

U8216 Microeconomics and Policy Analysis
Fall 2000
Group Project 7

Attached, please find some articles, one about cemeteries. In response to these articles, the head of the New York State Mortuary Association, an organization representing funeral homes, called you up on Halloween, and asked you to do some work for them. He cited your expertise with asymmetric information.

“What’s the problem?” you said, “Aren’t people dying any more? Don’t worry; sooner or later everyone will be your customer. Guaranteed.”

“That’s not the problem,” he said. “The problem is that people are trusting us less these days, and they’re trusting cemetery operators less. That means less business. That’s bad for us, and it’s bad for customers too.”

“How’s it bad for customers?”

“Let me give you an example. Suppose you want a 40-foot high statue of yourself on your grave, suitably floodlit, and you want it so bad that you’re willing to pay what it takes to build and maintain it, and then some. But if you can’t be sure that the job will be done even if you pay for it, you may never pay for it. Checking up on a job like that is pretty difficult when it’s your own grave.”

“Sounds like an efficiency problem to me. But what about relatives? Can’t they do the checking for you?”

“Not always. Some people don’t have relatives they can count on. DO you really think you’re so wonderful that your grandchildren are going to stop by your grave every Sunday when you’ve been gone for fifty years? And then there are things that families can’t check on — like whether the body’s still there.”

“Okay. I get the point. But that’s a problem for cemeteries and customers. Why are the funeral homes concerned?”

“All sorts of reasons. One, because some of it rubs off on us, too: people don’t know whether we’ll cheat them or not. After all, we don’t have any testimonials from satisfied customers. Two, we’re all going to be customers, too, someday. Three, it makes a difference to what we do. IF everybody gets cremated, for instance, because they can’t make good deals with the cemeteries, then we sell a whole different, cheaper bunch of coffins. Four, cemetery and funeral home services are complements; a rise in the price of burial shifts the demand curve for funeral homes down. People are more likely to go to New Jersey or Florida to die if they won’t get treated right in New York. Finally, we just want to try to help our customers.”

“Okay,” you said, “what should we do?”

“I’d like about a twenty minute presentation to my board of directors in about two weeks.”

“You got it.”

Among the questions you might want to think about are:

- Who are the consumers of the output of the cemetery industry? What sort of contracts would these consumers like to enter into? Why aren’t these contracts available in the normal course of events?
- Is anybody made worse off when something happens to the body of a dead person, and nobody who cares finds out about it? When nobody alive cares about that body?
- Why don’t profit-making firms enter this industry?
- What is the argument for state regulation of non-profit cemeteries? What aspects of cemetery operation should the state regulate?
- What are the weaknesses of state regulation?
- Think about veterans’ cemeteries (e.g. Arlington National). Why doesn’t the state run cemeteries itself? If you think it shouldn’t, do you think veterans’ cemeteries should be privatized? If not, what are the relevant differences?
- How should cemeteries in New York be operated and regulated?
- Should cemeteries be formally or informally regulated by funeral homes? Maybe they could keep records among themselves. Do they have the right incentives to do so?
- Could the cemeteries monitor themselves? Could the monitoring be made credible? Does it matter whether it’s credible?

PUAF 8216 Microeconomics Section 3
Fall 2000
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As Good as it Gets

Search Terms: neighborhood report forest park

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Copyright 1993 The New York Times Company
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November 28, 1993, Sunday, Late Edition - Final

SECTION: Section 13; Page 9; Column 6; The City Weekly Desk

LENGTH: 392 words

HEADLINE: NEIGHBORHOOD REPORT: FOREST PARK;
State Moves On Cemetery

BYLINE: By RAYMOND HERNANDEZ

BODY:

Following accusations that bodies were being buried in a 40-foot heap of construction and demolition debris at Cypress Hills Cemetery, the Attorney General's office moved last week to oust the cemetery's board of directors immediately.

It was the latest development in a lawsuit that the state filed late last month when it charged that the cemetery and its directors were violating a state law that prohibits burying bodies in such debris, a charge that the directors have flatly denied.

