

Sold *for* Parts

The Billion-Dollar Body Broker Business

by Steve Walker

NEEED A FEMUR? CLAVICLE? How about a shin, hip bone, or even a severed head? Selling body parts is a booming business. In fact, according to a 2017 *Reuters* article, one of the 34 “body brokers” in the United States earned \$12.5 million over a three-year period.

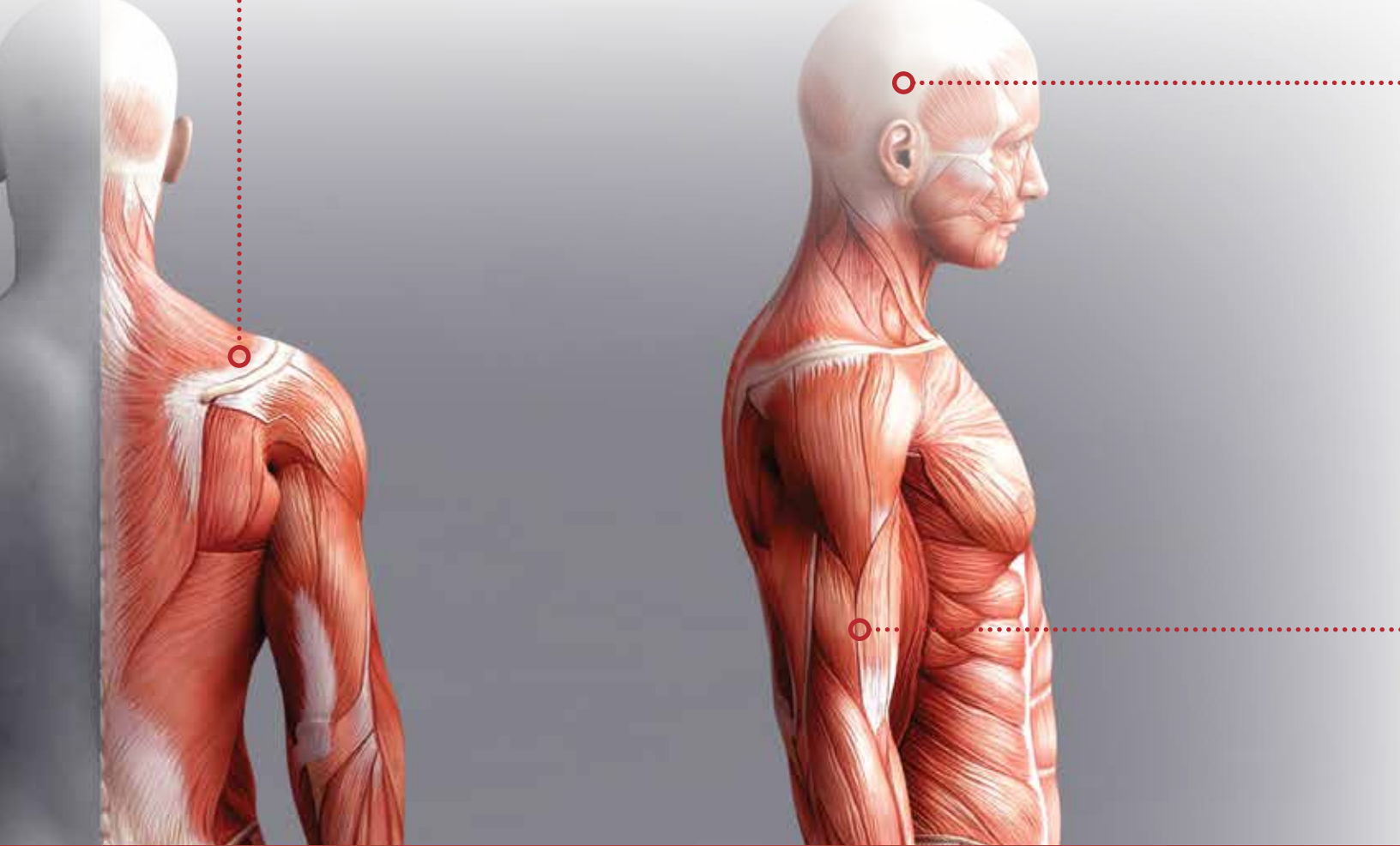
And because only four states even bother to track body donations and sales, the scope of this industry is unknown. Based on statistics from New York, Virginia, Oklahoma, and Florida, private body brokers collected no less than 50,000 bodies and distributed more than 182,000 body parts during a four-year period (2011–15).

