



State Senator Scott T. Rupp ~ District 2

The Rupp Report

*Serving Lincoln County & St. Charles County***Column For Week of: August 23, 2010**

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Recent Court Ruling Strikes Down Missouri's Funeral Protest Law

In response to the outrageous protests held at military funeral sites across our state, my colleagues and I took the lead on this issue in 2006 by passing legislation prohibiting funeral protests during certain times in Missouri.

More specifically, **Senate Bill 578**, also known as the "Specialist Edward Lee Myers' Law," prohibited funeral protests within one hour prior to and one hour after the completion of funerals in Missouri. The legislation was passed largely in response to the protests held at military funerals by the Westboro Baptist Church in Kansas, whose members say military deaths are due to God's dissatisfaction with U.S. tolerance of homosexuals, abortion, divorce, and other issues. The bill contained an emergency clause, so it went into effect immediately upon the governor's signature on Feb. 27, 2006.

A secondary law, **House Bill 1026**, went into effect July 6, 2006, and required protesters to stay back at least 300 feet from ceremonies and processions. Violations of both measures were punishable by up to six months in jail and a \$500 fine for a first offense (a class B misdemeanor) and up to one year in jail and a \$1,000 fine for repeat offenders (a class A misdemeanor).

Sadly, a recent federal court ruling deemed our state's laws restricting protests near funerals unconstitutional, stating that the law violated First Amendment free-speech rights. However, the Missouri Attorney General has appealed this decision and we are waiting further action by a higher court.

The men and women who give the ultimate sacrifice to defend our country's freedom deserve to be laid to rest in peace. Their families, who have to deal with many heavy burdens on top of overwhelming grief, do not need to be victims of the members of Westboro Baptist Church. Everyone deserves to give their loved ones a proper farewell, and a group of thoughtless, hate-baring individuals should not be near this place of final goodbye. What about the rights of these family members — is this group not infringing upon their rights, too?

I will keep you up-to-date regarding this issue. I hope through the appeals process officials will side with respecting the death of a citizen and family and friends' right to honor their loved one in peace during one of the most difficult times they will ever face. If you have any questions or comments about this or any other topic regarding state government, please visit my website, [e-mail me](#), or call my office at (866) 271-2844.

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