

By Senator Abruzzo

25-00198-16

201660\_\_

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 of the Estate of  
7       Robert Champion, Jr., for the wrongful death of their  
8       son, Robert Champion, Jr., due to the negligence of  
9       Florida A & M University; providing a limitation on  
10      the payment of fees and costs; providing that the  
11      appropriation settles all present and future claims  
12      related to the wrongful death of Robert Champion, Jr.;  
13      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  
22      during the halftime show at the Florida Classic, the annual  
23      college football game between Bethune-Cookman University and  
24      Florida Agricultural and Mechanical University, and

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

25-00198-16

201660\_\_

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

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

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

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

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

58 WHEREAS, the investigation found that there was poor

25-00198-16

201660\_\_

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 incidents  
62 of hazing on campus were not tracked despite a history of the  
63 practice, that hazing allegations investigated by campus police  
64 were not shared with the office that handled student discipline,  
65 and that band member eligibility was seldom, if ever, verified,  
66 and

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

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

79 WHEREAS, in May 2012, 13 band members and Florida  
80 Agricultural and Mechanical University students were criminally  
81 charged with hazing that resulted in the death of Robert  
82 Champion, Jr., and

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

25-00198-16

201660\_\_

88 negligence of Florida Agricultural and Mechanical University,  
89 and

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

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

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

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

108

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

110

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

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

25-00198-16

201660\_\_

117 and Pam Champion, as compensation for the wrongful death of  
118 their son, Robert Champion, Jr., due to the negligence of  
119 Florida A & M University.

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

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

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