Prices for body parts fluctuate and range from \$3,000 to \$10,000 depending on the part. A head could go for \$500; a foot might cost \$350; \$300 for a spine; and a torso with legs could cost more than \$3,500.

And where are these body parts going, you ask? *Reuters* listed a couple of permits from Florida and Virginia, which showed that a Florida orthopedic seminar received 27 shoulders while a Virginia carpal tunnel syndrome session got five arms.

Legislative Brokering

The Consensual Donation and Research Integrity Act of 2021, H.R. 4062, seeks to rein in “body brokers” with ill intentions and ensure the integrity of companies that seek to help advance the state of medical research through body donation.

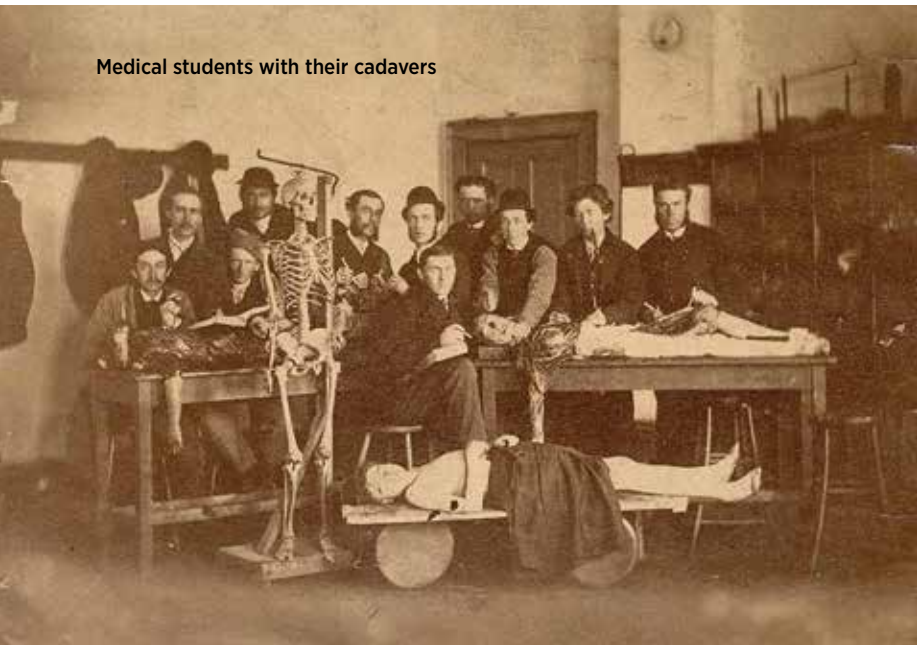


After a few emails, a body broker sold reporter Brian Grow (Reuters) two heads and a cervical spine. The spine came from a young man whose parents were too poor to bury him – and they say they never knew his body would be sold.

—“The Body Trade,” Reuters (Nov. 25, 2017)



Medical students with their cadavers



H.R. 4062 is now before the 117th U.S. Congress. Its full description is:

To amend the Public Health Service Act to ensure the consensual donation and respectful disposition of human bodies and human body parts donated or transferred for education, research, or the advancement of medical, dental, or mortuary science and not for use in human transplantation, and for other purposes.

