

MASTERSON LAW GROUP, P.A.
ATTORNEYS AT LAW

B. J. MASTERSON (1919-1994)
THOMAS D. MASTERSON *
KEVIN F. DUGAN, Of Counsel ◊
GREGORY J. HOAG

*Board Certified - Civil Trial Practice
Admitted in New Hampshire & Florida

699 FIRST AVENUE NORTH
ST. PETERSBURG, FLORIDA 33701

TELEPHONE (727) 896-3641

FAX (727) 895-3559

E-mail: Tmasteryon@masteryonlaw.com
GHoag@masteryonlaw.com

January 19, 2010

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

RE: FSB (Florida Schools for Boys)

Dear Sir or Madame:

As I am sure you are aware, our office and the offices of Buell & Elligett, P.A. and James D. Beach, P.A. represent approximately three hundred (300) men who were emotionally, physically and in many cases, sexually abused when they were sent to the Florida Schools for Boys in Marianna and Okeechobee during the 1940s, 1950s and 1960s. Representatives of the FDLE have interviewed some of our clients. However, we wanted to extend the offer to place you in contact with other victims of abuse with whom no contact has been made to date and/or to provide the opportunity to obtain additional information from our clients with whom you have previously spoken.

Our purpose in making contact is motivated by several facts. First and foremost, it is to assist in and expedite the investigation which has been ongoing for over a year. Troy Tidwell, one of the individuals who our clients have indicated inflicted the physical and sexual abuse, is still alive. If any action is going to be taken for his conduct, time is becoming a significant concern to our clients. Our clients are anxious to have the truth about the abuse officially acknowledged and appropriate action taken against those responsible. We have his deposition transcript, and would be more than happy to provide a copy should you wish to review. His testimony confirms that boys were taken to the "White House" and struck with a leather strap.

Another very important consideration relates to the reports of continued acts of abuse and mistreatment of boys at the Arthur G. Dozier School in Marianna. It is our hope that the disclosures that have resulted from our representation of many of the victims of abuse, coupled with the reports and action resulting from the FDLE investigation, will bring about meaningful change to protect future generations from the type of abuse that took place and continued virtually unnoticed by the authorities for many decades. In the past, the isolated reports about the abuse resulted in no action to protect the children. We are confident that you will take appropriate action to ensure the protection of the students at the school.

Gerald M. Bailey, Commissioner
Florida Department of Law Enforcement
January 19, 2010

In our effort to provide assistance, we are enclosing the following:

- (1) A copy of a February 13, 1946 letter from Arthur G. Dozier, former superintendent of the Florida School for Boys in Marianna. The school is currently named after Mr. Dozier. He acknowledges the use of "corporal punishment" that was "administered by the Directors of the White Boys and Colored Boys Departments respectively, and always in the presence of the Superintendent." (We can provide the names and contact information for hundred of victims of savage beatings inflicted by those who were in charge of the schools, under the circumstances described in the attached letter.)
- (2) Excerpts of the March 4, 1958 United States Senate Hearing relating to the testimony of Dr. Eugene Byrd, a psychologist who worked at the Florida School for Boys in Marianna for twelve (12) months. He described the "corporal punishment" system of "beating with a leather strap which was given for rule infractions and low grade system..." Dr. Byrd asked to witness the beatings to gain an understanding of why he and another psychologist "received so many complaints from the boys that they would come in with a great deal of fear, anxiety and sometimes panic..." The location of the beatings witnessed by Dr. Byrd fits the description of "The White House," where hundreds of boys were abused. It was a "small building, formerly used for solitary confinement... It would be approximately a 20-by-10-foot square and is located next to the dining hall..."

The room in which the boys were beaten consisted of "a cot on which they lay down. They are told to hold the head rail and not yell out or move. They are beaten by the director of the department, not the Superintendent of the school. The Superintendent does witness each beating."

The beatings that he witnessed were described as follows:

"The blows are very severe. They are dealt with a great deal of force with a full arm swing over his head and down, with a strap, a leather strap approximately a half inch thick and about 10 inches long with a wooden formed handle. Each boy received a minimum of 15... The times I witnessed it there was no boy who received less than 15 at that time... There was a very young boy... about age 10, who was unable to hold the bed and received approximately 22 lashes."

Dr. Byrd characterized the punishment as follows:

"In my personal opinion it is brutality."

