



Florida Department of Law Enforcement

OFFICE OF EXECUTIVE INVESTIGATIONS

Arthur G. Dozier School for Boys Abuse Investigation

INVESTIGATIVE SUMMARY

INVESTIGATIVE PREDICATE

On December 9, 2008, Governor Charlie Crist directed the Florida Department of Law Enforcement (FDLE) to investigate 32 unmarked graves located on property surrounding the Arthur G. Dozier School for Boys in Marianna, Florida. The request was made due to abuse allegations brought forth by individuals known as “The White House Boys Survivors Organization.” The individuals are former students who attended the reformatory school during the late 1950’s through 1960’s and who allege that during their tenure they were subjected to repeated physical abuse by staff members as a form of discipline. The individuals believe there may be fellow students who died from the abuse and therefore may be buried at the school cemetery.

Governor Crist requested that FDLE determine: 1) The entity that owned or operated the property at the time the graves were placed, 2) Identification, where possible, of the remains of those individuals buried on the site and 3) Determine if any crimes were committed, and if so, the perpetrators of those crimes.

On May 14, 2009, FDLE concluded parts 1 and 2 of Governor Crist’s directive regarding 1) The identification/ownership of the property known as the Boot Hill Cemetery and 2) The identification of those students who died and were buried at the cemetery (FDLE Case Summary EI-73-8455).

The purpose of this report is to address allegations of physical abuse that occurred from 1940 through 1969, and determine 1) The person or persons responsible and 2) If said abuse rises to a level that would warrant criminal prosecution.

HISTORY OF THE SCHOOL

Mandated by the Florida Legislature in 1897, the Florida State Reform School (School) opened its doors January 1, 1900, to provide a place “where young offenders against the laws of our state might be separated from older more vicious associates” {Florida Children’s Commission 1953}.

The management and affairs of the School have been housed under a multitude of entities during the last 109 years. In 1897, the Governor appointed five commissioners whose duty it was to superintend, manage the School, and report to the Legislature biennially. Shortly thereafter, the responsibility of the School was managed by The Board of Commissioners of State Institutions which consisted of the Governor, Secretary of State, Attorney General, Comptroller, Treasurer, Superintendent of Public Instruction, and the Commissioner of Agriculture. In 1969, the Legislature enacted the "Government Reorganization Act" that resulted in the Division of Youth Services, which became part of the Florida Department of Health and Rehabilitative Services (HRS). In 1990, HRS transferred the School's management to their Children and Family Services Program Office. In 1994, the responsibilities of the School fell under a new state agency, the Florida Department of Juvenile Justice, which is still managing the school today.

The School has remained open throughout the years having been known as the Florida State Reform School (1900-1913), the Florida Industrial School for Boys (1914-1957), the Florida School for Boys (1957-1967), and currently operates as the Arthur G. Dozier School for Boys. Today, the School is considered a high-risk residential commitment facility for boys 13-21 years of age.

In the early years, the facility was situated on almost 1,400 acres and periodically housed both male and female students, some as young as six years old. Many of these students were committed to the facility for minor offenses, such as incorrigibility or truancy. "White" and "colored" students were segregated from one another until 1968. The School had two campuses, the South Side or "Number 1" side for the "white" students and the North Side or "Number 2" side for "colored" students. The School's North Side campus, where the cemetery was located, was permanently closed between 1990 and 1991. (The terms "white" and "colored" are used throughout this report as a means of identification based on the terms of reference utilized during the first sixty plus years of the School's existence. "Whites" and "colored" were separated not only physically but also administratively in School ledgers.)

Individual Rating System

For over 80 years, the School was an open campus facility with no perimeter fencing or structure to discourage students from escaping. While the majority of students abided by School rules, there were those who ran away on a regular basis even after having been previously caught. One incentive to dissuade escapees and unruly behavior was the Individual Rating System. Beginning in 1931, students were rated and awarded points based on attitude, responsibility, achievements, etc. Upon entering the school, a student started as a Rookie and had the potential to advance through the ranks of Explorer (also referred to as Polywog), Pioneer, Pilot, and finally Ace. As a student advanced in rank he received additional privileges, to include going off campus unattended by an adult staff member. Conversely, if demoted, he lost those privileges. A student found guilty of lying, stealing, cursing, cheating, abusing property, or running away was immediately demoted to the special rank of Grub (also referred to as Punk) regardless of any rank he had attained before.

“THE WHITE HOUSE BOYS”

The original founding members of the White House Boys consisted of Roger Kiser (formerly known as Kaiser), Michael O’McCarthy (formerly known as Babarsky), Richard “Dick” Colon, and Robert Straley. In the past year, the group’s relationship with one another has become strained and they have since divided into separate organizations now known as: “The White House Boys,” “The White House Boys Survivor Organization Corporation,” and “The Official White House Boys.” Both O’McCarthy and Kiser are authors and have published books and autobiographies about their experiences while at the Florida School for Boys. While students at the School, whenever they were disciplined, they and others were sent to a small white building located on the South Side campus. The building became known as the “White House” and the former students who were punished there refer to themselves as the “White House Boys.”

Roger Kiser (Student from June 1959-March 1960) stated that he was sent to the White House on five separate occasions, but was only spanked on two. Kiser believed the other three occasions were an attempt by Mr. Robert Currie (Staff Social Worker) to “terrorize” him.

Kiser stated that the first time he was spanked “40 to 50” times by Mr. Hatton (Staff Member). Kiser stated that he was spanked with such force that his buttocks were “black and blue and bloody” and that his underwear was imbedded into his skin. Kiser stated that on the second occasion, he received “25 to 30” spankings from Mr. Tidwell (Staff Member).

Kiser stated that he has no residual scars as a result of his spankings.

Robert Straley (Student from March 1963-January 1964) stated that when he was sent to the White House, he received 40 “lashes” by Mr. Tidwell which resulted in blood blisters or “deep black and purple” pinholes all over his buttocks. Straley worked as a “hospital boy” and recalled boys being treated for wounds they received as a result of their spankings. Straley helped soak their wounds in Epsom salts and hydrogen peroxide. Straley advised that some boys had scabs on their buttocks from the spankings.

Straley stated that he was also spanked at the White House on one other occasion by Mr. Tidwell and believed Mr. Hatton was also present. Straley stated that he received 25 to 30 strikes that were not as severe as the first time he was spanked.

