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LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
04/12/2017	.	
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The Committee on Rules (Farmer) recommended the following:

Senate Amendment (with title amendment)

Delete everything after the resolving clause
and insert:

That we hereby acknowledge that Charles Greenlee, Walter Irvin, Samuel Shepherd, and Ernest Thomas, who came to be known as "the Groveland Four," were the victims of gross injustices and that their abhorrent treatment by the criminal justice system is a shameful chapter in this state's history.

BE IT FURTHER RESOLVED that we hereby extend a heartfelt apology to the families of Charles Greenlee, Walter Irvin,



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12 Samuel Shepherd, and Ernest Thomas for the enduring sorrow
13 caused by the criminal justice system's failure to protect their
14 basic constitutional rights.

15 BE IT FURTHER RESOLVED that the Legislature urges the
16 Governor and Cabinet to expedite review of the cases of Charles
17 Greenlee, Walter Irvin, Samuel Shephard, and Ernest Thomas as
18 part of the Governor's and Cabinet's constitutional authority to
19 grant clemency, including granting full pardons.

20 BE IT FURTHER RESOLVED that a copy of this resolution be
21 provided to the Governor, the Attorney General, the Chief
22 Financial Officer, the Commissioner of Agriculture, and the
23 families of the Groveland Four as a tangible token of the
24 sentiments expressed herein.

25
26 ===== T I T L E A M E N D M E N T =====

27 And the title is amended as follows:

28 Delete everything before the resolving clause
29 and insert:

30 Senate Concurrent Resolution

31 A concurrent resolution acknowledging the grave
32 injustices perpetrated against Charles Greenlee,
33 Walter Irvin, Samuel Shepherd, and Ernest Thomas, who
34 came to be known as "the Groveland Four"; offering a
35 formal and heartfelt apology to these victims of
36 racial hatred and to their families; and urging the
37 Governor and Cabinet to perform an expedited clemency
38 review of the cases of Charles Greenlee, Walter Irvin,
39 Samuel Shephard, and Ernest Thomas, including granting
40 full pardons.



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41
42 WHEREAS, on July 16, 1949, a 17-year-old white woman and
43 her estranged husband reported to police that she had been
44 abducted at approximately 2:30 a.m., driven approximately 25
45 minutes to a dead-end road, and raped by four black men after
46 the car in which she and her estranged husband were riding broke
47 down on a rural road outside Groveland in Lake County, and

48 WHEREAS, Charles Greenlee, Walter Irvin, and Samuel
49 Shepherd were charged with rape, while Ernest Thomas was
50 presumed guilty of the crime, and

51 WHEREAS, Charles Greenlee, who was 16 years old in July
52 1949, was being detained 20 miles away by two retail store night
53 watchmen at approximately the same time at which the alleged
54 attack occurred, and

55 WHEREAS, the estranged husband stated on two separate
56 occasions that Charles Greenlee was not one of the young men
57 present when his car broke down on July 16, 1949, and

58 WHEREAS, Charles Greenlee denied that he and Ernest Thomas
59 ever met Samuel Shephard, Walter Irvin, the alleged victim, or
60 her estranged husband, and

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

65 WHEREAS, after their arrest that evening, Charles Greenlee,
66 Walter Irvin, and Samuel Shepherd were severely beaten in the
67 basement of the county jail; Charles Greenlee and Samuel
68 Shepherd were coerced into confessing to the crime; and Walter
69 Irvin steadfastly maintained his innocence despite repeated



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70 beatings, and

71 WHEREAS, Ernest Thomas, understanding the racial realities
72 of the time and the danger he was in, escaped Lake County before
73 law enforcement could locate him, and

74 WHEREAS, after being hunted for more than 30 hours through
75 at least 25 miles of swampland in Madison County by an armed,
76 deputized posse of approximately 1,000 men with bloodhounds,
77 Ernest Thomas was killed in a hail of gunfire as he slept beside
78 a tree before he could answer questions or declare his
79 innocence, and

80 WHEREAS, the three surviving men, Charles Greenlee, Walter
81 Irvin, and Samuel Shepherd, were tried and convicted in the
82 case, with Charles Greenlee sentenced to life imprisonment due
83 to his young age and Walter Irvin and Samuel Shepherd sentenced
84 to death, and

85 WHEREAS, the judge who presided at the men's trial denied
86 the men's attorneys access to an exculpatory medical report of
87 the alleged rape victim and barred testimony regarding the three
88 men being repeatedly and brutally beaten by law enforcement
89 officers, and

90 WHEREAS, Thurgood Marshall, then-Executive Director of the
91 NAACP Legal Defense and Educational Fund, appealed the
92 convictions of Walter Irvin and Samuel Shepherd to the United
93 States Supreme Court, which unanimously overturned the judgments
94 on April 9, 1951, and ordered a retrial, and

95 WHEREAS, 7 months later, on November 6, 1951, as Walter
96 Irvin and Samuel Shepherd were being transported from Florida
97 State Prison in Raiford to Tavares Road Prison for a pretrial
98 hearing, Lake County Sheriff Willis McCall shot both men on a



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99 dirt road leading into Umatilla, claiming the handcuffed men
100 were trying to escape, and

101 WHEREAS, Samuel Shepherd died at the scene as a result of
102 his wounds, immeasurably compounding the suffering of his
103 hardworking, close-knit family whose home had been burned to the
104 ground by a mob in the days immediately following reports of the
105 alleged rape, and

106 WHEREAS, during an interview with an investigator sent by
107 then-Governor Fuller Warren, Walter Irvin stated that, after he
108 had been shot twice by Sheriff McCall, Deputy Sheriff James L.
109 Yates shot him through the neck as he lay on the ground
110 handcuffed to the deceased Samuel Shephard, and

111 WHEREAS, the Federal Bureau of Investigation discovered a
112 .38-caliber bullet directly beneath a blood spot marking where
113 Walter Irvin lay, providing forensic corroboration of Walter
114 Irvin's statement that he was shot while lying on the ground,
115 and

116 WHEREAS, Walter Irvin, who pretended to be dead, survived
117 despite a delay in treatment caused by the hospital's refusal to
118 transport him in an ambulance due to his race, and

119 WHEREAS, Walter Irvin was retried and convicted a second
120 time for the alleged rape and was sentenced to death, despite
121 the fact that a former Federal Bureau of Investigation
122 criminologist stated that he believed forensic evidence had been
123 manufactured by law enforcement, and

124 WHEREAS, Walter Irvin's sentence was commuted to life in
125 prison in 1955 by then-Governor LeRoy Collins after the
126 prosecuting attorney, who twice convicted Walter Irvin, stated
127 in a letter that not only was a life sentence more appropriate,



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128 but that Walter Irvin maintained his innocence even after being
129 shot when he believed himself to be dying, and

130 WHEREAS, Walter Irvin was found dead in his car while
131 visiting Lake County for a funeral in 1969, 1 year after being
132 paroled by then-Governor Claude R. Kirk, Jr., and

133 WHEREAS, Charles Greenlee, who was paroled in 1960 at the
134 age of 27, died in April 2012 at the age of 78, and

135 WHEREAS, the people of this state recognize that no action
136 on the part of the Legislature can make right the egregious
137 wrongs perpetrated against Charles Greenlee, Walter Irvin,
138 Samuel Shepherd, and Ernest Thomas and their families by the
139 criminal justice system, law enforcement agencies, and
140 individuals whose actions were fueled by racial hatred, and

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