



Florida Department of Law Enforcement

OFFICE OF EXECUTIVE INVESTIGATIONS

Arthur G. Dozier School for Boys

On December 9, 2008, Governor Charlie Crist directed the Florida Department of Law Enforcement (FDLE) to investigate thirty-two (32) unmarked graves located on property surrounding the Arthur G. Dozier School for Boys in Marianna, Florida. The request was made pursuant to claims of abuse brought forth by individuals known as "The White House Boys Survivors Organization (WHBSO)." 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 at the school, they were subjected to repeated physical abuse by staff members as a form of discipline. These individuals also believe there may be fellow students who died as a result of the alleged abuse and may be buried at the school cemetery. Governor Crist requested that FDLE determine the following:

- 1) The entity that owned or operated the property at the time the graves were placed
- 2) Identify, where possible, the remains of those individuals buried on the site (subsequently identified as the "Boot Hill" Cemetery)
- 3) Determine if any crimes were committed and, if so, the perpetrators of those crimes

FDLE subsequently initiated an investigation, and the results of that investigation were documented under two separate case numbers, one relating specifically to the abuse claims and the second relating specifically to the cemetery and any associated burials. The findings of these investigations are summarized below.

Abuse Investigation (EI-04-0005)

This investigation focused on allegations of physical abuse occurring from 1940 until 1969. FDLE interviewed more than one hundred former students and staff members, as well as family members of former students. The interviews confirmed that corporal punishment was used as a tool to encourage obedience, and there was little disagreement regarding the manner in which such punishment was administered. The former students were consistent in stating that punishment was administered in a building known as "The White House" using a wooden paddle or leather strap. Interviews were, however, inconsistent with regard to the number and severity of the spankings administered. Although some former students stated that the spankings resulted in physical injury including blistering and bleeding, there was little or no evidence of residual scarring. Former students also disagreed with regard to any lasting psychological harm resulting from the corporal punishment administered during their tenure at the school. Several former students also claimed that the walls of "The White House" were stained with blood and flesh as a result of the punishment administered there; however forensic analysis by the FDLE Crime Laboratory failed to detect the presence of blood in this location. Some former students also reported that they had been subjected to sexual abuse by former staff members or other students; however, after the passage of more than fifty (50) years, no physical evidence either supporting or refuting these allegations could be found. It should also be noted that a number of former Dozier students declined to speak with FDLE regarding their

tenure at the school. The findings of the abuse investigation were submitted to the Office of the State Attorney, Fourteenth Judicial Circuit, which declined prosecution regarding this matter.

It should be noted that Troy Tidwell, who is eighty-seven (87) years old, is the only surviving Dozier staff member associated with administration of the discipline in question. He has declined to be interviewed by FDLE, but did provide a deposition in a civil proceeding. He acknowledged having administered corporal punishment, but denied inflicting punishment which resulted in physical injury as claimed by some former students.

Cemetery Investigation (EI-73-8455)

This investigation focused on the identification of those persons buried at the Dozier School Cemetery, also known as the "Boot Hill" Cemetery. FDLE reviewed and analyzed historical documentation including school ledgers, student record books, school publications, local and national newspapers, and records of the Florida Department of State Library and Archives and Department of Health, Division of Vital Statistics. It should be noted that these records were found to be incomplete, inconsistent, and in extremely poor condition due to the passage of time and the manner in which they were stored. FDLE also conducted interviews of former students, none of whom had any specific or first-hand knowledge of unexplained deaths or burials in the cemetery which could be independently substantiated. The majority of former students either had no knowledge of the cemetery or had merely heard that it existed and contained the graves of the boys who died as a result of the fire or influenza.

