

By the Committees on Appropriations; and Judiciary; and Senators Bracy Davis, Smith, Osgood, Berman, Davis, Arrington, Bernard, Leek, Gaetz, Sharief, Mayfield, DiCeglie, Massullo, Rouson, Jones, Simon, Wright, Burgess, Truenow, and Garcia

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

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

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

26 WHEREAS, Mr. Greenlee, who was only 16 years old at the
27 time, and Mr. Thomas denied ever meeting the alleged victim and
28 her estranged husband, and

29 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) The sum of \$4 million is appropriated from
98 the General Revenue Fund to the Department of State for the
99 relief of the descendants of Charles Greenlee, Walter Irvin,
100 Samuel Shepherd, and Ernest Thomas.

101 (2) The Chief Financial Officer is directed to draw a
102 warrant payable to the descendants of Charles Greenlee, Walter
103 Irvin, Samuel Shepherd, and Ernest Thomas as provided in
104 subsection (3).

105 (3) Twenty-five percent of the sum appropriated under
106 subsection (1) must be provided to each of the following
107 individuals and estates:

108 (a) Carol Greenlee Crawlee, the daughter of Charles
109 Greenlee.

110 (b) The Estate of Walter Irvin.

111 (c) The Estate of Samuel Shepherd.

112 (d) Gladys Rollerson, the daughter of Ernest Thomas.

113 Section 3. A person compensated under this act is
114 ineligible for any further compensation related to the factual
115 situation described in this act.

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