

By Senator Thompson

12-00209-16

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Senate Concurrent Resolution

A concurrent resolution acknowledging the grave injustice perpetrated against Charles Greenlee, Walter Irvin, Samuel Shepherd, and Ernest Thomas, who came to be known as the "Groveland Four," exonerating the four men, offering a formal and heartfelt apology to these victims of racial hatred and to their families; and urging the Governor and Cabinet to pardon Walter Irvin and Charles Greenlee.

WHEREAS, on July 16, 1949, a 17-year-old white woman and her estranged husband reported to police that they had been attacked and that she had been raped by four black men after the car in which she and her estranged husband were riding broke down on a rural road outside Groveland, in Lake County, and

WHEREAS, despite the lack of physical evidence in the case and the established alibis of the accused, Charles Greenlee, Walter Irvin, Samuel Shepherd, and Ernest Thomas, the four men were presumed guilty, and

WHEREAS, Walter Irvin and Samuel Shepherd, both World War II veterans, acknowledged that they had stopped by the broken-down vehicle to see if they could assist the couple, but denied any involvement in the alleged rape, and

WHEREAS, Charles Greenlee, who was only 16 years old at the time, and Ernest Thomas denied ever meeting the alleged victim and her estranged husband, and

WHEREAS, after their arrest that evening, Charles Greenlee, Walter Irvin, and Samuel Shepherd were severely beaten in the basement of the county jail, and Mr. Greenlee and Mr. Shepherd

12-00209-16

2016136__

30 were coerced into confessing to the crime, while Mr. Irvin
31 refused to admit his guilt, and

32 WHEREAS, Ernest Thomas, who fled the county, was shot to
33 death several days later in Madison County by members of a
34 deputized posse of armed men, and

35 WHEREAS, the three surviving men, Charles Greenlee, Walter
36 Irvin, and Samuel Shepherd, were tried and convicted in the
37 case, with Mr. Greenlee sentenced to life imprisonment due to
38 his age and Mr. Irvin and Mr. Shepherd sentenced to death, and

39 WHEREAS, Thurgood Marshall, then executive director of the
40 NAACP Legal Defense and Educational Fund, appealed the
41 convictions of Walter Irvin and Samuel Shepherd to the United
42 States Supreme Court, which unanimously overturned the judgments
43 on April 9, 1951, and ordered a retrial, and

44 WHEREAS, 7 months later, in November 1951, while
45 transporting Walter Irvin and Samuel Shepherd from Florida State
46 Prison in Raiford to Tavares State Prison for a pretrial
47 hearing, Lake County Sheriff Willis McCall and Deputy Sheriff
48 James L. Yates shot both men on a dirt road leading into
49 Umatilla, claiming that they had shot the handcuffed men in
50 self-defense when the two tried to escape, and

51 WHEREAS, Samuel Shepherd died at the scene as a result of
52 his wounds, but Walter Irvin, who pretended to be dead, survived
53 and accused the sheriff and his deputy of attempted murder, but
54 no charges were ever brought against the officers, and

55 WHEREAS, Walter Irvin was retried and convicted a second
56 time of the crime and was sentenced to death, but his sentence
57 was commuted to life in prison in 1954 by then Governor LeRoy
58 Collins, who was not convinced of Mr. Irvin's guilt, and

12-00209-16

2016136__

59 WHEREAS, in 1970, while visiting Lake County, Walter Irvin,
60 who had been paroled 2 years earlier by then Governor Claude
61 Kirk, was found dead in his car, and, while Mr. Irvin's death
62 was officially attributed to natural causes, Thurgood Marshall
63 reportedly had doubts about the circumstances surrounding his
64 death, and

65 WHEREAS, Charles Greenlee, who was paroled in 1962 after
66 serving 12 years in prison, died in April 2012 at the age of 78,
67 and

68 WHEREAS, the grave injustice perpetrated against the
69 Groveland Four extended far beyond Lake and Madison Counties and
70 is believed to have played a role in the deaths of National
71 Association for the Advancement of Colored People leader Harry
72 T. Moore and his wife, Harriette, who had advocated on behalf of
73 the four men and were killed when their home in Mims was bombed
74 on December 25, 1951, and

75 WHEREAS, the people of this state recognize that no action
76 on the part of the Legislature can make right the egregious
77 wrongs perpetrated against Charles Greenlee, Walter Irvin,
78 Samuel Shepherd, and Ernest Thomas and their families by the
79 criminal justice system, law enforcement agencies, and
80 individuals whose actions were fueled by racial hatred, and

81 WHEREAS, the families of Charles Greenlee, Walter Irvin,
82 Samuel Shepherd, and Ernest Thomas have demanded that steps be
83 taken to clear the men's names, NOW, THEREFORE,

84
85 Be It Resolved by the Senate of the State of Florida, the House
86 of Representatives Concurring:

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12-00209-16

2016136__

88 That we hereby acknowledge that Charles Greenlee, Walter
89 Irvin, Samuel Shepherd, and Ernest Thomas were the victims of
90 gross injustices and that we apologize to the families of the
91 Groveland Four for all of the aforementioned wrongs and deem the
92 four men formally exonerated.

93 BE IT FURTHER RESOLVED that the Legislature urges the
94 Governor and Cabinet to review the cases of Walter Irvin and
95 Charles Greenlee and to grant Mr. Irvin and Mr. Greenlee
96 pardons.

97 BE IT FURTHER RESOLVED that a copy of this resolution be
98 provided to the Governor, the Attorney General, the Chief
99 Financial Officer, the Commissioner of Agriculture, and the
100 families of the Groveland Four as a tangible token of the
101 sentiments expressed herein.