

# The Problem Is the Antiquities Market – Say No to HB 803 - SB1054

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Archaeological resources are non-renewable and the destructive effects of today's Antiquities Market on them is a matter of great concern to both the people with pride in America's past and researchers. The survival of archaeological resources and our cultural heritage are at stake globally. In the Southeastern United States, this problem is particularly significant as it relates to archaeological site destruction for the sole purpose of obtaining small, portable artifacts. It is a destructive process with little or no regard for the public interest. Rather, it focuses on ownership of artifacts found in the State of Florida's waters just to furnish trophy pieces for someone's mantle and the enormous sums to be had from their sale

From 1996 to 2005, the state had an Isolated Finds program that allowed people to recover artifacts from Florida rivers. I administered that program from 1996 to 2001. During that time there was about a 72% noncompliance rate of divers who were observed by enforcement officers to have collected artifacts but did not report them.

In 2002 investigative reporter, Mike Toner, then with the Atlanta Journal-Constitution, published a book through the National Park Service dealing with artifact sales and antiquities. In the chapter, *Shards of the South's Past Lost to Greed*, he states (page 90): "Because most looting goes undetected, it is difficult to get a clear picture of how much of the material being bought and sold today was legally obtained. The experience of Florida [compared to Alabama and Georgia] suggests that looting may be more widespread than most law enforcement officials think." Mr. Toner's investigative work, as well as other studies, helped to shed light on the problem of site looting on land and underwater in Florida. In 2005 the Isolated Finds program was discontinued by the Florida Historical Commission, which is appointed by the Governor, Speaker of the House and Senate President, due to the weight of evidence that the program was not in Florida's best interests..

In 2016 the Florida legislature is considering the revival of a similar but more draconian program under HB 803 and SB 1054. Yet the same troubles prior to the discontinuation of the Isolated Finds program remain as primary threats to our archaeological resources.

The price of a single arrowhead or spear point in the 2016 market is worth substantially more compared to 2005 when the Isolated Finds program ended or in 1996 when the Isolated Finds program began. In 1996 an artifact dealer was selling 538 Florida artifacts. Of those 499 fell into a price range of \$795.00, on the high end, and \$4.00, on the low end. The total asking price of all the 499 artifacts was \$68,234.00. There were also 39 artifacts that were listed as "call" for price. Assuming that a low price on any of the 37 items was a minimum of \$1,000.00 each, it brings the total worth of that collection to over \$100,000.00 (in 1996 dollars = more than \$150,000.00 today) (Sales booklet: Florida Relics offered by Tom Davis Artifacts, Inc. Stanton, KY).

In 2013 the somewhat infamous Vero bone with an etching of a mammoth was given international notoriety by Dr. Barbara Purdy (emeritus UF) and was sold to an "out-of-state trust". A losing bid of \$80,000.00, was placed by the University of Florida ([Vero News Thursday, March 21, 2013](#)). In 2014 a spear point, the Rutz Clovis, from Washington State sold for \$276,000.00 to a collector in Texas (<http://artdaily.com/news/66327/Rutz-Clovis-point-sets-world-auction-record-at-Morphy-s%C3%91sells-to-Texas-collector-for%C3%91276-000>). A so-called Simpson Mustache arrowhead from Suwannee County, Florida was listed for sale on eBay for \$26,000.00. It has river or wetland-type staining. It also comes with two Certificates of Authenticity (COAs), one from Calvin Howard and the other from Robert G. Butler. ([http://www.ebay.com/itm/like/141837705930?ul\\_noapp=true&chn=ps&lpid=82](http://www.ebay.com/itm/like/141837705930?ul_noapp=true&chn=ps&lpid=82)).

Not surprisingly, these enormous prices attract the criminal element. There are a number of instances of breaking and entry aimed at artifact theft. Major burglaries of public museums in Georgia, Arkansas, and Alabama have resulted in major losses of artifacts, a number of which were mortuary items in process of being repatriated to Native American tribes. At the Wakulla Springs Lodge, a Simpson point was stolen from a display case just prior to the state taking over management of that property. In Tallahassee the office of the Coastal Plains Institute on Duval Street was burglarized and the most valuable display artifacts stolen. Many sites in the Aucilla and its tributary the Wacissa River were looted as were many other sites in the state. Recently, Shelly Murphy, a Taylor County educator, was, tragically, murdered and her artifacts stolen for the purpose of sale (<http://www.tallahassee.com/story/news/2016/01/22/father-and-son-charged-taylor-county-teachers-murder/79180026/>).

The instances of criminal violations of CH 267 FS, Florida's antiquity law, have effectively been prosecuted over the past few decades. In 2013 the FWC arrested a number of people involved with illicit artifact collection on state lands and the sale of those artifacts (<https://www.flickr.com/photos/myfwcmedia/sets/72157632872560173/>). Colonel Curtis Brown of FWC was recently asked who the Operation Timucua artifact sting targeted. "This is not the situation of a family out hiking and finding an arrowhead or other artifact that they want to take home. We did not target the casual collector. These subjects intentionally destroyed lands and rivers for their own personal gain. Some even made their entire living on these illegal sales."

We do not need to expend limited resources on an unenforceable program that previously failed. We should learn from this experience. Please vote no on HB 803 – SB 1054.