By Senator Margolis

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1   A bill to be entitled
2   An act for the relief of Reginald Jackson by the City
3   of Lakeland; providing for an appropriation to
4   compensate him for injuries and damages sustained as a
5   result of the negligence of an employee of the
6   Lakeland Police Department; providing an effective
7   date.
8
9   WHEREAS, on October 18, 2001, Officer Mike Cochran, a
10   police officer with the Lakeland Police Department of the City
11   of Lakeland, stopped Reginald Jackson for an invalid license
12   plate after the officer had incorrectly typed the tag number
13   into his computer, and
14   WHEREAS, upon stopping Mr. Jackson, Officer Cochran
15   discovered that Mr. Jackson was illegally transporting his
16   girlfriend's 18-month-old brother without a car seat, issued a
17   citation for such violation, and forbade Mr. Jackson from
18   further moving the vehicle without properly restraining the
19   child, and
20   WHEREAS, Mr. Jackson requested Officer Cochran to escort
21   his vehicle to his home a short distance away, but the officer
22   refused and directed Mr. Jackson to call someone to bring a car
23   seat for the child, and
24   WHEREAS, Officer Cochran then positioned himself in an
25   alley parallel to the initial stop and observed Mr. Jackson
26   drive to a pay phone in the next block, and
27   WHEREAS, while Mr. Jackson attempted to use the pay phone,
28   Officer Cochran approached him and told him that he was under
29   arrest for disobeying a law enforcement officer, and

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30   WHEREAS, Mr. Jackson was startled by the officer and ran to
31 his vehicle, put it in reverse, and then forward without
32 pressing the gas pedal, and
33   WHEREAS, Officer Cochran told Mr. Jackson to stop the
34 vehicle or he would shoot, Mr. Jackson pumped his brakes twice,
35 and the officer then fired a .45 caliber bullet through the
36 windshield which struck Mr. Jackson in the neck and exited
37 through his back, and
38   WHEREAS, Mr. Jackson was unarmed and had an 18-month-old
39 child seated next to him, and
40   WHEREAS, after the shooting, the police transported the
41 child to the police station in a marked vehicle without a child
42 safety seat, and
43   WHEREAS, as the result of gunshot wound, Mr. Jackson will
44 suffer pain and will be disabled for the rest of his life, and
45   WHEREAS, as the result of the carelessness and negligence
46 of Officer Cochran, a jury in the circuit court for the 10th
47 Judicial Circuit awarded Reginald Jackson $412,500 in damages,
48 and
49   WHEREAS, due to the limits of liability set forth in s.
50 768.28, Florida Statutes, Reginald Jackson is able to collect
51 only $100,000 of his judgment against the City of Lakeland and
52 the remainder may be recovered only through a claim bill
53 approved by the Legislature, NOW, THEREFORE,
54
55 Be It Enacted by the Legislature of the State of Florida:
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57   Section 1. The facts stated in the preamble to this act are
58 found and declared to be true.

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59   Section 2. The City of Lakeland is authorized and directed
60 to appropriate from funds of the city not otherwise appropriated
61 and to draw a warrant in the sum of $312,500 payable, to
62 Reginald Jackson as compensation for injuries and damages
63 sustained.
64   Section 3. The amount paid by the City of Lakeland pursuant
65 to s. 768.28, Florida Statutes, and the amount awarded under
66 this act are intended to provide the sole compensation for all
67 present and future claims arising out of the factual situation
68 described in this act which resulted in injuries and damages to
69 Reginald Jackson. The total amount paid for attorney fees,
70 lobbying fees, costs, and other similar expenses relating to
71 this claim may not exceed 25 percent of the amount awarded under
72 this act.
73   Section 4. This act shall take effect upon becoming a law.