On Tuesday, lawyers for the Attorney General's office appeared before Justice Michael Feinberg of State Supreme Court in Brooklyn, arguing that a receiver should be appointed to manage the cemetery's day-to-day affairs until the case is settled. They also asked the judge to extend an injunction against further burials on the hill, which is called Terrace Meadow.

The 200-acre cemetery, opened in 1848, is one of the oldest in New York City, sprawling across neighborhoods in Queens and Brooklyn. Like other aging cemeteries, it has been running out of land for new burials.

In 1985, the cemetery reached an agreement with a contractor to build Terrace Meadow free of charge. In return, the cemetery allowed the contractor, New York Recycling, to use its debris as landfill.

The hill, which was opened as a burial site in 1990, has some 5,000 plots. So far, about 400 bodies have been buried there.

Ed Morrison, a lawyer for the board, defended the use of the hill as a burial ground, saying that the coffins are not buried in the debris but rather in a 10-foot layer of soil above it.

He also dismissed rumors that the hill contained toxic materials.

Mr. Morrison said tests had shown that the land contained nothing more than rocks and concrete from demolished city roads -- though the Attorney General's office said other debris like doorknobs and wires had been found there.

"I'm not aware of any road beds that contain doorknobs and wires," said Sean Delany, a lawyer with the Attorney General's office, who added that the coffins were being buried amid the debris, not just in the top layer of soil.

In filing its suit to permanently remove the directors, the Attorney General's office also charged that they had not taken appropriate steps to undo the financial mismanagement of a previous board, a charge Mr. Morrison denied. R.H.

LANGUAGE: ENGLISH

LOAD-DATE: November 30, 1993

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Search Terms: regulation nears for cemeteries

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Copyright 1994 The New York Times Company
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June 19, 1994, Sunday, Late Edition - Final

SECTION: Section 14CN; Page 8; Column 4; Connecticut Weekly Desk

LENGTH: 1890 words

HEADLINE: Regulation Nears for Cemeteries

BYLINE: By DIANE SIERPINA

BODY:

DESPITE a heavy stream of traffic on the busy street outside its stone walls, Fairfield Memorial Park in Stamford is a peaceful place.

But it also became the focus of a lot of angry attention, as accusations of misplaced bodies, shallow graves and disturbed remains there startled lawmakers during the recent General Assembly session and made it plain that no one in the state is keeping an eye on the cemetery industry. A court-appointed monitor assigned to investigate the accusations attributed most of them to misunderstandings.

"There are no laws in Connecticut, because people were never aware of the problems before," said State Attorney General Richard Blumenthal. "One reason we have had so few complaints in the past is because the entire subject is very difficult for people to confront."

Indeed, discussing death is not easy for most people, but reports of problems like those at Fairfield Memorial Park are prompting many to make plans in advance to spare grieving survivors painful decisions when they are most vulnerable.

Planning Is Emphasized

Experts say the importance of planning ahead cannot be overestimated. Complaints from survivors about problems with cemeteries are increasing nationwide and, like Connecticut, most states have no specific remedy. Despite efforts by supporters, a bill to regulate most of the cemeteries in the state and provide a complaint procedure was defeated by one vote on the last day of the legislative session over a constitutional question of religious freedom.

The defeat left supporters frustrated that the current system, in which the cemetery business polices will continue.

"Common sense would dictate that the only people getting hurt are the consumers," said Thomas J. Hickey, the Stamford lawyer whose client brought the problems at Fairfield Memorial to light last August.

"And the only ones profiting are the cemeteries. By defeating the bill, we have business as usual. It's a real joke."

Mr. Hickey filed a civil suit earlier this year on behalf of Cheryl Tomasso, of upstate New York, who discovered in June 1992 that the remains of her father were not located near the grave marker she had visited since he was buried in 1973 at Fairfield Memorial. The mistake was discovered when the cemetery sold the grave plot a second time and crews began excavating. Two exhumations took place last fall to locate Ms. Tomasso's father's body nearby. Mr. Hickey said grave markers in the areas were in the wrong places.

