

By Senator Meek

36-41A-01

1 A bill to be entitled
2 An act relating to Miami-Dade County; providing
3 for the relief of Jack Brett Lemonik;
4 authorizing and directing Miami-Dade County to
5 compensate Mr. Lemonik for injuries sustained
6 as a result of the actions of county employees;
7 providing an effective date.

8
9 WHEREAS, on March 6, 1988, Jack Brett Lemonik was one
10 of several hundred passengers waiting to board a flight that
11 was scheduled to depart from the Miami International Airport,
12 and

13 WHEREAS, the crowd of proposed and intended passengers
14 for the flight consisted of such an excessive number of people
15 that the Metro-Dade Police Department had stationed three
16 uniformed officers at the departure gate, and

17 WHEREAS, the crowd became unruly, and, since there were
18 no signs or barriers to prevent him from doing so, Mr. Lemonik
19 walked between the counter where the airline personnel stood
20 while servicing passengers and the wall to the rear of the
21 counter, and

22 WHEREAS, without warning, a Metro-Dade police officer
23 lunged at Mr. Lemonik, and the two of them subsequently came
24 into contact with two airline employees, and

25 WHEREAS, without provocation or legal justification,
26 another Metro-Dade police officer also lunged at Mr. Lemonik,
27 knocking him to the floor, and

28 WHEREAS, the Dade County officers falsely accused Mr.
29 Lemonik of willfully pushing both of the airline employees and
30 of deliberately swinging his arms at one of the officers and
31 resisting the two officers' efforts to arrest him, and

1 WHEREAS, the police officers thereafter falsely
2 arrested Mr. Lemonik and caused the Dade County prosecuting
3 authorities to initiate criminal prosecution against him, and

4 WHEREAS, Mr. Lemonik subsequently brought a legal
5 action in the circuit court of the 11th Judicial Circuit
6 against Metropolitan Dade County and the police officers who
7 violated his rights, and the jury returned a verdict in favor
8 of Mr. Lemonik in the amount of \$400,000, and

9 WHEREAS, Miami-Dade County has paid \$100,000 to Jack
10 Brett Lemonik, in accordance with the limits set forth in
11 section 768.28, Florida Statutes, leaving a balance due of
12 \$300,000, NOW, THEREFORE,

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

15
16 Section 1. The facts stated in the preamble to this
17 act are found and declared to be true.

18 Section 2. Miami-Dade County is authorized and
19 directed to compensate Jack Brett Lemonik in the amount of
20 \$300,000, out of funds of the county not otherwise
21 appropriated, for injuries and damages sustained by Mr.
22 Lemonik due to the actions of employees of the county.

23 Section 3. This act shall take effect upon becoming a
24 law.