Straley stated that he has no residual scars as a result of his spankings.

Richard “Dick” Colon (Student from May 1957-September 1959) estimated that he was sent to the White House on 11 different occasions with the most lashes received at any one time being approximately 30. Colon stated that the reason he went so often was because some of the bigger boys would provide protection for him (from other boys/bullies) if he would take the blame for violations they committed. Colon stated that the majority of times he was spanked by Mr. Hatton, however, he also recalled being spanked by Mr. Tidwell.

Colon advised that he has a “mark” on his buttock but does not know if it was the result of the spankings or if it was from any one of several motorcycle accidents.

Michael O'McCarthy (Student from May 1958-February 1959) stated that he was sent to the White House on one occasion and was spanked by Mr. Hatton to the point that his buttocks bled profusely and he defecated on himself. O'McCarthy stated that he "lost count" after receiving 40 lashes with the strap.

O'McCarthy stated that he has no residual scars as a result of his spanking.

ALLEGATIONS BY FORMER STUDENTS

Prior to the launch of FDLE's investigation, a ceremony sponsored by the Florida Department of Juvenile Justice was held on October 21, 2008, at the Arthur G. Dozier School for Boys in front of the building known as the White House. The purpose of the ceremony was to officially "seal" the building and recognize those boys who passed through the White House doors. The "White House Boys" listed above were present for this ceremony and alleged that they, as well as others, were the victims of physical abuse by School staff members.

Media coverage of the ceremony, as well as Governor Crist's subsequent directive to FDLE, resulted in nationwide attention surrounding the investigation. Former students were encouraged through several newspapers, websites (Justice4Kids, Whitehouseboys.com), and by word of mouth (of those already interviewed) to contact FDLE with their accounts. As a result, approximately 100* former students or family members either contacted FDLE by their own accord or FDLE located them during the course of the investigation. Some of the former students were interviewed over the telephone while others were interviewed in person. Several former students who initially expressed a willingness to be interviewed later declined on advice of their attorneys.

The individuals interviewed during this investigation can be categorized as follows:

- Individuals whose deceased relatives attended the School
- Individuals who attended the School but were never spanked
- Individuals who were spanked and had positive views of the School and its discipline
- Individuals who allege their spankings resulted in bruising, bleeding, and/or other physical injury which required them to seek medical assistance
- Individuals who received spankings and suffered no physical scarring or marks
- Individuals who observed bruising/bleeding on other students
- Individuals who allege they were sexually abused by unknown staff member or those who allege that they were sexually harassed by a staff member

* See Appendix 1.1 for names of all persons contacted by FDLE.

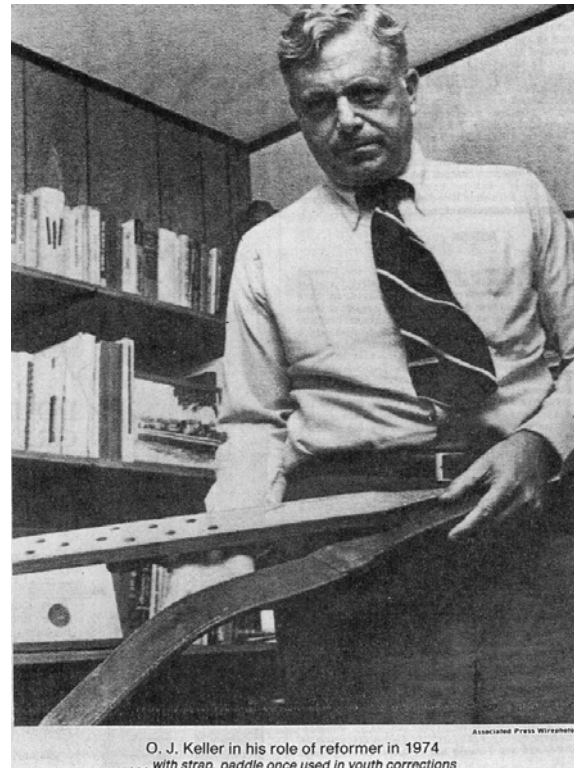
A common theme amongst the former students was that they received spankings which many referred to as “beatings” at the School’s White House building. The former students were consistent in describing that once taken into the White House, they were told to lie face down on a cot and grasp the head rail with their hands. They were told that if they released their grip, the spankings would start over from the beginning. Some students stated that if they squirmed or fought back, boys from the neighboring kitchen would be called in to assist in holding them down by their legs and/or arms. Some students also claimed that during their spankings the strap would sometimes miss their buttocks and the strike would land on their lower back and/or upper thighs.

The former students stated that the person/s most often responsible for administering their punishment was Robert Hatton, Maurice Crockett, Arthur Dozier, and Troy Tidwell. Mr. Hatton, Mr. Crockett, and Mr. Dozier are deceased. Mr. Tidwell has retained an attorney due to a class action civil lawsuit filed against him, as well as the State of Florida Departments of Agriculture, Children and Family Services, Juvenile Justice, and Corrections by some former students of the School. Representing the State of Florida agencies and Mr. Tidwell is the law firm of Dunlap, Toole, Shipman, and Whitney, P.A. Specifically representing Mr. Tidwell is the law firm of Bondurant & Fuqua, P.A. The plaintiffs allege in the lawsuit that while attending the School, they were subjected to repeated physical and psychological abuse under the guise of discipline. The plaintiffs also list former School Social Worker Robert Currie as a defendant, however, he is deceased.

Several allegations were made that the leather strap used for spankings contained a thin strip of metal or a coin at its tip to add to its weight. None of the former students interviewed, including “White House Boys” Kiser, Straley, and O’McCarthy could positively state this as fact, but rather stated that they heard “rumor” or “felt” that the strap was somehow weighted. Mr. Colon was one former student who stated that he thought he saw metal in the strap.

