

By the Committee on Criminal Justice; and Senator Rouson

591-02586-18

20181780c1

1 A bill to be entitled
2 An act relating to victims of reform school abuse;
3 providing a short title; defining the term "victim of
4 Florida reform school abuse"; requiring a person
5 seeking certification under this act to apply to the
6 Department of Juvenile Justice by a certain date;
7 prohibiting the estate of a decedent or the personal
8 representative of a decedent from submitting an
9 application on behalf of the decedent; requiring that
10 the application include certain information and
11 documents; requiring the department to examine the
12 application, notify the applicant of any errors or
13 omissions, and request any additional information
14 within a certain timeframe; providing that the
15 applicant has 15 days after notification to complete
16 the application; requiring the department to process
17 and review a completed application within a certain
18 timeframe; prohibiting the department from denying an
19 application for specified reasons and under certain
20 circumstances; requiring the department to notify the
21 applicant of its determination within a certain
22 timeframe; requiring the department to certify an
23 applicant as a victim of Florida reform school abuse
24 if the department determines his application meets the
25 requirements of this act; requiring the department to
26 submit a list of all certified victims to the
27 President of the Senate and the Speaker of the House
28 of Representatives; providing an effective date.
29

591-02586-18

20181780c1

30 WHEREAS, the Florida State Reform School, also known as the
31 "Florida Industrial School for Boys," the "Florida School for
32 Boys," the "Arthur G. Dozier School for Boys," and the "Dozier
33 School," was opened by the state in 1900 in Marianna to house
34 children who had committed minor criminal offenses, such as
35 incorrigibility, truancy, and smoking, as well as more serious
36 offenses, such as theft and murder, and

37 WHEREAS, throughout the Dozier School's history, reports of
38 abuse, suspicious deaths, and threats of closure plagued the
39 school, and

40 WHEREAS, many former students of the Dozier School have
41 sworn under oath that they were beaten at a facility located on
42 the school grounds known as the "White House," and

43 WHEREAS, a psychologist employed at the Dozier School
44 testified under oath at a 1958 United States Senate Judiciary
45 Committee hearing that boys at the school were beaten by an
46 administrator, that the blows were severe and dealt with great
47 force with a full arm swing over the head and down, that a
48 leather strap approximately 10 inches long was used, and that
49 the beatings were "brutality," and

50 WHEREAS, a former Dozier School employee stated in
51 interviews with law enforcement that, in 1962, several employees
52 of the school were removed from the facility based upon
53 allegations that they made sexual advances toward boys at the
54 facility, and

55 WHEREAS, a forensic investigation funded by the Legislature
56 and conducted from 2013 to 2016 by the University of South
57 Florida found incomplete records regarding deaths and 45 burials
58 that occurred at the Dozier School between 1900 and 1960 and

591-02586-18

20181780c1

59 found that families were often notified of the death after the
60 child was buried or were denied access to their child's remains
61 at the time of burial, and

62 WHEREAS, the excavations conducted as part of the forensic
63 investigation revealed more burials than reported in official
64 records, and

65 WHEREAS, in 1955, this state opened a new reform school in
66 Okeechobee called the Florida School for Boys at Okeechobee,
67 referred to in this act as "the Okeechobee School," to address
68 overcrowding at the Dozier School, and staff members of the
69 Dozier School were transferred to the Okeechobee School, where
70 similar disciplinary practices were implemented, and

71 WHEREAS, many former students of the Okeechobee School have
72 sworn under oath that they were beaten at a facility on school
73 grounds known as the "Adjustment Unit," and

74 WHEREAS, more than 500 former students of the Dozier School
75 and the Okeechobee School have come forward with reports of
76 physical, mental, and sexual abuse by school staff during the
77 1940s, 1950s, and 1960s and the resulting trauma that has
78 endured throughout their lives, and

79 WHEREAS, during the 2017 legislative session, the
80 Legislature unanimously issued a formal apology to the victims
81 of abuse with the passage of CS/SR 1440 and CS/HR 1335,
82 expressing regret for the treatment of boys who were sent to the
83 Dozier School and the Okeechobee School; acknowledging that the
84 treatment was cruel, unjust, and a violation of human decency;
85 and expressing its commitment to ensure that children who have
86 been placed in this state's care will be protected from abuse
87 and violations of human decency, NOW, THEREFORE,

591-02586-18

20181780c1

88
89
90
91
92
93
94
95
96
97
98
99
100
101
102
103
104
105
106
107
108
109
110
111
112
113
114
115
116

Be It Enacted by the Legislature of the State of Florida:

Section 1. (1) This act may be known and cited as the "Arthur G. Dozier School and Okeechobee School Abuse Victim Certification Act."

(2) As used in this act, the term "victim of Florida reform school abuse" means a living person who was confined at the Arthur G. Dozier School for Boys or the Okeechobee School at any time between 1940 and 1975 and who was subjected to physical or sexual abuse perpetrated by personnel of the school during the period of confinement.

(3) (a) A person seeking to be certified as a victim of Florida reform school abuse must submit an application to the Department of Juvenile Justice no later than October 1, 2018. The estate of a decedent or the personal representative for a decedent may not submit an application on behalf of the decedent.

(b) The application must include:

1. An affidavit stating that the applicant was confined at the Arthur G. Dozier School for Boys or the Okeechobee School, the beginning and ending dates of the confinement, and that the applicant was subjected to physical or sexual abuse perpetrated by school personnel during the confinement;

2. Documentation from the State Archives of Florida, the Arthur G. Dozier School for Boys, or the Okeechobee School which shows that the applicant was confined at the schools for any length of time between 1940 and 1975; and

3. Positive proof of identification, including a current

591-02586-18

20181780c1

117 form of photo identification.

118 (c) Within 30 calendar days after receipt of an
119 application, the Department of Juvenile Justice shall examine
120 the application and notify the applicant of any errors or
121 omissions or request any additional information relevant to the
122 review of the application. The applicant has 15 calendar days
123 after receiving such notification to complete the application by
124 correcting any errors or omissions or submitting any additional
125 information requested by the department. The department shall
126 review and process each completed application within 90 calendar
127 days after receipt of the application.

128 (d) The Department of Juvenile Justice may not deny an
129 application due to the applicant failing to correct an error or
130 omission or failing to submit additional information the
131 department requested unless the department timely notified the
132 applicant of such error or omission or timely requested
133 additional information as provided in paragraph (c).

134 (e) The Department of Juvenile Justice shall notify the
135 applicant of its determination within 5 business days after
136 processing and reviewing the application. If the department
137 determines that an application meets the requirements of this
138 act, the department must certify the applicant as a victim of
139 Florida reform school abuse.

140 (f) No later than March 1, 2019, the Department of Juvenile
141 Justice must process and review all applications that were
142 submitted by October 1, 2018, and must submit a list of all
143 certified victims to the President of the Senate and the Speaker
144 of the House of Representatives.

145 Section 2. This act shall take effect upon becoming a law.