



NEW YORK STATE SENATOR

Lee M. Zeldin

State Senator Zeldin Calls on Governor Andrew Cuomo to Support Military Protest Ban

LEE M. ZELDIN March 2, 2011

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Zeldin Commends Supreme Court Justice Alito for Dissenting Today in Snyder v. Phelps, et al.

Specialist Thomas Wilwerth Military Dignity Act To Be Introduced Next Week

"I am disappointed in the United States Supreme Court for its decision today in Snyder v. Phelps. I further would like to express my deepest sympathies to the family of Marine Lance Corporal Matthew Snyder who lost his life in Operation Iraqi Freedom. This story has defined for our nation the existence of two American heroes, Lance Corporal Snyder and Supreme Court Justice Samuel Alito.

The Court's decision was a win for the despicable conduct and mission of the Westboro Baptist Church. The Court's decision was a loss for the families and friends of all military servicemembers. I do not support the wrongful actions of Westboro and the offensive content and tactics of their protesting of military funerals. It is clear from the Court's decision that there can no longer be an Intentional Infliction of Emotional Distress right of action for Westboro's victims.

Justice Alito was the sole courageous dissenting vote in today's 8-1 decision by the United States Supreme Court. Justice Alito agreed with the lower court decision that Westboro's

outrageous conduct caused Matthew's father great injury. He goes on to acknowledge that "the Court now compounds that injury by depriving (Matthew's father) of a judgment acknowledging the wrong he suffered. In order to have a society in which public issues can be openly and vigorously debated, it is not necessary to allow the brutalization of innocent victims like (Matthew's father)."

I applaud Justice Alito and join him in his opinion. Further, I will be introducing a bill next week to ban any of these protests within 1,000 feet of the services, funerals and processions of deceased servicemembers. I request our Governor Andrew Cuomo, to join us in the calls echoed by our military community. I am proud to live in a county that has banned protests of military funerals and our state government must now take the lead in making this ban statewide. I will be naming this legislation in honor of Specialist Thomas Wilwerth, an Iraq War Veteran who lost his life in combat in 2006. Specialist Wilwerth is a fellow graduate of William Floyd High School in Mastic Beach, New York."