



NEW YORK STATE SENATOR

John A. DeFrancisco

Senate Gives Final Legislative Approval to Bills Limiting Military Funeral Protests

JOHN A. DEFRANCISCO June 20, 2011

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Senator John A. DeFrancisco (R-I-C Syracuse) announced that the New York State Senate yesterday passed a bill that he co-sponsored (S3901A), which would authorize local governments to create a permitting system for demonstrations conducted within one thousand feet of a veteran's funeral, memorial service, wake or burial.

This bill would establish a fine for violations that occur on state property and would allow a city, town, village or county to enact a permit requirement and to establish a reasonable civil penalty for any person who is found to have intentionally organized a demonstration without first acquiring the required permit.

"We must balance the constitutional right of free speech with the ability of families to respectfully mourn individuals who gave their lives in service to our country," said Senator DeFrancisco. "A funeral is not an acceptable place for a political protest. We must protect our future Gold Star families by ensuring them the dignity, respect and honor that a fallen military veteran family member deserves."

A recent U.S. Supreme Court decision recognized that protesters at military funerals have constitutional rights, but also recognized that states have a compelling interest in protecting

the family and friends of deceased military personnel while they are mourning their loved ones at such events. The bill will be sent to the Governor.