

Committed to Memory

More than six decades ago, Orlando played a role in the racist saga of the Groveland Boys. Here's a look back at some shameful history—and a look forward to possible justice.

BY GARY MCKECHNIE AND NANCY HOWELL



Attorneys Paul Perkins Sr. and Jack Greenberg, defendant Walter Irvin and special counsel Thurgood Marshall at Irvin's retrial in 1952.

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It was February 11, 1952, and NAACP special counsel Thurgood Marshall waited patiently outside Orlando's Wells' Built Hotel for his ride.

Although his destination—a Marion County courtroom—was 80 miles north, Marshall had been given no choice but to stay at the Wells' Built. No hotel in Ocala would accommodate the future Supreme Court Justice,

who was heading the legal team defending Walter Irvin, an Army veteran who had been granted a retrial after being convicted of raping a white teenage girl. Nor was Marshall welcome in the

hotels of nearby Lake County, site of the August 1949 trial that had first sent Irvin and his friend Samuel Shepherd, both African-Americans, to Death Row.

Instead, in Jim Crow-era Florida, Marshall and his black colleagues would either lay their heads in private homes or drive to Orlando's Parramore district where, near the corner of South Street and Division Avenue, the Wells' Built Hotel was the only lodging in Central Florida that would accommodate them and other "people of color."

Standing with Marshall on that winter day was another member of the legal team, Paul Perkins Sr., one of Orlando's few black attorneys. They were soon joined by Alex Akerman Jr. and Jack Greenberg, fellow attorneys staying at downtown's whites-only San Juan Hotel.

After a few minutes, the only area transport service that catered to blacks arrived in the form of the lone vehicle in its fleet—a brand new, shiny Cadillac. Marshall and his team picked up their briefcases, climbed inside, and noticed that this was a Cadillac with a difference.

Today and throughout the trial, Irvin's legal team would arrive at the Marion County Courthouse in a hearse.

A Climate of Racial Hatred

The drama unfolding in 1952 had its roots in the summer of 1949, and it made headlines around the world. Near the small Lake County town of Groveland, a white 17-year-old girl, Norma Lee Padgett, claimed that four black men—soon to be known as the "Groveland Boys"—had raped her. Did the accusation stem from the pressure of friends, family, and the well-entrenched edicts of a segregated society? Or did the crime actually occur?



Doubtful, suggests author Gilbert King (left), whose book about the case, *Devil in the Grove: Thurgood Marshall, the Groveland Boys, and the Dawn of a New America*, received the 2013 Pulitzer Prize for General Non-Fiction. After nearly four years spent reviewing previously sealed FBI and NAACP files, King was able to describe a judicial system that allowed lawmen to moonlight as Klansmen, prosecutors to manufacture and conceal evidence, and left blacks voiceless in a corrupt system.

Make that *nearly* voiceless. One of the strongest voices in Orlando's black community was that of Paul Perkins Sr., who was helping Thurgood Marshall lay the groundwork for the defense. Fully expecting white juries to convict black defendants regardless of their innocence, they usually counted on an appeal to overturn the verdict.

Perkins died in 1985, but his son Paul Perkins Jr., 48, recalls stories his father would share.

“He usually had funny stories, but then he'd tell me about being chased through Apopka by the Klan and about the time during the Groveland Boys' trial when he was protected by an FBI agent.

“There was a soda fountain, Johnson's Sodas and Sundries, I think, on Church Street and it was run by a close friend of my father's. He said he went in for a burger and the agent checked his food to make sure it wasn't poisoned. He said that Mr. Johnson rolled his eyes and said, ‘Paul, if you can't trust me, who can you trust?’”

An attorney himself, Perkins Jr. remains in awe of his father.

“I can't imagine practicing law the way he and other black attorneys did,” he muses. “Two things I find to be impossible: Working in those racial times, and practicing so many areas of law and doing it all proficiently. I am where I am today because I am standing on their shoulders.”

In 1950s Orlando, it wasn't just the legal community that was largely off limits to blacks. Society was strictly divided. State Sen. Geraldine Thompson of Orlando explains that the Wells' Built, now a museum that details the history of Orlando's African-American community, began as one of the few black-owned businesses in Central Florida.

Dr. William Monroe Wells "was one of only two black physicians in Orlando and he built this hotel because of racial prejudice and discrimination," she explains. "It was done of necessity. Throughout the South, railroad tracks separated the whites and the blacks. The Wells' Built Hotel is west of Division Avenue, which was a line of demarcation."

In that era, New York travel agent Victor Green had created *The Negro Motorist Green Book*, which listed places where blacks could stay. "And since there were hardly any hotels open to African-Americans in Florida, this is where Thurgood Marshall stayed when he came for the trial of Walter Irvin," Thompson says. "It's where Ray Charles and B.B. King stayed when they performed at the casino next door; it was a blues joint on the Chitlin' Circuit. About the only time blacks had access to a whites-only hotel like the Angebilt was if they worked there as a maid or a cook or a busboy."

