

Atlanta Journal Constitution

June 10, 2007

North Georgia Judge Dismisses Charges in Restraint Death of Teenage Boy

In the wake of a North Georgia judge's motion to dismiss felony murder, involuntary manslaughter and child cruelty charges against six workers from the Appalachian Wilderness Camp, the family of the deceased, 13-year-old Travis Parker, said the court shunned a basic law of mankind: "Thou Shall Not Kill."

The Atlanta Journal-Constitution (AJC) reported six workers at the White County Outdoor Therapeutic Program for juvenile delinquents in Cleveland, Ga. pled not guilty to charges from the April 2006 incident. The case was headed to trial later this month. Parker, a resident of Douglas County, died after being restrained face-down for 90 minutes. Camp employees maintained Parker was restrained due to bad behavior.

Asthmatic Youth Denied Inhaler During Restraint

The AJC obtained documents from the Georgia Department of Human Resources, which said Parker was restrained after confronting a counselor. Parker took exception when denied food as a form of punishment. Parker, who had asthma, also was denied his inhaler when counselors deemed he wasn't having breathing difficulties. Throughout the restraint, counselors claimed they monitored Parker's breathing and checked vital signs, according to the Georgia Department of Juvenile Justice (GDJJ). The teen's heart gave out from the physical exertion of trying to break free of the restraint.

The ruling of White County Superior Court Judge Lynn Akeley-Alderman concluded the saga of six defendants who fought the charges for two years and lost their camp jobs. White County District Attorney Stan Gunter said his office may consider a reckless conduct charge against the six workers when the grand jury meets July 18. The judge said the camp workers were acting as trained and could not have known their actions would result in the boy's death. Akeley-Alderman also said Parker had shown "no outward signs his body was suffering" during what was called a "full-basket" hold.

The defendants – Ryan Chapman, Paul Binford, Mathew Desing, Torbin Vining, Johnny Harris and Phillip Elliot – had refused plea bargains offered by the district attorney.

Teen Was Born Addicted to Crack Cocaine

Parker's grandmother, Golden Griffin, who primarily reared Parker, said, "Those responsible for Travis's death should be brought to justice." Parker was born addicted to crack cocaine, which contributed to his aggressive behavior, according to the AJC. According to the GDJ, Parker had been on probation since 2004 for striking his

grandmother and threatening her with a knife. He had been involved in school fistfights, pointing a BB gun at a school bus and taking a swing at a teacher at his Douglas County middle school. He once tried to hang himself at a juvenile detention center and also had cut himself with a comb.

Gunter said the testimony of the medical examiner, Dr. Kris Sperry, who performed Parker's autopsy, damaged the case. Sperry testified at a pre-trial hearing that Parker's death was positional asphyxia and resulted from a prolonged resistance against the restraint. Sperry said had Parker not struggled so long, he would not have died. The doctor also said Parker reached a point of physical exertion in which his heart could not function normally and went into a fatal rhythm that didn't supply blood to his organs.

The judge's ruling noted medical evidence revealed Parker had not been beaten and that his bruising was consistent with his struggle against the restraint. The judge pointed out similar restraints had been applied to Parker in the past. "The state has been unable to show that the defendants were aware or should have been of any clear, substantial or unjustifiable risk created by the use of the restraint methods for any period of time."