

Florida House of Representatives  
Committee on Claims  
Summary Claim Bill Report

Bill #: HB 795  
Sponsor: Representative Justice  
Companion Bill: SB 66 by Senator Sullivan  
Special Master: L. Michael Billmeier

**A. Basic Information:**

1. **Claimants:** Alfred Brinkley Roberts
2. **Respondent:** City of St. Petersburg
3. **Amount Requested:** \$655,346.97, in addition to \$100,000 already paid.
4. **Type of Claim:** Settlement
5. **Respondent's Position:** Respondent has agreed to support the passage of a claims bill.
6. **Collateral Sources:** None
7. **Prior Legislative History:** None

**B. Procedural Summary:** Mr. Roberts filed a complaint against the City of St. Petersburg (City) alleging that the City was liable for the negligent operation of a police vehicle by a police officer acting within the scope of his employment. After trial, the jury awarded Mr. Roberts \$1,267,735.05. The amount was reduced to \$1,014,188.04 for comparative negligence. The judgment was affirmed on appeal. During the claims bill process, the parties reached a settlement and the City agreed to pay Mr. Roberts \$655,346.97.

**C. Facts of Case:** In August 1991, claimant Alfred Brinkley Roberts was walking across Ninth Street South in the City of St. Petersburg. Mr. Roberts was crossing from the east side of the street to the west side of the street near the intersection of Ninth Street South and 15th Avenue South. In the vicinity of the intersection, the police vehicle struck Mr. Roberts before he reached the curb on the west side of the street, propelling him into the windshield and onto the hood of the vehicle. Mr. Roberts fell onto the street as the vehicle came to stop. Eyewitness and expert witness testimony, the traffic accident report, and a police internal affairs investigation support a finding that the police vehicle was speeding – likely at a rate of approximately 65 miles per hour in a 35 mile-per-hour zone – in the seconds immediately before the accident. Mr. Roberts was intoxicated at the time of the accident. A blood draw taken at the accident scene revealed a blood-alcohol level of .28 and .279.

Mr. Roberts suffered life-threatening neurological, orthopedic, and internal injuries as a result of this accident. He has experienced significant pain and suffering and a significant reduction in the quality of his life as a result of this accident. Mr. Roberts is confined to a wheelchair and testified that he is limited in his social contact with others. He currently resides in a residential facility in which minimal assistance is provided in the form of weekly, basic household cleaning. Mr. Roberts received intensive hospital and rehabilitative care for about 18 months. The claimant estimates that his outstanding medical bills and liens are at least \$431,000, and that his future medical expenses may exceed \$450,000. At the time of the accident, Mr. Roberts was 58 years of age and was employed as a laborer at an apartment complex, with annualized earnings in 1991 of \$11,085. He has been unable to work since the accident, and will remain so. The claimant estimates lost past and future wages of \$123,000.

SM: \_\_\_\_\_ SD: \_\_\_\_\_ Date: \_\_\_\_\_  
L. Michael Billmeier Stephanie O. Birtman