

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 as a victim of Florida reform
6 school abuse to apply to the Department of State by a
7 specified date; authorizing the estate, personal
8 representative, next of kin, or lineal descendants of
9 a decedent who was a victim of Florida reform school
10 abuse to submit an application on behalf of the
11 decedent; requiring that the application include
12 certain information and documentation; requiring the
13 department to review the application, notify the
14 applicant of any errors or omissions, and request any
15 additional information within a certain timeframe;
16 specifying the time period to complete the
17 application; requiring the department to review and
18 process a completed application within a certain
19 timeframe; prohibiting the department from denying an
20 application for specified reasons and under certain
21 circumstances; requiring the department to notify the
22 applicant of its determination within a certain
23 timeframe; requiring the department to certify an
24 applicant as a victim of Florida reform school abuse
25 if the department determines the application meets the

26 requirements of this act; requiring the department to
 27 submit a list of all certified victims of Florida
 28 reform school abuse to the Legislature by a specified
 29 date; providing exceptions from specified requirements
 30 for crime victim compensation eligibility for
 31 applications by victims of Florida reform school
 32 abuse; providing an effective date.

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

41 WHEREAS, reports of abuse, suspicious deaths, and threats
 42 of closure plagued the school throughout its history, and

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

46 WHEREAS, a psychologist employed at the Dozier School
 47 testified under oath at a 1958 United States Senate Judiciary
 48 Committee hearing that boys at the school were beaten by an
 49 administrator, that the blows were severe and dealt with great
 50 force with a full arm swing over the head and down, that a

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51 | leather strap approximately 10 inches long was used, and that
52 | the beatings constituted "brutality," and

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

58 | WHEREAS, a forensic investigation funded by the Legislature
59 | and conducted from 2013 to 2016 by the University of South
60 | Florida found incomplete records regarding deaths and 45 burials
61 | that occurred at the Dozier School between 1900 and 1960 and
62 | found that families were often notified of the death after the
63 | child was buried or were denied access to their child's remains
64 | at the time of burial, and

65 | WHEREAS, the excavations conducted as part of the forensic
66 | investigation revealed more burials than reported in official
67 | records, and

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

74 | WHEREAS, many former students of the Okeechobee School have
75 | sworn under oath that they were beaten at a facility on school

76 grounds known as the Adjustment Unit, and

77 WHEREAS, more than 500 former students of the Dozier School
 78 and the Okeechobee School have come forward with reports of
 79 physical, mental, and sexual abuse by school staff during the
 80 1940s, 1950s, 1960s, and 1970s, resulting in trauma that has
 81 endured throughout their lives, and

82 WHEREAS, this is a unique and shameful chapter in the
 83 history of this state, during which children placed into custody
 84 of state employees were subjected to physical, mental, and
 85 sexual abuse rather than being given the guidance and compassion
 86 that children in state custody should receive, and

87 WHEREAS, during the 2017 legislative session, the
 88 Legislature unanimously issued a formal apology to the victims
 89 of Florida reform school abuse with the passage of CS/SR 1440
 90 and CS/HR 1335, expressing regret for the treatment of boys who
 91 were sent to the Dozier School and the Okeechobee School;
 92 acknowledging that the treatment was cruel, unjust, and a
 93 violation of human decency; and expressing its commitment to
 94 ensure that children who have been placed in the state's care
 95 will be protected from abuse and violations of human decency,
 96 NOW, THEREFORE,

97

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

99

100 Section 1. (1) This act may be known and cited as the

101 "Arthur G. Dozier School for Boys and Okeechobee School Abuse
 102 Victim Certification Act."

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

109 (3)(a) A person seeking to be certified as a victim of
 110 Florida reform school abuse must submit an application to the
 111 Department of State no later than September 1, 2024. The estate,
 112 personal representative, next of kin, or lineal descendants of
 113 the decedent who was a victim of Florida reform school abuse may
 114 submit an application on behalf of the decedent.

115 (b) The application must include:

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

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

126 and

127 3. Positive proof of identification, including a current
128 form of photographic identification. This subparagraph does not
129 apply if the application is submitted by the estate, personal
130 representative, next of kin, or lineal descendent of the
131 decedent.

132 (c) Within 30 calendar days after receipt of an
133 application, the Department of State shall review the
134 application and notify the applicant of any errors or omissions
135 or request any additional information relevant to the review of
136 the application. The applicant has 15 calendar days after
137 receiving such notification to complete the application by
138 correcting any errors or omissions or submitting any additional
139 information requested by the department. The department shall
140 review and process each completed application within 90 calendar
141 days after receipt of the application.

142 (d) The Department of State may not deny an application
143 due to the applicant's failure to correct an error or omission
144 or to submit any additional information requested by the
145 department if the department failed to timely notify the
146 applicant of such error or omission or timely request additional
147 information as provided in paragraph (c).

148 (e) The Department of State shall notify the applicant of
149 its determination within 5 business days after reviewing and
150 processing the application. If the department determines that an

151 application meets the requirements of this section, the
152 department must certify the applicant as a victim of Florida
153 reform school abuse.

154 (f) No later than December 31, 2024, the Department of
155 State must review and process all applications that were
156 submitted by September 1, 2024, and must submit a list of all
157 certified victims of Florida reform school abuse to the
158 President of the Senate and the Speaker of the House of
159 Representatives.

160 Section 2. (1) Notwithstanding s. 960.03(3), Florida
161 Statutes, for purposes of a claim under chapter 960, Florida
162 Statutes, by a victim of Florida reform school abuse, as defined
163 in section 1 of this act, or an intervenor, as defined in s.
164 960.03(9), Florida Statutes, the term "crime" means a felony or
165 misdemeanor offense committed by an adult or a juvenile which
166 results in a mental or physical injury or death to another
167 person. A mental injury must be verified by a psychologist
168 licensed under chapter 490, Florida Statutes; by a physician
169 licensed under chapter 458, Florida Statutes, or chapter 459,
170 Florida Statutes, who has completed an accredited residency in
171 psychiatry; or by a physician licensed under chapter 458,
172 Florida Statutes, or chapter 459, Florida Statutes, who has
173 obtained certification as an expert witness pursuant to s.
174 458.3175, Florida Statutes, or s. 459.0066, Florida Statutes.

175 (2) Notwithstanding s. 960.065(2)(c) and (3), Florida

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176 Statutes, a victim of Florida reform school abuse or an
177 intervenor may file a claim under chapter 960, Florida Statutes.

178 (3) Notwithstanding s. 960.07, Florida Statutes, a victim
179 of Florida reform school abuse or an intervenor may file a claim
180 under chapter 960, Florida Statutes, within 1 year after the
181 effective date of this act.

182 Section 3. This act shall take effect upon becoming a law.