Former staff members Lenox Williams and William Mitchell (who used the strap for discipline) stated that it consisted of pieces of leather sewn together. The strap was described as being approximately 18 inches long and 4 inches wide. The actual strap has never been located and it is unknown if it is still in existence. A wooden paddle believed to have been used prior to the leather strap was located and retrieved by FDLE from the widow of Oliver J. Keller, former State Director of the Florida Division of Youth Services. A 1974 newspaper photograph was found at the School which depicted Mr. Keller holding a leather strap and wooden paddle. The caption beneath the photo read, “O.J. Keller in his role of reformer in 1974...with strap, paddle once used in youth corrections.” (See Figure 1)

Figure 1: Photo depicting the strap & paddle



Source: FDLE File Folder, 02/20/2009

FDLE was unable to independently determine if the items shown in the photograph were the actual instruments used at the School. Additionally, it should be noted that the usage of the wooden paddle as a disciplinary tool by staff members was rarely mentioned by former students of the School.

According to the former students, the amount of times spanked during a disciplinary session ranged from a few to over 100.

There were numerous allegations by former students who stated that their spankings were so severe that:

“Some boys could not walk under their own power after having been spanked”

“Had to drag my leg for two or three days because of the swelling”

“pieces of their underwear were embedded into their buttocks and had to be surgically removed”

“buttocks blistered to the point that it caused skin blisters, ruptures, and bleeding-were given state grease (Vaseline) by staff members to put on their wounds.”

Some former students alleged boys from the kitchen crew were called in to hold them down so that they would not squirm while they were being spanked and that they were “beaten” until they passed out or defecated on themselves. Of the nearly 100 former students interviewed, eight stated that they had physical scars, suffered head, back, or leg injuries as a result of their spankings.

In addition to those former students who alleged physical abuse, there were several who stated that the discipline they received was necessary. Several students made the following statements regarding the discipline:

“(They) got what they deserved”

“In no way did it traumatize my life”

“Actually enjoyed my stay-I certainly needed the discipline”

“It was common sense to behave”

“Mr. Tidwell did for me what my parents never did”

“No student was sent to the White House without specific cause.”

One former student who was sent to the White House on two occasions stated that his attendance at the School was a “very positive experience” and that he later returned to work there as an adult staff member.

INTERVIEWS OF FORMER SCHOOL STAFF:

Although several former School staff members were located, the majority of those members who could have provided FDLE with direct knowledge of policies and procedures have passed away. These staff members included former superintendents, directors, home life supervisors, etc. In addition, the majority of school records pertaining to the target years have been lawfully destroyed as they have met their minimum statutory retention requirements. The staff members that were located and their statements were as follows:

Former Superintendent Lenox Williams (Staff from 1960-1983) stated that spankings were primarily meted out as a last resort if a student was demoted to the rank of “Grub,” escaped, or had the planning/knowledge of an escape. Williams also advised that if a student committed a serious offense such as being extremely physically aggressive toward another, he would potentially receive a spanking. According to Williams, there were occasions when a student would receive a spanking if he was caught smoking. Williams stated that smoking was considered a dangerous behavior because in order to light the cigarette a student would have to “pop” an electrical socket in order to create the spark that would in turn ignite the cigarette.

Williams stated that the only persons who were permitted to spank a student were Home Life Counselors or Directors and that all spankings were administered by designated Staff in the presence of an adult witness.

Williams advised that he was present during several spankings and recalled that the students received “10 to 12 licks at the most.”

During his sworn statement with FDLE, Mr. Williams recalled one incident whereby he was advised by the School Physician, Dr. Wexler (deceased), that he felt that a student had received “too many licks across his buttocks with that paddle.” Williams stated that Dr. Wexler told him that the student had lacerations on his buttocks. Williams stated that he did not recall the name of the student to which Dr. Wexler was referring.

Former Home Life Supervisor William Mitchell (Staff from 1953-1958 and 1959-1996) stated that he was present during many spankings as a witness and at times was the staff member who spanked students. Mitchell stated that he used a leather strap made of two to three pieces of leather sewn together. Mitchell stated that the strap did not contain metal or anything that would have given it weight. Mitchell advised that the students received 5 to 10 spankings at the most. Mitchell stated that allegations that students received one hundred lashes or more were completely untrue. Mitchell stated that he never witnessed any student with injuries (bruises, welts, or blood) as a result of their spankings. Mitchell, who is black, stated that it was his opinion that black students were treated no differently nor more harshly than white students.

Former Cottage Father Thomas Broome (Staff from 1955-1957) stated that he observed one spanking conducted by Mr. Hatton and Mr. Davis. Broome stated that he also observed students whose bruised buttocks lasted for four to five days.

Former Cottage Father Malcolm Hill (Staff from 1956-1957) stated that he witnessed spankings that in his opinion were “extreme.” Hill stated that although some spankings were extreme (twenty to forty lashes), there were no other alternatives to discipline at that time. Hill advised

that he never witnessed any students who suffered bleeding as a result of their spankings. Hill was never aware of any student who sought medical treatment as a result of their spanking. Hill stated that he never witnessed Troy Tidwell spank a student. Hill also stated that the spanking strap that was used did not contain any metal that would have given it weight.

Former Cottage Father Marvin Floyd (Staff from 1961-1963) stated that there was no question in his opinion that there was physical abuse of students at times. Floyd stated that although he never witnessed students being spanked, he saw its residual effects. Floyd witnessed one student who had blood on his pajamas as a result of having been spanked.

Former Cottage Father Billy Dickson (Staff from 1962-1963) stated that he completed disciplinary reports on students who then received spankings. Dickson never witnessed any spankings, but did see welts on some students' buttocks. Dickson stated that the welts did not appear significant enough to have caused bleeding.

Former Cottage Father Grover McKee (Staff from 1963-1964 and 1965-1966) stated that he never witnessed any spankings but did observe redness and bruising on some students' buttocks. McKee stated that the redness and bruising did not appear significant enough to have caused bleeding.

ALLEGATIONS OF SEXUAL ABUSE

It was reported in the media and on former students' websites that a student was sodomized by staff members in the basement of the School's Administration building, which they referred to as the "Rape Room." When interviewed by FDLE, the former student, Robert Straley (in his sworn statement), stated that he was taken into the Administration building one night by Mr. Tidwell and another unknown staff member. Straley stated that his only recollection of the event was that he was lying face down on the floor and that Tidwell had him pinned down with his knees on his back. Straley could not state whether he was or was not sexually abused during the incident and added that he had no signs or symptoms of sexual assault. Straley said that his only physical complaint was that his chest was sore the next day. Straley stated, "I'm sure they did something, but I really don't know what." (Note: Straley attended the School from March 1963 through January 1964 and would have been approximately 17 years old at the time however he believes that he was actually 13 years old due to a discrepancy over his birth certificate.)

