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LEGISLATURE

Bill to restrict funeral protests garners support

By Cody Muzio

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Alabama soon might toughen regulations involving funeral protests.

The Senate Judiciary Committee unanimously approved Senate Bill 239, sponsored by Republican Sen. Gerald Dial of Lineville, earlier this week.

"We've all heard of people protesting military funerals," Dial said. "There's a law today saying you have to be 500 feet away and can't do it within 60 minutes of the funeral. We're moving it to 1,000 feet, which is two city blocks."

The bill would not change the current requirement that the protest must cease 60 minutes before the funeral and not resume until 60 minutes after it.

"You can't keep people from protesting," Dial said.

"We understand those rights and freedoms. But we can give these people — military personnel, in particular — a proper funeral and proper burial and not have people who for whatever reason — and God knows I don't know why — would be protesting a funeral where we're burying one of ours who has been defending our freedom."

Dial introduced the bill in 2011, but it was pushed back due to time restraints that resulted from filibustering over redistricting.



Brewbaker



Dial

The original bill was written in response to Westboro Baptist Church's threatened protest of the May 2010 funeral of Army Ranger Capt. Kyle Comfort in Jacksonville.

Though Westboro's members did not appear at Comfort's funeral, the Kansas church has held numerous picket protests of military funerals across the country, saying that soldier deaths are the result of God's punishment on America for "loose morals" and policies on gay rights.

Rep. Koven Brown, R-Jacksonville, owns Brown Funeral Home, where Comfort's service was held. Brown said he supports what Dial is seeking to accomplish.

"I don't question the right to express oneself, but I've always thought there's a time and place for everything, and I don't feel like there's a place for infringing on the rights of a grieving family at a time like that," Brown said.

Sen. Dick Brewbaker, R-Montgomery, said he backs the bill.

"Free speech is one thing,

but we limit all kinds of speech based on what's going on, and while we may not outlaw it, we do keep it at a reasonable distance," Brewbaker said. "I think the argument that it's a First Amendment violation is pretty weak."

Brewbaker said there is also a public safety interest.

"There have been some instances of violence and threats of violence against people protesting, but that was when they were doing it right on top of the mourners," he said. "Let me put it this way: If you limit them to a thousand feet, you have one police officer to make sure they stay a thousand feet. If you let them get too much closer, you're talking about having to have 15 police officers to keep the mourners and these lunatics separated."

"Anyone who thinks it's appropriate to protest gay rights by desecrating a serviceman's funeral, frankly, should be committed."

Dial said he would try to get the bill placed on a special-order calendar for a Senate vote within a couple of weeks.

Troy University journalism student and Millbrook resident Cody Muzio wrote this story as part of a project partly funded by the Alabama Press Association Journalism Foundation.

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