



NEW YORK STATE SENATOR

Lee M. Zeldin

Senator Zeldin Delivers on Military Dignity Act Promise

LEE M. ZELDIN September 27, 2011

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Governor Cuomo Signs Bills To Limit Protests at Military Funerals

Ronkonkoma, NY- State Senator Lee M. Zeldin (R-C-I Shirley) announced today that Governor Andrew Cuomo has signed into law Senator Zeldin's bill to limit protests at military funerals.

In keeping with his 2010 campaign promises, Senator Zeldin sponsored and delivered passage of a series of bills, one of them named after Specialist Thomas J. Wilwerth, an Iraq War Veteran who lost his life in combat in 2006.

The bills, sponsored by Senators Lee Zeldin (R-C-I, Shirley) and Joseph Griffo (R-C, Rome), balance the constitutional right of free speech with the need to protect families mourning the loss of their fallen servicemember.

S.3901A, sponsored by Senator Zeldin, requires 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.

The Senate also passed S.5605, which triples the buffer zone distance for protests around a religious service, funeral, burial or memorial service from 100 feet to 300 feet.

"I am proud of the bi-partisan work of my colleagues in making this initiative a reality," said Senator Zeldin. "Governor Cuomo's signature on this legislation protects our future Gold Star families by ensuring dignity, respect and honor for our fallen military veterans. We are balancing the free speech rights of those who protest military funerals with the need to protect our gold star families and allow them to peacefully mourn the loss of their military hero and loved one."

"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."

Assemblyman Michael Cusick (D- Staten Island) and Assemblyman Dean Murray (R, C- East Patchogue) led the efforts to mobilize the majority and minority conferences in the Assembly.

"This law protects the families of the men and women in our armed forces who have given their lives, while preserving the first amendment rights that they laid down their lives protecting. Our soldiers put their lives on the line for our nation. Those who make the ultimate sacrifice should be guaranteed the right to be buried with honor and dignity," said Assemblyman Murray. "I want to thank Governor Cuomo, Senator Zeldin and all the legislators who worked together in a bipartisan fashion to pass this law. It's a shame that we have to legislate common decency."

"Military funerals should not be used to advance hateful ideology. These new laws establish safeguards and aim to strike the appropriate balance between the liberties guaranteed in the first amendment, and the dignity of the men and women who fight to protect it everyday." said Assemblyman Cusick.

The permit bill goes into law in November and the buffer zone legislation takes effect next March.