A bill to be entitled
An act for the relief of the descendants of victims of
the 1920 Ocoee Election Day riots; requiring the
Department of Law Enforcement to conduct an
investigation regarding the 1920 Ocoee Election Day
riots; appropriating funds to compensate direct
descendants of individuals who were killed, injured,
or otherwise victimized by the violence at Ocoee;
specifying procedures, requirements, and limitations
regarding applications for compensation; reverting
unused appropriations to the General Revenue Fund;
providing a limitation on the payment of attorney
fees; providing an effective date.

WHEREAS, in the decades following the conclusion of
Reconstruction, Jim Crow laws were enacted throughout the
southern United States, including Florida, which mandated
segregation and imposed numerous restrictions, such as the
imposition of poll taxes and literacy requirements, thereby
suppressing the ability of African Americans to participate in
the democratic process, and

WHEREAS, throughout the country, organizations such as the
Ku Klux Klan staged rallies, marches, and other demonstrations
in an effort to intimidate African Americans and any allies from
organizing and attempting to exercise the right to vote, and

WHEREAS, as the 1920 presidential election approached,
efforts were undertaken in Orange County by numerous
organizations and individuals, including Judge John M. Cheney
and two prominent African-American residents of Ocoee, Julius
“July” Perry and Moses Norman, to register African-American voters to allow for their participation in the upcoming election, and

WHEREAS, on November 2, 1920, as several African Americans in Ocoee, including Moses Norman, unsuccessfully attempted to vote on Election Day, violence ensued as a mob of approximately 100 white men formed and marched to Julius “July” Perry’s residence, and who proceeded to open gunfire as Julius “July” Perry attempted to defend himself along with his property and family, and

WHEREAS, after the Perry family eventually fled the residence, Julius “July” Perry was soon arrested and subsequently shot and lynched after the mob gained access to his jail cell with the aid of local law enforcement, and

WHEREAS, the violence spread throughout the African-American community of Ocoee and upwards of 60 people are estimated to have perished while dozens of homes, two churches, and a lodge meeting hall were set ablaze and gunfire overtook the community, and

WHEREAS, in the aftermath of the riots, nearly all African-American residents of the community were forced to flee, abandoning their residences and property and relocating elsewhere, and

WHEREAS, there is no record that state or local government officials took any action to prevent the tragedy that occurred in Ocoee, or reasonably investigated the matter in the riot’s aftermath in an effort to bring the perpetrators of the incident to justice or to allow the displaced African-American residents to return to their homes and property, and
WHEREAS, in November 2018, the Ocoee City Commission adopted a proclamation that acknowledged the acts of domestic terror inflicted upon the African-American residents of Ocoee and western Orange County on November 2, 1920, and required the installation of a historical marker in a public space describing the events of that day, and
WHEREAS, the State of Florida recognizes an equitable obligation to equitably redress the injuries, damages, infringement of civil rights, and the loss of life that African-American residents sustained as a result of the violence and destruction that occurred in Ocoee in November 1920, NOW, THEREFORE,

Be It Enacted by the Legislature of the State of Florida:

Section 1. The facts stated in the preamble to this act are found and declared to be true.

Section 2. The Department of Law Enforcement shall investigate the crimes committed in and around Ocoee in 1920 and report its findings to the Legislature.

Section 3. The sum of $10 million is appropriated from the General Revenue Fund to the Office of the Attorney General for the relief of direct descendants of individuals who were killed, injured, or otherwise victimized by the violence that took place at Ocoee on November 2, 1920. An eligible individual must submit an application for compensation to the Attorney General no later than December 31, 2020. The Attorney General must provide reasonable notice of the availability of compensation throughout the applicable time period, including through Internet postings.

CODING: Words stricken are deletions; words underlined are additions.
on the office’s website. Failure to submit an application for compensation by December 31, 2020, precludes an eligible individual from receiving any payment under this act. An individual seeking compensation must provide the Attorney General with reasonable proof establishing lineage to an individual who was killed, injured, or otherwise victimized by the violence at Ocoee. Upon receipt of reasonable proof of eligibility, the Attorney General must notify the Chief Financial Officer of the individual’s name, eligibility, and the amount of compensation to be awarded. The amount of compensation awarded may not exceed $150,000 per individual who was killed, injured, or otherwise victimized by the violence that took place at Ocoee. If multiple descendants of a single individual apply for compensation on behalf of that individual, the amount of compensation awarded shall be prorated among any eligible claimants. A descendant may not apply for compensation for more than one individual. Any funds that are appropriated pursuant to this section which are unused shall revert to the General Revenue Fund.

Section 4. Any amount awarded under this act is intended to provide the sole compensation for all present and future claims arising out of the factual situation described in this act which resulted in injuries and damages to victims of the 1920 Election Day riots in and around Ocoee. The total amount paid for attorney fees relating to this claim may not exceed 25 percent of the amount awarded under this act.

Section 5. This act shall take effect upon becoming a law.