

1 A bill to be entitled

2 An act for the relief of the Estate of Danielle  
3 Maudsley; providing for an appropriation to compensate  
4 the Estate of Danielle Maudsley for Ms. Maudsley's  
5 death, sustained as a result of the negligence of  
6 Trooper Daniel Cole and the Florida Highway Patrol, a  
7 division of the Department of Highway Safety and Motor  
8 Vehicles; providing that certain payments and the  
9 appropriation satisfy all present and future claims  
10 related to the alleged acts; providing a limitation on  
11 the payment of compensation, fees, and costs;  
12 providing an effective date.

13  
14 WHEREAS, on September 19, 2011, 20-year old Danielle  
15 Maudsley was arrested for a nonviolent traffic infraction and  
16 was subsequently taken to the Florida Highway Patrol substation  
17 in Pinellas Park for processing, and

18 WHEREAS, during the processing, Ms. Maudsley attempted to  
19 flee through the front door of the substation, and

20 WHEREAS, as Ms. Maudsley exited the front door of the  
21 substation, still handcuffed, Trooper Daniel Cole of the Florida  
22 Highway Patrol followed her outside, and

23 WHEREAS, Trooper Cole proceeded to remove his electronic  
24 control device and fired it directly into Ms. Maudsley's back,  
25 causing her to collapse and fall to the parking lot pavement  
26 with great physical force and effect, and

27 WHEREAS, after Ms. Maudsley fell to the pavement, Trooper  
28 Cole failed to call emergency responders in a timely fashion or  
29 to otherwise provide necessary medical attention, despite Ms.  
30 Maudsley's pleas for assistance in which she stated that she  
31 could not get up from the ground, and

32 WHEREAS, Trooper Cole's seizure of Ms. Maudsley amounted to  
33 an alleged use of excessive force, and

34 WHEREAS, as a result of these events, Ms. Maudsley suffered  
35 extensive traumatic brain injury and remained in a constant  
36 vegetative state until her death on September 15, 2013, and

37 WHEREAS, in May 2015, a settlement agreement was entered  
38 into between Julie Goddard, as personal representative of the  
39 Estate of Danielle Maudsley, and the Florida Highway Patrol and  
40 Trooper Cole to settle the claim arising out of Ms. Maudsley's  
41 death, and

42 WHEREAS, the Florida Highway Patrol and Trooper Cole  
43 acknowledged that if this case had gone to trial in the United  
44 States District Court for the Middle District of Florida, a jury  
45 could reasonably have awarded damages in the amount of \$1.95  
46 million to the Estate of Danielle Maudsley, and

47 WHEREAS, the settlement agreement required the Division of  
48 Risk Management of the Department of Financial Services to pay  
49 \$200,000 to the Estate of Danielle Maudsley in accordance with  
50 the statutory limits of liability set forth in s. 768.28,  
51 Florida Statutes, and

52 WHEREAS, Ms. Goddard, as personal representative of the

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53 Estate of Danielle Maudsley, seeks satisfaction of the remaining  
54 balance of the settlement agreement, which is \$1.75 million,  
55 NOW, THEREFORE,  
56

57 Be It Enacted by the Legislature of the State of Florida:  
58

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

61 Section 2. The sum of \$1.75 million is appropriated from  
62 the General Revenue Fund to the Department of Highway Safety and  
63 Motor Vehicles for the relief of the Estate of Danielle Maudsley  
64 for injuries and damages sustained as a result of the death of  
65 Danielle Maudsley.

66 Section 3. The Chief Financial Officer is directed to draw  
67 a warrant in favor of the Estate of Danielle Maudsley in the sum  
68 of \$1.75 million upon funds of the Department of Highway Safety  
69 and Motor Vehicles in the State Treasury and to pay the same out  
70 of such funds in the State Treasury.

71 Section 4. The amount paid by the Division of Risk  
72 Management of the Department of Financial Services in accordance  
73 with the statutory limits of liability set forth in s. 768.28,  
74 Florida Statutes, and the amount awarded under this act are  
75 intended to provide the sole compensation for all present and  
76 future claims arising out of the factual situation described in  
77 this act which resulted in the death of Ms. Maudsley. The total  
78 amount paid for attorney fees, lobbying fees, costs, and similar

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79 | expenses relating to this claim may not exceed 25 percent of the  
80 | amount awarded under this act.

81 |       Section 5. This act shall take effect upon becoming a law.