

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 under this act to apply to the  
6           Department of Juvenile Justice by a certain date;  
7           prohibiting the estate of a decedent or the personal  
8           representative of a decedent from submitting an  
9           application on behalf of the decedent; requiring that  
10          the application include certain information and  
11          documents; requiring the department to examine the  
12          application, notify the applicant of any errors or  
13          omissions, and request any additional information  
14          within a certain timeframe; providing that the  
15          applicant has 15 days after notification to complete  
16          the application; requiring the department to process  
17          and review a completed application within a certain  
18          timeframe; prohibiting the department from denying an  
19          application for specified reasons and under certain  
20          circumstances; requiring the department to notify the  
21          applicant of its determination within a certain  
22          timeframe; requiring the department to certify an  
23          applicant as a victim of Florida reform school abuse  
24          if the department determines his application meets the  
25          requirements of this act; requiring the department to  
26          submit a list of all certified victims to the  
27          President of the Senate and the Speaker of the House  
28          of Representatives; providing an effective date.  
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30 WHEREAS, the Florida State Reform School, also known as the  
31 "Florida Industrial School for Boys," the "Florida School for  
32 Boys," the "Arthur G. Dozier School for Boys," and the "Dozier  
33 School," was opened by the state in 1900 in Marianna to house  
34 children who had committed minor criminal offenses, such as  
35 incorrigibility, truancy, and smoking, as well as more serious  
36 offenses, such as theft and murder, and

37 WHEREAS, throughout the Dozier School's history, reports of  
38 abuse, suspicious deaths, and threats of closure plagued the  
39 school, and

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

43 WHEREAS, a psychologist employed at the Dozier School  
44 testified under oath at a 1958 United States Senate Judiciary  
45 Committee hearing that boys at the school were beaten by an  
46 administrator, that the blows were severe and dealt with great  
47 force with a full arm swing over the head and down, that a  
48 leather strap approximately 10 inches long was used, and that  
49 the beatings were "brutality," and

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

55 WHEREAS, a forensic investigation funded by the Legislature  
56 and conducted from 2013 to 2016 by the University of South  
57 Florida found incomplete records regarding deaths and 45 burials  
58 that occurred at the Dozier School between 1900 and 1960 and

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59 found that families were often notified of the death after the  
60 child was buried or were denied access to their child's remains  
61 at the time of burial, and

62 WHEREAS, the excavations conducted as part of the forensic  
63 investigation revealed more burials than reported in official  
64 records, and

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

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

74 WHEREAS, more than 500 former students of the Dozier School  
75 and the Okeechobee School have come forward with reports of  
76 physical, mental, and sexual abuse by school staff during the  
77 1940s, 1950s, and 1960s and the resulting trauma that has  
78 endured throughout their lives, and

79 WHEREAS, during the 2017 legislative session, the  
80 Legislature unanimously issued a formal apology to the victims  
81 of abuse with the passage of CS/SR 1440 and CS/SR 1335,  
82 expressing regret for the treatment of boys who were sent to the  
83 Dozier School and the Okeechobee School; acknowledging that the  
84 treatment was cruel, unjust, and a violation of human decency;  
85 and expressing its commitment to ensure that children who have  
86 been placed in this state's care will be protected from abuse  
87 and violations of human decency, NOW, THEREFORE,

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

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

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

(3) (a) A person seeking to be certified as a victim of Florida reform school abuse must submit an application to the Department of Juvenile Justice no later than October 1, 2018. The estate of a decedent or the personal representative for a decedent may not submit an application on behalf of the decedent.

(b) The application must include:

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

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

3. Positive proof of identification, including a current

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117 form of photo identification.

118 (c) Within 30 calendar days after receipt of an  
119 application, the Department of Juvenile Justice shall examine  
120 the application and notify the applicant of any errors or  
121 omissions or request any additional information relevant to the  
122 review of the application. The applicant has 15 calendar days  
123 after receiving such notification to complete the application by  
124 correcting any errors or omissions or submitting any additional  
125 information requested by the department. The department shall  
126 review and process each completed application within 90 calendar  
127 days after receipt of the application.

128 (d) The Department of Juvenile Justice may not deny an  
129 application due to the applicant failing to correct an error or  
130 omission or failing to submit additional information the  
131 department requested unless the department timely notified the  
132 applicant of such error or omission or timely requested  
133 additional information as provided in paragraph (c).

134 (e) The Department of Juvenile Justice shall notify the  
135 applicant of its determination within 5 business days after  
136 processing and reviewing the application. If the department  
137 determines that an application meets the requirements of this  
138 act, the department must certify the applicant as a victim of  
139 Florida reform school abuse.

140 (f) No later than March 1, 2019, the Department of Juvenile  
141 Justice must process and review all applications that were  
142 submitted by October 1, 2018, and must submit a list of all  
143 certified victims to the President of the Senate and the Speaker  
144 of the House of Representatives.

145 Section 2. This act shall take effect upon becoming a law.