



NEW YORK STATE SENATOR

Joseph A. Griffo

Senate Gives Final Legislative Approval to Griffo-Sponsored Bills Limiting Military Funeral Protests

JOSEPH A. GRIFFO June 17, 2011

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(Albany) - The State Senate last night gave final legislative approval to two measures that offer additional buffers and restrictions for protests or demonstrations seeking to disrupt military funerals, burials or memorial services. Senator Joseph Griffo (R-C-IP, Rome)

sponsored these measures to balance the constitutional right of free speech with the ability of families to respectfully mourn the individuals who gave their lives in service to our country.

Exercising free speech is an American right, but it is 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,” said Senator Griffo. “Grieving military families shouldn’t be the target of a political demonstration.”

A recent U.S. Supreme Court decision recognized that persons who protest at funerals of military personnel have constitutional rights, but also that states have a compelling interest in protecting the family and friends of deceased military personnel while they are mourning at such events. This prompted Senator Zeldin to propose the Specialist Thomas J. Wilwerth Military Dignity Act this past March. Specialist Wilwerth was an Iraq War Veteran who lost his life in combat in 2006.

Senator Griffo introduced a companion bill designed to ensure that military families already reeling from grief are not faced with insults and protests, and both bills were passed by the Senate on March 14, 2011. The bills were amended and passed the Assembly on June 6, 2011.

“I commend the Assembly for sharing our concerns for Gold Star families hit by tragedy,” Griffo added. “We’re confident that the Governor will echo our sentiments to do what’s right by them.”

Senator Griffo sponsored Senate #5605 which triples the buffer zone distance for protests around a religious service, funeral, burial or memorial service from 100 feet to 300 feet.

Griffo co-sponsored Senate #3901-A to require the development and implementation of a permit process for demonstrations at veteran and veteran family member funerals, and authorizes the imposition of fines for failure to comply with the permit provisions.

Both bills will be sent to the Governor for his consideration.

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