Some funeral directors have invested in body broker businesses, which some in the deathcare business describe as a conflict of interest. Funeral directors in Oklahoma invested more than \$600,000 in a body broker startup, while a Colorado funeral home used body brokering as a side hustle, dissecting and distributing parts around the country.

Hillary Adair, a funeral director from Williams, AZ, said of the bill, "I am so pleased that Reps. Bobby L. Rush and Gus Bilirakis have introduced the CDRI Act to bring long-overdue accountability and transparency to the whole-body donation process and give donor families peace of mind."

Both ICCFA and the National Funeral Directors Association support the bill. ICCFA has and continues to work on the language of the bill so that deathcare is properly represented.

ICCFA General Counsel Poul Lemasters has been intimately involved with shaping the bill's language. He says he's faced with having to continually explain to lawmakers and the public the difference between the regulated practice of organ donation and the whole-body donation industry.

Health inspectors found a man in medical scrubs holding a garden hose. He was thawing a frozen human torso in the midday sun. As the man sprayed the remains, 'bits of tissue and blood were washed into the gutters.

—"The Body Trade," Reuters (Nov. 25, 2017)

"The basic difference between the two practices is this: organ and tissue donation involve transplanting organs into another human being to save or better a human life, while whole-body donation is the use of bodies and body parts to study or improve science," Poul says.

He added that the Uniform Anatomical Gift Act (UAGA) is the primary regulation when it comes to organ and tissue donation, and has been adopted by every state in the United States. "Under the UAGA, there is a framework which controls every aspect of the organ donation process. Unfortunately, there is no such regulation when it comes to the whole-body donation world. Most states have no regulations at all, and many do not have any tracking of this side at all."

Poul points out that there are many positive whole-body donation programs, such as those run by state associations and schools, but there are also many "private" programs where the problems lie. "It is under many of these private 'brokers' or 'body brokers' where there is heavy solicitation to the consumer, which can lead to consumer issues such as fraud."

The Early Days of Medicine

To understand why the Consensual Donation and Research Integrity Act is even needed, it helps to understand the history of body donation.

The 18th century was a time of knowledge-seeking in the developing world of medicine. A time when, according to writer and lecturer John Brown, there were only two diseases: *sthenic* (strong) and *asthenic* (weak), and only two treatments: stimulant and sedative (his two favorites being alcohol and opium).

Surgery, which actually dates back to 6500 B.C., was mostly smoke and mirrors, as the inner makeup of the human body was still largely mysterious.

The century also saw the advent of medical schools, limited to men only, which taught such subjects as anatomy, chemistry, *materia medica* (therapeutic properties of substances) and physics (the healing of disease).

During the 1800s, an explosion happened in the medical education industry as dozens of medical schools started appearing in the United States and around the world. Doctors and medical professors

sought to increase their knowledge of anatomy in order to learn how better to heal people, and they needed cadavers as specimens for their pupils.

Students, in groups of six or eight, would dissect a cadaver as part of “Anatomy 101” and learn about the organs, blood vessels, bones, muscles, and brain.

In parts of Europe, the governmental authorities had begun to distribute unclaimed bodies to medical schools for dissection. In England, the Murder Act of 1752 held that the corpses of executed murderers (and *only* those corpses) would be available for medical study. As they didn’t serve society well while alive, they could serve the public good after death. The United States had similar provisions, but more bodies were needed for dissection and these had to come from somewhere.

From Death, a New Industry Is Born

As more students began to fill the medical schools throughout the United States and the United Kingdom, the need for specimens became so great that a new industry sprang up, nearly overnight—the industry of body-snatching.



Also known as “sack-em up men” or “night doctors,” but preferring the more classy term “resurrectionists,” entrepreneurs took to stealing the bodies of the freshly interred and selling them to medical schools for use in anatomy classes. It even became common for medical students to steal bodies to use in their own classes and as a way to “pay” for their medical school tuition.

