

TEXAS  
HISTORICAL  
COMMISSION  
REAL PLACES TELLING REAL STORIES

## CHCs and Historic Cemeteries: A Framework for Preservation

### Part 3: Assess

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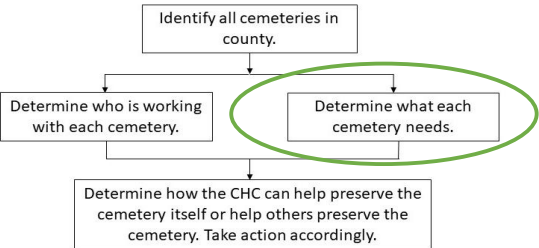
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### A Suggested Framework for County-Wide Cemetery Preservation



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graph TD
    A[Identify all cemeteries in county.] --> B[Determine who is working with each cemetery.]
    A --> C[Determine what each cemetery needs.]
    B --> D[Determine how the CHC can help preserve the cemetery itself or help others preserve the cemetery. Take action accordingly.]
    C --> D
  
```

[www.thc.texas.gov/chc-cemeteries](http://www.thc.texas.gov/chc-cemeteries)

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### ASSESS: Suggested Activities

**CHCs know how to identify endangerment factors and assess needs of a cemetery.**

- Assess physical and programmatic needs of each cemetery or solicit this info from the cemetery trustees.
- Keep a master list of needs and threats and assign priorities.
- Prioritize urgent needs not being addressed by others.
- Maintain awareness of changing nature of threats.
- Stay up-to-date on current cemetery laws and preservation guidelines.

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**ASSESS:**  
**Identify Threats & Endangerment Factors**

**Common threats to historic cemeteries include:**

- Development pressure/encroachment
- No caretaker organization
- Theft and vandalism
- Animal activity
- Vegetation
- Extreme weather events
- Environmental factors
- Poor maintenance practices
- And much more!



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**ASSESS:**  
**Identify Threats & Endangerment Factors**

**Endangerment Factors = Characteristics that may indicate a cemetery is vulnerable or under active threat**

- Undefined property boundary
- Lack of effective fencing
- Adjacent construction
- Inaccessible by public road
- Hostile private landowner
- Poor drainage
- Frequent flooding
- Erosion



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**ASSESS:**  
**Identify Threats & Endangerment Factors**

**Endangerment Factors = Characteristics that may indicate a cemetery is vulnerable or under active threat**

- No obvious maintenance
- Harmful maintenance practices
- Dead or unhealthy large trees
- Broken or fallen gravemarkers
- Many unmarked graves
- Trash/dumping ground
- No indication of recent visitation



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**ASSESS:**  
**Identify Threats & Endangerment Factors**

**Less Obvious Endangerment Factors**

- No on-site signage
- No rules
- No bylaws
- Poor records
- No plat map
- Extent of burials unknown
- History is unknown
- No legal owner of record
- Not shown on local planning maps



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**ASSESS:**  
**Keep a master list and assign priorities**

- Not all threats are created equal
- The nature or urgency of a threat can change over time
- Prioritize needs that address seriously destructive activity



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**ASSESS:**  
**Keep a master list and assign priorities**

**Prioritize needs that address the most destructive or imminent threats**

- Is the threat likely to be catastrophic?
- How imminent is the threat?
- How quickly could things escalate?



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**ASSESS:**  
Keep a master list and assign priorities

How imminent is the impact?	Imminent	Medium	High	High
	Gradual, but steady	Low	Medium	High
	Almost nonexistent	Very Low	Low	Medium
		Minimal	Pronounced	Catastrophic

How severe will the impact be?

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**ASSESS:**  
Is it a threat??

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**ASSESS:**  
Is it a threat??

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TEXAS HISTORICAL COMMISSION REAL PLACES TELLING REAL STORIES

ASSESS: Stay up-to-date - Laws