Fanning the Flames

Rewind to the midnight hours of Saturday, July 16, 1949, when Army veterans Walter Irvin and Samuel Shepherd, both 22 and black, happened upon a drunken Willie Padgett, 23, and his 17-year-old bride, Norma Lee, when the couple's car was stuck in sand on a desolate road north of Groveland. After the two men offered help, an altercation ensued, apparently over a racial slur, that left Willie knocked out or passed out in a ditch. Come daybreak, the Padgetts' story had become an accusation of rape that would land both Irvin and Shepherd in a Tavares jail cell.

Two days later, local segregationists and the Ku Klux Klan descended on Stuckey Still, a black enclave just west of Groveland. Lake County Sheriff Willis McCall, his deputies, and National Guard troops were there to restore order but, outnumbered, they withdrew. Soon after, the mob opened fire on homes and churches and ignited several buildings, including the home of Samuel Shepherd's father.

Adjacent to the Shepherd farm was a 20-acre spread owned by the Langleys, a white family that lived in Lakeland. Now a 78-year-old attorney in Clermont, Richard Langley was then a 12-year-old who recalls his father receiving an anonymous call that evening.

“The voice said, ‘Are you Hubert Langley?’” he recalls. ““If that’s your Case tractor under the Shepherd barn, you better come and get it.’ And they hung up.

“The next morning I went up there with my dad and we saw the Shepherd home had been burned to the ground, but the shed where we parked our tractor was untouched.”

And the residents of Stuckey Still?

“Every black person in south Lake County had left,” Langley says. “They had all taken off into the swamps or the woods or left town.

“They had all gone.”

Secrets in the Basement

Meanwhile, Mr. Shepherd’s son Samuel sat in the Lake County jail with Walter. Soon Sheriff McCall and his deputy, James Yates, had two more black suspects in their sights: Ernest Thomas, 25, who was soon tracked down and shot to death by McCall and his posse, and Charles Greenlee, 16, whose airtight alibi of being held in the Groveland jail at the time of the alleged rape didn’t prevent McCall from transferring him to a cell next to Shepherd and Irvin.

The Lake County sheriff figured it wouldn’t be long before he could announce there had been a confession. As author King details, the Tavares courthouse housed a dark secret.

“Sheriff McCall’s office and the county jail were on the fourth floor, and when they wanted to start the questioning, they’d bring the suspect down to the basement, a secluded place where there were no witnesses.

“They’d handcuff the suspects, suspend them from the pipes above, put broken glass on the clay beneath their bare feet, and then pull out lead-filled hoses and start punching and beating the guys trying to get a confession.”

In photographs taken several weeks after their arrests, McCall and jailer Reuben Hatcher stand beside Irvin, Shepherd and Greenlee, whose swollen faces still show the effects of savage beatings.

In short order, despite a lack of physical evidence, an all-white jury convicted the three, sending Shepherd and Irvin to Death Row. Greenlee was given a life sentence of hard labor. But neither Death Row, McCall's power, nor Lake County's racism could outrank the U.S. Supreme Court. On April 9, 1951, a unanimous decision overturned the convictions of Irvin and Shepherd, which set the stage for a new trial.

As events would prove, it wasn't only the Groveland Boys who had underestimated Sheriff McCall.

Nine Supreme Court Justices had as well.



COURTESY OF FLORIDA MEMORY

On the evening of November 6, 1951, Sheriff McCall and Deputy Yates picked up Irvin and Shepherd from Florida State Prison in Raiford to return them to Tavares for the retrial. Some 20

miles north of the city, McCall turned his '51 Olds 98 onto a dirt road and told his handcuffed prisoners that he had a flat tire. Pulling over in the darkness, he ordered Irvin and Shepherd to get out and fix it.

Then he shot them.

McCall's claims of self-defense might have gone unchallenged but for this: Although he had killed Shepherd, Irvin was still alive. Despite two shots fired into his chest by McCall and one fired point-blank through his neck by Deputy Yates, when reporters reached the scene they noticed Irvin, who had played dead, was still breathing. (See photo of the scene above.)

Days later and confined to a hospital bed, Irvin was receiving visitors—namely FBI agents and attorney Thurgood Marshall. If Irvin died, at least the truth would be known. If he survived, Marshall faced the next challenge of trying to persuade 12 white Ocala jurors to spare his client's life.

Wild Night on Orange Avenue

Although the trials, torture and killings took place north of Orlando, Orange County was anything but a safe haven for the defense team. County Sheriff Dave Starr—cited on today's Orange County sheriff's website for “bringing the agency into the realm of 20th century policing”—was also a member of the Ku Klux Klan.

