

By Senator Smith

29-00218-10

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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 result of the negligence of Mike Cochran, a police  
6 officer for the Lakeland Police Department; providing  
7 a limitation on the payment of fees and costs;  
8 providing an effective date.

9  
10 WHEREAS, on October 18, 2001, Officer Mike Cochran of the  
11 Lakeland Police Department negligently and carelessly shot Mr.  
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 forward without pressing  
32 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 seated next to him, and

40 WHEREAS, after the shooting, the police transported the  
41 child in a marked vehicle without a child safety seat to the  
42 police station, and

43 WHEREAS, as the result of the injury, Mr. Jackson will  
44 suffer pain and will be disabled for the rest of his life, and

45 WHEREAS, a jury in the Circuit for the 10th Judicial  
46 Circuit awarded Mr. Jackson \$412,500 in damages, and

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

52  
53 Be It Enacted by the Legislature of the State of Florida:

54  
55 Section 1. The facts stated in the preamble to this act are  
56 found and declared to be true.

57 Section 2. The City of Lakeland is authorized and directed  
58 to appropriate from funds of the city not otherwise appropriated

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59 and to draw a warrant payable to Reginald Jackson for the sum of  
60 \$312,500 as compensation for injuries and damages sustained.

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

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