HOME ABOUT US PRESERVE PROJECT REVIEW NEWS & EVENTS EDUCATION HISTORIC SITES EXPLORE TEXAS

Home » Diseases » Projects and Programs » Cemetery Desecration » Cemetery Laws

### Cemetery Laws

The Texas Historical Commission or other state agencies do not enforce cemetery laws. This responsibility belongs to county and municipal law enforcement agencies. If you are aware of cemetery vandalism or desecration, contact your county sheriff or local police department.

Protection of historic cemeteries is, however, a shared responsibility. Notification must be made in order to protect these irreplaceable cultural resources. Cemetery desecration is a continuing problem in Texas and throughout the United States. Destruction occurs in many ways, including the illegal removal of human remains, damage from roaming livestock, encroaching development and construction, vandalism, and theft of grave goods and funerary objects.

If you believe that items offered for sale are former cemetery properties, contact local law enforcement authorities. State laws exist to protect cemeteries from vandalism, theft, and desecration.

Share

In This Section

- Importance of Cemeteries
- Cemetery Laws
  - Who Owns a Cemetery?
  - Types of Cemeteries
  - Access, Desecration, and Abandonment
  - State Antiquities Code Protection
  - Historic Texas Cemetery Designation
  - Discovery and Notice of Existence
  - Historic Preservation

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TEXAS HISTORICAL COMMISSION REAL PLACES TELLING REAL STORIES

ASSESS: Stay up-to-date - Laws


### Texas Health and Safety Code

- Definitions
- Effect of Dedication
- Notices
- Access

### Texas Penal Code

- Desecration
- Criminal Mischief
- Graffiti
- Theft

### Enforcement!



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TEXAS HISTORICAL COMMISSION REAL PLACES TELLING REAL STORIES

ASSESS: Stay up-to-date - Laws

### Accessing Cemeteries on Private Property

- Know what the law says (711.041, 711.0521)
- Identify and contact the property owner
- Explain the reason for your visit. Be specific!
- Be respectful and cooperative
- Be patient (unless there's real urgency)
- During your visit, stick to the plan



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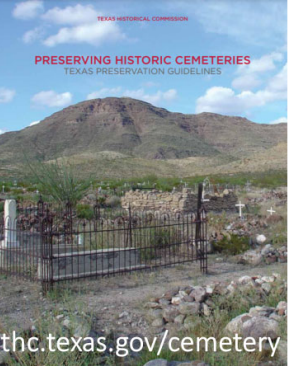
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TEXAS HISTORICAL COMMISSION REAL PLACES TELLING REAL STORIES

**ASSESS:**  
Stay up-to-date – Preservation Guidelines



TEXAS HISTORICAL COMMISSION  
**PRESERVING HISTORIC CEMETERIES**  
TEXAS PRESERVATION GUIDELINES

thc.texas.gov/cemetery

**#1 Rule = DO NO HARM**

- Good preservation is based on good research and good documentation
- Good preservation takes time
- Good preservation means recognizing cemeteries as cultural landscapes (more than just gravestones)
- Sometimes it's better to do nothing

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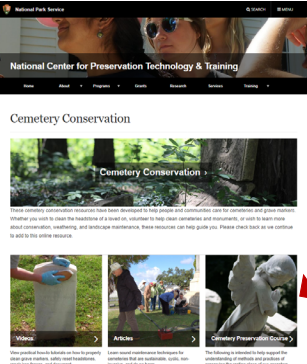
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TEXAS HISTORICAL COMMISSION REAL PLACES TELLING REAL STORIES

**ASSESS:**  
Stay up-to-date – Preservation Guidelines



National Park Service  
National Center for Preservation Technology & Training

Cemetery Conservation

[www.nps.gov/subjects/ncptt/cemetery-conservation.htm](http://www.nps.gov/subjects/ncptt/cemetery-conservation.htm)

**FREE online, self-paced Cemetery Preservation Course**

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TEXAS HISTORICAL COMMISSION REAL PLACES TELLING REAL STORIES

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Suggested Activities

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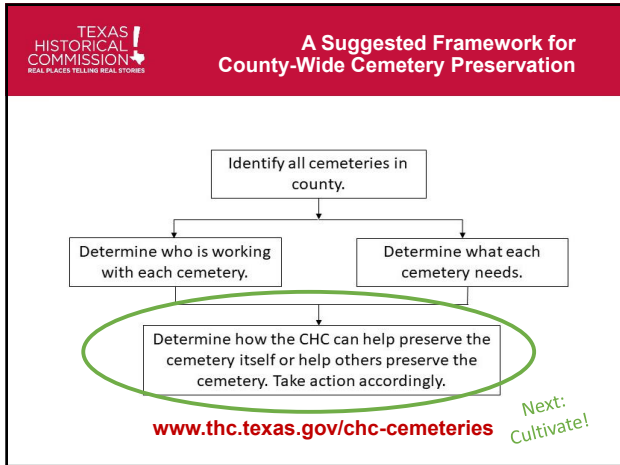
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### Cemetery Preservation Program

[www.thc.texas.gov/cemetery](http://www.thc.texas.gov/cemetery)



Jenny McWilliams  
Program Coordinator  
512-475-4506  
Jenny.mcwilliams@thc.texas.gov



Carlyn Hammons  
Program Specialist  
512-463-6044  
Carlyn.hammons@thc.texas.gov

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