A Different Location

Another Stamford woman, Thelma Perkins, told a legislative hearing that the grave of her daughter Tiawana, who died of cancer at the age of 17 in March 1993, appeared to have been moved. After an investigation, the grave was found down the hill from where many witnesses remembered it to have been.

When publicity spread about the problems at Fairfield Memorial Park, Mr. Blumenthal's office received more than 50 additional complaints against the cemetery and is investigating others against 13 different cemeteries in the state. Research prepared for the legislature's General Law Committee showed similar problems in at least seven other states.

Many of those with complaints said they had tried to resolve their problems with local and state agencies but received no satisfaction.

In January, Mr. Blumenthal asked the legislature to create an independent cemetery board to regulate the industry statewide. But after much debate, a compromise bill was approved by the House in April. That version gave oversight of the state's secular cemeteries, 73 percent of the total, to the Commissioner of the Department of Consumer Protection and eliminated state scrutiny over religious cemeteries because of concerns over constitutional separation of church and state.

The bill required more specific record keeping and registration of burial plots or internment places with the town registrar and probate court. And it required cemetery operators to inform consumers in writing of the procedure to file complaints.

State Representative John Wayne Fox, Democrat of Stamford, chairman of the General Law Committee, who guided the bill through the legislature, said he had been confident the measure would pass in the Senate. But a decision by State Senator George Jepsen, Democrat of Stamford, to vote against the bill just hours before the legislature adjourned brought its defeat in an 18-to-17 vote. Mr. Jepsen said he supported the original bill that covered all cemeteries and did not see any grounds for exempting the religious cemeteries from oversight.

"It's very frustrating," said Mr. Fox of the bill's defeat and prospects of beginning the cycle anew when the General Assembly reconvenes in January. "In the meantime, there's nothing there that can protect the people."

Mr. Blumenthal said he expected to persuade Mr. Jepsen of the merits of the defeated bill by the opening of the next session. "I also hope, between now and then, that our investigations will produce results that will persuade the public and, through them, the skeptics, that there is a real pressing need for oversight measures," the Attorney General said.

The problems at Fairfield Memorial Park, in a residential neighborhood in central Stamford, became known last summer when the Tomasso and Perkins families made their complaints.

After a five-month investigation, Mr. Blumenthal, who lives in Stamford, accused the cemetery of burying people in the wrong graves or unlawfully shallow graves, selling occupied plots, disturbing remains when new graves were opened, charging for services not provided and moving bodies to different graves without relatives' knowledge.

Monitor Is Appointed

He filed suit in January against the cemetery's management, Colonial Cemeteries, and its president, Phyllis Dowd, for illegal practices and violating state antitrust laws by tying the sale of grave markers to cemetery services. An independent monitor was appointed to look over the cemetery's records and review complaints.

Under current state law, no single agency regulates the operation of cemeteries, and authorities admit concurrence with some laws is lax.

Municipalities and religious organizations, which own 80 percent of the estimated 910 active cemeteries in the state, are responsible for their operations. The largest block of private cemeteries are represented by the Connecticut Cemetery Association. This voluntary trade group has 89 member cemeteries, not all of which are private, said Dale Fiore, the secretary and treasurer. Membership has grown since the cemetery issue arose in the legislature this year, he said, as cemetery operators tried to stay informed.

Fairfield Memorial Park was a member of the association but has not paid dues for the past two years, Mr. Fiore said.

Dan Krueger, the Cemetery Association's vice president and chairman of its legislative committee, said his group supported the bill approved by the House, even though it believed current state laws provided adequate supervision of cemeteries and protection for consumers.

'More Vigilant'

Member cemeteries are expected to abide by a code of ethics, but the recent controversy "has made us more vigilant," Mr. Krueger said. "Naturally, we've become more aware of the little things that might be misunderstood."

William F. Griswold Jr., a member of the Cemetery Association's legislative committee and superintendent of one of the state's largest private cemeteries, Cedar Hill in Hartford, said the main problem at Fairfield Memorial Park was the lack of communication between cemetery staff and the families.

