

By Senator Rouson

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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      providing that the applicant has 15 calendar days  
17      after such notification to complete the application;  
18      requiring the department to review and process a  
19      completed application within a certain timeframe;  
20      prohibiting the department from denying an application  
21      for specified reasons and under certain circumstances;  
22      requiring the department to notify the applicant of  
23      its determination within a certain timeframe;  
24      requiring the department to certify an applicant as a  
25      victim of Florida reform school abuse if the  
26      department determines the application meets the  
27      requirements of the act; requiring the department to  
28      submit a list of all certified victims of Florida  
29      reform school abuse to the Legislature by a specified

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30 date; providing exceptions from specified requirements  
31 for crime victim compensation eligibility for  
32 applications by victims of Florida reform school  
33 abuse; providing an effective date.  
34

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

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

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

47 WHEREAS, a psychologist employed at the Dozier School  
48 testified under oath at a 1958 United States Senate Judiciary  
49 Committee hearing that boys at the school were beaten by an  
50 administrator, that the blows were severe and were dealt with  
51 great force using a leather strap approximately 10 inches long  
52 brought down from a full-arm swing over the head, and that the  
53 beatings constituted "brutality," and

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

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

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

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

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

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

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

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

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

100  
101 Section 1. (1) This act may be known and cited as the  
102 "Arthur G. Dozier School for Boys and Okeechobee School Abuse  
103 Victim Certification Act."

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

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

116 (b) The application must include:

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

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

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

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

143       (d) The Department of State may not deny an application due  
144 to the applicant's failure to correct an error or omission or to  
145 submit any additional information requested by the department if

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146 the department failed to timely notify the applicant of such  
147 error or omission or timely request additional information as  
148 provided in paragraph (c).

149 (e) The Department of State shall notify the applicant of  
150 its determination within 5 business days after reviewing and  
151 processing the application. If the department determines that an  
152 application meets the requirements of this section, the  
153 department must certify the applicant as a victim of Florida  
154 reform school abuse.

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

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

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175 458.3175, Florida Statutes, or s. 459.0066, Florida Statutes.

176 (2) Notwithstanding s. 960.065(2)(c) and (3), Florida  
177 Statutes, a victim of Florida reform school abuse or an  
178 intervenor may file a claim under chapter 960, Florida Statutes.

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

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