



FLORIDA HOUSE OF REPRESENTATIVES

Tallahassee

March 21, 1994

SPECIAL MASTER'S FINAL REPORT

The Honorable Bo Johnson
Speaker of the House of Representatives
Suite 420, The Capitol
Tallahassee, Florida 32399-1300

RE: HB 591 by Representatives De Grandy and Lawson
Claim of Arnett Goins, Minnie Lee Langley, et al. v. State of Florida

FINDINGS OF FACT:

THIS IS AN EQUITABLE CLAIM SEEKING \$7.2 MILLION FOR DAMAGES RESULTING FROM THE 1923 DESTRUCTION OF ROSEWOOD, FLORIDA.

This report is based upon the record presented to House and Senate special masters in the course of legislative hearings conducted pursuant to Rule 6.63, Rules of the Florida House of Representatives. The hearings began on March 4, 1994 and continued on a weekly basis, concluding on March 18, 1994.

The claimants in this matter are former residents, and descendants of former residents of Rosewood, Florida, who contend that certain acts or omissions of law enforcement and other officials of Levy County and the State of Florida, resulted in the destruction of their community, the deaths of their relatives, and the loss of their property, and inflicted on them both physical and emotional harm for which they should be compensated by the State of Florida. The claimants are represented by the law firm of Holland and Knight.

The State takes the position that the claims presented in this matter are without legal basis, that the evidence now available does not support a finding that acts or omissions of law enforcement officials caused the damages to the claimants, and that the claims should be barred by the statute of limitations. The State further contends that bringing these claims at this time prohibits the reasonable defense of the allegations since the officials charged are now deceased and cannot be called to testify as to these events. The State of Florida is represented by the Office of the Attorney General.

Because the events relating to this claim occurred more than 71 years ago, the record presented in the legislative hearings is comprised of media accounts of the events, incomplete public records, stories related by former residents and repeated to descendants, and the distant recollections of elderly witnesses not readily subject to corroboration and cross-examination. As will be discussed below, if these proceedings were conducted in a judicial forum, the principles of law dictated by the rules of evidentiary hearsay and the statute of limitations would preclude consideration of these claims. In an equitable claim bill proceeding, however, these principles do not, as a matter of law, restrict the legislature's consideration of these claims. Accordingly, this report is intended to provide the legislature with a description of the events that occurred in and around Rosewood, Florida in 1923, from the available remaining sources of evidence as presented at the legislative hearings, with the understanding that at this time conclusive findings of fact as to all relevant issues do not appear possible.

The events which occurred at Rosewood in 1923 were widely reported at that time not only by the Florida press, but also by the national media. In February of 1923, a month after the violence subsided, a special grand jury was convened in Levy County to investigate these matters. The grand jury returned no indictments, and except for newspaper accounts, no records of the grand jury proceedings remain. It does not appear that any other official investigation of Rosewood was undertaken. Over the years following these events, brief references to the events of Rosewood were made in a few historical studies of racial violence; however, no researched report of these matters was published until July 25, 1982, when a comprehensive article by an investigative journalist, Gary Moore, appeared in The

Floridian magazine, a Sunday supplement to the St. Petersburg Times. Mr. Moore's article prompted a December 13, 1983 CBS 60 Minutes report; however, no other official investigation was conducted at that time.

In 1993 this matter was brought before the Florida Legislature when HB 813 by Representatives DeGrandy and Lawson, and SB 1452 by Senator Jones were filed seeking compensation for persons injured by the violence at Rosewood. In response to the issues raised by HB 813, the Speaker determined that a thorough study of the events surrounding the destruction of Rosewood should be conducted in an objective scholarly manner, and accordingly, after the 1993 Session, an academic research team, which included distinguished professors from Florida State University, Florida A&M University, and the University of Florida was commissioned to research the Rosewood incident and report its findings to the Legislature. The academic research team was chaired by Dr. Maxine Jones of the Florida State Department of History.

The academic research team conducted research during the legislative interim, and on December 22, 1993 issued its report entitled A Documented History of the Incident Which Occurred at Rosewood, Florida in January 1923. Exceptions to the accuracy, findings, methodology, and thoroughness of the report were expressed by investigative journalist, Gary Moore, and in response to Mr. Moore's concerns, an extensive review of the academic study team's report was conducted under the authority of Dr. Richard Greaves, Chairman of the Florida State University Department of History. With minor reservations, the Review of the Rosewood Project endorsed the findings and methodology of the report of the academic study team. In response to the review, Mr. Moore submitted his detailed analysis of the review to the Legislature. All of the academic research studies, reports, reviews, and appendices, as well as Mr. Moore's responses, were received and have been made part of the record in the legislative proceedings.

