

STORAGE NAME: h0085.cla  
DATE: October 22, 2001

Florida House of Representatives  
Committee on Claims  
Summary Claim Bill Report

Bill #: HB 85  
Sponsor: Rep. Betancourt  
Companion Bill: SB 52 by Sen. Villalobos  
Special Master: Stephanie Birtman

**A. Basic Information:**

1. **Claimants:** Jessica Ann Calderon, individually; as Personal Representative of the Estate of Officer Roberto Calderon; and as parent and natural guardian of Ryan and Lily Calderon.
2. **Respondent:** Miami-Dade County
3. **Amount Requested:** \$2,100,000
4. **Type of Claim:** Equitable – Settlement Agreement
5. **Respondent’s Position:** Agreed not to object to claim bill as part of the Settlement Agreement.
6. **Collateral Sources:** None.
7. **Prior Legislative History:** HB 925 was filed in 2001, and was voted unanimously favorable by the Claims Committee. HB 925 died in the Procedural Council. The identical Senate bill passed the full Senate, and died in House messages.

**B. Procedural Summary:** This claim involves a wrongful death claim against Miami-Dade County. Prior to filing a legal suit, the County and the claimants conducted a mediation conference at which time a settlement was reached. The settlement agreement requires the County to pay the claimants \$2,300,000, of which the statutory cap of \$200,000 has already been paid. Funds would be paid from general funds of Miami-Dade County.

**C. Facts of Case:** Officer Calderon died as a result of an automobile accident between Officer Calderon and a Metro-Dade County bus. An extensive investigation revealed that the bus ran a red light, causing the accident. The driver of the bus was also found to be in possession of a stolen handgun, and unbeknownst to the County, was a convicted felon. Officer Calderon was a Miami – Dade police officer who was on duty at the time of the accident. His wife and two children, aged 5 and 2, are the claimants.

SM: \_\_\_\_\_ SD: \_\_\_\_\_ Date: \_\_\_\_\_  
Stephanie O. Birtman Stephanie O. Birtman

