

By Senator Bracy Davis

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1 A bill to be entitled
2 An act relating to compensation of the descendants of
3 Charles Greenlee, Walter Irvin, Samuel Shepherd, and
4 Ernest Thomas; providing that certain facts are found
5 and declared to be true; providing that a sum is
6 appropriated from the General Revenue Fund to the
7 Department of State for specified relief; providing
8 that specified persons are ineligible for further
9 compensation; providing an effective date.

10
11 WHEREAS, on July 16, 1949, a 17-year-old white woman and
12 her estranged husband reported to police that they had been
13 attacked and that she had been raped by four black men after the
14 car that she and her husband were riding in broke down on a
15 rural road outside Groveland, in Lake County, and

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

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

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

27 WHEREAS, after their arrest that evening, Mr. Greenlee, Mr.
28 Irvin, and Mr. Shepherd were severely beaten in the basement of
29 the county jail, and Mr. Greenlee and Mr. Shepherd were coerced

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into confessing to the crime, while Mr. Irvin refused to admit guilt, and

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

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

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

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

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

WHEREAS, despite Mr. Irvin having been retried and convicted a second time of the crime and sentenced to death, his sentence was commuted to life in prison in 1954 by then-Governor

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59 LeRoy Collins, who was not convinced of Mr. Irvin's guilt, and
60 WHEREAS, in 1970, while visiting Lake County, Mr. Irvin,
61 who had been paroled 2 years earlier by then-Governor Claude
62 Kirk, was found dead in his car, and, while Mr. Irvin's death
63 was officially attributed to natural causes, Thurgood Marshall
64 reportedly doubted the circumstances surrounding Mr. Irvin's
65 death, and

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

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

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

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

85 WHEREAS, the State of Florida recognizes an obligation to
86 equitably redress the injuries, damages, infringement of civil
87 rights, and loss of life that Mr. Greenlee, Mr. Irvin, Mr.

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88 Shepherd, Mr. Thomas, and their families sustained as a result
89 of the events that transpired in Lake County, NOW, THEREFORE,
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91 Be It Enacted by the Legislature of the State of Florida:
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93 Section 1. The facts stated in the preamble to this act are
94 found and declared to be true.

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

99 Section 3. A person compensated under this act is
100 ineligible for any further compensation related to the factual
101 situation described in this act.

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