

HB 6511

2022

1 A bill to be entitled

2 An act for the relief of Ricardo Medrano-Arzate and  
3 Eva Chavez-Medrano, as personal representatives of  
4 Hilda Medrano, by the Okeechobee County Sheriff's  
5 Office; providing for an appropriation of funds to pay  
6 Ricardo Medrano-Arzate and Eva Chavez-Medrano for the  
7 damages awarded in connection with the death of their  
8 daughter as a result of the negligence of the  
9 Okeechobee County Sheriff's Office; providing a  
10 limitation on the payment of compensation and attorney  
11 fees; providing an effective date.

12  
13 WHEREAS, shortly after 2 a.m. on December 1, 2013, Hilda  
14 Medrano was riding in the passenger side of her cousin's  
15 vehicle, traveling eastbound on State Road 70 in downtown  
16 Okeechobee, and

17 WHEREAS, at the same time, Okeechobee County Sheriff's  
18 Deputy Joseph Gracie was driving westbound on State Road 70 at a  
19 speed in excess of 95 miles per hour while responding, as  
20 backup, to a minor disturbance in the western part of  
21 Okeechobee, and

22 WHEREAS, the speed limit on that portion of State Road 70  
23 is 35 miles per hour, and

24 WHEREAS, Deputy Gracie recklessly sped without activating  
25 his emergency lights or sirens to warn other motorists in the

HB 6511

2022

26 | area of his presence or that he was driving at such a high rate  
 27 | of speed, and

28 |       WHEREAS, Deputy Gracie's police cruiser struck the vehicle  
 29 | in which Hilda Medrano was a passenger on the passenger side  
 30 | door at a speed of 87 miles per hour, killing Hilda Medrano and  
 31 | her cousin and severely injuring a second passenger in that  
 32 | vehicle, and

33 |       WHEREAS, an Okeechobee County Sheriff's Office internal  
 34 | affairs department investigation found that Deputy Gracie's  
 35 | actions were unbecoming of an officer and in violation of four  
 36 | standing operating procedures of the Okeechobee County Sheriff's  
 37 | Office, and

38 |       WHEREAS, at the time of her death, Hilda Medrano was a 21-  
 39 | year-old college student with dreams of becoming an X-ray  
 40 | technician, and

41 |       WHEREAS, Hilda Medrano's parents, Ricardo Medrano-Arzate  
 42 | and Eva Chavez-Medrano, are legal immigrants to the United  
 43 | States who came to this country to work and provide their  
 44 | children with opportunities to achieve the American dream and  
 45 | have resided in the Mexican-American community in Okeechobee for  
 46 | more than 30 years, and

47 |       WHEREAS, Ricardo Medrano-Arzate's and Eva Chavez-Medrano's  
 48 | dreams for their daughter Hilda Medrano were destroyed by the  
 49 | reckless actions of Deputy Gracie, and

50 |       WHEREAS, after a 4-day trial, a jury awarded Ricardo

HB 6511

2022

51 Medrano-Arzate and Eva Chavez-Medrano, as personal  
 52 representatives of their daughter Hilda Medrano, \$5 million in  
 53 damages after finding that Deputy Gracie was 88.5 percent liable  
 54 for the collision, and that decision was affirmed by the Fourth  
 55 District Court of Appeal, and

56 WHEREAS, in accordance with the statutory limits of  
 57 liability set forth in s. 768.28, Florida Statutes, the  
 58 Okeechobee County Sheriff's Office settled the claims of the  
 59 other two victims but has not paid any money toward the damages  
 60 awarded to Ricardo Medrano-Arzate and Eva Chavez-Medrano, as  
 61 personal representatives of Hilda Medrano, NOW, THEREFORE,

62

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

64

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

67 Section 2. The Okeechobee County Sheriff's Office is  
 68 authorized and directed to appropriate from funds not otherwise  
 69 encumbered and to draw a warrant in the sum of \$5 million  
 70 payable to Ricardo Medrano-Arzate and Eva Chavez-Medrano for  
 71 damages awarded in connection with the death of their daughter,  
 72 Hilda Medrano.

73 Section 3. The amount paid by the Okeechobee County  
 74 Sheriff's Office and awarded under this act is intended to  
 75 provide the sole compensation for all present and future claims

HB 6511

2022

76 arising out of the factual situation described in this act which  
77 resulted in the award of damages to Ricardo Medrano-Arzate and  
78 Eva Chavez-Medrano, as personal representatives of Hilda  
79 Medrano. The total amount paid for attorney fees relating to  
80 this claim may not exceed 25 percent of the amount awarded under  
81 this act.

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