

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  
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

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

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 |

HB 629

2023

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  
105 reform school abuse" means a living person who was confined at  
106 the Arthur G. Dozier School for Boys or the Okeechobee School at  
107 any 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:

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  
144 due to the applicant's failure to correct an error or omission  
145 or to submit any additional information requested by the  
146 department if the department failed to timely notify the  
147 applicant of such error or omission or timely request additional  
148 information as 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.  
 175 458.3175, Florida Statutes, or s. 459.0066, Florida Statutes.

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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.