

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 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 documents; 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  
15      notification to complete the application; requiring  
16      the department to review and process 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 by a certain date; providing an  
29      effective date.

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31 WHEREAS, the Florida State Reform School, also known as the  
32 "Florida Industrial School for Boys," the "Florida School for  
33 Boys," the "Arthur G. Dozier School for Boys," and the "Dozier  
34 School," was opened by the state in 1900 in Marianna to house  
35 children who had committed minor criminal offenses, such as  
36 incorrigibility, truancy, and smoking, as well as more serious  
37 offenses, such as theft and murder, and

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

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

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

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

56 WHEREAS, a forensic investigation funded by the Legislature  
57 and conducted from 2013 to 2016 by the University of South  
58 Florida found incomplete records regarding deaths and 45 burials

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59 that occurred at the Dozier School between 1900 and 1960 and  
60 found that families were often notified of the death after the  
61 child was buried or were denied access to their child's remains  
62 at the time of burial, and

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

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

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

75 WHEREAS, more than 500 former students of the Dozier School  
76 and the Okeechobee School have come forward with reports of  
77 physical, mental, and sexual abuse by school staff during the  
78 1940s, 1950s, 1960s, and 1970s and the resulting trauma that has  
79 endured throughout their lives, and

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

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88 violations of human decency, and

89 WHEREAS, this is a unique and shameful chapter in the  
90 history of the State of Florida during which children placed in  
91 the custody of state employees were subjected to physical,  
92 mental, and sexual abuse by state employees rather than the  
93 guidance and compassion that children in state custody should  
94 receive, NOW, THEREFORE,

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

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

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

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

112 (b) The application must include:

113 1. An affidavit stating that the applicant was confined at  
114 the Arthur G. Dozier School for Boys or the Okeechobee School,  
115 the beginning and ending dates of the confinement, and that the  
116 applicant was subjected to physical or sexual abuse perpetrated

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117 by school personnel during the confinement;

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

122 3. Positive proof of identification, including a current  
123 form of photo identification.

124 (c) Within 30 calendar days after receipt of an  
125 application, the Department of State shall examine the  
126 application and notify the applicant of any errors or omissions  
127 or request any additional information relevant to the review of  
128 the application. The applicant has 15 calendar days after  
129 receiving such notification to complete the application by  
130 correcting any errors or omissions or by submitting any  
131 additional information requested by the department. The  
132 department shall review and process each completed application  
133 within 60 calendar days after receipt of the application.

134 (d) The Department of State may not deny an application due  
135 to the applicant failing to correct an error or omission or  
136 failing to submit additional information the department  
137 requested unless the department timely notified the applicant of  
138 such error or omission or timely requested additional  
139 information as provided in paragraph (c).

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

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

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