zeldin is keeping his commitment to get this legislation done, to protect the right of military families to bury their loved ones in peace. This bill protects that right while also protecting free speech rights. The bill would help ensure order, honor and discretion at these emotional events.”

Massachusetts has a similar law that enforces a buffer zone around funerals to prevent disruptions by protestors.

Senator Zeldin is currently a Captain in the U.S. Army Reserves. He was a paratrooper, prosecutor and magistrate with the 82nd Airborne Division and XVIII Airborne Corps. He was deployed to Iraq in the summer of 2006 with an infantry battalion of fellow paratroopers from the 82nd Airborne Division.

“I would like to issue a real challenge to the people who want to protest the funerals of our fallen heroes. Our soldiers fight at home and abroad for our freedoms. If the protestors can give me one reason why they should be protesting instead of kissing and thanking our heroes, then I’ll listen,” said Terry Wilwerth, Father of Specialist Thomas Wilwerth.

This legislation is part of a package of Veterans bills that was passed by the Senate today.

The bill has been sent to the Assembly where it is sponsored by Assemblyman Dean Murray (R,C- East Patchogue).

