

By Representative Diaz de la Portilla

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

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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,
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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 County police
23 officer lunged at Mr. Lemonik, and the two of them
24 subsequently came into contact with two airline employees, and

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

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

3 WHEREAS, the police officers thereafter falsely
4 arrested Mr. Lemonik and caused the Miami-Dade County
5 prosecuting authorities to initiate criminal prosecution
6 against him, and

7 WHEREAS, Jack Brett Lemonik subsequently brought a
8 legal action in the circuit court of the 11th Judicial Circuit
9 against Miami-Dade County and the police officers who violated
10 his rights, and the jury returned a verdict in favor of Jack
11 Brett Lemonik in the amount of \$400,000, and

12 WHEREAS, Miami-Dade County has paid \$100,000 to Jack
13 Brett Lemonik, in accordance with the limits set forth in
14 section 768.28, Florida Statutes, leaving a balance due of
15 \$300,000, NOW, THEREFORE,

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

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

21 Section 2. Miami-Dade County is authorized and
22 directed to appropriate from funds of the county not otherwise
23 appropriated and to draw a warrant in the sum of \$300,000
24 payable to Jack Brett Lemonik as compensation for injuries and
25 damages sustained.

26 Section 3. This act shall take effect upon becoming a
27 law.

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