Some former students who were interviewed stated that they were sexually abused by fellow students and staff members who were unknown to them and could not identify. Other than Straley, only one former student, J. Patterson, stated that he was sexually abused by Mr. Tidwell. Mr. Patterson was interviewed several times by FDLE and each time changed his account of his time at the School and his accounts of sexual abuse. The veracity of Mr. Patterson's statement is subject to speculation due to inconsistencies of his accounts.

Social Worker-Robert L. Currie

Several former students complained of inappropriate physical contact/behavior by staff social worker Robert L. Currie. The majority of those students complained that Currie made sexual advances toward them or touched them inappropriately; however, a few stated that they were sexually battered by Currie. Lenox Williams stated that he was only aware of reports of

inappropriate conduct, rather than sexual battery, against Currie and that Currie was fired as a result. Currie passed away in August 2000.

LAUNDRY ROOM DEATH

It was also reported in the media and on former students' websites that a student was killed after having been placed in an industrial-sized dryer. There were two former students interviewed who claimed to have direct knowledge of a death in the laundry and are as follows:

Dick Colon

During his sworn statement, Dick Colon stated that while working at the School laundry, he went into the restroom and after several minutes exited only to find that there was no one in the room. Colon stated that he heard a noise coming from one of the industrial dryers. Colon stated that he walked over to the dryer and saw what he believed to be the face of a black male tumbling in the dryer. Colon advised that he made no attempt to open the dryer because he felt that if he did anything he would also be placed into the dryer. After Colon saw the individual, he walked back to his cottage and told no one of the incident. Colon did not know who the subject was nor how he got into or out of the dryer, or if he died. Colon attended the School between May 1957 through September 1959 and would have been approximately 16 years old at the time.

Roger Kiser

Roger Kiser reported that one day while working in the dry cleaning portion of the laundry building; he heard a "big commotion" coming from the laundry area (the laundry and dry cleaning area were in separate rooms). Kiser stated that when his supervisor went outside to check, Kiser opened the door to look outside. Kiser saw the boys from the laundry side being led outside. Kiser stated that his supervisor then came back inside and Kiser asked him what had happened. According to Kiser, the supervisor stated, "Another one of you little bastards just bit the dust." Kiser advised the supervisor walked back outside and again Kiser followed to look out the door. Kiser stated that he saw a vehicle drive up to the building with several staff members. Kiser stated that he saw the men carrying out what he believed to be a male juvenile covered with a white sheet or blanket. Kiser believed the juvenile was white because he saw a white arm hanging from under the sheet. Kiser advised that the men threw the boy into the back seat of the vehicle and drove away. Kiser stated that there were no attempts to conceal the event from the other boys. Kiser could not recall the names of any of the individuals who were present nor did he know the identity of the subject being carried out. Kiser attended the School between June 1959 through March 1960 and would have been approximately 14 years old at the time.

Neither Colon nor Kiser could provide the names of any witnesses or victims to these alleged events. No other former students interviewed by FDLE had direct knowledge of these incidents.

Laundry Room Death Inconsistencies

According to the *Gather* blog site which Kiser frequently writes, Kiser posted a story on July 24, 2008, entitled "*I Ain't like Him, Am I?*" In the story, Kiser wrote in the first person and gave an account of being present when a young boy was allegedly put into a dryer at the School's

laundry. As in the account given during his sworn statement with FDLE, Kiser wrote about working in the dry-cleaning section. Unlike his sworn statement, Kiser wrote that while working at his post, a boy returned from using the bathroom in the laundry room and entered the dry-cleaning room stating, "I think he's dead...Somebody put one of the boys in a big dryer over at the laundry and then turned it on. I think he got killed." Kiser stated that he walked over to the window and witnessed vehicles driving up to the laundry area. Kiser stated that his instructor came into the room and said, "Another one of you little brats bites the dust today." Contrary to his sworn statement, Kiser wrote in this account, "I never did see them bring the boy's body out of the laundry. I never was really sure if the boy actually died or not."

Additionally, Kiser wrote in this same account that he was informed about the laundry incident by a boy who returned to the dry-cleaning area after having used the bathroom in the laundry area. Kiser stated in his sworn statement with FDLE that he was alone in the dry cleaning area (with the exception of his supervisor). The account of the boy returning from the bathroom and witnessing a boy in a dryer is similar to Dick Colon's sworn statement.

On Kiser's website, "The WhiteHouseBoys.com," Kiser provided a third version of the laundry story entitled, "*Death in the Laundry*," in which he again wrote in the first person. In this version, Kiser wrote that while working in the dry-cleaning section, he heard a commotion outside. Kiser looked outside and saw boys running in every direction. Kiser wrote that he asked one of the boys what happened to which the boy replied, "He's dead and he's in the tumble dryer." Again, Kiser asked his supervisor what happened and the man replied, "Another one of you little fuckers just bit the dust." Kiser wrote that he looked out the window and saw several cars drive up to the building and boys lined up two abreast marching down the roadway. Kiser saw several men carrying what appeared to be a body covered in a white sheet or blanket. Kiser wrote that the men tossed the "bundle" into the back seat of the vehicle and drove away. Kiser wrote that on his way back to his cottage he heard some boys say that the boy killed was black and other boys said that the boy was white. Kiser wrote, "I was rather confused as the white and black boys were always kept separate. I have always wondered if a black boy was there to deliver dirty laundry to the laundry, as there was a tug sitting outside the building and was not removed until three days later (The tug is an assist device used to transport large heavy loads of laundry). I heard that he (the boy) had got right up into the face of the laundry instructor and began cursing him. The man instructed several of the boys to take the boy and place him in the tumble dryer, which they did." Kiser then added that there was rumor that cottage fathers were overheard talking about a boy's body being dumped in a shallow grave in the woods.

This account provided by Kiser is inconsistent with his sworn statement in that he advised FDLE that the body he witnessed being carried out had a "white arm." Kiser also never advised FDLE that he was told by another boy that there was a student in the dryer. There was also no mention in Kiser's sworn statement that it was rumored that staff members disposed of the body in the woods.