Gerald M. Bailey, Commissioner
Florida Department of Law Enforcement
January 19, 2010

- (3) A copy of a Miami Herald article by Joy Reese Shaw which is entitled "You Stretch on Bed, Then Whip Falls." We believe that the article is from 1964. The article quotes a boy who said "They made you stretch out on a bed, face down... and hold on tight with your arms above your head. Then they lay on the leather..." She describes a boy who was beaten seven (7) times in eleven (11) months. He was a boy with an IQ of 74 to 81 who came from a home with very limited opportunity or parental guidance. (We can provide a multiple of similar victims.)
- (4) A copy of the St. Petersburg Times article by Ben Montgomery and Waveney Ann More dated December 6, 2009 entitled "A Roster Of The Lost" quotes Governor Claude Kirk's as saying "If one of your kids were kept in such circumstances, you'd be up there with rifles."
- (5) A copy of the St. Petersburg Times article by Ben Montgomery and Waveney Ann Moore dated April 19, 2009 entitled "For Their Own Good: A St. Petersburg Times Special Report on Child Abuse at the Florida School for Boys." As you will read, the St. Petersburg Times conducted more than one hundred (100) hours of interviews with twenty-seven (27) men who were sent to the Florida School for Boys in Marianna in the 1950's and 1960's, and with current and former officials with the State, the school and the Department of Juvenile Justice. The St. Petersburg Times article provides a very thorough and comprehensive account of the years of abuse at the Florida School for Boys, and they would be an excellent source of information based on the countless hours of research in compiling their report and story.
- (6) Affidavits from twelve (12) of our clients who were victims of abuse. We will gladly provide additional affidavits from other victims should you feel that it will assist in your investigation.

Below is the contact information for all of the attorneys who are involved in the representation of the boys who were abused. We offer our resources to assist you in completing your investigation and taking the appropriate action. Please feel free to contact any of us for assistance.

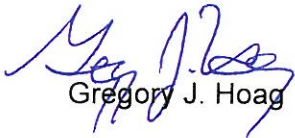
Mark P. Buell, Esquire
Raymond T. Elligett, Esquire
Buell & Elligett, P.A.
3003 W. Azeele Street
Suite 100
Tampa, FL 33609
813-874-2600

Gerald M. Bailey, Commissioner
Florida Department of Law Enforcement
January 19, 2010

James D. Beach, Esquire
James D. Beach, P. A.
100 - 2nd Avenue North
Suite 350
St. Petersburg, FL 33701-3368
727-895-2278

If possible, we would like to determine when you anticipate that your investigation will be completed. If disclosure of this information is permitted, it would be appreciated if you would provide me with the date by which the investigation will be completed, as well as providing us with an understanding of why the investigation has been ongoing for so many months. We are anxious to determine when your investigation will be completed in that Governor Christ has indicated that he is awaiting the FDLE report before responding to our request to meet with him about the abuse to which our clients were subjected. We look forward to your response.

Very truly yours,



Gregory J. Hoag

GJH/hg

Enclosures

cc: Mark P. Buell, Esquire
James D. Beach, Esquire
Governor Charlie Christ

IN THE CIRCUIT COURT OF THE SIXTH JUDICIAL CIRCUIT
IN AND FOR PINELLAS COUNTY, STATE OF FLORIDA
CIVIL DIVISION

BRYANT MIDDLETON,
WILLIAM HORNE,
ROGER KISER, and
JIMMY JACKSON, individually and
on behalf of all others similarly situated,

CASE NO.: 08-19597CI-19

Plaintiffs,

CLASS REPRESENTATION

vs.

THE FLORIDA DEPARTMENT OF
AGRICULTURE, THE FLORIDA
DEPARTMENT OF CHILDREN
& FAMILY SERVICES, THE FLORIDA
DEPARTMENT OF JUVENILE JUSTICE,
THE FLORIDA DEPARTMENT OF
CORRECTIONS, TROY TIDWELL,
and ROBERT E. CURRY,

Defendants.

AFFIDAVIT OF SOLOMON E. ALBRITTON

STATE OF FLORIDA)

COUNTY OF PINELLAS)

Before me, the undersigned authority, personally appeared SOLOMON E.
ALBRITTON, who being duly sworn states:

I, SOLOMON E. ALBRITTON, am over the age of eighteen (18) and have personal
knowledge of the facts stated herein.

