

By the Committee on Judiciary; and Senators Brady Davis, Smith, Osgood, Berman, Davis, Arrington, Bernard, Leek, Gaetz, Sharief, Mayfield, DiCeglie, Massullo, and Rouson

590-02249-26

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A bill to be entitled

An act relating to compensation of the descendants of Charles Greenlee, Walter Irvin, Samuel Shepherd, and Ernest Thomas; providing that certain facts are found and declared to be true; providing that a sum is appropriated from the General Revenue Fund to the Department of State for specified relief; requiring that a specified percentage of such relief be provided to certain individuals and estates; providing that specified persons are ineligible for further compensation; providing an effective date.

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 that she and her husband were riding in 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, Mr. Irvin and Mr. 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, Mr. Greenlee, who was only 16 years old at the time, and Mr. Thomas denied ever meeting the alleged victim and her estranged husband, and

WHEREAS, after their arrest that evening, Mr. Greenlee, Mr. .

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30 Irvin, and Mr. Shepherd were severely beaten in the basement of
31 the county jail, and Mr. Greenlee and Mr. Shepherd were coerced
32 into confessing to the crime, while Mr. Irvin refused to admit
33 guilt, and

34 WHEREAS, Mr. Thomas, who fled the county, was shot to death
35 several days later in Madison County by members of a deputized
36 posse of armed men, resulting in more than 400 gunshot wounds,
37 and

38 WHEREAS, the three surviving men, Mr. Greenlee, Mr. Irvin,
39 and Mr. Shepherd, were tried and convicted in the case, with Mr.
40 Greenlee sentenced to life imprisonment due to his age and Mr.
41 Irvin and Mr. Shepherd sentenced to death, and

42 WHEREAS, Thurgood Marshall, then executive director of the
43 NAACP Legal Defense and Educational Fund, appealed the
44 convictions of Mr. Irvin and Mr. Shepherd to the United States
45 Supreme Court, which unanimously overturned the judgments on
46 April 9, 1951, and ordered a retrial, and

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

54 WHEREAS, Mr. Shepherd died at the scene as a result of his
55 wounds, but Mr. Irvin, who pretended to be dead, survived and
56 accused the sheriff and his deputy of attempted murder, but no
57 charges were ever brought against the officers, and

58 WHEREAS, despite Mr. Irvin having been retried and

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59 convicted a second time of the crime and sentenced to death, his
60 sentence was commuted to life in prison in 1954 by then-Governor
61 LeRoy Collins, who was not convinced of Mr. Irvin's guilt, and

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

68 WHEREAS, Mr. Greenlee, who was paroled in 1962 after
69 serving 12 years in prison, died in April 2012 at the age of 78,
70 and

71 WHEREAS, in 2017, the Legislature unanimously adopted House
72 Concurrent Resolution 631 acknowledging the grave injustices
73 perpetrated against Mr. Greenlee, Mr. Irvin, Mr. Shepherd, and
74 Mr. Thomas, apologizing to each of them and their families, and
75 urging the Governor and the Cabinet to perform an expedited
76 clemency review of their cases for the purpose of granting the
77 men full pardons, and

78 WHEREAS, on January 11, 2019, Governor DeSantis issued full
79 pardons, which were unanimously approved by the Board of
80 Executive Clemency, to Mr. Greenlee, Mr. Irvin, Mr. Shepherd,
81 and Mr. Thomas, and

82 WHEREAS, on November 22, 2021, the State Attorney's Office
83 of Lake County filed a motion in the Circuit Court of the Fifth
84 Judicial Circuit to dismiss the indictments of Mr. Shepherd and
85 Mr. Thomas and to set aside the convictions and sentences of Mr.
86 Greenlee and Mr. Irvin, which motion was granted, and

87 WHEREAS, the State of Florida recognizes an obligation to

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88 equitably redress the injuries, damages, infringement of civil
89 rights, and loss of life that Mr. Greenlee, Mr. Irvin, Mr.
90 Shepherd, Mr. Thomas, and their families sustained as a result
91 of the events that transpired in Lake County, NOW, THEREFORE,
92

93 Be It Enacted by the Legislature of the State of Florida:

94

95 Section 1. The facts stated in the preamble to this act are
96 found and declared to be true.

97 Section 2. (1) A sum as specified in the General
98 Appropriations Act is appropriated from the General Revenue Fund
99 to the Department of State for the relief of the descendants of
100 Charles Greenlee, Walter Irvin, Samuel Shepherd, and Ernest
101 Thomas.

102 (2) Twenty-five percent of the sum appropriated under
103 subsection (1) must be provided to each of the following
104 individuals and estates:

105 (a) Carol Greenlee Crawlee, the daughter of Charles
106 Greenlee.

107 (b) The Estate of Walter Irvin.

108 (c) The Estate of Samuel Shepherd.

109 (d) Ruby Lee Jones, the surviving spouse of Ernest Thomas.

110 Section 3. A person compensated under this act is
111 ineligible for any further compensation related to the factual
112 situation described in this act.

113 Section 4. This act shall take effect upon becoming a law.