



FLORIDA DEPARTMENT *of* STATE

RICK SCOTT
Governor

KEN DETZNER
Secretary of State

July 15, 2013

Via email and U.S. Mail

Dr. Erin H. Kimmerle, Associate Professor
Dr. E. Christian Wells, Associate Professor
Department of Anthropology
University of South Florida
4202 E. Fowler Avenue, SOC 107
Tampa, FL 33620

Dr. Wells and Dr. Kimmerle:

I am in receipt of your July 8, 2013 letter seeking clarification of the Bureau of Archeological Research's (BAR) June 14, 2013 request for information regarding the University of South Florida's (USF) request for a 1A-32 archeological research permit for the excavation of human remains at the Boot Hill Cemetery at the former Arthur G. Dozier School.

I understand the importance of telling the story of the Dozier School and recognize that the significance is all the more poignant for those whose loved ones may be laid to rest on the school grounds. The Department of State has had the opportunity to assist in the effort to piece together the untold portions of the complicated history of this Florida institution. BAR issued permit numbers 1112.032 and 1213.018 to USF to facilitate efforts to identify and protect human burials. Surface-level research was authorized to determine the location of the grave sites in order to preserve the cemetery "as a valuable historical resource for Florida and surviving family members." Your work under those permits is not yet complete, and the BAR has granted USF extensions on those permits in order to continue that important work. The Department of State will continue providing assistance consistent with our authority and capability in that endeavor.

Your inquiry diverged from its original objectives when you sought a third permit with the purpose of actually exhuming the bodies from their grave sites. The Department of State does not have the statutory authority to fulfill your request. The BAR's existing statutory authority to grant archaeological research permits is restricted to the recovery of objects of historical or archeological value, not human remains, absent a danger to the grave site that actually threatens the loss or damage of those remains. Under Florida law, human bodies are not objects to be dug up for research purposes. To the contrary, the law presumes that buried human remains will rest undisturbed, and allows their intentional disinterment only in narrowly defined circumstances for which specific procedures are provided in law.



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If there is reason to believe that crimes were committed at Dozier School, I share the deep concern that the truth be discovered. To be sure, your continued interaction with the Attorney General, the State Attorney, and the Medical Examiner will advance this shared goal. This agency, however, does not have any authority with respect to criminal investigations.

Your July 8, 2013 letter requested some clarification from BAR, indicating that without it you will be unable to provide all of the information requested in its June 14, 2013 letter. Because the Division does not have the authority to issue archaeological permits to excavate human remains under these circumstances, this agency is unable to take any action on your permit request.

The Department of State appreciates the efforts of the University of South Florida to identify historical resources in order to preserve and protect them for the families of the deceased and future generations, and we look forward to continuing our participation in that endeavor.

Sincerely,



Ken Detzner
Florida Secretary of State