

By Senator Fasano

11-00028A-11

201144

1 A bill to be entitled

2 An act for the relief of the victims who were abused  
3 while confined to the Florida Reform School for Boys  
4 located in Marianna and Okeechobee; providing an  
5 appropriation to compensate them for injuries and  
6 damages sustained as result of the abuses perpetrated  
7 by the personnel of the reform schools; providing a  
8 limitation on the payment of fees and costs; providing  
9 an effective date.

10  
11 WHEREAS, during the 1940s, 1950s, and 1960s, certain minors  
12 were sent to the Florida School for Boys located in Marianna and  
13 Okeechobee, Florida, and

14 WHEREAS, some of the boys who were sent to those reform  
15 schools were severely physically and psychologically abused by  
16 the personnel operating the reform schools in Marianna and  
17 Okeechobee, and

18 WHEREAS, some of the boys who were physically,  
19 psychologically, and sexually abused had been sent to the reform  
20 school for "crimes" such as being truant from elementary school,  
21 for running away from abusive homes, for running away from  
22 foster homes, for being "incorrigible" in an orphanage, for  
23 jumping a fence at a city swimming pool, or for smoking, and

24 WHEREAS, many of the boys were not given a trial prior to  
25 being sent by the state to the reform schools, and

26 WHEREAS, more than 300 former students of the reform  
27 schools have come forward alleging abuses during the 1940s,  
28 1950s, and 1960s, and

29 WHEREAS, many beatings were inflicted in a building known

11-00028A-11

201144

30 as the "White House" at the reform school in Marianna, and

31 WHEREAS, the boys were forced to lie face down on a blood-  
32 and urine-stained cot, were told to bite a pillow covered with  
33 blood, vomit, and bodily fluids, and

34 WHEREAS, the boys were struck repeatedly (as many as 100  
35 strikes) on their buttocks and legs with a leather razor strap  
36 with a wooden handle, and

37 WHEREAS, such strikes were given with a full swing from  
38 overhead, and

39 WHEREAS, such strikes were given with such force that the  
40 strap frequently cut into the boys' skin, causing bleeding and  
41 bruising, and

42 WHEREAS, such strikes frequently caused portions of  
43 clothing to become embedded into the skin, requiring pieces of  
44 their cotton underwear be extracted from the boys' flesh, and

45 WHEREAS, school employees imposing the whippings would turn  
46 on a large industrial fan to muffle the screams of the boys  
47 being beaten, and

48 WHEREAS, the personnel of the reform schools who  
49 perpetrated such beatings would make monetary bets on which of  
50 them could draw blood first from the boys, and

51 WHEREAS, some victims needed medical treatment following  
52 the beatings, and were left with permanent scars, and

53 WHEREAS, some of the boys who were severely beaten were as  
54 young as 10 years of age, and

55 WHEREAS, after being beaten, some boys were placed in  
56 solitary confinement for as long as 30 days in an approximately  
57 8-by-8-foot cell having no lights or windows, containing only a  
58 bunk with a mattress and no sheets, and a bucket to be used as a

11-00028A-11

201144

59 toilet, which was known as the "hole," and

60 WHEREAS, the boys were segregated at the reform schools  
61 into white and black areas, and

62 WHEREAS, both races were subjected to beatings, and

63 WHEREAS, some of the beatings were given as punishment for  
64 "violations," such as eating an extra pancake at breakfast,  
65 eating blueberries while running an errand, wearing buttons with  
66 the wrong insignia on the jacket, lying about using a curse  
67 word, having a "bad attitude," or smiling at the wrong time, and

68 WHEREAS, on one occasion, a boy was tied between two trees  
69 while he was repeatedly kicked in the groin, and

70 WHEREAS, some of the boys were simply pulled out of their  
71 beds in the middle of the night for beatings or for sexual  
72 assaults, and

73 WHEREAS, some of the boys were raped and otherwise  
74 physically and sexually assaulted, including being forced to  
75 perform oral sex by the reform school personnel and by  
76 supervisors and cottage "fathers," and

77 WHEREAS, beatings in the Okeechobee facility included  
78 strikes with leather straps that had quarters or dimes embedded  
79 in the leather to provide extra weight, and assaults using  
80 "probing rods" that were made of wood and used for punishment by  
81 sodomizing the boys, and

82 WHEREAS, boys were asked sexually inappropriate questions  
83 by a school psychologist purportedly hired to counsel the boys,  
84 and

85 WHEREAS, boys were sexually assaulted by a "school  
86 psychologist," and

87 WHEREAS, boys were sexually abused by school guards in an

11-00028A-11

201144

88 underground room called the "rape room," and

89 WHEREAS, the boys were threatened with their lives by the  
90 reform school personnel and told not to tell others of these  
91 abuses, and

92 WHEREAS, one of the reform school administrators who is  
93 alleged to have beaten many of the children admitted under oath  
94 that boys were punished by taking them to the "White House,"  
95 that the boy being punished was told to lie face down on a cot  
96 in an otherwise empty room, that at times they would have two or  
97 three boys from the kitchen hold down the boy being punished,  
98 that he hit the boys with a thick leather razor strap with a  
99 handle 8 to 10 times per infraction, that he at times witnessed  
100 bruises on their buttocks afterward, that the director of the  
101 school was always present during the "spankings," that he  
102 witnessed the director and another employee at times giving the  
103 "spankings," that boys could be given such punishment for  
104 infractions such as smoking, talking about running away, or  
105 having an "attitude problem," and

