

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 State by a certain date; prohibiting the
7 estate of a decedent or the personal representative of
8 a decedent from submitting an application on behalf of
9 the decedent; requiring that the application include
10 certain information and documentation; requiring the
11 department to examine the application, notify the
12 applicant of any errors or omissions, and request any
13 additional information within a certain timeframe;
14 providing that the applicant has 15 days after such
15 notification to complete the application; requiring
16 the department to process and review a completed
17 application within a certain timeframe; prohibiting
18 the department from denying an application for
19 specified reasons and under certain circumstances;
20 requiring the department to notify the applicant of
21 its determination within a certain timeframe;
22 requiring the department to certify an applicant as a
23 victim of Florida reform school abuse if the
24 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.
29

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
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, 1960s, and 1970s and the resulting trauma that has
 78 | endured throughout their lives, and

79 | WHEREAS, this is a unique and shameful chapter in the
 80 | history of the state during which children placed into custody
 81 | of state employees were subjected to physical, mental, and
 82 | sexual abuse rather than the guidance and compassion that
 83 | children in state custody should receive, and

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

93 |
 94 | Be It Enacted by the Legislature of the State of Florida:

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

99 | (2) As used in this act, the term "victim of Florida
 100 | reform school abuse" means a living person who was confined at

101 the Arthur G. Dozier School for Boys or the Okeechobee School at
102 any time between 1940 and 1975 and who was subjected to physical
103 or sexual abuse perpetrated by school personnel during the
104 period of confinement.

105 (3) (a) A person seeking to be certified as a victim of
106 Florida reform school abuse must submit an application to the
107 Department of State no later than September 1, 2019. The estate
108 of a decedent or the personal representative of a decedent may
109 not submit an application on behalf of the decedent.

110 (b) The application must include:

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

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

120 3. Positive proof of identification, including a current
121 form of photographic identification.

122 (c) Within 30 calendar days after receipt of an
123 application, the Department of State shall examine the
124 application and notify the applicant of any errors or omissions
125 or request any additional information relevant to the review of

126 | the application. The applicant has 15 calendar days after
127 | receiving such notification to complete the application by
128 | correcting any errors or omissions or submitting any additional
129 | information requested by the department. The department shall
130 | review and process each completed application within 90 calendar
131 | days after receipt of the application.

132 | (d) The Department of State may not deny an application
133 | due to the applicant's failure to correct an error or omission
134 | or failure to submit any additional information requested by the
135 | department if the department failed to timely notify the
136 | applicant of such error or omission or timely request additional
137 | information as provided in paragraph (c).

138 | (e) The Department of State shall notify the applicant of
139 | its determination within 5 business days after processing and
140 | reviewing the application. If the department determines that an
141 | application meets the requirements of this act, the department
142 | must certify the applicant as a victim of Florida reform school
143 | abuse.

144 | (f) No later than December 31, 2019, the Department of
145 | State must process and review all applications that were
146 | submitted by September 1, 2019, and must submit a list of all
147 | certified victims to the President of the Senate and the Speaker
148 | of the House of Representatives.

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