

By Senator Montford

3-00154-14

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1                   A bill to be entitled  
2       An act for the relief of Robert Champion, Sr., and Pam  
3       Champion by Florida Agricultural and Mechanical  
4       University; providing an appropriation to compensate  
5       Robert Champion, Sr., and Pam Champion, individually  
6       and as personal representatives for the Estate of  
7       Robert Champion, Jr., for the wrongful death of their  
8       son, Robert Champion, Jr., which was due to the  
9       negligence of Florida A & M University; providing a  
10      limitation on the payment of fees and costs; providing  
11      that the appropriation settles all present and future  
12      claims related to the wrongful death of Robert  
13      Champion, Jr.; providing an effective date.  
14

15       WHEREAS, in 2011, Robert Champion, Jr., was a 26-year-old  
16      student at Florida Agricultural and Mechanical University and a  
17      drum major in the university's marching band, the "Marching  
18      100", and

19       WHEREAS, on November 19, 2011, as part of a university-  
20      sponsored trip, Robert Champion, Jr., traveled to Orlando on a  
21      university-chartered bus with the "Marching 100" to perform as a  
22      member of the band during the halftime show at the Florida  
23      Classic, the annual college football game between Bethune-  
24      Cookman University and Florida Agricultural and Mechanical  
25      University, and

26       WHEREAS, after performing at the Florida Classic, Robert  
27      Champion, Jr., boarded the university-chartered bus designated  
28      as "Bus C" and was brutally assaulted by fellow band members and  
29      Florida Agricultural and Mechanical University students in a

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30 hazing ritual known as the "cross-over," and

31 WHEREAS, the cross-over consisted of forcing Robert  
32 Champion, Jr., to run from the front of Bus C to the back while  
33 being punched, pummeled, kicked, struck, and pushed by fellow  
34 band members and Florida Agricultural and Mechanical University  
35 students, and

36 WHEREAS, Robert Champion, Jr., sustained serious injuries  
37 during the cross-over and died an hour later of hemorrhagic  
38 shock due to soft tissue hemorrhage from blunt force trauma, and

39 WHEREAS, the administration of Florida Agricultural and  
40 Mechanical University had been aware that an entrenched culture  
41 of hazing existed at the university and specifically in the  
42 "Marching 100," and incidents of hazing had resulted in repeated  
43 injuries to band members, lawsuits, and complaints from band  
44 members and their families, and

45 WHEREAS, approximately 2 weeks before the Florida Classic,  
46 the university's band director, Dr. Julian White, notified the  
47 administration of Florida Agricultural and Mechanical University  
48 of hazing activities that had occurred at the October 2011  
49 homecoming football game within two sections of the band, but  
50 the university failed to take any action to suspend the  
51 activities of the band before the Florida Classic, and

52 WHEREAS, on December 28, 2012, prompted by the death of  
53 Robert Champion, Jr., Derry Harper, the inspector general of the  
54 State University System Board of Governors, released the results  
55 of an investigation into hazing at Florida Agricultural and  
56 Mechanical University which was based upon more than a decade of  
57 hazing reports and university regulations, and

58 WHEREAS, the investigation found that there was poor

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59 communication among departments critical to the development and  
60 enforcement of antihazing policies, that there was a lack of  
61 clear rules on how to handle hazing complaints, that hazing was  
62 not tracked on the campus despite a history of the practice,  
63 that hazing allegations investigated by campus police were not  
64 shared with the office that handled student discipline, and that  
65 band member eligibility was seldom, if ever, verified, and

66 WHEREAS, the inspector general concluded that Florida  
67 Agricultural and Mechanical University failed to implement an  
68 antihazing program that complied with the Board of Governors  
69 regulations, university regulations, and applicable state law  
70 due to a lack of effective institutional and internal controls  
71 designed to prevent, detect, deter, and discipline students  
72 involved in hazing, and

73 WHEREAS, as a direct result of Florida Agricultural and  
74 Mechanical University's failure to develop adequate hazing  
75 policies or enforce policies already in place, Robert Champion,  
76 Jr., was fatally hazed by fellow band members and Florida  
77 Agricultural and Mechanical University students, and

78 WHEREAS, in May 2012, thirteen band members and Florida  
79 Agricultural and Mechanical University students were criminally  
80 charged with hazing that resulted in the death of Robert  
81 Champion, Jr., and

82 WHEREAS, Robert Champion, Sr., and Pam Champion, parents of  
83 Robert Champion, Jr., have suffered the loss of support,  
84 services, and companionship of their son and endured mental pain  
85 and suffering since the date of their son's death and will  
86 continue to suffer such losses in the future due to the  
87 negligence of Florida Agricultural and Mechanical University,

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88 and

89 WHEREAS, the Estate of Robert Champion, Jr. seeks to  
90 recover damages for medical expenses, funeral expenses, and loss  
91 of earnings, and

92 WHEREAS, on February 13, 2012, Robert Champion, Sr., and  
93 Pam Champion, individually and as personal representatives for  
94 the Estate of Robert Champion, Jr., filed an action against the  
95 Board of Trustees of Florida Agricultural and Mechanical  
96 University in the Circuit Court of the Ninth Judicial Circuit,  
97 Orange County, styled *Robert Champion et al. v. A Ray Land  
98 Productions Company et al.*, Case No. 2012-CA-002346-0, to  
99 recover damages for the wrongful death of their son, Robert  
100 Champion Jr., and

101 WHEREAS, the parties are negotiating but have been unable  
102 to reach a settlement in the case, and

103 WHEREAS, Robert Champion, Sr., and Pam Champion,  
104 individually as and personal representatives for the Estate of  
105 Robert Champion, Jr., are entitled to damages for the wrongful  
106 death of their son, Robert Champion, Jr., NOW, THEREFORE,

107

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

109

110 Section 1. The facts stated in the preamble to this act are  
111 found and declared to be true.

112 Section 2. Florida Agricultural and Mechanical University  
113 is authorized and directed to appropriate from funds of the  
114 university not otherwise appropriated and to draw a warrant in  
115 the amount of \_\_\_\_\_, payable to Robert Champion, Sr.,  
116 and Pam Champion, as compensation for the wrongful death of

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117 their son, Robert Champion, Jr., due to the negligence of  
118 Florida A & M University.

119 Section 3. The total amount paid for attorney fees,  
120 lobbying fees, costs, and other similar expenses relating to  
121 this claim may not exceed 25 percent of the amount awarded under  
122 this act.

123 Section 4. The compensation awarded under this act is  
124 intended to provide the sole compensation for all present and  
125 future claims arising out of the factual situation described in  
126 this act which resulted in the wrongful death of Robert  
127 Champion, Jr.

128 Section 5. This act shall take effect July 1, 2014.