

By Senator Fasano

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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

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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 that had a wooden handle, and

37 WHEREAS, such strikes were given with a full swing from  
38 overhead and were given with such force that the strap  
39 frequently cut into the boys' skin, causing bleeding and  
40 bruising, and

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

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

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

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

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

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

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

61 WHEREAS, both races were subjected to beatings, and

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

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

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

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

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

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

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

86 WHEREAS, boys were sexually abused by school guards in an  
87 underground room called the "rape room," and

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

91 WHEREAS, one of the reform school administrators who is  
92 alleged to have beaten many of the children admitted under oath  
93 that boys were punished by taking them to the "White House," and

94 WHEREAS, this reform school administrator further admitted  
95 under oath that personnel would tell these boys to lie face down  
96 on a cot in an otherwise empty room and would have two or three  
97 boys from the kitchen hold down the boy being punished, and

98 WHEREAS, the reform school administrator admitted under  
99 oath that he hit the boys with a thick leather razor strap that  
100 had a handle 8 to 10 times per infraction, that he at times  
101 witnessed bruises on their buttocks afterward, that the director  
102 of the school was always present during the "spankings," that he  
103 witnessed the director and another employee at times giving the  
104 "spankings," that boys could be given such punishment for  
105 infractions such as smoking, talking about running away, or  
106 having an "attitude problem," and

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

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

116 WHEREAS, the school in Marianna is currently named the

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117 Arthur G. Dozier School for Boys, and

118 WHEREAS, the reform schools were severely underfunded  
119 causing overcrowding, and

120 WHEREAS, according to the national guidelines of the time,  
121 Marianna housed more than five times the number of children  
122 recommended for a state training school, and

123 WHEREAS, the underfunding also resulted in inadequate  
124 supervision, and

125 WHEREAS, according to the national guidelines of the time,  
126 Marianna employed an insufficient number of caseworkers, and

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

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

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

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

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

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

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

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

169  
170 Be It Enacted by the Legislature of the State of Florida:

171  
172 Section 1. The sum of \$ ..... is appropriated from the  
173 General Revenue Fund to the Department of Juvenile Justice for  
174 the relief of the victims who were abused while confined to the

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175 Florida Reform School for Boys in Marianna and Okeechobee and  
176 who sustained injuries and damages as a result of such abuses  
177 perpetrated by the personnel of the reform schools.

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

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

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

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