



NEW YORK STATE SENATOR

Joseph A. Griffo

## Griffo Passes Measure to Help Grieving Military Families

JOSEPH A. GRIFFO April 7, 2011

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### **Griffo Pushes Back On Behalf of Grieving Military Families**

(Utica) - State Senator Joseph A. Griffo (R-C-IP, Rome) today announced that he is moving forward with legislation to protect military families from being subjected to indignity in a time of deep grief.

Griffo said that the Senate, on a 60-0 vote, has approved his bill, Senate S. 3900, that creates the crimes of criminal interference with a funeral service in the first and second degrees and provides that criminal interference in the first degree be a class E felony and in the second degree to be a class A misdemeanor.

Griffo said the legislation would afford funeral services the same legal protections against disruption and harassment that are now offered under New York State Penal law to reproductive services clinics and religious assemblies.

Griffo's leadership to protect military families comes weeks after the U.S. Supreme Court ruled that government could not bar protestors from marching and showing signs and banners at military funerals, but could set a distance beyond which those protests could not occur.

Griffo said that his bill to create the crime of criminal interference with a funeral service seeks to provide a measure of protection and tranquility to the mourners at a time when extremist hate groups are using the shield of First Amendment protection to inflict psychological damage upon a slain soldier's the grief stricken survivors.

"New York protects religious services, but not specifically funerals and burials, which we now see are being disrupted for the purposes of extremist groups," Griffo said. "Even for citizens of no religious belief at all, the funeral or burial of a loved one will be an event of profound sadness and loss. All New Yorkers are due a measure of peace at such a time. My bill to create this new criminal penalty will provide them that peace."

"We have a case here where the court has ruled that the First Amendment, one of the sacred

parts of our Constitution, is so important that even speech I consider insulting, abhorrent and malicious cannot be prevented because it expresses a political opinion. I find it a tremendous misuse of that freedom to use the funerals of our veterans as a vehicle for protests that do nothing but add to the grief and sorrow of military families whose sons or daughters went out and made the ultimate sacrifice on behalf of the principles of this great country.”

Griffo said that the legislation is designed to ensure that military families already reeling from grief are not faced with insults and protests. “In short, the funeral of an American who has given his or her life for this great country will not be allowed to be made into a media circus while family members suffer,” Griffo said. “Exercising free speech is an American right; protecting innocent victims from being abused by others is an even older and higher obligation.”

Senate bill 3900, has an Assembly companion version, A.6617 and is sponsored by Member of Assembly Samuel D. Roberts (D-W, Syracuse).