It should also be noted that at the conclusion of Kiser's interview with FDLE, Kiser stated that he had received a letter from a woman in California who asked him to read her letter to FDLE Investigators upon completion of his interview. Kiser stated that he did not know the identity of the woman. Kiser read aloud the letter which essentially stated that she had in her possession notarized statements from former Dozier School employees who claimed:

- Employee/s who witnessed the beatings and abuses of students and described students with torn skin on their buttocks and legs as a result of spankings they endured at the White House. The employees also described blood covered walls and floors of the White House. The woman also reportedly claimed that a former School employee had knowledge of a “Beating Club” whereby members held meetings at a local coffee shop in Marianna.
- Employee/s who witnessed trucks driven by merchants from Marianna who came to the School farm on an almost daily basis in order to pick up items grown on the farm.
- Employee/s who had knowledge that School Social Worker, Robert Currie (deceased) molested students and that after reporting this to the Director and Superintendent were told to drop the matter and that they would handle it in due course.
- The woman has in her possession eight statements from girls who were sexually abused while students at the reform school in Ocala, Florida.
- The woman has in her possession a written letter given to the “Florida Governor” detailing “unbelievable abuses happening to Harold Tanner’s stepson when both the governor and Tanner were attending a KKK meeting on Tanner’s property located behind the greyhound racetrack in Whitehouse, Jacksonville, Florida.”

The woman concluded her letter by stating, “If the final report states that no former employees could be contacted these statements will be released to the *Florida Times Union*, *St. Petersburg Times*, Rich Phillips at *CNN*, and the *New Yorker Magazine*.”

Kiser stated that the woman sent him copies of the statements to which he destroyed at her request upon viewing them. Kiser stated that he destroyed the letters while burning a tree stump in his backyard three weeks prior to his interview with FDLE.

THE WHITE HOUSE BUILDING FORENSIC ANALYSIS

The eleven room White House building was originally built in 1929 as a secure detention area to house the School’s most violent/uncontrollable juveniles. The building was necessary because the campus itself did not have a security or perimeter fence until the 1980’s. In 1967, corporal punishment was abolished and the building was used for the storage of maintenance items such as air-conditioners and paint. The concrete cinder block building is no longer supplied with electricity or water and has been subjected to the elements of time. Paint chips litter the floors which are often flooded by rain. The walls and ceiling are cracked and stained with mold and mildew. The building has been sealed since October 21, 2008, and remains empty.

It has been alleged by several former students that the walls and floors of the White House building were stained in blood and flesh as a result of brutal spankings they received. Several stains on these walls have the outward appearance of a bloody handprint and/or bloody smears.

In response to these allegations, on February 10, 2009, an FDLE Crime Laboratory Analyst responded to the School to provide a forensic examination of the White House building. The

analyst was instructed to photograph the building's interior and exterior, obtain sketches and measurements of all interior rooms, and examine suspected interior areas for biological evidence.

Of specific interest to FDLE investigators were the two cells within the White House building that were used for the purpose of discipline (One cell for white students and one cell for colored students). Both cells were 6'X 9' in dimension. In addition, the southeast entryway and hallway waiting area were also processed.

Upon conclusion of the forensic examination, the analyst reported the following: "Phenolphthalein, a chemical presumptive test for detecting the presence of blood, was applied to the questioned stained areas on the west, south, and north walls of cell six (entry way), the north and east walls of cell seven (white cell), the south side of the half wall (waiting area), and the north and east walls of cell eight (colored cell). All areas tested had negative results." The analyst's completed report was submitted on February 17, 2009.

TROY TIDWELL

Requests by FDLE to interview Mr. Tidwell have been declined by his attorneys. Due to the possibility that FDLE's investigation might result in criminal prosecution, Mr. Tidwell could not be directed to forfeit his constitutional right to remain silent. However, on May 21, 2009, Mr. Tidwell, in the presence of his attorneys, provided a sworn video recorded statement at the behest of the attorneys for the plaintiffs involved in the civil suit. FDLE was not permitted to be present during the interview but obtained a copy of his deposition. The following is a synopsis of Mr. Tidwell's statement.

Mr. Tidwell worked at the School from 1943 through 1982 and retired as a Home Life Supervisor. As a Supervisor, Mr. Tidwell could not direct the spanking of a student. The decision to spank a student was determined by the School Superintendent or Director. Students who were demoted to the rank of Grub and those who escaped were most likely to receive spankings in the School's White House building. Mr. Tidwell stated that written disciplinary reports were maintained in student records (Note: These records have never been found and are presumed destroyed as per statutory guidelines).

A Director or Superintendent was always present to witness spankings and directed the number of spankings a student received. Mr. Tidwell stated that he both witnessed and gave spankings. According to Mr. Tidwell, in the early years of the School a wooden board/paddle was used for spankings, however, the board was discontinued and a leather strap composed of three strips of glued leather was used in its place. Mr. Tidwell denied that the strap contained any type of metal reinforcement.

Mr. Tidwell further explained that in the early years, students were told to bend over a chair in order to receive their spankings. This practice was discontinued and students were told to lie face down on a cot and grasp the head rails with their hands. Mr. Tidwell stated that if a student resisted or refused to remain still during their spanking, boys from the nearby kitchen (cafeteria) would be called to assist in holding the student still. Mr. Tidwell stated that students generally received six to eight spankings for minor infractions and no more than 10 for a major offense.

Mr. Tidwell advised that after spankings, some student's buttocks had blue or pink marks, however, none were injured to the point that their buttocks bled. Mr. Tidwell denied any knowledge that some students received medical treatment due to the severity of their spankings. Mr. Tidwell stated that the spankings he gave students from the School were no different than the spankings he gave his own children.

Mr. Tidwell denied ever physically or sexually abusing any students of the School.

INVESTIGATIVE FINDINGS

This investigation included over one hundred interviews of former students, family of former students, and former staff members of the School. The interviews confirmed that in addition to the implementation of the Individual Rating System, school administrators used corporal punishment as a tool to encourage obedience. The interviews revealed little disagreement about the way in which corporal punishment was administered. The former students were consistent in that punishment was administered by school administrators and adult staff witnesses in the building referred to as the White House. The former students were consistent in stating that a wooden paddle or leather strap was the implement used for administering punishment. The area of disagreement amongst former students was the number of spankings administered and their severity. Although some former students stated that they were "beaten" to the point that the skin of their buttocks blistered and bled profusely, there was little to no evidence of visible residual scarring. A secondary disagreement was the former students' perceptions of the punishment process. Some former students stated that their spankings caused them no psychological harm and that they learned from their mistakes; while others stated that, mentally, they suffered greatly as a result and still do so to this day.