"If they had sat down and communicated, they might have cleared up the problems," he said. "By the time we got involved, the situation was too hostile."

Mr. Griswold said the association and the Department of Consumer Protection have had an informal arrangement in which any complaints received by the state were given to the organization for resolution. Most of the time, that worked, he said.

He added that many of the complaints against Fairfield Memorial Park, a 36-acre property in which 8,700 persons are buried, are "frivolous and very, very small," like untrimmed shrubs and grass growing over grave markers.

Thomas Hickey, the monitor assigned to Fairfield Memorial Park to investigate complaints, would not comment on the cases in litigation but said he had not found serious problems in the cases he has investigated. "There were no misplaced bodies here, as far as I can tell," he said. "Some of the stories were blown out of proportion. There was more misunderstandings than anything else."

Difficult to Police

Mr. Hickey said sloppy paperwork and bad communication are the root of most of the problems. "I think some definite rules will come out of all of this, and that's good," he said, adding that everyone in the funeral business has been hurt by the publicity.

Problems like those in Stamford have occurred around the country and highlight the difficulty of policing

an industry that is based on trust and provides a service after death, said Lee Norrgard, senior investigative analyst for the American Association of Retired Persons in Washington. The A.A.R.P. has million members nationwide, 560,000 of whom live in Connecticut.

Nationally, cemeteries are not regulated as much as funeral homes, and there does not appear to be much interest in changing that, he said. While his group does not have figures, it believes that more people are buying cemetery plots ahead of need.

"People in their 50's will buy plots," Mr. Norrgard said, "and people in their 70's will buy funeral services. They are not usually bought as a package, since most funeral homes and cemeteries are separate." Many families buy multiple plots after one relative has died, he said.

The A.A.R.P. advises members to talk with their families about their wishes and plan their own funerals. The trend began in earnest in the mid-1980's when the funeral industry began advertising pre-need planning. An estimated 7 million to 12.5 million people nationwide have made arrangements for their own funerals, and a million more are doing it every year, Mr. Norrgard said. Buying now may save money, but the biggest appeal is peace of mind for survivors.

'Think About It'

If the proposed law passes in Connecticut, cemeteries in the state will be subject to strict requirements, including disclosure of the complaint procedure. Mr. Blumenthal said he hoped that standards, guidelines and even formal contracts that clearly outline consumers rights will be developed.

But Mr. Griswold said consumers can avoid problems now if they visit the cemetery personally, deal directly with the manager and walk the property to see the plots. "Then go away and think about it before you act," he said.

Mr. Hickey, the monitor at Fairfield Memorial Park, said if a cemetery looks well kept "there's a good chance it is well run." But, when making a purchase, he advises getting "as much as possible in writing."

"Death is not something to dwell on," said John Blake, president of the Continental Association of Funeral and Memorial Societies, in Egg Harbor, Wis. "Plan for it, then forget about it and go on with living. You don't want to shop around on the day of a death."

LANGUAGE: ENGLISH

LOAD-DATE: June 19, 1994

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Search Terms: regulation nears for cemeteries

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Search Terms: cemetery watchdog goes and debate on regulation begins

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Copyright 1995 The New York Times Company
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April 28, 1995, Friday, Late Edition - Final

SECTION: Section B; Page 3; Column 1; Metropolitan Desk

LENGTH: 1426 words

HEADLINE: Cemetery Watchdog Goes and Debate on Regulation Begins

BYLINE: By JOE SEXTON

BODY:

For eight months, Ralph Peretto investigated stolen bones, backyard burials, embezzled cemetery trust funds and tales of graves dug in heaps of construction debris and refrigerator parts.

The rights of the dead are inalienable, the director of the State Division of Cemeteries liked to say. And so Mr. Peretto, who was appointed to a six-year term last August, held public hearings, listening to complaints of twice-sold graves and price gouging, and promised prosecutions.

"He's a sincere man, a breath of fresh air, and we've not seen anything like him," Rabbi Elchonon Zohn, an official with a Jewish burial society in Queens, said of Mr. Peretto when he met him at a public hearing last January. "But the cemeteries in this state have had a free run for years. I wonder if Mr. Peretto is strong enough to last?"