Former staff members advised that, in the early 1960's, thirty-one (31) concrete crosses were erected to honor students who had died at the school. FDLE located and examined the cemetery and found a total of twenty-eight (28) broken concrete crosses in the wooded area adjacent to this location. In the late 1980's or early 1990's, Prison Rehabilitative Industries and Diversified Enterprises, Inc. (PRIDE) farmed the land in the vicinity of the cemetery, and some of the cemetery was destroyed during the land clearing process. Thirty-one (31) replacement metal crosses were later ordered to be put in place, and Dozier maintenance employees involved in the installation of these metal crosses advised that they merely placed them in the manner that they felt appropriate. These employees further advised they had no reference point on which to base the placement of these crosses. The Superintendent at that time advised FDLE that the number thirty-one (31) was based on "folklore" and visible indentations in the ground, and no documentation concerning the location of specific graves could be located by FDLE. Some former staff members indicated that the concrete crosses installed in the 1960's replaced wooden crosses that were originally used to mark graves in the cemetery; however, no evidence of wooden crosses could be located.

Given these facts, the number of crosses placed in the cemetery was not found to be of significance with regard to ascertaining an accurate count of the number of persons buried at this location.

Exhumation of the remains of the individuals buried in the cemetery was also considered; however, without knowing the precise location of specific graves, the entire cemetery would likely be disturbed during this process. While it may be possible to confirm the identity of those buried in the cemetery using DNA, factors including burial conditions, advanced decomposition, environmental elements, the passage of time, and, most importantly, a deficiency of suitable familial candidates for comparison would make this process extremely difficult or even impossible. It is also important to note that exhumation in the State of Florida requires a court order by a judge having jurisdiction over the area in question. Exhumation orders are relatively uncommon and based upon an affidavit requesting an exhumation order. Affidavits of this

nature are generally required to include a compelling legal reason (usually probable cause that the deceased died as a result of criminal conduct and that exhumation would likely reveal evidence which could be used to further prosecution), a reasonable likelihood that a subsequent autopsy would reveal relevant information essential to the investigation, and the opinion of a forensic expert that there is a reasonable likelihood of relevant and essential evidence being obtained. In addition to forensic, criminal, and legal considerations, the religious beliefs and wishes of family members must also be considered. The results of the 2009 FDLE investigation provided insufficient basis for requesting an exhumation order, and no evidence suggesting that any of the deceased died as a result of criminal conduct not previously investigated was found.

It should also be noted that Ground Penetrating Radar (GPR) was not employed during the course of the FDLE investigation for a number of reasons including the inherent limitations of GPR technology and limited investigative application. GPR is used to identify “anomalies” or “voids” in the subsurface of the ground; however, any such anomalies or voids found in a particular area may or may not actually be graves. Tree roots and other foreign objects may cause similar voids, and it is not possible to determine if a particular anomaly is actually a grave without actual excavation of the area in question. Given the fact that excavation/exhumation was not considered to be a viable investigative option, GPR was considered but not employed during the course of the FDLE investigation.

The FDLE investigation, completed in 2009, determined that, based on available information, a total of eighty-one (81) student deaths were identified. Subsequent to issuance of the FDLE Investigative Summary, four (4) additional deaths were identified, bringing the total to eight-five (85). Thirty-one (31) individuals were determined to have been buried in the cemetery, thirty-one (31) were confirmed to have been buried in other locations, and the burial location of the remaining twenty-three (23) is unknown. With the exception of a “colored” boy who died in 1911, the remaining eighty-four (84) deceased persons are identified by name.

University of South Florida Research Project

In December 2012, the University of South Florida (USF) released the results of an “archaeological and historical investigation into the creation and initial identification of graves at the “Boot Hill” Cemetery in Marianna, Florida. The stated purpose of this project was “to conduct an initial field survey of the “Boot Hill” Cemetery, and research the history of the site and variables surrounding the deaths to determine the number, location, and identity of graves to the largest extent possible.” The stated objectives of this project included the following:

- Mapping the cemetery
- Identifying existing and additional graves using GPR and soil chemistry
- Researching the history, creation, and use of the site (using archival research and ethnographic interviews)
- Determining who is buried in the cemetery (to include morbidity and mortality patterns)
- Establishing if there is one or more burial areas at the school

The USF report identified a total of ninety-eight (98) student deaths. The report further indicates that forty-five (45) individuals were buried in the cemetery, thirty-one (31) were confirmed shipped to other locations for burial, and the burial location of the remaining twenty-two (22) is unknown. Eleven (11) of the ninety-eight (98) students identified as deceased are not identified by name and are included in the total buried at the school cemetery. The USF reported deaths also included the “colored” boy who died in 1911 (referenced above).