I was at the Florida School for Boys in Marianna, Florida during 1959 and 1960. I
had been living in St. Petersburg, and was sent there for running away and for theft. I was

IN THE CIRCUIT COURT OF THE SIXTH JUDICIAL CIRCUIT
IN AND FOR PINELLAS COUNTY, STATE OF FLORIDA
CIVIL DIVISION

BRYANT MIDDLETON,
WILLIAM HORNE,
ROGER KISER, and
JIMMY JACKSON, individually and
on behalf of all others similarly situated,

CASE NO.: 08-19597CI-19

Plaintiffs,

CLASS REPRESENTATION

vs.

THE FLORIDA DEPARTMENT OF
AGRICULTURE, THE FLORIDA
DEPARTMENT OF CHILDREN
& FAMILY SERVICES, THE FLORIDA
DEPARTMENT OF JUVENILE JUSTICE,
THE FLORIDA DEPARTMENT OF
CORRECTIONS, TROY TIDWELL,
and ROBERT E. CURRY,

Defendants.

AFFIDAVIT OF NATHANIEL DOWLING

STATE OF FLORIDA)

COUNTY OF Manatee)

Before me, the undersigned authority, personally appeared NATHANIEL DOWLING, who upon being duly sworn states that:

I, NATHANIEL DOWLING, am over the age of eighteen (18) and have personal knowledge of the facts stated herein.

I was sent to the Florida School for Boys in Marianna Florida in December, 1958. I stayed at the Marianna school until July, 1959, when I was transferred to the Okeechobee

IN THE CIRCUIT COURT OF THE SIXTH JUDICIAL CIRCUIT
IN AND FOR PINELLAS COUNTY, STATE OF FLORIDA
CIVIL DIVISION

BRYANT MIDDLETON,
WILLIAM HORNE,
ROGER KISER, and
JIMMY JACKSON, individually and
on behalf of all others similarly situated,

CASE NO.: 08-19597CI-19

Plaintiffs,

CLASS REPRESENTATION

vs.

THE FLORIDA DEPARTMENT OF
AGRICULTURE, THE FLORIDA
DEPARTMENT OF CHILDREN
& FAMILY SERVICES, THE FLORIDA
DEPARTMENT OF JUVENILE JUSTICE,
THE FLORIDA DEPARTMENT OF
CORRECTIONS, TROY TIDWELL,
and ROBERT E. CURRY,

Defendants.

AFFIDAVIT OF ANDREW GAVIN

STATE OF FLORIDA)

COUNTY OF Polk)

Before me, the undersigned authority, personally appeared Andrew Gavin, who upon
being duly sworn states that:

I, Andrew Gavin, am over the age of eighteen (18) and have personal knowledge of
the facts stated herein.

I was in the Florida School for Boys in Marianna, Florida during 1961 and 1962. I
was 9 and 10 years of age at the time. I was at the school for close to two and a half years.

I did not have the benefit of an attorney, was not given a trial, and was not informed the length of my sentence.

While at the school, I was sent to the "White House" five times where I was beaten by Mr. Burgess, Mr. White, and Mr. Tidwell. Two of the times I was sent to the clinic following the beating, where I was worked on by Dr. Wexler, who smoked cigars while working on you.

One time when Mr. Burgess was beating me he stopped. I turned around and saw that his pants were around his ankles and he was masturbating. He told be to look back around and hit me on the back of my head with the strap.

Following beatings, we were not allowed to write home for six weeks.

My cottage father, Richard Wilson, intentionally hit me on the head with a weight-lifting bar. The injury required stitches, which were put in at the clinic by Dr. Wexler.

Once while waiting for my beating at the “White House,” I could hear a black boy inside being beaten, and heard the employees say the “boy ain’t moving.” I believe that boy was killed as a result of the beating in the “White House”.

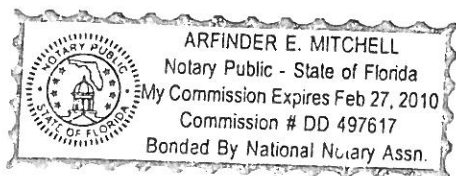
Andrew Gavin
ANDREW GAVIN

STATE OF FLORIDA)
COUNTY OF Polk)

I HEREBY CERTIFY that on this day personally appeared before me, an officer duly authorized to administer oaths and take acknowledgments, ANDREW GAVIN, who is personally known to me or who produced the following as identification: FL Driver License

_____, and who signed the foregoing, and who acknowledged before me that he did so as his free act and deed, and who did take an oath.

