

Martin Anderson

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Martin Lee Anderson mugshot.

Martin Lee Anderson (c. [January 15, 1991](#) – [January 6, 2006](#)) was a teenager from [Florida](#) who died at age 14 while incarcerated at a [boot camp](#)-style [youth detention center](#), the Bay County Boot Camp,^[1] located in [Panama City](#) and operated by the [Bay County](#) Sheriff's Office.^[2]

Circumstances of Anderson's death

On [January 5, 2006](#), within the first two hours of Anderson's first day at the camp, camp officials forced him to continue exercising after he collapsed during exercise. Anderson was repeatedly beaten and kicked, resulting in his death.^[3]

Investigation into Anderson's death

An investigation into the teen's death began immediately, a cooperative effort of the [Florida Department of Law Enforcement](#), the state [Department of Juvenile Justice](#),^[4] and the Bay County Sheriff's Department.

On February 18, 2006, State Attorney Steve Meadows, whose jurisdiction includes Bay County, appealed to Florida Governor [Jeb Bush](#) for the case to be reassigned from his office. In his letter, Meadows admitted "close ties" to FDLE chief [Guy Tunnell](#), who had opened the boot camp where Anderson died while serving as Bay County sheriff.

Bush appointed Hillsborough County State Attorney Mark Ober to oversee the case, which remains open and under his supervision.

On 28 November, 2006, authorities announced the arrest of 8 people in connection with Anderson's death. 7 guards and a nurse were charged with aggravated manslaughter of a child, a felony.^{[5][6]}

Two autopsies

As early as January 9, FDLE officials announced that Anderson's autopsy ruled out "trauma or injury" as the cause of his death.

The official cause of death was not reported for another five weeks. In mid-February, Bay County Medical Examiner Charles F. Siebert announced that his first autopsy of Anderson determined that the teen died of complications from [sickle cell trait](#), a normally benign and relatively common condition among [African Americans](#).

A Florida statute allows a medical examiner to return a body to the jurisdiction where the incident occurred. Ober cleared Dr. Siebert of any wrongdoing in bringing the body back to Bay County.^[7]

On March 12, Anderson's body was exhumed and a second [autopsy](#) was conducted by the coroner of Hillsborough County, Dr. Vernard Adams.^[8] This time, the autopsy was attended by several other forensic pathologists as consultants to Dr. Adams. Dr. Michael Baden, New York State Police coroner, attended at the request of Anderson's parents and the [NAACP](#).

Dr. Adams found:

- 1) Martin Anderson had sickle cell trait.
- 2) The repeated blows to Martin Anderson's limbs and the gripping of his limbs left several bruises but did not contribute to his death. In other words, he was not beaten to death.
- 3) Martin Anderson's death was caused by suffocation due to actions of the guards at the boot camp. The suffocation was caused by manual occlusion of the mouth, in concert with forced inhalation of ammonia fumes that caused spasm of the vocal cords resulting in internal blockage of the upper airway.

Vernard I. Adams, M.D.
Chief Medical Examiner^[9]

Immediately after observing the 12-hour autopsy, Dr. Baden said, "Preliminary findings indicate the boy did not die from sickle cell trait, nor did he die from natural causes."^[10] Dr. Baden has said repeatedly that sickle trait by itself does not cause death. He explained a "sickle cell crisis" is a sickle cell disease - not the same as sickle cell trait. By itself, the sickle cell trait is not harmful. People with sickle cell trait can lead perfectly healthy lives. But beyond that, he said, hospital records indicate Anderson's blood was not sickled until the moment at which he started to die.^[11] Recent studies have shown, however, that laboratory specimens falsely underestimate the degree of sickling in the blood.^[12] Dr. Jon Thogmartin, the Pinellas-Pasco medical examiner said, "Michael Baden saying it [sickle cell trait] does not harm you - considering the literature, he may as well have walked out and said the world is flat."^[13]

The results of the second autopsy were announced by the State Attorney, Marc Ober, on May 6. Dr. Adams said that Anderson [asphyxiated](#) on [ammonia](#) fumes, after guards held his mouth closed and used ammonia-inhalant capsules in an attempt to revive the teen. The video shows guards holding the capsules in Anderson's face repeatedly. According to Dr. Adams, the ammonia fumes caused an involuntary spasm and constriction in his airway, which led to asphyxiation and suffocation. Even though ammonia spirits have been in wide use for over a century, a death due to the use of ammonia inhalant has never been demonstrated^[14]

Controversy and criticism

Many of the major figures in the Anderson investigation have been criticized by Anderson's family, youth advocates, civil-rights and anti-detention groups, as well as state and national media outlets.