Mr. Peretto, who considered himself a kind of advocate for the dead, didn't last long. He was dismissed earlier this month by officials with Gov. George E. Pataki's administration who told him his position had been eliminated. Under a provision contained in the Governor's proposed budget, the State Division of Cemeteries is to be abolished, and the regulation of the 1,908 nonprofit cemeteries in New York is to be turned over to the Attorney General's office.

The debate over who should regulate the state's nonprofit cemeteries -- the cemeteries hold more than \$1 billion in trust funds -- has opened a window into a lucrative, but often ignored industry.

Some religious and political leaders, who considered Mr. Peretto to be the first truly zealous watchdog of the cemetery industry in years, see his firing and the elimination of his department as the Pataki administration's concession to cemetery directors who do not wish to be scrutinized. Mr. Peretto filed suit in Manhattan earlier this month seeking to be reinstated.

But Zenia Mucha, a spokeswoman for Mr. Pataki, said Mr. Peretto's dismissal amounted to nothing more than replacing a member of a former administration with someone "who shares our views." There is an interim cemeteries director until the post is eliminated. And she said the proposal to abolish the Division

Cemeteries was in keeping with the Governor's plan to "downsize state regulatory agencies."

For the last four decades, the financial operations of the state's nearly 2,000 nonprofit cemeteries -- there are 6,000 cemeteries in New York, counting municipal, private and religious ones -- have been overseen by the Division of Cemeteries. Annual audits of the cemeteries were conducted, and requests for price increases were reviewed. But even the cemetery owners did not consider the oversight rigorous enough.

Mr. Perfetto, a former United States Customs investigator, said that when he took over last summer, only about 250 of the nonprofit cemeteries were "on more or less solid ground." More than a half a dozen in the metropolitan area had to be taken over by receivers acting on behalf of the state.

Mr. Perfetto found that for years, some cemetery officials appeared to be embezzling money from trust funds, taking illegal loans, even paying personal mortgages with cemetery funds. He listed his findings, which included scores of examples, in a memo drawn up shortly before he was dismissed, he said.

At a series of unprecedented public hearings on cemeteries held across the city last January, dozens of people testified about being insulted and overcharged at cemeteries, of having cemetery officials lose track of who had been buried where and of having paid for the perpetual care of a relative's grave only to learn that in 1995, perpetual care is good for about eight years.

The firing of Mr. Perfetto and the proposed abolition of the Division of Cemeteries pits cemetery directors against some political and religious leaders, particularly Jewish leaders, in a sharp debate over how best to regulate the cemeteries.

Jules Polonetsky, a Democratic assemblyman from Brooklyn, calls the Pataki's administration's move "a pure and simple giveaway to the cemeteries."

"There was limited oversight of them to begin with, and now there could be less," Mr. Polonetsky said. "The people who run these cemeteries are drooling over the proposal."

One cemetery president, Dan Austin, who parts company with the others, believes that Mr. Pataki is making a mistake.

"To do away with the Division of Cemeteries would give the cemetery people the license to do what they want, and the atrocities would go on," Mr. Austin said. "The firing of Mr. Perfetto was purely political, and it basically says: the public be damned."

It is Jewish leaders who say they most fear the dismantling of the Division of Cemeteries. Because Jewish law requires speedy burials, Jewish leaders have long complained that the nonprofit cemeteries charge exorbitant fees for burial on weekends or holidays. Lobbyists for the cemeteries say they have introduced separate legislation establishing fines for price gouging to address such concerns.

Critics of Mr. Pataki's plan believe the Attorney General's office will not be willing or able to devote staff and resources to closely monitor the cemeteries.

They are further troubled that the proposal allows individual cemeteries to set their own prices for burials without prior approval by the Attorney General's office. Those concerns are not eased by the fact that one Pataki administration official, who spoke on the condition of anonymity, said earlier this year that Attorney General Dennis Vacco preferred not to take on the added role of overseeing the state's cemeteries.