106 WHEREAS, the national guidelines for training school and  
107 juvenile agencies in the 1960s provided that corporal punishment  
108 should not be tolerated in any form, including slapping,  
109 spanking, paddling, belting, or any kind of abuse, and

110 WHEREAS, Arthur G. Dozier, a former school superintendent,  
111 acknowledged the whippings in 1964 when Mr. Dozier stated to the  
112 press that although he did not like the whippings, he would not  
113 like to see the Legislature take away the right by completely  
114 forbidding whipping, and

115 WHEREAS, the school in Marianna is currently named the  
116 Arthur G. Dozier School for Boys, and

11-00028A-11

201144

117 WHEREAS, the reform schools were severely underfunded  
118 causing overcrowding, and, according to the national guidelines  
119 of the time, Marianna housed more than five times the number of  
120 children recommended for a state training school, and

121 WHEREAS, the underfunding also resulted in inadequate  
122 supervision, and, according to the national guidelines of the  
123 time, Marianna employed an insufficient number of caseworkers,  
124 and

125 WHEREAS, according to the national guidelines of the time,  
126 the Marianna school was understaffed in teachers, and

127 WHEREAS, according to the national guidelines of the time,  
128 the Marianna school was understaffed in recreation workers, and

129 WHEREAS, according to the national guidelines of the time,  
130 the Marianna school was understaffed in psychologists, and

131 WHEREAS, juvenile court judges who toured the school in  
132 1969 stated that conditions were dismal, without adequate  
133 facilities, without adequate staffing, and sexual perversion was  
134 common, and

135 WHERREAS, one judge stated he felt like a rat for sending  
136 boys to that place, that by sending boys to the training center  
137 they were doing damage as far as sexual problems were concerned,  
138 and that eventually he would like to see the place phased out,  
139 and

140 WHEREAS, Governor Claude Kirk toured the school in 1968 and  
141 stated "If one of your kids were kept in such circumstances,  
142 you'd be up there with rifles," and

143 WHEREAS, Dr. Eugene Byrd, a psychologist and former staff  
144 employee, testified in 1958 before the United States Senate that  
145 the conditions and beatings of the boys that he witnessed

11-00028A-11

201144

146 amounted to "brutality," and

147 WHEREAS, a pattern of abuse at the reform schools has  
148 existed for more than 100 years: in 1903, investigators found  
149 children in shackles; in 1911, a report of a special joint  
150 committee on the reform school stated that the inmates were at  
151 times unnecessarily and brutally punished, the instrument of  
152 punishment being a leather strap fastened to a wooden handle;  
153 and in 1914, at least 10 children died in a fire in the main  
154 building of the Marianna reform school, where it was reported  
155 that all fire-escape doors were locked, and

156 WHEREAS, similar abuses occurred at the reform schools  
157 located in Marianna and Okeechobee and were considered standard,  
158 accepted practice and procedure for administering discipline at  
159 the schools, and

160 WHEREAS, these children suffered severe physical and  
161 psychological damages that have endured throughout their adult  
162 lives, causing damages, including, but not limited to: severe  
163 depression; post-traumatic stress disorder; persistent insomnia,  
164 including an inability to sleep in the dark for many years;  
165 substance abuse; phantom pain; and relationship and economic  
166 hardships, including, but not limited to, an inability to  
167 maintain personal relationships, causing multiple failed and  
168 broken marriages and families, violence, prison time, suicide,  
169 lack of trust, and an inability to maintain employment, NOW,  
170 THEREFORE,

171

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

173

174 Section 1. The sum of \$ ..... is appropriated from the

11-00028A-11

201144

175 General Revenue Fund to the Department of Juvenile Justice for  
176 the relief of the victims who were abused while confined to the  
177 Florida Reform School for Boys in Marianna and Okeechobee and  
178 who sustained injuries and damages as a result of such abuses  
179 perpetrated by the personnel of the reform schools.

180 Section 2. The Chief Financial Officer is directed to draw  
181 a warrant in favor of the victims who were abused while confined  
182 to the Florida Reform School for Boys in Marianna and Okeechobee  
183 in the sum of \$ ..... upon funds in the State Treasury, and the  
184 Chief Financial Officer is directed to pay the same out of such  
185 funds in the State Treasury.

186 Section 3. The Legislature is not deemed by this act to  
187 have waived any defense of sovereign immunity or to have  
188 increased the limits of liability on behalf of the state or any  
189 person or entity subject to the provisions of s. 768.28, Florida  
190 Statutes, or any other law.

191 Section 4. The amount awarded under this act is intended to  
192 provide the sole compensation for all present and future claims  
193 arising out of the factual situation described in this act which  
194 resulted in injuries to the victims who were abused while  
195 confined to the Florida Reform School for Boys in Marianna and  
196 Okeechobee. The total amount paid for attorney's fees, lobbying  
197 fees, costs, and other similar expenses relating to this claim  
198 may not exceed 25 percent of the amount awarded under this act.

199 Section 5. This act shall take effect upon becoming a law.