

Committee Substitute for House Bill No. 795

An act relating to the City of St. Petersburg; providing for the relief of Alfred Brinkley Roberts; authorizing and directing the City of St. Petersburg to compensate him for injuries suffered due to the negligence of an employee of the city; providing an effective date.

WHEREAS, on August 31, 1991, Alfred Brinkley Roberts was walking across Ninth Avenue South, near 15th Street, in St. Petersburg, when he was struck by a police cruiser that had been traveling at a speed in excess of 65 miles per hour in a 35-mile-per-hour zone, and

WHEREAS, due to its sliding wheels, the cruiser could not be steered and left more than 200 feet of skid marks as it, in effect, followed Alfred Brinkley Roberts out of the travel lane and into an unmarked parking zone, where the actual impact took place, and

WHEREAS, Alfred Brinkley Roberts' injuries were extreme and included massive brain and orthopedic injuries, incontinence, and confinement for the rest of his life to a wheelchair, and

WHEREAS, the police officer operating the cruiser was investigated by the St. Petersburg Police Department's Internal Affairs, which found the officer to be at fault for causing the accident, and

WHEREAS, at the time of the accident, Alfred Brinkley Roberts had alcohol present in his system; however, it was shown at trial that it would have been impossible for any person to have avoided the swerving, out-of-control cruiser, and

WHEREAS, after a lengthy trial, the jury awarded Alfred Brinkley Roberts \$1,267,735.05, which was reduced by 20 percent to \$1,014,188.04, for comparative negligence, and

WHEREAS, following the trial, the parties entered into a settlement agreement in October 2000 that provides for a total payment of \$764,958.37, less amounts previously paid by the City of St. Petersburg, for a net additional amount of \$655,346.97, and

WHEREAS, Alfred Brinkley Roberts has outstanding medical bills and liens that include, but are not limited to, \$230,239.86 to Bayfront Medical Center, \$6,235 to Dr. Clinton B. Davis, II, and \$153,621 to the Veterans Administration, and

WHEREAS, Alfred Brinkley Roberts also owes his attorney for legal services rendered during the 9 years that he has been pursuing compensation for his injuries and also needs funds for his care for the duration of his life, NOW, THEREFORE,

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

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

Section 2. The City of St. Petersburg is authorized and directed to appropriate from funds of the city not otherwise appropriated and to draw a warrant in the sum of \$655,346.97 payable to Alfred Brinkley Roberts to compensate him for injuries and damages sustained. After payment of Alfred Brinkley Roberts' outstanding medical bills, medical liens, and attorney's fees, the remaining proceeds shall be used to provide for the care of Alfred Brinkley Roberts for the duration of his life.

Section 3. This act shall take effect upon becoming a law.

Approved by the Governor May 30, 2001.

Filed in Office Secretary of State May 30, 2001.