

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 as a victim of Florida reform
6 school abuse to apply to the Department of State by a
7 specified date; authorizing the estate, personal
8 representative, next of kin, or lineal descendants of
9 a decedent who was a victim of Florida reform school
10 abuse to submit an application on behalf of the
11 decedent; requiring that the application include
12 certain information and documentation; requiring the
13 department to review the application, notify the
14 applicant of any errors or omissions, and request any
15 additional information within a certain timeframe;
16 providing that the applicant has 15 calendar days
17 after such notification to complete the application;
18 requiring the department to review and process a
19 completed application within a certain timeframe;
20 prohibiting the department from denying an application
21 for specified reasons and under certain circumstances;
22 requiring the department to notify the applicant of
23 its determination within a certain timeframe;
24 requiring the department to certify an applicant as a
25 victim of Florida reform school abuse if the
26 department determines the application meets the
27 requirements of this act; requiring the department to
28 submit a list of all certified victims of Florida
29 reform school abuse to the Legislature by a specified

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30 date; providing exceptions from specified requirements
31 for crime victim compensation eligibility for
32 applications by victims of Florida reform school
33 abuse; providing an effective date.
34

35 WHEREAS, the Florida State Reform School, also known as the
36 Florida Industrial School for Boys, the Florida School for Boys,
37 the Arthur G. Dozier School for Boys, and most commonly called
38 the Dozier School, was opened by the state in 1900 in Marianna
39 to house children who had committed minor criminal offenses,
40 such as incorrigibility, truancy, and smoking, as well as more
41 serious offenses, such as theft and murder, and

42 WHEREAS, reports of abuse, suspicious deaths, and threats
43 of closure plagued the school throughout its history, and

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

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

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

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59 WHEREAS, a forensic investigation funded by the Legislature
60 and conducted from 2013 to 2016 by the University of South
61 Florida found incomplete records regarding deaths and 45 burials
62 that occurred at the Dozier School between 1900 and 1960 and
63 found that families were often notified of the death after the
64 child was buried or were denied access to their child's remains
65 at the time of burial, and

66 WHEREAS, the excavations conducted as part of the forensic
67 investigation revealed more burials than reported in official
68 records, and

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

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

78 WHEREAS, more than 500 former students of the Dozier School
79 and the Okeechobee School have come forward with reports of
80 physical, mental, and sexual abuse by school staff during the
81 1940s, 1950s, 1960s, and 1970s, resulting in trauma that has
82 endured throughout their lives, and

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

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

98
99 Be It Enacted by the Legislature of the State of Florida:

100
101 Section 1. (1) This act may be known and cited as the
102 "Arthur G. Dozier School for Boys and Okeechobee School Abuse
103 Victim Certification Act."

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

110 (3) (a) A person seeking to be certified as a victim of
111 Florida reform school abuse must submit an application to the
112 Department of State no later than September 1, 2023. The estate,
113 personal representative, next of kin, or lineal descendants of
114 the decedent who was a victim of Florida reform school abuse may
115 submit an application on behalf of the decedent.

116 (b) The application must include:

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

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

128 3. Positive proof of identification, including a current
129 form of photographic identification. This subparagraph does not
130 apply if the application is submitted by the estate, personal
131 representative, next of kin, or lineal descendent of the
132 decedent.

133 (c) Within 30 calendar days after receipt of an
134 application, the Department of State shall review the
135 application and notify the applicant of any errors or omissions
136 or request any additional information relevant to the review of
137 the application. The applicant has 15 calendar days after
138 receiving such notification to complete the application by
139 correcting any errors or omissions or submitting any additional
140 information requested by the department. The department shall
141 review and process each completed application within 90 calendar
142 days after receipt of the application.

143 (d) The Department of State may not deny an application due
144 to the applicant's failure to correct an error or omission or to
145 submit any additional information requested by the department if

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146 the department failed to timely notify the applicant of such
147 error or omission or timely request additional information as
148 provided in paragraph (c).

149 (e) The Department of State shall notify the applicant of
150 its determination within 5 business days after reviewing and
151 processing the application. If the department determines that an
152 application meets the requirements of this section, the
153 department must certify the applicant as a victim of Florida
154 reform school abuse.

155 (f) No later than December 31, 2023, the Department of
156 State must review and process all applications that were
157 submitted by September 1, 2023, and must submit a list of all
158 certified victims of Florida reform school abuse to the
159 President of the Senate and the Speaker of the House of
160 Representatives.

161 Section 2. (1) Notwithstanding s. 960.03(3), Florida
162 Statutes, for purposes of a claim under chapter 960, Florida
163 Statutes, by a victim of Florida reform school abuse, as defined
164 in section 1 of this act, or an intervenor, as defined in s.
165 960.03(9), Florida Statutes, the term "crime" means a felony or
166 misdemeanor offense committed by an adult or a juvenile which
167 results in a mental or physical injury or death to another
168 person. A mental injury must be verified by a psychologist
169 licensed under chapter 490, Florida Statutes; by a physician
170 licensed under chapter 458, Florida Statutes, or chapter 459,
171 Florida Statutes, who has completed an accredited residency in
172 psychiatry; or by a physician licensed under chapter 458,
173 Florida Statutes, or chapter 459, Florida Statutes, who has
174 obtained certification as an expert witness pursuant to s.

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175 458.3175, Florida Statutes, or s. 459.0066, Florida Statutes.

176 (2) Notwithstanding s. 960.065(2)(c) and (3), Florida
177 Statutes, a victim of Florida reform school abuse or an
178 intervenor may file a claim under chapter 960, Florida Statutes.

179 (3) Notwithstanding s. 960.07, Florida Statutes, a victim
180 of Florida reform school abuse or an intervenor may file a claim
181 under chapter 960, Florida Statutes, within 1 year after the
182 effective date of this act.

183 Section 3. This act shall take effect upon becoming a law.