

By Senator Rouson

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A bill to be entitled

An act for the relief of Heriberto A. Sanchez-Mayen by the City of St. Petersburg; providing for an appropriation to compensate Mr. Sanchez-Mayen for injuries sustained as a result of the negligence of the City of St. Petersburg; providing a limitation on compensation and the payment of attorney fees; providing an effective date.

WHEREAS, on June 8, 2023, Heriberto A. Sanchez-Mayen, a resident of St. Petersburg, Florida, was found asleep on a piece of cardboard just after 10 a.m. in a daytime-only designated park by a St. Petersburg police officer, and

WHEREAS, although Mr. Sanchez-Mayen was lawfully present on the property at this time of day, a St. Petersburg police officer arrested him for trespassing and called the prisoner transport van, and

WHEREAS, the transport officer handcuffed Mr. Sanchez-Mayen and attached a metal belly chain, which restricted the use of his arms, and placed him unsecured, without a seatbelt or other stationary tethering, on a metal bench in the back of a metal transport van, and

WHEREAS, while en route to the Pinellas County Jail, the transport officer, who had not engaged the van's interior video camera showing Mr. Sanchez-Mayen, stopped short for a red light, causing Mr. Sanchez-Mayen, who had no ability to brace or protect himself because he was restrained, to be thrown head first from the back of the van into the bulkhead, where he laid motionless. This was ultimately captured on the van's interior

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video camera, and

WHEREAS, instead of immediately seeking medical treatment for Mr. Sanchez-Mayen, the transport officer continued to drive to the jail where, upon arrival, Mr. Sanchez-Mayen was still motionless and unresponsive on the metal floor of the van, and

WHEREAS, the transport officer proceeded to remove Mr. Sanchez-Mayen's body from the van by dragging him by his feet, causing his head to strike the rear bumper, the rear door, and the cement floor, and

WHEREAS, Mr. Sanchez-Mayen was taken to a local hospital for approximately 12 hours before being transported to Tampa General Hospital, where doctors determined that Mr. Sanchez-Mayen had sustained catastrophic injuries, including a closed displaced fracture of the third cervical vertebra, a closed odontoid fracture, dissection of the descending thoracic aorta, and spinal cord compression, which ultimately led to amputation of both of his legs above the knees, rendering him an incomplete quadriplegic, and

WHEREAS, as a result of the injuries sustained during transport, Mr. Sanchez-Mayen requires supervised medical care, home health care, and other services and support for the rest of his life, and

WHEREAS, on March 18, 2024, Mr. Sanchez-Mayen brought suit against the City of St. Petersburg and two individual St. Petersburg police officers in the United States District Court for the Middle District of Florida, Tampa Division, under case number 8:24-CV-00690-WFJ-TGW, and

WHEREAS, on March 12, 2025, Mr. Sanchez-Mayen and the City of St. Petersburg entered into a settlement agreement for \$2.5

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59 million, and

60 WHEREAS, in accordance with s. 768.28, Florida Statutes,
61 the City of St. Petersburg paid \$200,000 to the trust account of
62 Mr. Sanchez-Mayen's lawyer, and

63 WHEREAS, Mr. Sanchez-Mayen remains liable for both Florida
64 and Pennsylvania Medicaid liens, and

65 WHEREAS, the settlement agreement provides for the entry of
66 a consent judgment for the remaining amount of \$2.3 million and
67 cooperation by the City of St. Petersburg in not opposing this
68 claim bill, NOW, THEREFORE,

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

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

74 Section 2. The City of St. Petersburg is directed to draw a
75 warrant in the sum of \$2.3 million payable to Heriberto A.
76 Sanchez-Mayen as compensation for injuries and damages
77 sustained.

78 Section 3. The amount paid by the City of St. Petersburg
79 pursuant to s. 768.28, Florida Statutes, and the amount awarded
80 under this act are intended to provide the sole compensation for
81 all present and future claims arising out of the factual
82 situation described in this act which resulted in injuries and
83 damages to Heriberto A. Sanchez-Mayen. The total amount paid for
84 attorney fees relating to this claim may not exceed 25 percent
85 of the total amount awarded under this act.

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