Reconciliation of FDLE Investigations & USF Research Project

The stated purposes and parameters of the FDLE investigation and the USF Research Project are substantially different. FDLE is a law enforcement agency whose primary purpose is to conduct criminal investigations, while the USF is an academic institution. Criminal prosecution requires evidence and proof beyond a reasonable doubt, while the requirements of a research project are less stringent and allow for hypothesis and conjecture.

The deaths identified pursuant to the FDLE investigation and USF are contained in the below table:

	Buried at School	Confirmed Shipped or Buried Elsewhere	Unknown Burial Location
FDLE	31	31	23
USF	45	31	22
Difference	USF +14	No difference	USF -1

The difference in the number of students “Buried at the School” is attributable to several specific factors. The FDLE report did not include the eleven (11) unnamed influenza victims as did the USF report. FDLE was unable to identify, by name, those individuals who died in the influenza outbreak mentioned in a 1918 Miami Herald Article. The article stated only that eleven (11) colored boys and a school matron died from the outbreak, and inclusion of this number by FDLE may have duplicated deaths already reported by name in this category or another. Further, Louis Haffin and Harry Wells are potentially one and the same person based on the fact that Louis Haffin is mentioned in only a single newspaper article. In this same article, Wells is not mentioned, and all other documentation, including the Coroner’s Report, lists Harry Wells as having died in the 1914 fire. S. Barnett and C. Parrott are also potentially one and the same person based on a review of the 1914 Coroner’s Report which appears to reflect the name Barnett. All other documentation contains the name Parrott. The handwriting on the Coroner’s Report is such that the name is difficult to read and could easily be mistaken for either name. The remaining discrepancy is attributable to the fact that the death certificate of Robert Seinous (AKA Robert Stephens) indicates that he was buried in Marianna, not specifically in the school cemetery. Consequently, FDLE included Seinous (AKA Stephens) in the category of “Unknown Burial Location,” while USF included him in the “category of “Buried at School.”

While the FDLE and USF reports agreed regarding the number of deceased students “Confirmed Shipped or Buried Elsewhere,” there was a discrepancy regarding the inclusion of Patrick Gabriel and Michael Smelley. FDLE included Gabriel in this category due to a persistent rumor that, while still a student at the school, he was killed in Jackson County; however, USF did not. Likewise, USF included Michael Smelley in this category, while FDLE did not, due to the fact that he was no longer a student and had been transferred to Raiford Prison over two (2) years prior to his death.

It should be noted that the USF report was found to contain several statements that require correction and/or clarification. These statements are as follows:

Page 3: FDLE did not use the phrase “school-related deaths” as indicated in the USF report. FDLE reported “student deaths” and did not categorize these deaths as “school-related.”

Page 16: The USF report cites the 2009 FDLE Investigative Summary stating that eighty-one (81) boys were found to have died at the school and goes on to state that additional deaths were identified pursuant to their study. USF apparently neither requested nor obtained Investigative Report #104 of FDLE Case EI-73-8455, which indicates that an additional four deaths were identified in March 2010.

Page 32: The USF report states that FDLE obtained “boxes of letters from families from the chapel” and further states that it is not known whether maps were recovered. The report goes on to state that these materials were destroyed and are no longer available for review. FDLE neither obtained nor destroyed the documents referenced.

Page 34: The USF report indicates that “probable” and “possible” “grave shafts” were identified pursuant to GPR imaging. As discussed previously in this document, GPR is used to identify “anomalies” or “voids” in the subsurface of the ground. Any anomalies or voids found in a particular area may or may not actually be grave shafts, and such a determination can be definitively made only through excavation of the area in question. Further, it seems premature to conclude that combined “probable” and “possible grave shafts” would necessarily equal the “minimum number of burials” in a particular location.

The following documents have been attached for reference purposes:
Request for FDLE investigation by Governor Charlie Crist
FDLE Investigative Summaries (EI-04-0005 & EI-73-8455)
Declination letter from State Attorney Glenn Hess