

By Senator Fasano

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1 A bill to be entitled
2 An act for the relief of the victims who were abused
3 while confined to the Florida Reform School for Boys
4 located in Marianna and Okeechobee; providing an
5 appropriation to compensate them for injuries and
6 damages sustained as result of the abuses perpetrated
7 by the personnel of the reform schools; providing a
8 limitation on the payment of fees and costs; providing
9 an effective date.

10
11 WHEREAS, during the 1940s, 1950s, and 1960s, certain minors
12 were sent to the Florida School for Boys located in Marianna and
13 Okeechobee, Florida, and

14 WHEREAS, some of the boys who were sent to those reform
15 schools were severely physically and psychologically abused by
16 the personnel operating the reform schools in Marianna and
17 Okeechobee, and

18 WHEREAS, some of the boys who were physically,
19 psychologically, and sexually abused had been sent to the reform
20 school for "crimes" such as being truant from elementary school,
21 for running away from abusive homes, for running away from
22 foster homes, for being "incorrigible" in an orphanage, for
23 jumping a fence at a city swimming pool, or for smoking, and

24 WHEREAS, many of the boys were not given a trial prior to
25 being sent by the state to the reform schools, and

26 WHEREAS, more than 300 former students of the reform
27 schools have come forward alleging abuses during the 1940s,
28 1950s, and 1960s, and

29 WHEREAS, many beatings were inflicted in a building known

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as the "White House" at the reform school in Marianna, and

WHEREAS, the boys were forced to lie face down on a blood- and urine-stained cot, were told to bite a pillow covered with blood, vomit, and bodily fluids, and

WHEREAS, the boys were struck repeatedly (as many as 100 strikes) on their buttocks and legs with a leather razor strap with a wooden handle, and

WHEREAS, such strikes were given with a full swing from overhead, and

WHEREAS, such strikes were given with such force that the strap frequently cut into the boys' skin, causing bleeding and bruising, and

WHEREAS, such strikes frequently caused portions of clothing to become embedded into the skin, requiring pieces of their cotton underwear be extracted from the boys' flesh, and

WHEREAS, school employees imposing the whippings would turn on a large industrial fan to muffle the screams of the boys being beaten, and

WHEREAS, the personnel of the reform schools who perpetrated such beatings would make monetary bets on which of them could draw blood first from the boys, and

WHEREAS, some victims needed medical treatment following the beatings, and were left with permanent scars, and

WHEREAS, some of the boys who were severely beaten were as young as 10 years of age, and

WHEREAS, after being beaten, some boys were placed in solitary confinement for as long as 30 days in an approximately 8-by-8-foot cell having no lights or windows, containing only a bunk with a mattress and no sheets, and a bucket to be used as a

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59 toilet, which was known as the "hole," and

60 WHEREAS, the boys were segregated at the reform schools
61 into white and black areas, and

62 WHEREAS, both races were subjected to beatings, and

63 WHEREAS, some of the beatings were given as punishment for
64 "violations," such as eating an extra pancake at breakfast,
65 eating blueberries while running an errand, wearing buttons with
66 the wrong insignia on the jacket, lying about using a curse
67 word, having a "bad attitude," or smiling at the wrong time, and

68 WHEREAS, on one occasion, a boy was tied between two trees
69 while he was repeatedly kicked in the groin, and

70 WHEREAS, some of the boys were simply pulled out of their
71 beds in the middle of the night for beatings or for sexual
72 assaults, and

73 WHEREAS, some of the boys were raped and otherwise
74 physically and sexually assaulted, including being forced to
75 perform oral sex by the reform school personnel and by
76 supervisors and cottage "fathers," and

77 WHEREAS, beatings in the Okeechobee facility included
78 strikes with leather straps that had quarters or dimes embedded
79 in the leather to provide extra weight, and assaults using
80 "probing rods" that were made of wood and used for punishment by
81 sodomizing the boys, and

82 WHEREAS, boys were asked sexually inappropriate questions
83 by a school psychologist purportedly hired to counsel the boys,
84 and

85 WHEREAS, boys were sexually assaulted by a "school
86 psychologist," and

87 WHEREAS, boys were sexually abused by school guards in an

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88 underground room called the "rape room," and

89 WHEREAS, the boys were threatened with their lives by the
90 reform school personnel and told not to tell others of these
91 abuses, and

92 WHEREAS, one of the reform school administrators who is
93 alleged to have beaten many of the children admitted under oath
94 that boys were punished by taking them to the "White House,"
95 that the boy being punished was told to lie face down on a cot
96 in an otherwise empty room, that at times they would have two or
97 three boys from the kitchen hold down the boy being punished,
98 that he hit the boys with a thick leather razor strap with a
99 handle 8 to 10 times per infraction, that he at times witnessed
100 bruises on their buttocks afterward, that the director of the
101 school was always present during the "spankings," that he
102 witnessed the director and another employee at times giving the
103 "spankings," that boys could be given such punishment for
104 infractions such as smoking, talking about running away, or
105 having an "attitude problem," and

