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 911 call for law enforcement assistance, and
21	WHEREAS, the speed limit on that portion of State Road 70
22	is 35 miles per hour, and
23	WHEREAS, Deputy Gracie recklessly sped without activating
24	his emergency lights or sirens to warn other motorists in the
25	area of his presence or that he was driving at such a high rate
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26 of speed, and

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

32 WHEREAS, the Florida Highway Patrol's investigation found 33 that Deputy Gracie violated ss. 316.216(3) and 316.126(5), 34 Florida Statutes, and

35 WHEREAS, an Okeechobee County Sheriff's Office internal 36 affairs department investigation found that Deputy Gracie's 37 actions were unbecoming of an officer and in violation of four 38 standing operating procedures of the Okeechobee County Sheriff's 39 Office, and

40 WHEREAS, at the time of her death, Hilda Medrano was a 21-41 year-old college student with dreams of becoming an X-ray 42 technician, and

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

WHEREAS, Ricardo Medrano-Arzate's and Eva Chavez-Medrano's
dreams for their daughter Hilda Medrano were destroyed by the

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51 reckless actions of Deputy Gracie, and 52 WHEREAS, after a 4-day trial, a jury awarded Ricardo 53 Medrano-Arzate and Eva Chavez-Medrano, as personal representatives of their daughter Hilda Medrano, \$5 million in 54 55 damages, and 56 WHEREAS, based on the jury's apportionment of fault, 57 finding that Deputy Gracie was 88.5 percent liable for the 58 collision, the trial court reduced the jury's award to 59 \$4,425,000, and that decision was affirmed by the Fourth District Court of Appeal, and 60 61 WHEREAS, in accordance with the statutory limits of liability set forth in s. 768.28, Florida Statutes, the 62 Okeechobee County Sheriff's Office settled the claims of the 63 64 other two victims but has not paid any money toward the damages 65 awarded to Ricardo Medrano-Arzate and Eva Chavez-Medrano, as 66 personal representatives of Hilda Medrano, NOW, THEREFORE, 67 68 Be It Enacted by the Legislature of the State of Florida: 69 70 Section 1. The facts stated in the preamble to this act 71 are found and declared to be true. 72 The Okeechobee County Sheriff's Office is Section 2. 73 authorized and directed to appropriate from funds not otherwise 74 encumbered and to draw a warrant in the sum of \$4,425,000 75 payable to Ricardo Medrano-Arzate and Eva Chavez-Medrano for

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damages awarded in connection with the death of their daughter,
Hilda Medrano.
Section 3. The amount paid by the Okeechobee County
Sheriff's Office and awarded under this act is intended to
provide the sole compensation for all present and future claims
arising out of the factual situation described in this act which
resulted in the award of damages to Ricardo Medrano-Arzate and
Eva Chavez-Medrano, as personal representatives of Hilda
Medrano. The total amount paid for attorney fees relating to
this claim may not exceed \$885,000, the total amount paid for
lobbying fees may not exceed \$221,250, and the total amount paid
for costs or other similar expenses may not exceed \$4,030.89.
Section 4. This act shall take effect upon becoming a law.

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