Sworn to and subscribed before me this 6th day of January 2010 ~~December 2009~~.



(Notarial Seal)

Arfinder E. Mitchell
Notary Public, State of Florida

Arfinder E. Mitchell
Name of Notary, typed, printed or stamped

Commission No. DD 497617

My Commission Expires:
February 27, 2010

IN THE CIRCUIT COURT OF THE SIXTH JUDICIAL CIRCUIT
IN AND FOR PINELLAS COUNTY, STATE OF FLORIDA
CIVIL DIVISION

BRYANT MIDDLETON,
WILLIAM HORNE,
ROGER KISER, and
JIMMY JACKSON, individually and
on behalf of all others similarly situated,

CASE NO.: 08-19597CI-19

Plaintiffs,

CLASS REPRESENTATION

vs.

THE FLORIDA DEPARTMENT OF
AGRICULTURE, THE FLORIDA
DEPARTMENT OF CHILDREN
& FAMILY SERVICES, THE FLORIDA
DEPARTMENT OF JUVENILE JUSTICE,
THE FLORIDA DEPARTMENT OF
CORRECTIONS, TROY TIDWELL,
and ROBERT E. CURRY,

Defendants.

AFFIDAVIT OF DONALD STRATTON

STATE OF FLORIDA)

COUNTY OF Hillsborough

Before me, the undersigned authority, personally appeared DONALD STRATTON,
who upon being duly sworn states that:

I, DONALD STRATTON, am over the age of eighteen (18) and have personal
knowledge of the facts stated herein.

I was sent to the Florida School for Boys in Marianna, Florida in 1958, when I was
13 years of age. I stayed there for three years, until 1960.

Prior to being sent to Marianna, I was never at any time given a lawyer, a trial, notice about self-incrimination, or told the length of my sentence.

Shortly after I arrived at Marrianna, I met with Robert E. Curry, an employee of the school. During my first meeting with Mr. Curry, he told me I was “no good,” asked me inappropriate sexual questions, then took my pants down, sexually abused me and masturbated. Mr. Curry also beat me on later occasions.

I was taken to a building called the “white house” three times. The first time, I had been working in the kitchen, slipped and accidentally broke a case of milk bottles. For this, I was taken to the “white house” and given 16 licks with a leather strap. I was made to lie on a cot with my face in a pillow. The pillow was covered with vomit, blood and bits of tongue. During the whipping, they drew blood from my legs. They all had the same look of “pleasure” in their eyes.

The second time I was taken to the “white house” the beating I received was so severe that portions of my shorts were embedded into my skin.

The third time I was taken to the “white house” because I had buttons on my jacket with insignia on them, which was against the rules. I was beaten by William Curry, who gave me 16 lashes which drew blood.

While at Marianna, I was beaten by Mr. Hatton, Mr. Tidwell, Mr. Enfield, and Mr. Curry.

No one was permitted to have visitors for about a month or so after beatings.

I saw Mr. Enfield, who worked at the school, take small boys into the kitchen and sexually molest them.

IN THE CIRCUIT COURT OF THE SIXTH JUDICIAL CIRCUIT
IN AND FOR PINELLAS COUNTY, STATE OF FLORIDA
CIVIL DIVISION

BRYANT MIDDLETON,
WILLIAM HORNE,
ROGER KISER, and
JIMMY JACKSON, individually and
on behalf of all others similarly situated,

CASE NO.: 2008-19597CI-19

Plaintiffs,

CLASS REPRESENTATION

vs.

THE FLORIDA DEPARTMENT OF
AGRICULTURE, THE FLORIDA
DEPARTMENT OF CHILDREN
& FAMILY SERVICES, THE FLORIDA
DEPARTMENT OF JUVENILE JUSTICE,
THE FLORIDA DEPARTMENT OF
CORRECTIONS, TROY TIDWELL, and
ROBERT E. CURRY,

Defendants.

AFFIDAVIT OF WILLIAM A. HAYNES

COUNTY OF)
STATE OF ALABAMA) ss:
)

Before me, the undersigned authority, personally appeared WILLIAM A. HAYNES, who
upon being duly sworn states that:

1. I am William A. Haynes. I currently reside in Elmore, Alabama. I am 66-

years-of-age. I retired on July 9, 2009, after 30 years of service in the Alabama Department of Corrections.

2. As a boy, I lived in Tampa, Florida. My family was poor, and we lived in a rough area of town. I learned to fight and defend myself at an early age and was a rebellious young man.