Some reports by former students stated that in addition to corporal punishment, they were also subjected to sexual abuse at the hands of former staff members or other students. With the passage of over fifty years, no tangible physical evidence was found to either support or refute the allegations of physical or sexual abuse.

On January 29, 2010, a copy of the Investigative Summary was delivered to the Office of the State Attorney, 14th Judicial Circuit, for review.

Name of Contact	White House (approx.)	Memo	Investigative Report
Alexander, Herbert	1	Former student. No knowledge of any sexual abuse of a student by any staff or of any student deaths. Final outcome positive.	EI-73-8455/29
Allen, Charles	15	Former student. Currently incarcerated at the Walton Correctional Institute.	EI-04-0005/4
Allen, Gary M.	5	Former student. No knowledge of any sexual abuse of a student by any staff or of any student deaths.	EI-04-0005/2
Bailey, Delbert W.	14	Former student. No knowledge of any sexual abuse of a student by any staff or of any student deaths.	EI-73-8455/58
Bartell, Hines	Unknown	Family member, Father, was a student. No knowledge of any sexual abuse of a student by any staff or of any student deaths.	EI-73-8455/19
Benefiel, Teresa	Unknown	Family member, Uncle Owen Smith, was a student in the 1940's; killed and buried before family was notified. Spoke with Owen's sister Ovell Krell on 05/06/09 & niece Teresa Benefiel on 05/18/09.	EI-73-8455/90
Bilbrey, Martin	2	Former student. Never witnessed any sexual abuse of a student by any staff/heard rumors. No knowledge of any student deaths.	EI-73-8455/42
Blanchard, Roy	0	Former Student. Physically disciplined but never in the White House. No knowledge of any student deaths.	EI-73-8455/10
Bogges, William	Unknown	Former student. No knowledge of any sexual abuse of a student by any staff or of any student deaths. See Karen GIBSON	EI-73-8455/8
Bonner, John	2	Former student.	EI-73-8455/35
Brackin, James Mason	1	Former student. Beaten w/ board that left him hospitalized; recalled rumor of another student dead under a building's floor.	EI-73-8455/103
Brooks, Isaac	1	Former student. No knowledge of any sexual abuse of a student by any staff or of any student deaths.	EI-73-8455/81
Broome, Thomas H. Jr.	N/A	Former Employee. "Cottage Father" at Dozier. Observed numerous boys from his cottage who had received spankings. No knowledge of any sexual abuse of a student by any staff or of any student deaths.	EI-73-8455/64
Brown, Izell	6	Former student. No knowledge of any student deaths.	EI-73-8455/32
Bryant, Donald W	5	Former student. Stated he witnessed sexual abuse and was sexually abused by a staff member known as "Smith." No knowledge of any student deaths.	EI-73-8455/21
Carter, Jimmy	8 to 9 times	Former Resident x2 - Sent to White House often - "I had a problem with fighting all the time." 1st entered in 1955, back again a few years later.	EI-73-8455/54
Castello, Frank	1	Former student. No knowledge of any sexual abuse of a student by any staff or of any student deaths.	EI-73-8455/56
Catledge, Scott	Unknown	Former student. No knowledge of any sexual abuse of a student by any staff or of any student deaths. Final outcome positive.	EI-04-0005/7
Conner, Willie, Jr.	3	Interviewed by phone- lives in Syracuse, NY.	EI-73-8455/79
Cooper, Jerry	1	Former student. Knowledge of a student dying during a sports activity in the gym.	EI-73-8455/77, 83, & 97
Cureton, James	17	Former student. Was sexually abused by other students and by a staff member known as "Watkins." No knowledge of any student deaths. Final outcome positive.	EI-73-8455/34
Darnell, William "Dix"	N/A	Former Aide to Mr. Keller, Florida Division of Youth Services.	EI-73-8455/70
Davis, Don	N/A	Former Judge who did some juvenile sentencing to the facility. No first hand knowledge but offered his assistance.	EI-04-0005/14

DeCastro, Bernard F.	1	Former student. No knowledge of any sexual abuse of a student by any staff member or of any student deaths.	EI-73-8455/44
Dickson, Billy	N/A	Former Employee. "Cottage Father" at Dozier. Observed boys from his cottage that had received spankings.	EI-73-8455/73
Dobbs, Sherry	Unknown	Family member, brother John E. Pettway, was a student.	EI-04-0005/8
Doucette, Ray	2	Former student. Final outcome positive.	EI-37-8455/28
Dube, Clifford	5	Former student. No knowledge of any sexual abuse of a student by any staff member or of any student deaths.	EI-73-8455/27
Floyd, Marvin L.	N/A	Former Employee. "Cottage Father" at Dozier. Observed boys from his cottage who had received spankings. No knowledge of any student deaths. Referenced "The Johns Committee."	EI-73-8455/71
Folsom, Sara	N/A	Family member, dad Rob Hobbs, was an employee. Now deceased. Said dad left his job because of the abuse.	EI-73-8455/18
Foote, Billy	Unknown	Former student. There between 1962-1963. Said beatings were written in a report called "Final Disciplinary Action." Has Not Returned Phone Call.	N/A
Frick, Stanley W.	1	Former student. No knowledge of any sexual abuse of a student by any staff member or of any student deaths. Final outcome positive.	EI-73-8455/46
Fudge, Charles	1	Former student. No knowledge of any sexual abuse of a student by any staff member or of any student deaths.	EI-73-8455/63
Gaddy, Johnny L.	1	Former student. No knowledge of any student deaths.	EI-73-8455/89
Gay, George	1	Former student. No knowledge of any sexual abuse of a student by any staff member or of any student deaths.	EI-73-8455/59
Gibson, Karen	N/A	Family member, William Boggess, Jr., was a student.	EI-73-8455/9
Hail, Phil	1	Former student. Final outcome positive.	EI-04-0005/15
Hall, Diane	N/A	Family members, brothers James Finest Sizemore and Harold K. Sizemore, were students. Hall advised that both her brothers have obtained legal counsel.	EI-04-0005/9
Halstead, Thomas	1	Former student. No knowledge of any sexual abuse of a student by any staff member or of any student deaths. Final outcome positive.	EI-73-8455/36
Hanna, John M.	12	Former student. Inappropriately touched once. No knowledge of any student deaths.	EI-73-8455/68
Hanna, Thomas E	1	Former student. No knowledge of any sexual abuse of a student by any staff member or of any student deaths.	EI-73-8455/69
Harrell, Glenn	0	Former student. No knowledge of any student deaths. Final outcome positive.	EI-73-8455/60
Hill, Malcolm	N/A	Former Employee. "Relief Cottage Father." No knowledge of any student deaths.	EI-73-8455/48
Hilliard, Edward	2	Former student. No knowledge of any student deaths.	EI-73-8455/20
Hodge, Acie	4	Former student. No knowledge of any sexual abuse of a student by any staff member or of any student deaths.	EI-73-8455/53
Holloway, Daniel	0	Former student. Stated he witnessed sexual abuse of a student by a staff member. No knowledge of any student deaths.	EI-73-8455/62
Holroyd, Kenneth	2	Former student. No knowledge of any student deaths.	EI-73-8455/49
Horne, Harvey	Unknown	Former student. Was advised by his lawyer not to provide any information at this time.	EI-04-0005/12
Houston, Larry	Unknown	Former student. Has Not Returned Phone Call.	N/A
Howell, Alice	N/A	Family members, two brothers, believes were sent to Dozier. Attempted to locate.	N/A
Johnson, Ernest J.	Unknown	Former student.	N/A
Kent, Glenda	N/A	Family member, brother Charles Wayne Stephens, was a student.	N/A
MackKendrick, Keith	2	Former student. No knowledge of any sexual abuse of a student by any staff member or of any student deaths.	EI-73-8455/61