Upon review of the record presented, and consideration of the sworn testimony, the following description of the events which occurred in Rosewood in 1923 emerges. In January of 1923 Rosewood was a small, mostly African-American community of approximately 120 residents located on the Seaboard Air Line

Railroad in western Levy County, nine miles east of Cedar Key. Today the site of Rosewood is marked on State Road 24. At one time the community had a timber mill, a post office, several stores, a depot and hotel; however, by 1923 the cedar wood had been harvested, and the sawmill operations moved to Sumner, a somewhat larger community, three miles west of Rosewood. The black residents remaining at Rosewood earned a living by working at the Cummer sawmill in Sumner, trapping and hunting, and vegetable farming. In addition, several of the black women of Rosewood worked in domestic capacities for the white residents of Sumner. The main store of Rosewood was owned and operated by a white man named John Wright.

In 1923 the black community of Rosewood consisted of approximately twenty families, many of whom were closely related through marriages. Some of the black families owned their homes as well as other property in the area. The community had a one-room school, at least two churches, and a masonic lodge. The railroad depot remained, but it does not appear that there was a regularly scheduled stop at Rosewood at that time. There was no history of racial tension at Rosewood, and the record indicates that prior to 1923 the black and white communities had a generally amiable relationship.

On Monday, January 1, 1923, in Sumner, Florida, Mrs. Frances Taylor, a twenty-two year old white housewife, alleged that a black man had entered her home and assaulted her. Mrs. Taylor, who was visibly bruised, told her neighbors that while her husband James Taylor was at work at the sawmill, an unidentified black man had assaulted and robbed her. The specific nature of the assault is not apparent from the record; however, the white community believed there had been a sexual assault, although it does not appear that Mrs. Taylor was ever examined by a physician. After repeating her allegations, Mrs. Taylor then collapsed and was taken to a neighbor's home.

A contradictory account of this event circulated in the black community. According to Mrs. Sarah Carrier, a black woman from Rosewood who did laundry for Mrs. Taylor, and Mrs. Carrier's granddaughter, Philomena Goins, who accompanied Mrs. Carrier to the Taylor home on the morning of January 1, 1923, a white man had visited Mrs. Taylor that day, and left shortly before Mrs. Taylor made her allegations. The black

community believed that Mrs. Taylor had a romantic relationship with this unidentified white man, that they had quarrelled, and that this white man was actually responsible for Mrs. Taylor's injuries.

In response to Mrs. Taylor's allegations, a group of white men, mainly residents of Sumner or workers at the Cummer sawmill, came together to search for the perpetrator. At about this time word reached Sumner from Levy County Sheriff Robert Elias Walker that a black convict named Jesse Hunter had escaped from a work crew doing road construction near Otter Creek. Jesse Hunter became the focus of the search. Later that day, Sheriff Walker sent for bloodhounds, and the trail of the fugitive was followed from behind the Taylor house in Sumner, leading the party of men toward Rosewood.

The group first came across Aaron Carrier, a black man from Rosewood who apparently was coerced into implicating Sam Carter, a forty-five year old black man who did some blacksmith work. Sheriff Walker intervened during the interrogation of Aaron Carrier and apparently sent him to the jail in Bronson for safekeeping. The dogs followed the trail to Sam Carter's house, and the search party became convinced that Sam Carter had placed the fugitive in his wagon and assisted the fugitive in an escape. The men seized Sam Carter and strung him up over a tree limb in an effort to make Carter reveal the place where he had taken the fugitive.

The role of the law enforcement officers in the search is unclear. The record indicates that Sheriff Walker was informed and probably sent for the bloodhounds from Ft. White. There is also testimony that the deputy sheriff assigned to western Levy County, Clarence Williams, who also served as a quarterboss at the Cummer sawmill, was involved in searching for the fugitive; however, it does not appear that either the sheriff or the deputy were actually members of the search party that seized Sam Carter.

