



U.S. Department of Justice

Civil Rights Division

Office of the Assistant Attorney General

Washington, D.C. 20530

DEC - 1 2011

The Honorable Rick Scott
Governor
State of Florida
The Capitol
400 S. Monroe St.
Tallahassee, FL 32399-0001

Re: Investigation of Arthur G. Dozier School for Boys and the
Jackson Juvenile Offender Center, Marianna, Florida

Dear Governor Scott:

The U.S. Department of Justice's Civil Rights Division has completed its investigation into the conditions of confinement and treatment of youth at the now closed Arthur G. Dozier School for Boys ("Dozier") and the Jackson Juvenile Offender Center ("JJOC"), which together constituted the North Florida Youth Development Center ("NYFDC"). Our investigation was conducted pursuant to the Violent Crime Control and Law Enforcement Act of 1994, 42 U.S.C. § 14141 ("Section 14141"), which authorizes the Department of Justice to seek remedies against any governmental authority for engaging in a pattern or practice of conduct that violates the constitutional rights of youths confined in juvenile justice institutions. We have concluded that there was reasonable cause to believe that the State of Florida was engaged in a pattern or practice of failing to have proper measures of accountability that led to serious deficiencies at NYFDC. We have enclosed our Report documenting our findings regarding the State's failure to appropriately monitor and supervise its facilities.

We announced our investigation on April 7, 2010. On May 26, 2011, Florida's Department of Juvenile Justice ("DJJ") announced the pending closure of Dozier and JJOC. The facilities were officially closed on June 30, 2011. The residents were transferred to juvenile justice institutions throughout the State. The constitutional violations identified in the enclosed Report are the result of the State's failed system of oversight and accountability, which we suspect affect the entire juvenile justice system statewide. To protect the youth in its remaining facilities, the State must take immediate measures to assess the full extent of its failed oversight with the assistance of experts in juvenile protection from harm issues. The State must also strengthen its oversight processes by implementing a more rigorous system of hiring, training, and accountability.

The facilities which we inspected have been closed, and our review has been terminated. Nonetheless, it is incumbent on the State to ensure that the unconstitutional conditions of confinement identified in the enclosed Report do not exist at its other juvenile justice institutions. Should we learn of the existence of other unconstitutional conditions of confinement at other juvenile justice institutions in Florida, we have the right to open an investigation there and use this letter as an indication that the State was on notice as to its responsibilities.

The deficiencies identified in the Report not only breach the State of Florida's obligation to serve confined youth, but impact public safety as well. These conditions return youth to the community no better, and likely less, equipped to succeed than when they were first incarcerated. The described conditions erode public confidence in the juvenile justice system and interfere with the State's efforts to reduce crime.

Thank you for your cooperation during this investigation. We hope that the concerns identified in this Report will be received in the spirit of assisting in our mutual goal of ensuring the safety and security of youth in DJJ facilities. Please note that this Report is a public document and will be posted on the Civil Rights Division's website. If you have any questions regarding this letter or the enclosed Report, please call Jonathan M. Smith, Chief of the Civil Rights Division's Special Litigation Section, at (202) 514-6255.

Sincerely,

A handwritten signature in blue ink, appearing to read "T. E. Perez", is written above the typed name.

Thomas E. Perez
Assistant Attorney General

Enclosure

cc: Pam Bondi
Attorney General
State of Florida
The Capitol PL-01
Tallahassee, FL 32399-1050

Wansley Walters
Secretary
Florida Department of Juvenile Justice
Headquarters
Knight Building
2737 Centerview Drive
Tallahassee, Florida 32399-3100

Brian Berkowitz
General Counsel
Florida Department of Juvenile Justice
2737 Centerview Drive
Suite 3200
Tallahassee, FL 32399-3100

The Honorable Pamela C. Marsh
United States Attorney
Northern District of Florida
111 North Adams Street
Fourth Floor
Tallahassee, FL 32301