Marchesana, Philip	Unknown	Former student. Was advised by his lawyer not to provide any information at this time.	EI-04-0005/10
Marx, Frank L.	3	Former student.	EI-73-8455/87
Maynor, Glen	2	Former student. Stated he witnessed sexual abuse of a student by a staff member. No knowledge of any student deaths.	EI-73-8455/17
McAllister, Jimmy Lee	2	Former student. No knowledge of any sexual abuse of a student by any staff member or of any student deaths.	EI-73-8455/45
McClellan, Wayne	N/A	Information regarding some things that took place at the school. McClellan had no first hand knowledge of any occurrences at Dozier. Former Employee of Apalachee Correctional Institute.	EI-04-0005/11
McKee, Grover H.	N/A	Former Employee. "Cottage Father." No knowledge of any sexual abuse of a student by any staff member or of any student deaths. Final outcome positive.	EI-73-8455/74
McMillian, Joyce	1	Family member, husband Marvin McMillian, was a student.	EI-73-8455/30
Middleton, Bryant E.	Recorded	Former student. Recorded sworn interview.	EI-73-8455/96
Miller, John E.	3	Former student. No knowledge of any sexual abuse of a student by any staff member or of any student deaths.	EI-73-8455/55
Moenter, Sue	N/A	Family members, brothers John & Thomas Hanna, were students. Provided us with contact information for John & Thomas Hanna.	
Moore, Michael	0	No knowledge of any sexual abuse of a student by any staff member or of any student deaths.	EI-73-8455/31
Morris, Peter	Unknown	Email provided no contact information.	EI-04-0005/6
Nelson, Rick	N/A	Family member, son, was a student. No information related to the Dozier School that falls within the time frame of this investigation.	EI-04-0005/18
Nemechek, Ed	N/A	No first hand information.	EI-04-0005/13
Pappas, Jeannie	N/A	Family member, dad "Chaplain" Archie McDaniel Jr, was an employee. Pappas indicated that her father (Chaplain) had conducted some research on the graveyard but does not have any of his notes related to the cemetery.	EI-04-0005/17
Patterson, John	10	Former student. Stated he was sexually abused by students and staff members. The number of incidents vary with each telephone conversation. Called on 4 separate occasions.	EI-73-8455/33
Pitts, Donald	0	Former student. Knowledge of a student dying during a sports activity in the gym. No knowledge of any sexual abuse of a student by any staff member.	EI-73-8455/95
Powell, Henry Isaac	1	Former student. No knowledge of any sexual abuse of a student by any staff member or of any student deaths.	EI-73-8455/80
Privett, R.B.	Unknown	Former student. No knowledge of any sexual abuse of a student by any staff member or of any student deaths. Final outcome positive.	EI-73-8455/38
Proctor, Shirley McAllister	2	Family member, brother Jimmy Lee McAllister, was a student. No knowledge of any sexual abuse of a student by any staff member or of any student deaths.	EI-73-8455/45
Puel, Andrew	0	Former student. Heard of a student being sexually molested by the guidance counselor however no first hand knowledge of any sexual abuse of a student by any staff member. No knowledge of any student deaths or sexual abuse of students by staff.	EI-73-8455/41
Ratledge, Jerry	8	Former student. No knowledge of any sexual abuse of a student by any staff member or of any student deaths.	EI-73-8455/43
Reed, Pam	N/A	Family members, Thomas & Richard Varnadoe, were students. Thomas Varnadoe died at school on 10/27/34. Richard Varnadoe is still alive.	N/A
Richardson, Joe	Unknown	Needs attorney's names for Class Action suit for a relative. Richardson has not returned any calls after messages were left.	N/A
Ritter, Jack	25	Former student. No knowledge of any sexual abuse of a student by any staff member or of any student deaths. Incarcerated, Mayo Correctional Institution.	EI-73-8455/66

