

By Senator Klein

28-53A-01

1 A bill to be entitled
2 An act relating to the Sheriff of St. Lucie
3 County; providing for the relief of William
4 Hennelly and Anne Hennelly; authorizing and
5 directing the St. Lucie County Sheriff's Office
6 to compensate them for personal injuries they
7 suffered due to the negligence of employees of
8 the sheriff's office; providing an effective
9 date.

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11 WHEREAS, on February 17, 1996, William and Anne
12 Hennelly, who were respectively 64 and 54 years of age, were
13 occupants of a vehicle owned and operated by an acquaintance
14 and were headed west on State Road 1A in Ft. Pierce, St.
15 Lucie County, toward the intersection of Old Dixie Highway,
16 and

17 WHEREAS, at the same time, a St. Lucie County sheriff's
18 deputy was conducting a high-speed chase on the Old Dixie
19 Highway in pursuit of a car that had been clocked at a speed
20 of 58 miles per hour in a 35-mile-per-hour zone, and

21 WHEREAS, experts estimated that the high-speed pursuit
22 was conducted at speeds in excess of 85 miles per hour, and

23 WHEREAS, the chase took place on a 1.4-mile stretch of
24 Old Dixie Highway, a two-lane road lined by various businesses
25 and homes and intersecting side streets, and

26 WHEREAS, when the car being chased by the deputy
27 approached the intersection of State Road 1A, the driver of
28 the pursued car ran the red light and struck the van in which
29 Mr. and Mrs. Hennelly were passengers, causing both vehicles
30 to catch fire, and

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1 WHEREAS, Mr. and Mrs. Hennelly were rushed to a nearby
2 hospital emergency room, where they were admitted with severe
3 head, facial, bodily, and burn injuries, and where they
4 remained in comas for several weeks, and

5 WHEREAS, legal action was pursued and, at trial,
6 accident-reconstruction experts testified that the sheriff's
7 office had negligently conducted the pursuit, and

8 WHEREAS, in April 2000, a jury returned a verdict
9 finding the St. Lucie County Sheriff's Department 50-percent
10 at fault for the accident and for the injuries to Mr. and Mrs.
11 Hennelly, and

12 WHEREAS, after reducing the verdict for comparative
13 fault and calculating a setoff for no-fault benefits, the
14 circuit court entered a final judgment in the amount of
15 \$3,508,941 against the St. Lucie County Sheriff's Department
16 on June 1, 2000, NOW, THEREFORE,

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

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

22 Section 2. The St. Lucie County Sheriff's Office is
23 authorized and directed to compensate William and Anne
24 Hennelly in the amount of \$3,508,941, out of funds of the
25 sheriff's office not otherwise appropriated, for injuries and
26 damages they sustained as a result of the negligence of
27 employees of the St. Lucie County Sheriff's Office.

28 Section 3. This act shall take effect upon becoming a
29 law.