



## **Policy for Cremated Remains at the Alamo July 2018**

This policy outlines procedures for handling requests to scatter cremated remains on the Alamo grounds. The Alamo may allow such requests, so long as they adhere to the parameters described in this policy.

The Texas Health and Safety Code permits the disposition of remains on public lands. Other statutes like the Texas Penal Code and Texas Administrative Code provide additional guidance about handling human remains. If individuals obtain permission and do not otherwise distract from the aesthetic and experience of the Alamo, spreading cremated remains is permitted.

### **Requests**

Requests to scatter cremated remains on the Alamo grounds must be officially submitted in advance – either in writing or by phone – to [events@thealamo.org](mailto:events@thealamo.org). Requests must be scheduled in advance with as much notice as possible, and all requests will be handled and scheduled on a first come, first served basis.

### **Scheduling**

Families and loved ones will be permitted to enter the Alamo grounds after normal, public operating hours to scatter remains in designated areas, so long as they have pre-scheduled and received approval to do so.

Once a request is approved, events staff will notify the Alamo Rangers and place the appointment on the Events calendar, along with contact details for the point of contact.

### **Allotted time on the grounds**

Requestors will be given a designated time to arrive at the Alamo, and will report to the Alamo Ranger on duty in front of the Alamo Church. From there, they will be escorted by an Alamo Ranger to the Alamo Gardens area, where they will be permitted 15 minutes to spread the ashes and hold a moment of remembrance, if they wish. Afterward, the Alamo Ranger will escort the group out of Gate 1 or Gate 6, and ensure that no personal items have been left behind on the grounds.

### **Guidelines**

- Permits to scatter cremated remains on the Alamo grounds will be limited to one group per day
- Permits will be issued between 6 p.m. – 6:30 p.m. during off season and between 7:30 – 8 p.m. during peak season
- Groups may be no larger than 10 individuals, and time spent within the grounds will be limited to 15 minutes
- According to Tex. Health & Safety Code § 716.303, cremated remains may not be disposed of or scattered in a manner or at a location that commingles the remains and different people's remains may not commingle in one container. Accordingly, to avoid any violation of this statute, the Alamo shall have sole discretion to designate the area on the Alamo grounds where the remains may be scattered



- Cremated remains may be spread in the vegetation in the Mission Well Courtyard, Alamo Gardens, or the Exhibit Hall Courtyard, so long as the location does not disrupt the site's structures or walkways or impede visitors or staff in any way
- Cremated remains may **not** be spread within or near the historic buildings
- The cremated particles must be reduced to one-eighth of an inch or less, no bone fragments or teeth, and the cremated remains must be removed from the container prior to scattering
- No other items or personal effects may be left behind on the grounds
- Requests to spread an animal's remains will not be granted
- Entrance to the historic buildings is not permitted

### **Criminal Liability**

In Texas, an individual faces criminal liability for abuse of a corpse. The definition of "human corpse" includes the cremated remains of a human corpse. If a person knowingly disturbs the ashes following the ceremony, he or she may be prosecuted under section 42.08 of the Penal Code. Although this statute is normally used to prosecute individuals who disturb graves or otherwise damage human corpses, a person may be prosecuted under this statute for disturbing cremated remains.