Of particular interest in this regard is the testimony of Ernest Parham, who at that time was a nineteen year old resident of Sumner, working at the general store. Mr. Parham testified that after the news of Mrs. Taylor's assault on January 1, 1923 spread, tension was very high in Sumner. At the general store

where he worked, they sold so much ammunition that the store owner decided to hide his supplies and tell customers that they were sold out. Later that evening, Mr. Parham closed the store and noticed that deputy sheriff Williams, who had walked to Rosewood, had left his car parked outside. Mr. Parham drove the Williams' car by a back road from Sumner to Rosewood and located the deputy near Rosewood. At that time noise from a crowd could be heard from down the road. Mr. Parham left the deputy and walked down to where the crowd was gathered, and observed that a group of white men, many of whom he knew, had strung Sam Carter up on a tree limb in an attempt to force him to reveal information about the fugitive. Mr. Parham intervened in the situation, and the crowd of men let Carter down. Carter then took them to a place down the road where he said he let the fugitive off; however, when the dogs failed to pick up the scent, one of the men in the crowd shot and killed Sam Carter. The crowd then dispersed, and Mr. Parham returned to Sumner.

The body of Sam Carter was left on the road that night and apparently law enforcement officials did not discover the body until the following morning of Tuesday, January 2, 1923. Later that same day a coroner's jury inquest verdict signed by L.L. Johns as Justice of the Peace determined:

"We the Jury after the examination of the said Sam Carter who being found lying Dead, find that the said Sam Carter came to his Death by being shot by Unknown Party so say we all."

It does not appear that any further criminal investigation was conducted into the circumstances of the death of Sam Carter.

The search for Mrs. Taylor's assailant continued. On Thursday, January 4, 1923, word reached Sumner that the man they sought was being protected by Sylvester Carrier in Rosewood. A group of white men went to the Carrier home that evening. Minnie Lee Langley and Arnett Goins, claimants in this case, were children present at the Carrier home the night of January 4, 1923, and testified to the events of that evening. The children had been told that trouble was expected and they were gathered together with other relatives at the Carrier home for their protection.

They were taken to an upstairs bedroom. A group of white men approached the house and called for Sarah Carrier to come out. She did not respond. The white men then came to the porch. The white men shot and killed a dog tied in front of the house. According to the testimony, one of the white men, C.P. "Poly" Wilkerson, a former quarterboss from Sumner, kicked in the door, and was immediately shot and killed by Sylvester Carrier. A second white man Henry Andrews tried to enter the house and was also shot and killed by Sylvester Carrier. The remaining white men retreated, and gunfire was exchanged. During the ensuing gunfire Sarah Carrier was shot and killed. The white men apparently ran out of ammunition, and during the respite the children were taken out of the house by older relatives, and escaped into the woods of Gulf Hammock.

It does not appear that any law enforcement officials were among the group at the Carrier home on the night of January 4, 1923. Ernest Parham testified that deputy Williams was at the hotel in Sumner that evening. Mr. Parham specifically remembered that deputy Williams was discussing the ongoing events and stated that "All hell's breaking out in Rosewood." There is nothing in the record to indicate the whereabouts of Sheriff Walker on that night.

In the morning of January 5, 1923 the bodies of Poly Wilkerson, Henry Andrews, Sarah Carrier, and another black man, reported to be Sylvester Carrier were found at the house. There is some dispute as to whether Sylvester Carrier was actually killed at Rosewood. His family believes that he escaped and members received Christmas greetings from him for many years after the shootings at Rosewood.

After the killing of Poly Wilkerson and Henry Andrews, the violence escalated. Groups of white men from the surrounding areas, and some reportedly from other states, came to Rosewood. During the following days every black residence was burned. The black community fled to the woods. Two more deaths of residents of Rosewood were reported. Lexie Gordon, a woman of mixed color, was sick with typhoid fever and unable to leave Rosewood. When her home was set on fire she went out the back door and was shot and killed. James Carrier, the grandfather of Minnie Lee Langley, was reported to have been forced to dig his own grave and was then shot and killed.

Another black man, Mingo Williams, was reportedly shot while chopping down a tree twenty miles away by a group of the white men going to Rosewood.

Many of the white residents of the area came to the assistance of the black community. John Wright, the white owner of the general store in Rosewood, hid some of the children at his house, and arranged for a railroad car to pick up the women and children who had escaped into Gulf Hammock. Margaret Cannon testified that her father, Morris Cannon, a deputy sheriff in Levy County at the time, went into the woods and found the black woman and children and brought them to the train. They were taken to Gainesville. The black residents of Rosewood did not return.

