Senate Concurrent Resolution

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

WHEREAS, on July 16, 1949, a 17-year-old white woman and her estranged husband reported to police that she had been abducted at approximately 2:30 a.m., driven approximately 25 minutes to a dead-end road, and 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, Charles Greenlee, Walter Irvin, and Samuel Shepherd were charged with rape, while Ernest Thomas was presumed guilty of the crime, and

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

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

WHEREAS, Charles Greenlee denied that he and Ernest Thomas
ever met Samuel Shephard, Walter Irvin, the alleged victim, or her estranged husband, 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, after their arrest that evening, Charles Greenlee, Walter Irvin, and Samuel Shepherd were severely beaten in the basement of the county jail; Charles Greenlee and Samuel Shepherd were coerced into confessing to the crime; and Walter Irvin steadfastly maintained his innocence despite repeated beatings, and

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

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

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

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

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

WHEREAS, 7 months later, on November 6, 1951, as Walter Irvin and Samuel Shepherd were being transported from Florida State Prison in Raiford to Tavares Road Prison for a pretrial hearing, Lake County Sheriff Willis McCall shot both men on a dirt road leading into Umatilla, claiming the handcuffed men were trying to escape, and

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

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

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

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

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

WHEREAS, Walter Irvin’s sentence was commuted to life in prison in 1955 by then-Governor LeRoy Collins after the prosecuting attorney, who twice convicted Walter Irvin, stated in a letter that not only was a life sentence more appropriate, but that Walter Irvin maintained his innocence even after being shot when he believed himself to be dying, and

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

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

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

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

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

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

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

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