

By Senator Rouson

19-00221-18

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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 negligently and carelessly shot
12 Reginald Jackson, and

13 WHEREAS, the incident began when Officer Cochran stopped
14 Mr. Jackson for an invalid license tag after the officer had
15 incorrectly typed the tag number into his computer, and

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

20 WHEREAS, Mr. Jackson asked if Officer Cochran could 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 to observe Mr. Jackson drive
26 away to a pay phone at the next block, and

27 WHEREAS, while Mr. Jackson attempted to use a 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 and put it in reverse, then drove 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 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 the result of the injury, Mr. Jackson will
44 suffer pain and be disabled for the rest of his life, and

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

48 WHEREAS, due to the limits of s. 768.28, Florida Statutes,
49 Mr. Jackson has collected only \$100,000 of his judgment against
50 the City of Lakeland, and the remainder may be recovered only
51 through a claim bill approved by the Legislature, NOW,
52 THEREFORE,

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

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

58 Section 2. The City of Lakeland is authorized and directed

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59 to appropriate from funds of the city not otherwise appropriated
60 and to draw a warrant payable to Reginald Jackson for the sum of
61 \$312,500 as compensation for injuries and damages sustained.

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

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