Several years later the Cummer sawmill in Sumner burned. The company opened a new mill in Lacoochee, Florida, in Pasco County, and many of the Rosewood families moved to that area. Others dispersed to Jacksonville and Miami, and a few others moved out of state. Some of the property of the Rosewood residents apparently was lost to taxes, but there are a few records that indicate some property was later sold.

At this time it is difficult to determine the role of law enforcement officers, and other local and state officials, regarding their conduct during the Rosewood violence. Media accounts state that the Governor, Cary Hardee, was aware of the events, but had gone hunting on the afternoon of January 4, 1923. It also appears that Sheriff Walker had informed the Governor that there was no need to call in National Guard troops. Although the record indicates that the National Guard had been mobilized in preceding years to keep the peace during civil disturbances, the Guard was not called to Rosewood. It further appears that the Sheriff of Alachua County organized a posse to come to Levy County to assist in keeping order, but the role of the Alachua Sheriff in these events is not clear from the record. Sheriff Walker resigned July 8, 1924 after the Rosewood incident, and was replaced by L.L. Johns, the former Justice of the Peace, who signed the coroner's verdict regarding the death of Sam Carter.

On January 29, 1923 the Governor ordered that a special grand jury investigate the violence at Rosewood. The grand jury was

presided over by Judge A.V. Long of the Eighth Judicial Circuit. George DeCottes, the state attorney for the Seventh Circuit in Deland was appointed as prosecutor. On February 12, 1923 the grand jury convened in Bronson. There are no records of the grand jury. The newspaper accounts state that thirteen witnesses testified on February 13, 1923, and more witnesses were scheduled for the following day. Examination of witnesses ended on February 14, 1923, and on February 16, 1923 the grand jury stated that they were unable to find any evidence upon which to base indictments.

No charges were ever brought by the State of Florida against any person for the assault on Frances Taylor, for the killing of Sam Carter, for the deaths occurring at the Carrier home on the night of January 4, 1923, for the deaths of Lexie Gordon, James Carrier, or Mingo Williams, or for any acts of arson and theft which occurred at Rosewood, Florida.

CONCLUSIONS OF LAW: The initial question of law is the applicability of section 11.065(1), Florida Statutes, which provides:

No claims against the state shall be presented to the Legislature more than 4 years after the cause for relief accrued. Any claim presented after this time of limitation shall be void and unenforceable.

It is a long-established rule of law that the act of one legislature cannot bind a future legislature. Kirklands v. Town of Bradley, 104 Fla. 390, 139 So. 144 (1932); Tamiami Trail Tours v. Lee, 142 Fla. 68, 194 So. 305 (1940). This principle has been specifically applied to the statute of limitations for legislative claim bills. Attorney General's Opinion 55-82. As stated by the Attorney General, the statute of limitations is an expression of legislative policy, and not a prohibition against the consideration of claims against the state. Accordingly, as a matter of law, should the legislature determine that an equitable basis exists for the consideration of these claims, then there is no legal restriction on the power of the legislature to enact a claim bill under these circumstances.

In this matter, the primary claimants are now elderly former residents of Rosewood who as children were displaced from their homes due to the destruction of their community. They have a very limited education. Their testimony reflects a profound fear of reprisal and a distrust of state officials. In light of their personal experiences and the racial attitudes at the time, their testimony is substantiated. There is a question as to whether the fears of the claimants of coming forward are justified especially after the 1983 national broadcast of the Rosewood events. The State contends that at least since 1983 there was no justifiable impediment to the bringing of these claims to the legislature. Moreover, the State contends that under the principles of laches, Cone Brothers Construction v. Moore, 193 So. 288 (Fla. 1940), the claimants have delayed too long, that the matters asserted are not subject to a safe conclusion as to the truth thereof, and the State at this time is unable to defend against these allegations.

In balancing the equities of whether to proceed to consider the claims of these claimants, against the obvious difficulties of the State to completely respond to these claims after so many years have passed, it is important to distinguish these proceedings from proceedings at law. As a matter of law, the record does not demonstrate that the claimants could overcome the State's objections if these proceedings were judicial in nature. Claim bill proceedings, however, address the "moral obligations of the state" and are matters purely within the prerogative of the legislature. Gamble v. Wells, 450 So.2d 850 (Fla. 1984); Dickinson v. Board of Public Instruction, 217 So.2d 553, 560 (Fla. 1968). Under these circumstances, neither the provisions of section 11.065(1), Florida Statutes, nor the principles of laches should be construed to preclude the legislature's consideration of these claims to determine whether there is a moral obligation on the part of the State of Florida which should be addressed.