106 WHEREAS, the national guidelines for training school and
107 juvenile agencies in the 1960s provided that corporal punishment
108 should not be tolerated in any form, including slapping,
109 spanking, paddling, belting, or any kind of abuse, and

110 WHEREAS, Arthur G. Dozier, a former school superintendent,
111 acknowledged the whippings in 1964 when Mr. Dozier stated to the
112 press that although he did not like the whippings, he would not
113 like to see the Legislature take away the right by completely
114 forbidding whipping, and

115 WHEREAS, the school in Marianna is currently named the
116 Arthur G. Dozier School for Boys, and

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WHEREAS, the reform schools were severely underfunded causing overcrowding, and, according to the national guidelines of the time, Marianna housed more than five times the number of children recommended for a state training school, and

WHEREAS, the underfunding also resulted in inadequate supervision, and, according to the national guidelines of the time, Marianna employed an insufficient number of caseworkers, and

WHEREAS, according to the national guidelines of the time, the Marianna school was understaffed in teachers, and

WHEREAS, according to the national guidelines of the time, the Marianna school was understaffed in recreation workers, and

WHEREAS, according to the national guidelines of the time, the Marianna school was understaffed in psychologists, and

WHEREAS, juvenile court judges who toured the school in 1969 stated that conditions were dismal, without adequate facilities, without adequate staffing, and sexual perversion was common, and

WHEREAS, one judge stated he felt like a rat for sending boys to that place, that by sending boys to the training center they were doing damage as far as sexual problems were concerned, and that eventually he would like to see the place phased out, and

WHEREAS, Governor Claude Kirk toured the school in 1968 and stated "If one of your kids were kept in such circumstances, you'd be up there with rifles," and

WHEREAS, Dr. Eugene Byrd, a psychologist and former staff employee, testified in 1958 before the United States Senate that the conditions and beatings of the boys that he witnessed

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amounted to "brutality," and

WHEREAS, a pattern of abuse at the reform schools has existed for more than 100 years: in 1903, investigators found children in shackles; in 1911, a report of a special joint committee on the reform school stated that the inmates were at times unnecessarily and brutally punished, the instrument of punishment being a leather strap fastened to a wooden handle; and in 1914, at least 10 children died in a fire in the main building of the Marianna reform school, where it was reported that all fire-escape doors were locked, and

WHEREAS, similar abuses occurred at the reform schools located in Marianna and Okeechobee and were considered standard, accepted practice and procedure for administering discipline at the schools, and

WHEREAS, these children suffered severe physical and psychological damages that have endured throughout their adult lives, causing damages, including, but not limited to: severe depression; post-traumatic stress disorder; persistent insomnia, including an inability to sleep in the dark for many years; substance abuse; phantom pain; and relationship and economic hardships, including, but not limited to, an inability to maintain personal relationships, causing multiple failed and broken marriages and families, violence, prison time, suicide, lack of trust, and an inability to maintain employment, NOW, THEREFORE,

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

Section 1. The sum of \$ is appropriated from the

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175 General Revenue Fund to the Department of Juvenile Justice for
176 the relief of the victims who were abused while confined to the
177 Florida Reform School for Boys in Marianna and Okeechobee and
178 who sustained injuries and damages as a result of such abuses
179 perpetrated by the personnel of the reform schools.

180 Section 2. The Chief Financial Officer is directed to draw
181 a warrant in favor of the victims who were abused while confined
182 to the Florida Reform School for Boys in Marianna and Okeechobee
183 in the sum of \$ upon funds in the State Treasury, and the
184 Chief Financial Officer is directed to pay the same out of such
185 funds in the State Treasury.

186 Section 3. The Legislature is not deemed by this act to
187 have waived any defense of sovereign immunity or to have
188 increased the limits of liability on behalf of the state or any
189 person or entity subject to the provisions of s. 768.28, Florida
190 Statutes, or any other law.

191 Section 4. The amount awarded under this act is intended to
192 provide the sole compensation for all present and future claims
193 arising out of the factual situation described in this act which
194 resulted in injuries to the victims who were abused while
195 confined to the Florida Reform School for Boys in Marianna and
196 Okeechobee. The total amount paid for attorney's fees, lobbying
197 fees, costs, and other similar expenses relating to this claim
198 may not exceed 25 percent of the amount awarded under this act.

199 Section 5. This act shall take effect upon becoming a law.