“I don't think Starr ever denied it,” observes King. “Willis McCall was cagy about it, but Sheriff Starr came right out and said it. It was clear there was a lot of law enforcement infiltration into the Klan, and Dave Starr was one of those sheriffs who was sort of open about it.”

One telling moment came on Saturday, February 9, 1952, when an Orlando rally to support gubernatorial candidate Bill Hendrix, whose day job as a plumbing contractor gave him time to serve as the Grand Dragon of the Tallahassee KKK, coincided with the arrival in town of Irvin's white attorneys, Akerman and Greenberg.

After marching his “rebel army” down Orange Avenue, Hendrix remarked, “Florida must have a few lynchings if its law enforcement officers don't enforce 100 percent segregation in the state.” Fueled by rhetoric like this, the Klansmen in full regalia were too wired to disperse. They raced their cars past the *Orlando Morning Sentinel* and the San Juan Hotel where reporters and the

two attorneys were staying. Screeching tires, blowing horns, and rebel yells filled the air, and the windows of the San Juan reflected the glow of torches.

“Greenberg recalled this event with great clarity,” explains King, “because he had never seen anything like it. He said this was one of the most frightening things he had ever seen in his life—and he had gone ashore at Iwo Jima during World War II.”

When reporters asked Starr why he hadn’t sent his deputies to monitor the mob, he said they were too busy checking for traffic infractions elsewhere downtown.

Justice Delayed

At his Ocala retrial in 1952, Walter Irvin was convicted by an all-white jury and sent back to Death Row. More than 60 years later, the families of the Groveland Boys are still awaiting justice. Geraldine Thompson, who distributed copies of King’s book to her Senate colleagues last year, introduced a bill in March asking them to acknowledge the injustice done to the Groveland Four, exonerate the men and “offer a heartfelt apology to these victims of racial hatred and to their families.” She also asked Gov. Rick Scott and the Cabinet to pardon Irvin and Greenlee.

[UPDATE: The bill never made it out of committee and to a full vote before the Senate adjourned in late April.]

Henrietta Irvin, Walter’s younger sister, now lives in Miami. She says Walter told her that before the beatings he and the others endured in the courthouse basement, deputies had taken him into the woods and handcuffed him around a tree. He fully expected they would burn him alive, but when two girls happened to ride up on horseback, the surprised deputies released him.

Henrietta, now 81, says when given the opportunity to save his life if he would just admit to the rape, her brother’s sense of honor wouldn’t allow it.

“He was very honest, very truthful,” she recalls. “He would tell the truth even if it would get him in trouble.”

In part, it may have been Walter’s honesty and integrity that prompted Governor LeRoy Collins to commute his sentence to life—a gesture that in 1955 was recognized as a sign of his innocence. Paroled in January 1968, Irvin died a year later at the age of 41. Greenlee was paroled after 12 years in prison and died in 2012 at the age of 78.

Although her brother's death was nearly a half-century ago, Henrietta Irvin still cannot forget the insults and injuries inflicted upon her family. After Walter was shot, neither she nor her parents were permitted to visit him in the hospital. And before the trial, several of the Groveland Boys' parents were jailed to prevent them from speaking to lawyers from the NAACP. Adding to the injury, Henrietta recalls that when she and her family worked in the fields picking cucumbers and tomatoes, they often worked for the Padgetts, where young Norma Lee—who would later accuse Walter, Samuel, Charles, and Ernest of rape—was kind enough to bring water to the sweltering workers.

“I was shocked *because she knew us*,” Henrietta says.

The case also has had a profound effect on Shepherd's niece, Vivian Shepherd, now 53 and a secretary at Clermont's East Ridge High School. Although she never knew her Uncle Samuel or the details of the case, she began to learn some of the story through Gary Corsair's 2004 book *The Groveland Four: The Sad Saga of a Legal Lynching*. When Gilbert King's 2012 account tapped into a wealth of new information, it brought to light her family's substantial strength.

“I gained such an appreciation for my family,” Vivian explains. “As a child you are looking at a photo album and you're wondering who is this? And my parents would just say ‘That's your uncle’—but that was it. I never got to know who that person was. I had no connection with this since my father did not share anything. Now I realize that was to protect us, so we would not have to go through what they had to go through.”

As for Norma Lee Padgett, who lives in Florida but could not be reached for this story, Vivian Shepherd says this:

“While I don't know her reasons for what she did, I pray she can come to a conclusion in her life, and she can let it go. She can forgive herself and move on. Just say it's done. Just tell the truth and know that's it's done and move on. I would love for her to say it never happened.

“If she doesn't, then that's between her and God.”