Rumph, Trevula	N/A	Family member, father Freddie Williams, was a student. SEE WILLIAMS, FREDDIE	EI-73-8455/67 & EI-04-0005/20
Savill, Philip A.	6	Former student. No knowledge of any sexual abuse of a student by any staff member or of any student deaths.	EI-73-8455/50
Shaw, John	Unknown	Emailed information on his stay at Dozier.	EI-73-8455/88
Smith, Donald	Unknown	Former student. No knowledge of any student deaths.	EI-73-8455/86
Smith, William	1	Former student. No knowledge of any sexual abuse of a student by any staff member or of any student deaths.	EI-73-8455/22
St. Clair, Robert L.	2	Former student. Stated that the counselor made verbal sexual advances on him, which he rebuffed and then was left alone thereafter. No knowledge of any student deaths.	EI-73-8455/51
Strickland, Peggy	N/A	Genealogist-Awaiting response to email.	N/A
Striker, Hugh	Unknown	Former student. Has Not Returned Phone Call.	N/A
Swiston, John Edward	2	Former student. No knowledge of any sexual abuse of a student by any staff member or of any student deaths.	EI-04-0005/3
Tharpe, Jimmy	0	Former student. No knowledge of any sexual abuse of a student by any staff member or of any student deaths.	EI-73-8455/57
Thomas, James M.	3	Former student. No knowledge of any student deaths. Final outcome positive.	EI-73-8455/75
Thompson, Curtis	7	Former student. No knowledge of any sexual abuse of a student by any staff member or of any student deaths.	EI-73-8455/52
Tillis, Jesse	3	Former student. No knowledge of any sexual abuse of a student by any staff member or of any student deaths.	EI-73-8455/23
Tucker, John W.	N/A	Family members, brothers, were students.	EI-04-0005/5
Varnadoe, Richard	N/A	See Pam REED	EI-73-8455/9
Vaughn, Clinton	3	Former student. No knowledge of any sexual abuse of a student by any staff member or of any student deaths.	EI-73-8455/72 & 98
Wagner, Charles "Ronnie"	1	Former student. No knowledge of any sexual abuse of a student by any staff member or of any student deaths.	EI-73-8455/16
Walker, Wayne	0	Former student. No knowledge of any sexual abuse of a student by any staff member. Final outcome positive.	Ei-73-8455/24
Weese, William K.	Unknown	Family member, Uncle Godfrey William Weese, was a student. Stated that Uncle had no knowledge of any sexual abuse of a student by any staff member or of any student deaths.	EI-73-8455/11
Wenzel, Dave	N/A	Early 1960s was a juvenile probation officer in Dade Co. Offered his assistance.	N/A
West, Billy	18	Former student. No knowledge of any sexual abuse of a student by any staff member or of any student deaths.	EI-04-0005/16
Williams, Freddie	3	Former student. Stated he was a victim of sexual abuse while at the school from a staff member. No knowledge of any student deaths. Incarcerated in NWFRC.	EI-04/005/20 & EI-73-8455/67
Williams, Lorenzo	1	Former student. No knowledge of any sexual abuse of a student by any staff member or of any student deaths.	EI-73-8455/78
Willow/Chase, Dawn	N/A	Family member, son Chris, was a student.	N/A

Office of the State Attorney
Fourteenth Judicial Circuit of Florida
In and For Bay, Calhoun, Gulf, Holmes, Jackson, and Washington Counties

Glenn Hess
State Attorney



In Reply Refer to:
(850) 872-7684, Ext 403

February 25, 2010

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MAR 09 2010

Commissioner Gerald M. Bailey
Florida Department of Law Enforcement
Post Office Box 1489
Tallahassee, Florida 32302-1489

Office of the Commissioner

Re: Arthur G. Dozier School for Boys Abuse Investigation

Dear Commissioner Bailey;

After reviewing your Investigative Summary, I spoke to counsel for each party in the civil action, and I have since reviewed materials from that case. In considering the foregoing, my focus has been strictly on the efficacy of a criminal prosecution.

The claims that are detailed in the Summary are extremely generic. The section entitled "Laundry Room Death" is illustrative. The story goes that school employees placed a student in an operating industrial clothing dryer causing the student's death. Two former students claim to have direct knowledge of such an event, but their statements are not compelling; one claims that the victim was black, while the other states that the deceased student was white. Neither could provide the name of the victim, nor of other witnesses. And, both have acknowledged, at one time or another, that they are not sure that **anyone** died in a dryer.

The primary obstacles to bringing criminal cases based on events alleged to have occurred more than 40 years ago are the Constitutional rights to a speedy trial and to due process. Florida's statute placing time limitations on prosecutions must also be considered. In a nutshell, citizens are protected from being prosecuted for crimes that occurred so long ago that preparing a defense would be difficult or impossible. The claims presented here provide an example.

In the Allegations of Sexual Abuse section, a former student's account of a claimed sexual assault is summarized: "I'm sure they did something, but I really don't know what". This event is said to have occurred in the "Rape Room", a sinister setting to be sure, but the student isn't sure that he was raped. That claim -- if it is one that could be charged -- fails to provide an accused any clue as to what he needs to defend. Time has blunted even the accuser's memory. Due process demands that the accused be informed of the charge he is to answer with **specificity**. These claims do not suffice. Moreover, the statute of limitations for these claims bars state action.

Section 775.15, *Florida Statutes*, is our current limitations statute. Life felonies, felonies resulting in death and capital felonies may be prosecuted at any time. With a

Commissioner Gerald M. Bailey
February 25, 2010
Page 2

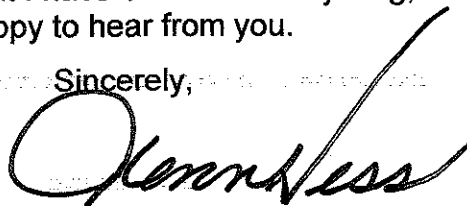
few exceptions, none of which are relevant here, all other crimes must be prosecuted within 4 years (or less) of their commission. The allegations pertaining to the Dozier School appear to be dated prior to 1969. The statute of limitations then in effect (§932.05, *Florida Statutes*) was much more restrictive.

932.05 Limitation of prosecutions. —All offenses not punishable with death, save as hereinafter provided, shall be prosecuted **within two years after the same shall have been committed.** There shall be no limitation for offenses punishable with death. In all offenses not punishable with death where an indictment has been found or an information filed within two years after the commission of the offense and such indictment or information, because of any defect, omission or insufficiency in the contents or form thereof, is subsequently quashed or set aside after said two year period has elapsed, in that event further indictments may be found or informations filed for such offense within three months after the entry of the order of the court quashing or setting aside the indictment or information, and prosecution thereunder shall proceed as if the same were commenced within two years after the commission of the offense. (Emphasis added).

Any amendment of that statute does not serve to extend the time for charging offenses that occurred while it was effective.

Based on the foregoing, I do not believe that proceeding in criminal court is possible. Naturally, if you believe that I have overlooked anything, or if you have additional information, I would be happy to hear from you.

Sincerely,



Glenn Hess

GH/ps

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Office of the Commissioner

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