And in a recent letter to the Governor, Rabbi Maurice D. Simokes, president of the Long Island Board of Rabbis, charged that the proposal "was virtually drafted by the cemeterians who would seem to have a direct line to the ear of the Governor."

The wife of Nick Barrella, a lobbyist for cemetery owners, is the sister-in-law of Michael Finnegan, chief counsel to Mr. Pataki. As well, the wife of Lawrence F. Sloane, another lobbyist involved in trying to abolish the Division of Cemeteries was an aide to Mr. Pataki when he was a state senator and currently holds a position in the administration.

Ms. Mucha, the Governor's spokeswoman, dismissed the claim of improper influence as "ridiculous."

And Mr. Barrella, who has played a central role in pushing for the abolition of the Division of Cemeteries, insisted that the proposal to charge the Attorney General's office with oversight responsibility would lead to a more meaningful regulation of the cemeteries. He contended that the Division of Cemeteries has been ineptly run for years and that the proposal would eliminate the division's \$600,000 budget.

"No sleight of hand is being pulled here," said Mr. Barrella, the chief lobbyist for the New York State Cemeteries Association. "We are a legitimate organization, not a criminal organization."

Mr. Barrella's clients argue that their proposal would result in "more intelligent regulation" that would not burden the hundreds of small cemeteries in the state run by volunteers. They say the proposal would require cemeteries to register their officers with the Attorney General and submit certified annual reports. It would also increase the required annual contributions made by each cemetery to its perpetual care and general maintenance funds.

These officials say the proposal is essential to sustaining an industry that they admit has been plagued by mismanagement and whose fortunes have been hurt by changing demographics, increased labor costs and diminishing available space in graveyards. They believe that the many cases of malfeasance at cemeteries in the state in recent years only underscore the division's inability to adequately monitor their financial operations.

"There's no doubt cemeteries in New York are troubled," said Mr. Sloane, a consultant whose management firm has advised and represented cemeteries in New York State for years. "But I think the supervision of the troubled cemeteries would be better under the Attorney General."

A handful of prominent officials in the State Assembly predict the proposal will be eliminated before the budget is passed, and say negotiations on a resolution to the question of oversight will be lengthy.

Meanwhile, Mr. Perfetto waits to have his day in court. He has said that while "not all the people in charge of cemeteries are crooks," people trying to bury their dead with dignity and economy should not be reduced to "captive consumers who can be treated like dirt."

GRAPHIC: Photo: Ralph Perfetto, right, checks headstones with Nick Antonucci of the Silver Mount Cemetery on Staten Island. (John Sotomayor/The New York Times)

LANGUAGE: ENGLISH

LOAD-DATE: April 28, 1995

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Search Terms: california investigates abuses at cemeteries

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Copyright 1995 The New York Times Company
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October 10, 1995, Tuesday, Late Edition - Final

SECTION: Section A; Page 12; Column 1; National Desk

LENGTH: 987 words

HEADLINE: California Investigates Abuses at Cemeteries

BYLINE: By SETH MYDANS

DATELINE: CARSON, Calif., Oct. 7

BODY:

The first discovery came in August at Paradise Memorial Park, a cemetery in the working-class Los Angeles suburb of Santa Fe Springs, where visitors came upon a 10-foot-high mound of bones and splintered coffins.

Then, at Lincoln Memorial Park, a rundown cemetery here in another suburb of Los Angeles, scores of discarded headstones were found in metal Dumpsters and in jumbled piles near a toolshed. In one instance, a tombstone was being used as a paperweight on a stack of telephone books in the cemetery office.

Now, investigators say they fear a pattern of abuses among California's 200 cemeteries and 150 crematories, where financial and procedural misdeeds have apparently proliferated in the absence of close monitoring by the state.

Raymond Giunta, the newly appointed executive director of the State Cemetery Board, said the owners of cemeteries and crematories appeared to have been plundering the \$400 million in trust funds they were required to maintain for the long-term upkeep of cemeteries.