3. In April of 1958, I was sent to the Florida School for Boys in Marianna, Florida, for stealing a car. I had no trial. I was not represented by an attorney and was not told how long I would be required to stay at the school in Marianna.

4. When I first arrived in Marianna, I was scared and confused. I was 14-years-old and was intimidated by the environment at the school. I was assigned to Tyler Cottage and, almost immediately, was threatened by several boys who tried to bully me. I was told that they were going to give me a "blanket party," in which a blanket was thrown over your head and you were beaten with bars of soap placed in a sock. I was frightened but, if this type of action or threat was reported, the boy reporting the action would be labeled as a "snitch" and treated as an outcast.

5. A few days after my arrival, I was confronted by four boys who shoved me against the wall in an effort to bully me. I fought back and was eventually discovered by the cottage father, who made me return to the cottage. The following morning, I was taken to Mr. R. W. Hatton's office and told that I was "going down for fighting." I had been told stories about the White House by some of the boys and was deeply concerned about the prospect of

what was in store for me in the White House.

6. Around noon, Mr. Hatton and Mr. Troy Tidwell ushered me to the White House. When I arrived at the White House, Mr. Hatton unlocked the door. He told me to "get your ass in there boy," and he shoved me. I was pushed into a room and forced to lay face down on a bed. I was told to hold the rail at the head of the bed and face the wall. They told me that, if I tried to get up or to look at them, they would stop the beating and start all over again. They then turned on a large fan or blower that made a loud noise, which I believe was to muffle the sounds of the beating and the cries.

7. There was no way to be prepared for what was done to me. I could hear the sound of a shoe turning on the concrete floor as the swing was made with a leather strap. Immediately following that sound, I felt the worst pain that I had experienced in my life. Mr. Hatton gave me forty-five (45) licks with the strap and then told me to "get my ass up and let's go."

8. As I left, my buttocks had become numb, but I could feel blood running down my legs. I was taken back to my cottage and allowed to shower. My back side was black and bloody, and pieces of my undershorts were imbedded in my skin. By the next day, my buttocks felt like a big black crust, and I was in so much pain I could hardly take a step.

9. During the approximately nineteen (19) months that I remained at Marianna, I was beaten in the White House eight (8) times. My second beating was for getting bad grades. On that occasion, I was given fifty (50) licks with a paddle by Mr. Arthur Dozier, who was the

Superintendent of the School.

10. Several days after the beating by Mr. Dozier, I was awakened late at night by Mr. Troy Tidwell and told that I was "going down," if I did not tell him who had some cigarettes in our cottage. When I told Mr. Tidwell that I did not know who had cigarettes, he grabbed me by the arm and took me out of the cottage and toward the school. I was taken to a room on the side in which I had never been before, but I had been told of a room to which boys had been taken and raped or killed. There were two (2) men in the room who I did not recognize. As we approached the room, out of fear, I began to fight and kick to escape Mr. Tidwell's grip. All three (3) men attempted to subdue me. I kicked and swung my fists until I was free from Mr. Tidwell's grip. Once free, I ran from the school. As I ran, my buttocks began to bleed from the beating by Mr. Dozier days earlier. I ran until I reached the town of Marianna, where I attempted to hide, but was quickly detected and caught by people in town.

11. Mr. Hatton and Mr. Tidwell came to town, picked me up and took me back to the school. Upon my return to the school, I was taken directly to the White House and Mr. Tidwell gave me one hundred (100) licks. I was told that, each time you run, you receive more licks than the time before.

12. My eight (8) trips to the White House were a nightmare. I became emotionally scarred by the abuse to which I was subjected by R. W. Hatton, Troy Tidwell and Arthur Dozier. The abuse inflicted by these men to the boys under their control was shameful.

13. To this day, I do not understand why children were treated in such a cruel

Middleton v. The Florida Department of Agriculture, et al.
Pinellas County
Civil Division
Case No. 2008 19597 CI 19

and brutal manner. My work with the Alabama Department of Corrections has allowed me to understand that cooperation and compliance can best be obtained by communication skills rather than torture and abuse.

Sworn to and subscribed this 18th day of December, 2009.

William A. Haynes
William A. Haynes

Sworn to and subscribed before me this 18th day of December, 2009.

Betty J Haynes
NOTARY PUBLIC

Betty J Haynes
Notary Printed Name

Oct 19 2010
My Commission Expires:

NOTARY PUBLIC SEAL