Claimants seek compensation for damages resulting from property loss and for emotional trauma. As to property loss, Florida law in 1923, as well as today, recognizes that compensation is required when state action effects a taking of property which was set forth in Article XVI, section 29 of the Florida Constitution of 1885 and is now incorporated in Article X, section 6 of the Florida Constitution as revised in 1968. While the State of Florida did not affirmatively take title to

property in Rosewood, the displacement of the Rosewood population was done with the knowledge and assistance of law enforcement officers. In a case involving the claims of Japanese-Americans who were displaced from their homes and property during World War II, the court held that the claimants were entitled to compensation for their property loss. Hohri v. United States, 768 F.2d 227 (D.C. Cir. 1986). The court stated:

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Given the alleged damage to the appellant's real and personal property directly caused by the evacuation program, there is no question that appellants have stated a claim cognizable under the Takings Clause.

Id. at 242. The court went on to hold that this claim was compensable regardless of whether the government took title to the property. See also United States v. General Motors Corp., 323 U.S. 373 (1945).

Although there are obvious distinctions between the federal evacuation program of Japanese-Americans and the displacement of the residents of Rosewood, in both instances the evacuees were forced to leave their homes and were unable to attend to their property. The residents of Rosewood did not return due to fear, and it appears that many simply abandoned their property because the area was not secured for their safety.

In this respect the State cites the case of Monarch Insurance Company of Ohio v. District of Columbia, 353 F. Supp. 1249 (D.C. D.C. 1973), affirmed, 497 F.2d 684 (D.C. Cir. 1974), cert. denied, 419 U.S. 1021 (1974), where the court dismissed constitutional and statutory claims brought against the United States, the District of Columbia and local law enforcement officials for property damages resulting from riots which occurred after the assassination of Dr. Martin Luther King. The court in Monarch held that the decisions regarding the deployment of law enforcement in riot control situations was a discretionary function that did not subject the government to liability under the federal Tort Claims Act. Similarly, Florida law provides that discretionary governmental functions are not subject to liability. Commercial Carrier Corp. v. Indian River County, 371 So.2d 1010 (Fla. 1979). As recognized by the

Monarch court, however, if the claim arises from a taking of property, then there is a cognizable cause of action. 353 F. Supp. at 1252.

Moreover, the United States Supreme Court in the case of National Board of Young Men's Christian Assn's v. United States, 395 U.S. 1511 (1969) held that persons whose property was damaged as a result of rioting after occupation of the buildings by federal troops had no Fifth Amendment claim for compensation. However, as Justice Harlan stated:

...it is for Congress, not this Court, to decide the extent to which those injured in the riot should be compensated, regardless of the extent to which the police or military attempted to protect the particular property which each individual owns.

395 U.S. at 96. Similarly, while it may be argued that there would not exist a judicially cognizable claim under the takings provisions of the federal and state constitutions, it is nonetheless clear that the legislature has the authority to determine the extent of compensation in this matter.

In relevant circumstances, Congress enacted the Civil Liberties Act to compensate Japanese-Americans for property damages resulting from the federal evacuation policy during World War II. 50 App. U.S.C. s. 1989a(a). The federal law enacted in 1988 recognized that "a grave injustice was done both to citizens and permanent resident aliens of Japanese ancestry by their forced relocation and internment during World War II," and attempted to make amends by issuing a formal apology and \$20,000 to each Japanese intern. Jacobs v. Barr, 959 F.2d 313, 314 (D.C. Cir. 1992). The federal law sets forth eligibility standards and provides for time limitations in which eligible individuals must present their claims to the Attorney General.

Under these circumstances, it is appropriate to compensate the claimants in this matter for the property losses sustained by the destruction of Rosewood. While there is not a showing of participation on the part of governmental agents in the destruction of the property, there is no question that governmental officers were aware of the violent situation that existed during the entire week of January 1, 1923, that

government officers assisted in the evacuation of the Rosewood residents, that after the destruction the government did not secure the area, that the residents of Rosewood sustained property damage, and that the justice system did not redress the injuries sustained. This is particularly evident when the legislative hearings 71 years later are uncovering evidence identifying the perpetrators of the criminal acts that occurred in Rosewood. In light of these circumstances, and the authorities cited above, the Rosewood families sustaining property damage should be compensated.