Medical examiner criticized

Charles F. Siebert, Jr., the Bay County medical examiner who performed Anderson's first autopsy (and ruled out foul play), faced charges of professional incompetence from the beginning. An example of a previous mistake, made popular by his critics and the media, was a [2004](#) autopsy performed by Siebert on 34-year-old Donna Reed, a [woman](#) who died during [Hurricane Ivan](#). In that autopsy report, Siebert noted that Reed's [testicles](#) and [prostate gland](#) were "unremarkable."^[15]

On August 9, 2006, the state Medical Examiners Commission recommended probation. Originally, a panel from the Commission recommended that Siebert be suspended, after an inquiry discovered that he was negligent in at least 35 of 698 cases reviewed. While the newspapers used the word "negligent," the Medical Examiners Commission did not in fact accuse him of negligence. The commission decided to retain Siebert until his contract expires June 27, 2007, with the provision that he pay for outside review of his future work (a QA program).^[16]

It has been established, however, that people with sickle cell trait have a four thousand percent increased incidence of sudden death when put in a boot camp environment.^[17] The risk of sudden death in boot camp environments for people with sickle trait has long been recognized in military services. Some military services, such as Great Britain, chose to limit activities of people with sickle trait.^[18] The US military, in contrast, changed its boot camp procedures to lessen the probability of exertional death (Armed Forces Epidemiological Board, Memorandum 2003-004 Screening for Sickle Cell Disease at Accession). The National Association of Medical Examiners, concerned that Siebert was being subjected to a "witch hunt", took the unusual step of writing the Medical Examiner Commission to offer its services to remedy the situation.^[19]

The Medical Examiner Commission did not respond to the National Association of Medical Examiners (NAME) letter. On 15 January, 2007, NAME followed up with a second statement of its concerns.^[20] On 18 January, 2007, the Medical Examiner Commission and Dr. Siebert reached a negotiated agreement in which the Medical Examiner Commission removed all references to "probation" or "discipline" and Dr. Siebert agreed to institute a quality assurance program to look for typographical errors in reports. Dr. Siebert was not required to accept the claims of error, and is free to pursue other remedies.^[21]

Tunnell's resignation

[FDLE](#) Commissioner [Guy Tunnell](#) also came under fire for alleged conflicts of interest. Tunnell, the former Bay County sheriff, had originally opened the boot camp where Anderson was beaten.

Tunnell also sent e-mails to current Bay County Sheriff Frank McKeithen, detailing his agency's efforts to withhold the video tape of Anderson's beating. Ober eventually removed the FDLE from the investigation.

Tunnell resigned from his post as FDLE chief in April 2006, after comments reportedly made by him about Sen. [Barack Obama](#) and the Rev. [Jesse Jackson](#) were leaked to the press. In these comments he compared Jackson to [Jesse James](#), and Obama to terrorist [Osama Bin Laden](#).

State Attorney Steve Meadows, who recused himself from the Anderson investigation, later rehired Tunnell to work on "cold case" files.

Sit-in and "march for justice"

A group of mostly local college students staged a [sit-in](#) on April 19 and 20, 2006, taking over Bush's public waiting room.

The students, most of them from Tallahassee schools [Florida State University](#), [Florida A&M University](#) and [Tallahassee Community College](#), were demanding that Bush, among other things, order the arrest of the guards who beat Anderson and issue a public apology for delays in the investigation.

The two-day sit-in was the first at Bush's office since 2000.

On April 21, the day Tunnell resigned as [FDLE](#) chief, more than 3,000 protesters staged a rally outside the [Florida State Capitol](#), joined by Jesse Jackson and [Al Sharpton](#), calling for the arrest of the guards and for changes in the state correctional system.

Bush returned from a trip to [Iraq](#), [Kuwait](#) and [Afghanistan](#) late on April 19, and met with four students and several lawmakers that afternoon. The next day, Bush met with Anderson's parents; lawmakers claimed that Bush apologized at that meeting, although that report was never confirmed by Bush or his office.

On Sept. 27, 2006, Anderson's parents returned to Tallahassee seeking a meeting with Bush, claiming he had promised them an "open dialogue" at their meeting in April. However, Bush refused them audience.^[22]

Actions taken against state/investigators

Civil-rights complaints

Anderson's parents and civil rights groups appealed several times to the [United States Department of Justice](#), a federal agency, asking it to assist in the state investigation of Anderson's death as a violation of Anderson's civil rights under federal criminal law.

The Civil Rights Division of the Department of Justice, the United States Attorney for the Northern District of Florida and the FBI joined state agencies in the investigation.

As of October 16, 2006, the Department of Justice has not revealed any details of the federal investigation into Anderson's death.

Tunnell also was the target of several civil-rights complaints filed by citizens of Bay County and by federal lawmakers, including U.S. Senator [Hillary Clinton](#), with the [U.S. Department of Justice](#). None of the complaints were investigated.