As plots have been used up, Mr. Giunta said, some owners have taken to digging up and reusing graves without permission, and to using single graves for multiple burials. At several sites, he said, he is investigating reports of mismarked or missing graves, the resale of used coffins and the summary cremation of bodies after burial services.

"The more we look, the more we find," Mr. Giunta said. "There basically has been no enforcement over the past 20 years, and now we're having to address the problem."

"These are atrocities against mankind," he added. "That you dig up someone's body just for a dollar, it's the epitome of greed."

And the problem may range well beyond California, say members of professional associations and consumer groups.

"It's pretty widespread," said Karen Leonard, who represents several consumer organizations and who was a research assistant for Jessica Mitford in the preparation of a new edition of Miss Mitford's 1963 book, "The American Way of Death," which exposed abuses in the funeral business and led to Federal action against price fixing by funeral directors.

"I've got files on it in Vermont and Maryland, I've got cases in Connecticut and Pennsylvania, and it was almost accidental, their discovering these things," Ms. Leonard said. "It is probably, unfortunately, more prevalent than people realize. It's not that California has a greater amount of crooks or laxer laws."

John L. Blake, executive director of the Funeral and Memorial Societies of America, which is based in Egg Harbor, Wis., said: "I think these things have been going on for years, though not with the degree that has been demonstrated in California, and quite possibly without having been noticed. I think it's just aberrations of the human spirit that people get greedy and forget their professionalism."

Ms. Leonard and others said the problems in California had remained hidden because the State Cemetery Board had for years been under the control of members of the cemetery industry and because little attention had been paid to investigations or the enforcement of regulations.

The two cemeteries here and in Santa Fe Springs have been taken over by the state, and their owners have not responded to repeated telephone calls for comment.

Bill Vlcek, a spokesman for the California Funeral Directors Association, an industry group, said: "It's discouraging that this is happening. The monitoring of the regulations, if you will, has been lax. I think it's a system situation. We are making some progress."

Because his staff is small, Mr. Giunta said, he has asked the state to name a task force to determine the scope of the problem in California. But a citizens' investigation of sorts has already begun.

Since the problems came to light two months ago, Mr. Giunta said, 45,000 people have milled around the headstones at the two cemeteries, seeking to verify the grave sites of their relatives. And as the news has spread, weekends have seen a heavy traffic of family members at other cemeteries, too.

The outpouring is unusual, Ms. Leonard said. Studies have shown that on the average, a family member visits a grave site no more than twice after a funeral.

Jeffrey Steinberger, a Beverly Hills lawyer who represents a growing number of family members in lawsuits against the two cemeteries, noted that both of them serve poor and minority families who might have been considered less likely to know their rights or to complain.

Mr. Steinberger maintains that Paradise Memorial Park engaged in trickery that began when a family would be ushered away from a burial service before the coffin was lowered into the ground.

"Then they would pull back the casket, throw the body into the grave, put a little dirt on it and bring in the next family," Mr. Steinberger said. "They would bury two people the same day, and two days later a third person, and a week later a fourth and another week later a fifth. They would do a nine-burial grave."

To make even more room, he said, the older graves were dug up and their contents discarded.

"They were taking the bodies out of the graves and putting them in a pile about 20 feet wide by about 40 feet long and about 10 feet high," Mr. Steinberger said. "It was just a pile of bones and decomposed body parts."

With the cemetery owners now nowhere to be found, family members have banded together in a "victims group" that helps visitors search for graves. At Lincoln Memorial Park here, volunteers sit under an

awning with long, handwritten lists that try to map the 20-acre cemetery.

Sheltering from the hot sun, the group's founder, Audrey Hughley, said she had been lobbying for an investigation for more than a year, since the day her family could not find the grave of a relative.

"On the road to finding Grandma," Mrs. Hughley said, as a hearse slowly rolled past, "a lot of unspeakable things were found."

GRAPHIC: Photo: At Lincoln Memorial Park, a cemetery in the suburb of Carson, Calif., where scores of discarded tombstones were found in Dumpsters and in jumbled piles, visitors last month searched for the graves of family members. (Scott Robinson for The New York Times)

LANGUAGE: ENGLISH

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