



NEW YORK STATE SENATOR

Dean G. Skelos

Senate Passes Legislation to Protect Graves of Civil War Veterans

DEAN G. SKELOS March 5, 2012

The New York State Senate today passed legislation that would prohibit the unauthorized sale of veteran cemetery markers that are over 75 years old, and would create the new crime of desecration of a veteran cemetery plot, grave or burial place. These bills continue the Senate's commitment to maintain the dignity of veterans' cemeteries and commemorative property.

The Senate passed a bill (S.1504), sponsored by Senator William Larkin (R-C, Cornwall-on-Hudson), that would prohibit the unauthorized sale of veteran's commemorative cemetery markers, flag holders, monuments, statues or other physical memorabilia that are over 75 years old.

The bill addresses a problem first noted by the New York Sons of Union Veterans of the Civil War. According to the organization, cemetery corporations were selling valuable antique cemetery markers, statues, and monuments from the Civil War era.

These monuments were erected over a century ago by Civil War veterans groups to commemorate the sacrifices of their comrades-in-arms. The bill aims to ensure that these Civil War monuments remain where they were originally placed, allowing them to continue to honor the memory of Civil War veterans, rather than be sold off for profit.

In addition, the Senate passed a bill (S.1728), also sponsored by Senator Larkin, which would create the crime of “Cemetery Desecration of a Veteran,” a Class E felony. Currently, there is no law that specifically protects veteran grave sites. The bill also provides that a person convicted of desecrating a veteran’s cemetery can be sentenced to community service at desecrated cemeteries as a condition for probation or conditional release.

“Cemeteries should not be able to profit from selling memorials to Civil War soldiers who fought to unite our nation,” Senator Larkin said. “Just as we work to ensure that veterans of today’s wars are treated with respect, we must work to maintain the final resting places of Civil War soldiers in New York with dignity.”

The bills were sent to the Assembly.