The most well-known and notorious body snatchers, William Burke and William Hare of Edinburgh, Scotland, didn’t even wait for their specimens to die. Over a period of about 10 months in 1828, they murdered 16 people in order to sell their bodies to Dr. Robert Knox, a well-known lecturer on anatomy and a proponent of “scientific racism.” Knox later claimed he had no idea how Burke and Hare obtained the bodies he purchased from them.



The increase in body snatching in the 18th and 19th centuries gave rise to the “mortsafe” (see *Memento Mori's* June 2021 issue) and other attempts to safeguard fresh graves, such as armed guards, coffin torpedoes, grave guns, and other booby traps. This activity was eventually made illegal in the United Kingdom in 1827:

“An Act to prohibit the setting of Spring Guns, Man Traps, and other Engines calculated to destroy human Life, or inflict grievous bodily Harm.”

– The Public General Acts, 1827, p.11.

Early Legislation

Body snatching continued until the Anatomy Acts began to appear, first in the state of Massachusetts (1831) and the United Kingdom (1832). These acts allowed doctors, medical professors, and medical students the authority to dissect donated bodies in their efforts to learn their way around the inside of a human being.

Any person having “lawful possession” of a body could allow it to be used to further medical science. And any unclaimed corpses, such as those who died in prisons, hospitals or workhouses, were also fair game for dissection.

The acts were a response to the public outcry against the illegal trade in corpses popularized by Burke and Hare, and also in response to the demands of the medical profession for a legal way to obtain specimens.

As other states in the United States and other countries and governments around the world began to enact similar laws, the profit potential of the body-snatching trade dropped to virtually nothing; and the activity, for all practical purposes, ceased.

Body Brokers Today

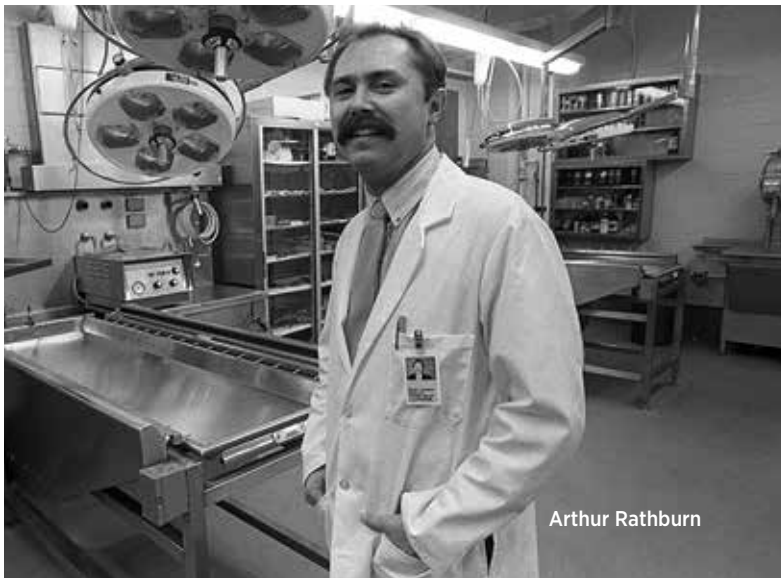
Now that the practice of removing fresh bodies from their eternal resting places by moonlight was no longer worth the risk of getting caught, another new industry sprouted to take its place. Body brokers, known as

“non-transplant tissue banks,” capitalize on the well-meaning intentions of those who donate their bodies, or those of family members, by dissecting the bodies and selling the parts for profit—often without the knowledge or consent of the loved ones.

Selling organs or other tissue for transplantation is illegal. The transplant industry is regulated; but for many years, the practice of selling tissue from donated bodies for profit has been carried on under the legal radar.

This practice has been almost completely unregulated in the United States. Though many feel that, without disclosure, the process is immoral and perhaps unethical, it is legal in the majority of states.

