

By Senator Rouson

19-00139-21

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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 an appropriation to compensate
4 Reginald Jackson for injuries and damages sustained as
5 a result of the negligence of Mike Cochran, a police
6 officer for the Lakeland Police Department; providing
7 a limitation on the payment of attorney fees;
8 providing an effective date.

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10 WHEREAS, on October 18, 2001, Officer Mike Cochran of the
11 Lakeland Police Department stopped Reginald Jackson for an
12 invalid license tag after the officer had incorrectly typed the
13 tag number into his computer, and

14 WHEREAS, Officer Cochran then issued a citation to Mr.
15 Jackson for transporting his girlfriend's 18-month-old brother
16 without a car seat and forbade Mr. Jackson from moving the
17 vehicle without properly restraining the child, and

18 WHEREAS, Mr. Jackson asked if Officer Cochran could escort
19 his vehicle to his home a short distance away, but the officer
20 refused and directed Mr. Jackson to call someone to bring a car
21 seat for the child, and

22 WHEREAS, Officer Cochran then positioned himself in an
23 alley parallel to the initial stop to observe Mr. Jackson drive
24 away to a different pay phone at the next block after the pay
25 phone immediately adjacent to the site of the traffic stop was
26 not operating, and

27 WHEREAS, while Mr. Jackson attempted to use the second pay
28 phone, Officer Cochran approached him and told him that he was
29 under arrest for disobeying a law enforcement officer, and

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30 WHEREAS, Mr. Jackson was startled by the officer and ran
31 back to his vehicle and backed up a short distance, and then
32 drove forward without pressing the gas pedal, and

33 WHEREAS, when Officer Cochran told Mr. Jackson to stop the
34 vehicle or he would shoot, Mr. Jackson then pumped his brakes
35 twice, and the officer 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 seated next to an 18-
39 month-old child, 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 a result of the injury, Mr. Jackson will suffer
44 pain and be disabled for the rest of his life, and

45 WHEREAS, Officer Cochran, as an employee of the Lakeland
46 Police Department acting within the scope of employment, owed a
47 duty to Mr. Jackson to conduct himself in a reasonable manner
48 and exercise reasonable care, but breached that duty by
49 discharging his firearm through Mr. Jackson's windshield in a
50 careless and negligent manner, and

51 WHEREAS, a jury in the Circuit Court of the Tenth Judicial
52 Circuit in and for Polk County awarded Mr. Jackson \$412,500 in
53 damages, and

54 WHEREAS, due to the limits of s. 768.28, Florida Statutes,
55 at the time of the incident, Mr. Jackson has collected only
56 \$100,000 of his judgment against the City of Lakeland, and the
57 remainder may be recovered only through a claim bill approved by
58 the Legislature, NOW, THEREFORE,

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

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

64 Section 2. The City of Lakeland is authorized and directed
65 to appropriate from funds of the city not otherwise appropriated
66 and to draw a warrant payable to Reginald Jackson for the sum of
67 \$312,500 as compensation for injuries and damages sustained.

68 Section 3. The amount paid by the City of Lakeland pursuant
69 to s. 768.28, Florida Statutes, and the amount awarded under
70 this act are intended to provide the sole compensation for all
71 present and future claims arising out of the factual situation
72 resulting in the shooting of Reginald Jackson as described in
73 this act. The total amount paid for attorney fees relating to
74 this claim may not exceed 25 percent of the amount awarded under
75 this act.

76 Section 4. This act shall take effect upon becoming a law.