Lawsuit

On [July 12, 2006](#), Robert Anderson and Gina Jones filed a \$40 million [wrongful death](#) lawsuit against the Department of Juvenile Justice and the Bay County Sheriff's Office. Anderson's parents claimed civil-rights violations were committed by both agencies and that both had conspired to cover up significant facts in the investigation, in addition to charges of negligence.

Anderson and Jones offered to settle with the sheriff for \$3 million, the maximum allowed under the agency's insurance, but McKeithen refused the offer, calling a settlement "premature" before an investigation was complete. The case is pending; under state [sovereign immunity](#) law, if Anderson and Jones win their case, the state's damages would be capped at \$200,000.

Florida Attorney General [Charlie Crist](#), commenting on the case the same day, said that a \$3 million settlement "might not be enough."^[23]

On Oct. 18, 2006, U.S. District Judge Robert Hinkle set a trial date of April 16, 2007. In the same ruling, the judge dismissed the civil-rights and conspiracy charges against the Department of Juvenile Justice and Bay County Sheriff's Office, and ruled that they would not be responsible for punitive damages.

On March 14, 2007, Gov. Charlie Crist recommended that the state agree to pay \$5 million to Anderson's family, in a deal that would allow the Anderson Family to pursue another \$5 million from Bay county. The

recommendation still has to pass the Florida legislature. Also on March 14, a copy of the video, enhanced by NASA was made public.^[24]

On March 28, 2007 Bay county agreed to settle with Anderson's family for 2.4 million USD.

Alleged Cover-ups

Captain Jimmy Stanford was accused of cover-up with the Sheriff, Frank McKeithen. The special prosecutor cleared the agency.

On April 17, 2007, it was reported that Martin Lee Anderson was tested for sickle cell trait at birth and was found to carry the trait, a fact that may have been known by the parents. The boot camp's admission form was checked "no" where it asked whether Martin had sickle cell disease.^[25] This information was released after the Governor offered to settle with the family and as of 04/20/2007 has not been mentioned in the Senate that is contemplating the bill to pay \$5 million that accuses the guards and boot camp authorities with the responsibility for Martin's death. A trial date has not been set on the criminal complaint against the guards and the nurse at the Boot Camp.

Arrests

On Nov. 28, 2006, seven guards (Henry Dickens, Charles Enfinger, Patrick Garrett, Raymond Hauck, Charles Helms Jr., Henry McFadden Jr., and Joseph Walsh II) and a nurse, Kristin Schmidt (who was present during the incident but took no action) were arrested on charges of aggravated manslaughter of a child, a felony. When the eight defendants were arraigned on Jan. 18, 2007 they entered "not guilty" pleas. Circuit Judge Michael Overstreet set a pre-trial hearing date for Feb. 22, and they are free on \$25,000 bail.^[26]

Changes to juvenile justice system

When Martin Anderson died, about 130 youths in Florida were incarcerated in state-run boot camps. Before Anderson's death, the state had received more than 180 complaints about excessive force at the Panama City boot camp.^[27]

In mid-February, Bay County Sheriff Frank McKeithen ended his office's contract with the state to operate the Panama City boot camp where Anderson was beaten. In a letter to Department of Juvenile Justice (DJJ) head Anthony J. Schembri, McKeithen wrote, "I believe the integrity of the boot camp in Bay County has been compromised, leaving the effectiveness of this program virtually paralyzed."^[28]

McKeithen also immediately banned the use of ammonia-inhalant capsules at the Panama City boot camp. McKeithen's announcement came about three weeks before Anderson's body was exhumed for his second autopsy, which uncovered that the teen died from ammonia fumes.

At around the same time, DJJ ordered state sheriffs to do away with violent measures such as punching and kicking at the state's boot camps, and directed nurses to call [911](#) at the first sign of a problem.

In late April, the [Florida Legislature](#) voted to close the state's five juvenile boot camps. The camps were replaced by a less-militaristic program called STAR, which prohibited physical intervention against juvenile inmates. The STAR program had been almost 80 percent effective in test runs around the state at preventing [recidivism](#) among inmates.

The [bill](#) that enacted the STAR program was renamed the "Martin Lee Anderson Act" by the legislature. Bush signed the bill into law on [June 1, 2006](#).

There was no funding made available for the increased costs of the STAR program, forcing many juvenile detention facilities to close their doors.

Media Mention

Hip-Hop Artist Rich Boy mentions the senseless death of Martin Lee Anderson in his ending finale track, "Lets get this paper", on his debut album, *Rich Boy*.

"Martin Lee, Anderson, he ain't even have a chance They beat him in that boot camp 'til he died in that ambulance That boy was only fifteen years old, fuck what they say he did So tell me how I'm 'posed to feel when police kill tha kids?"

[\[26\]](#)

External links

- <http://www.nospank.net/anderson.htm>
- [Martin Anderson beating video](#)

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