As to the emotional and mental anguish damages sought by the claimants, there is no clear remedy. In 1923 the State had not waived sovereign immunity; accordingly, a state cause of action based upon principles of tort law does not arise. See Article III section 22 of the 1885 Constitution which is presently set forth in Article X section 13 of the Florida Constitution. Under section 870.04, Florida Statutes, which also was in force at the time, a sheriff has the duty to order rioters to disperse, but it does not appear that the statute gives rise to a civil cause of action. Cleveland v. City of Miami, 263 So.2d 573 (Fla. 1972).

The federal civil rights acts, section 42 U.S.C. s. 1983 et seq., were in existence, and require a showing that the acts which resulted in personal injury to the claimants were under color of law and done with the intent to deprive the claimants of their constitutional rights. Washington v. Davis, 426 U.S. 229 (1976). As indicated above, there is evidence that governmental officials knew of the potentially violent situation at Rosewood, but there is no indication of direct participation of governmental officers in the events leading up to the destruction of Rosewood. The most persuasive evidence of governmental responsibility is the failure of any showing that the criminal acts committed at Rosewood were reasonably investigated and redressed by the State of Florida. The record reflects that the death of Sam Carter, who was killed in front of many residents of Sumner, clearly was not properly investigated, and even today there is at least one witness available to testify to the circumstances of that crime. Any records of the investigation conducted by the special grand jury were lost, but it is difficult to understand the grand jury's determination that there was insufficient evidence to

proceed on any of the criminal acts when 71 years later witnesses describing the events and identifying the perpetrators are appearing at legislative hearings.

While this evidence may not be sufficient to sustain a cause of action at law, it does compel the conclusion that a moral obligation exists on the part of the State of Florida to remedy this matter. This conclusion appears to be in keeping with the equitable claim bills redressing "moral obligations" that the legislature has previously enacted. Gamble v. Wells, supra. In Gamble the legislature awarded \$150,000 to a child who was physically and emotionally damaged due to the failure of the State to provide adequate foster care. In upholding the constitutionality of Chapter 80-448, Laws of Florida, the Florida Supreme Court in Gamble stated:

This voluntary recognition of its moral obligation by the legislature in this instance was based on its view of justice and fair treatment of one who had suffered at the hands of the state but was legally remediless to seek damages.

450 So.2d at 853.

This principle is equally applicable here. In the Rosewood claim, although the claimants are now elderly, the damage they sustained was as children, and while ascertaining an amount of damage for emotional harm is subjective, the Gamble case provides guidance as to prior legislative enactments in this regard. Accordingly, it appears that those Rosewood claimants who as children were subjected to the violence and forced to leave their homes should each be awarded compensation in the amount of \$150,000.

In the final analysis, the legal authorities cited above support the conclusion that this is an equitable matter that is addressed to the sound discretion of the Florida Legislature. The federal and state cases demonstrate that the legislature's responsibility is to determine whether there is a moral obligation on the part of the State of Florida to compensate the claimants. Although the evidence presented may not be sufficient to establish an action at law, it nonetheless is clear that government officials were responsible for some of the damages sustained by the claimants,

if not by the failure to provide reasonable law enforcement prior to the destruction of Rosewood, then surely in the failure to reasonably investigate this matter, to bring the perpetrators to justice and to thereafter secure the area for the safe return of the displaced residents. Under these circumstances, the claimants have met the test for an equitable claim bill by showing that a moral obligation exists to redress their injuries.

COLLATERAL SOURCES: Claimant Minnie Lee Langley received \$1,000 for the motion picture rights to her story.

ATTORNEYS FEES: The law firm of Holland & Knight is representing the claimants on a pro bono basis.

RECOMMENDATION: For the above reasons, I recommend that HB 591 be amended as follows:

1. The bill should direct the Florida Department of Law Enforcement, or other appropriate law enforcement officials, to conduct a complete investigation of this matter including interviewing the available witnesses to determine if any criminal proceedings may still be pursued.

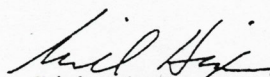
2. A fund should be established to compensate the Rosewood families who can demonstrate a property loss as a result of the displacement of the Rosewood residents.

3. The elderly claimants who sustained emotional trauma as a result of the destruction of Rosewood and the evacuation of the residents should each be compensated in the amount of \$150,000.

4. A state university scholarship fund should be established for the families and the descendants of the Rosewood residents.

As AMENDED, I recommend HB 591 be reported FAVORABLY.

Respectfully submitted,


Richard Hixson
Special Master