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Bill to prohibit sale of human bones receives hearing

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David Colburn

REGIONAL- When someone donates their body to science after their death, they likely never dream that their ultimate resting place would be on the mantle of someone's fireplace, but sales of real human bones do a brisk business online and in some Minnesota venues, and the Minnesota Legislature is considering steps to make the practice a crime here.

The House Commerce and Finance Policy committee is charged with considering legislation to regulate business activity in the state with an eye toward protecting consumers, and on Tuesday along with bills regarding Internet and telecommunications providers and liquor stores, they discussed a measure introduced by Rep. Jamie Becker-Finn, DFL-Roseville, that would prohibit the sale of calcified human remains, otherwise known as bones, for commercial purposes.

Becker-Finn said the issue of bones for sale was brought to her by a constituent last year. The person had walked into an oddities shop not far from the Capitol and discovered a real human skull for sale. The constituent asked Becker-Finn if that was legal.

"Right now, in the state of Minnesota it is legal to buy and sell human bones for commercial profit," Becker-Finn said. "It turns out it's not addressed in Minnesota statutes."

Becker held up a handout showing the website of a business in Oklahoma that sells human bones, one of many such businesses that conduct sales online. Another, New York City-based JonsBones, has a “thoughtfully curated selection” of bones of all kinds. The items reviewed by the Timberjay had all previously been used for medical education purposes, according to their descriptions, items that included a \$3,800 second trimester fetal skull, a \$5,500 skull with facial reconstruction, and a \$4,600 half-skeleton bone box.

While Becker-Finn said she started work on the bill last year, its relevance was heightened three weeks ago when a Minnesota man pled guilty to federal charges of interstate transport of stolen goods for his involvement in a network of people dealing in human remains, including the former Harvard Medical School morgue director.

According to court documents, Matthew Lampi, of East Bethel, bought hearts, brains, lungs, skin, and other body parts stolen by a funeral home employee from cadavers that had been donated to the University of Arkansas for medical sciences.

Becker-Finn’s bill would apply only to bones and not other body parts. She explained why the bill is limited in scope.

“We are specifically addressing the sale of bones because that is a practice that we know is actively happening right now in our state,” she said. “It does not address other human remains and other body parts and things that we may be concerned about. I would welcome anyone wanting to work on that specific issue, but that’s not this bill today in front of us.”

Becker-Finn also said she has personal investment in the issue because of her Indigenous heritage. “For myself as a Native person, there’s a long history of Native remains and bones being displayed, sold, brokered, and otherwise used for, I guess, entertainment as well as collector purposes,” she said. “Obviously, I find that commodification of a human being reprehensible and I would hope that we all would.”

Joe Sellwood represented the Minnesota Funeral Directors Association at the hearing, speaking in support of the bill.

“More than 600 funeral directors who make up MFDA’s membership strongly believe that human remains should be treated with dignity and respect,” he said. “There remains a quiet but open market for the buying and selling of human remains gathered as morbid collectibles and used for questionable purposes. This bill takes the first necessary step against this trade.”

Sellwood also noted ongoing work at the federal level to require greater accountability and oversight of those receiving donated bodies with standards for chain of custody and standards for final disposition and return of remains.

The bill contains an exception for licensed health care providers at postsecondary educational institutions who need to obtain bones for legitimate medical, scientific, or educational purposes. A second exception is made for law enforcement needs related to the training of cadaver dogs. Anne Neu Brindley, R – North Branch, proposed an amendment to remove those exceptions, but Becker-Finn disagreed.

“I understand the concern,” Becker-Finn said. “These are legitimate uses that are already happening. I think a wholesale removal of the exceptions is going to create more problems than it solves.”

Brindley’s amendment was voted down by the committee.

Tim O’Driscoll, R-Sartell, asked how law enforcement acquires the cadavers it needs for training purposes, but Becker-Finn was unable to provide any additional information, offering the assumption that they are donated. O’Driscoll voiced his overall support for the measure, but indicated his belief that additional clarifications for the exceptions are necessary to clearly define the bill’s parameters.

Brindley spoke again to voice her concern that the bill is limited to calcified remains, and referred to the Lampi case to reiterate her concerns about the possible commodification of other body parts, suggesting that omitting them from the bill could set up a legal interpretation that such sales would be allowable.

"I've already talked to a couple of members who might be interested in carrying a separate bill," Becker-Finn responded. "If folks want to work further to address the other issue, I am fully supportive of that. I just believe that these are two separate and distinct but related issues." The committee voted to refer the bill to the House Public Safety Finance and Policy Committee for further deliberations.

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