

1                   A bill to be entitled  
2           An act for the relief of Jennifer Graham by the Palm Beach  
3           County Sheriff's Office; providing for an appropriation to  
4           compensate Jennifer Graham for injuries sustained as a  
5           result of the negligence of the sheriff's office;  
6           providing an effective date.

7  
8           WHEREAS, on June 15, 2003, 29-year-old Jennifer Graham was  
9           seated on a park bench on the southwest corner of Park Avenue  
10          located in Palm Beach County, Florida, and

11          WHEREAS, a deputy sheriff of the Palm Beach County  
12          Sheriff's Office was traveling westbound on Park Avenue at  
13          approximately 60 to 70 miles per hour according to an  
14          eyewitness, and

15          WHEREAS, when the deputy sheriff attempted to make a left  
16          turn at this high rate of speed, he lost control of his vehicle  
17          and collided with the park bench and Jennifer Graham, and

18          WHEREAS, Ms. Graham was thrown approximately 30 feet due to  
19          the collision and landed on a concrete sidewalk, and

20          WHEREAS, the Palm Beach County Sheriff's Office  
21          investigated the accident and determined that the deputy sheriff  
22          was the sole contributing cause of the accident by exceeding a  
23          safe speed and losing control of the vehicle while attempting to  
24          make a left turn, and

25          WHEREAS, Ms. Graham suffered multiple pelvic fractures and  
26          a bladder rupture, for which she had immediate surgery; a left  
27          acetabulum fracture; a right sacroiliac joint fracture; a pelvic  
28          hematoma; and an open laceration from her stomach to her pubic

29 bone, and

30 WHEREAS, as a result of her injuries, Ms. Graham later  
 31 underwent multiple surgeries to repair a hernia, a left shoulder  
 32 joint, and the pelvic and iliosacral fractures, the latter  
 33 requiring hardware and screw fixation, and

34 WHEREAS, Ms. Graham was admitted to two rehabilitation  
 35 facilities for a total of approximately 5 months where she was  
 36 diagnosed with chronic pain, gait dysfunction, and depression,  
 37 and

38 WHEREAS, as a result of the accident, Ms. Graham sustained  
 39 a 40-percent permanent functional impairment and permanent gait  
 40 dysfunction, and

41 WHEREAS, due to the severity of her injuries, Ms. Graham  
 42 cannot maintain employment and will require future medical care  
 43 over her lifetime and an additional surgery to remove the  
 44 hardware that was placed in her pelvis and iliosacral joint, and

45 WHEREAS, Ms. Graham's medical expenses resulting from this  
 46 accident were \$266,462.44 and the Palm Beach County Health Care  
 47 District has paid a portion of the outstanding medical expenses,  
 48 but has imposed a lien in the amount of \$87,937.31, and

49 WHEREAS, the present value of Ms. Graham's total economic  
 50 damages over her lifetime was calculated to be \$1,018,988.40;  
 51 however, the expert economist hired by the Palm Beach County  
 52 Sheriff's Office calculated the value to be \$771,670, and

53 WHEREAS, Ms. Graham is also entitled to collect damages for  
 54 her past and future pain and suffering, mental anguish,  
 55 disability, and loss of enjoyment of life resulting from the  
 56 devastating injuries and severe impairment she incurred as a

57 result of the accident, and

58 WHEREAS, Ms. Graham filed a lawsuit against the Palm Beach  
59 County Sheriff's Office, and a trial was set to begin on July  
60 18, 2005, and

61 WHEREAS, on July 13, 2005, Ms. Graham and the Palm Beach  
62 County Sheriff's Office entered into an agreement to settle the  
63 lawsuit in the amount of \$950,000, of which the sheriff's office  
64 paid \$100,000 at the time the settlement agreement was signed by  
65 all parties, NOW, THEREFORE,

66  
67 Be It Enacted by the Legislature of the State of Florida:

68  
69 Section 1. The facts stated in the preamble to this act  
70 are found and declared to be true.

71 Section 2. The Palm Beach County Sheriff's Office is  
72 authorized and directed to pay to Jennifer Graham, out of  
73 insurance proceeds or out of moneys appropriated by the  
74 sheriff's office from funds of the sheriff's office not  
75 otherwise encumbered, the sum of \$850,000 for injuries and  
76 damages sustained due to the negligence of the Palm Beach County  
77 Sheriff's Office in the following manner, as agreed by the  
78 parties in their settlement agreement:

79 (1) Three hundred fifty thousand dollars, paid within 20  
80 days after notice to the Palm Beach County Sheriff's Office upon  
81 the effective date of this act;

82 (2) Two hundred fifty thousand dollars, paid 1 year  
83 following the date of the payment of the first payment of  
84 \$350,000; and

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85           (3) Two hundred fifty thousand dollars, paid 2 years  
86 following the date of the first payment of \$350,000.

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