

## Oklahoma Statutes

### §8-187. Abandoned cemetery on privately owned land

Visitation Rights.

Universal Citation: 8 OK Stat § 8-187 (2014)

Oklahoma statute §8-187 grants visitation rights to relatives of deceased individuals in abandoned cemeteries located on privately owned land with no public access. Relatives have the right to reasonable ingress or egress to visit the cemetery during reasonable hours and for typical cemetery purposes. An "abandoned cemetery" is defined as a place where human skeletal remains are buried, no interments have occurred for at least 25 years, and the site is identifiable as a cemetery. Relatives must make a good faith effort to notify property owners and tenants before visiting the cemetery. However, this law does not establish easements, claims of easements, or ownership rights to abandoned cemeteries.

Added by Laws 1992, c. 214, § 1, eff. Sept. 1, 1992.

### Okla. Statute. title. 21, § 47-1167.

Oklahoma Statute Title 21, § 47-1167 states that it is a crime to willfully and maliciously destroy, mutilate, deface, injure, or remove any monument or gravestone. If the damage is less than \$5,000.00, it is a misdemeanor punishable by a fine of up to \$1,000.00, imprisonment in the county jail for at least ninety days, or both, and a community service requirement of up to 120 hours. If the damage exceeds \$5,000.00, it is a felony punishable by a fine of up to \$2,500.00, imprisonment in the county jail for at least six months, or both, and a community service requirement of up to 240 hours.

For more information about Oklahoma Statutes related to Cemeteries see list of Section 8 Statues here:

<https://tinyurl.com/mtssf5s6>

To search for full text of each Statute go to:

<https://www.oscn.net/applications/oscn/Index.asp?ftdb=STOKST08&level=1>

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### Who oversees cemeteries in Oklahoma?

Oklahoma Funeral Board does NOT have jurisdiction over cemeteries. Any questions, concerns, or complaints regarding cemeteries should be directed to 1. the current cemetery association, 2. the county commissioner, 3. the Consumer Protection Division of the Attorney General of Oklahoma.

## IDEA: Plan a family trip to a cemetery

#### 1. Ensure Safety and Accessibility:

- Visit the cemetery in advance to confirm it's safe and publicly accessible, as some may be on private land.

#### 2. Prepare Children:

- Share memories, mementos, or photos of ancestors before the visit.
- Encourage children to locate family graves themselves with hints about markers' location or appearance.

#### 3. Document and Share:

- Use your mobile device to take photos of tombstones.
- Upload photos to your online family tree, Find A Grave, or BillionGraves.

4. **Engage in Conversations:**
  - Discuss interesting inscriptions and share thoughts about life, death, and loved ones.
5. **Teach Etiquette and Safety:**
  - Stay close to children to ensure they don't wander too far.
  - Coach them on cemetery etiquette; no climbing tombstones, touching graveside plantings, or running.
  - Avoid damaged stones, broken glass, weeds, snakes, and other critters.
6. **Contribute to the Community:**
  - Contact the cemetery office and offer assistance, like placing flags on veterans' graves or cleaning the grounds.
  - Don't deface tombstones; only use D/2 or plain water for cleaning, and avoid scraping with anything other than a wooden popsicle stick. Using a soft bristle brush is OK.

By following these guidelines, you can make the experience educational, respectful, and safe for your family while honoring past generations.

## **Cemetery and Gravestone Research Resources**

### **WEBSITES**

[Gravestone Symbols from A-Z](#) Photos and explanations of many common gravestone symbols.

[Tips for Photographing Gravestones](#): Maureen Taylor, the Photo Detective, explains how to document a gravestone marker without damaging it by using good photography skills.

[5 Photos You Should Take at the Cemetery](#): 5 cemetery photos that you should get in the habit of taking every time.

[Cemeteries and Gravestones](#): This Family Tree Magazine page contains several links to a wide variety of topics on the subject. Some articles require a premium membership.

[American Battle Monuments Commission](#): Search for WWI, WWII and Korean War casualties who are buried in commission cemeteries or listed on the Walls of the Missing.

[Ancestors at Rest](#): Scan the photos and transcriptions of coffin plates, funeral cards, obituaries, wills and other death records for your ancestors' names.

[Cyndi's List: Cemeteries & Funeral Homes](#): Links to sites with obituary data, cemetery transcriptions and funeral home records.

[Cemetery Surveys](#): A simple search of this site — focused mostly on Southeastern states — lets you zoom to potential ancestors' tombstone transcriptions and photos.

[Cemetery Transcriptions From the NEHGS Manuscript Collections](#): NEHGS members can search this growing database, which covers more than 1,650 cemeteries and burial grounds in New England, New York and eastern Canada.

[Farber Gravestone Collection](#): View more than 13,500 images documenting 9,000 mostly pre-1800 gravestones in the Northeastern United States. Captions list the name of the person buried, year of death and location of the cemetery.

[Find a Grave](#): Get burial information on thousands of well-known people or use the “non-famous” search of 7.5 million records.

[Genealogy.com Virtual Cemetery](#): Site visitors submit the tombstone details in this database. Many entries include photos, so you can see the stones.

[Historic Congressional Cemetery](#): Search 20,000 obituaries and death notices, plus other documents relating to the 60,000 people buried here.

[Interment.net](#): Access nearly 3.9 million cemetery records from 8,000-plus cemeteries around the world.

[Links to Resources on Cemetery History and Preservation](#): This portal links to cemetery Web sites, records databases, online discussion groups and more.

[Nationwide Gravesite Locator](#): This database lists veterans and their dependents buried in Veterans Affairs National Cemeteries and state-run veteran cemeteries.

[Tombstone Art and Symbols](#): Consult this illustrated glossary of common tombstone carvings to learn their meanings.

[USAFuneralHomesOnline.com](#): Track down your ancestors’ death records with assistance from this comprehensive guide to the nation’s funeral homes.

[USGenWeb Tombstone Transcription Project](#): Ancestors buried far away? This volunteer-run project lists cemeteries by state, along with links to transcriptions. You might even find a kind soul who’ll do a lookup or visit a cemetery for you.

## **BOOKS AND PUBLICATIONS\***

[\*Cemeteries and Gravemarkers: Voices of American Culture\*](#) edited by Richard Meyer (Umi Research Press)

[\*Ethnicity and the American Cemetery\*](#) edited by Richard Meyer (Bowling Green University Popular Press)

[\*Graven Images: New England Stone-carving and Its Symbols\*](#) by Allan I, Ludwig (Wesleyan University Press)

[\*The Last Great Necessity: Cemeteries in American History\*](#) by David Charles Sloane (Johns Hopkins University Press)

[\*Silent Cities: Cemeteries and Classrooms\*](#) by Alexia J. Helsley (South Carolina Department of Archives and History)

[\*Stories in Stone: A Field Guide to Cemetery Symbolism and Iconography\*](#) by Douglas Keister (Gibbs Smith, Publisher)

[\*Tombstones of Your Ancestors\*](#) by Louis S. Schafer (Heritage Books)

[\*Underfoot: An Everyday Guide to Exploring the American Past\*](#) by David Weitzman (Encore Editions)