Most people, when donating their bodies for science or medical research, have visions of doctors or scientists using their bodies for the greater good by helping medical students learn anatomy. Cadavers can help researchers learn more about diseases, such as diabetes and heart disease, by examining donated bodies of those with such conditions.



Arthur Rathburn

Arthur Rathburn, Body Broker

Arthur Rathburn was a body broker from Detroit who used a chainsaw (among other grotesque methods) to dismember bodies. He sold and rented body parts all over the United States, often cross-contaminated due to his lack of a sterile separation methodology.

When his body parts warehouse was raided by the FBI in 2016, agents found human heads stacked on top of one another, whole bodies in broken refrigerators, and other body parts in blood-stained coolers. More than 1,000 body parts were seized.

But Rathburn was not jailed for selling and renting body parts because it wasn't illegal. He was tried and found guilty of scamming researchers by selling infected body parts that he had represented as clean. He is currently seeking early release from prison in Pennsylvania on the argument that his health is failing and he might die if he contracts COVID-19.



Megan Hess

Megan Hess, Body Broker

Megan Hess, operator of the Sunset Mesa funeral home in Montrose, CO (now closed), was charged with mail fraud and illegal transportation of hazardous materials after it was discovered that she and her mother, also an operator of the funeral home, had allegedly dismembered a number of bodies including Mildred Carl, mother of Terri Thorsby.

Carl's head was shipped to one business, while her arms, feet, knees, and pelvis were shipped to another. The mother-daughter couple was also found to have allegedly provided urns of powdered cement to grieving families, claiming these contained the remains of their loved ones.

The trial date for Hess and her mother has been reset multiple times due to the pandemic. The most recent date is set for February 7, 2022, in the Denver court system.

Michael Mastromarino, Body Broker

Perhaps the most notorious body broker was Michael Mastromarino, a dental surgeon from Brooklyn. He obtained a license to sell human tissue and started his own non-transplant tissue bank. This allowed him to sell anything from a human body that's not an internal organ, including bones, ligaments, skin, eyes, and heart valves for profit.

Mastromarino operated an international business,

which he called Bio-medical Tissue Services, supplying body parts for use in the manufacturing of high-tech medical products for procedures like knee repair and cosmetic implants. Mastromarino said of his operation, “This is an industry. It's a commodity. Like flour on the commodity exchange. It's no different.”



Michael Mastromarino

Mastromarino ultimately pled guilty to multiple counts of enterprise corruption, reckless endangerment, and “body stealing.” He died of bone cancer in prison in 2013, six years into his up-to-58-year sentence. He maintained until the end that he was simply misunderstood. And “set up.”

Producer Edmond Buckley created a fascinating documentary on the Mastromarino case called *Bodysnatchers of New York*. This is currently available for viewing on Amazon Prime and Tubi.

Future Passage of H.R. 4062

The big problem with non-transplant tissue banks is not that selling body parts is illegal; it isn't in most cases. The problem is that those who are donating their bodies and their families should be informed about how the remains will be or might be used. And the process should be handled by a reputable tissue bank in an appropriate manner.

Representative Bobby L. Rush (D-Ill.) and Gus M. Bilirakis (R-Fla.) introduced the Consensual Donation and Research Integrity Act (H.R. 4062) to rectify the problem. “Individuals and families who make the selfless decision

“Individuals and families who make the selfless decision to advance scientific research must be certain that their remains, or the remains of their loved ones, will be treated with the utmost dignity and respect.”

—Rep. Bobby L. Rush.

to advance scientific research must be certain that their remains, or the remains of their loved ones, will be treated with the utmost dignity and respect,” said Rep. Rush.

There is a place in the world for tissue banks, as some entity must do the collection and distribution of parts for research. But the unregulated nature of the industry has led to stories such as those mentioned above and many more.

The bill was formerly introduced as H.R. 1835 to the 116th Congress but never received a vote. Proponents are hoping it will pass Congress during this session. ❑

Steve Walker is a freelance contributing writer for *Memento Mori*.

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