

# He was paralyzed after arrest by St. Pete police. 3 years later, he's getting \$2.3M

The case of Heriberto Sanchez-Mayen highlights the lengthy gauntlet that people who sue government entities in Florida must navigate to receive settlement money

BY TONY MARRERO TIMES STAFF

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Heriberto Sanchez-Mayen is pictured after his legs were amputated stemming from injuries he received after being arrested by St. Petersburg police in 2023 Three years to the day of his arrest Gov. Ron DeSantis signed a bill approving a \$2.3 million settlement in the case (Courtesy of family)

On a June day three years ago, a St. Petersburg police officer roused Heriberto Sanchez-Maven from a slumber in a patch of grass next to a business on 15th Street North and arrested him on a trespassing charge.

Soon after, he was shackled in the back of a transport van, on the way to the county jail.

A sudden stop on the way sent Sanchez-Mayen into a metal partition, knocking him out.

He was still unconscious when the officer driving the van arrived at the jail and pulled him out by his legs, causing him to hit his head on the bumper and concrete floor.

Sanchez-Mayen sustained injuries to his cervical spine, which paralyzed him and resulted in the amputation of both legs above the knee, according to a lawsuit filed by his family months later.

On Monday, three years to the day of Sanchez-Mayen's arrest, Gov. Ron DeSantis signed a bill approving a \$2.3 million settlement in the case.

The family's attorneys said the signing was welcome news for Sanchez-Mayen and his sister, who has helped care for him.

But the case also highlights the lengthy gantlet that people who sue government entities in Florida must navigate to receive settlement money.

"The process in Florida to get compensation to victims like Heriberto is so old and so arcane and so broken," said Dan Faherty, one of the family's attorneys.

"Here we are in June of 2026, and this case was settled over a year ago.

## **'Reckless' and 'callous'**

Body camera footage provided by the police department shows Sanchez-Mayen, then 60, sleeping on a cardboard box in the 200 block of 15th Street North on June 8, 2023, before Officer Sarah Gaddis rouses him.

In the video. Gaddis appears to recognize Sanchez-Mayen, as she addresses him by his first name and asks what he's doing there.

He says he fell asleep.

You know, you're trespassing out here, Gaddis says to him. Before he responds.

Gaddis tells him to gather his belongings and meet her at her police car so she can write him a ticket.

The two walk to Gaddis' police car, and she shows Sanchez-Mayen the sign that says "no trespassing," which he says he didn't see.

Sanchez-Mayen then asks if Gaddis is going to give him a ticket.

"I've decided that you're actually going to go to jail today. I've had far too many problems with you," she says

Gaddis is seen on video calling for a police transport van. That's when Officer Michael Thacker arrives.



A screenshot from video recorded by the body camera of St. Petersburg police Officer Sarah Gaddis shows Officer Michael Thacker securing Heriberto Sanchez-Mayen in belly chains before taking him to Jail on a trespassing charge on June 8, 2023. (St. Petersburg Police Department)

Officers load Sanchez-Mayen into the police transport van, which had no seat belts or safety restraints, and Thacker drives to the jail.

A video recording provided by police shows Sanchez-Mayen slide across the bench he was sitting on, then fall and hit his head.

Thacker noticed on his video feed from the back of the van that Sanchez Maven was face-down on the floor, but he did not pull over, according to the lawsuit.

When Thacker arrived at the Pinellas County Jail, he opened the doors and noticed Sanchez-Mayen's body was limp.

Thacker shook him and said "wake up" several times, video shows. When Sanchez-Mayen didn't wake up. Thacker tried to lift him, then grabbed his feet and dragged him out of the van. Footage shows that Sanchez-Mayen's head hit the bumper and the ground.

Shortly afterward, video shows that Sanchez-Maven was attended to by medical personnel and taken to a hospital by ambulance.



The lawsuit, which named as defendants the city, Gaddis and Thacker, alleged in part that Gaddis falsely arrested Sanchez-Mayen, who was experiencing homelessness at the time, and that Thacker battered him and used excessive force by intentionally driving the transport van recklessly and dragging him out of the van.

The city denied the claims and asked a federal judge to dismiss the case.

In March 2025, U.S. District Judge William Jung dismissed Gaddis as a defendant, finding that she acted appropriately and had probable cause to arrest Sanchez-Mayen on a trespassing charge.

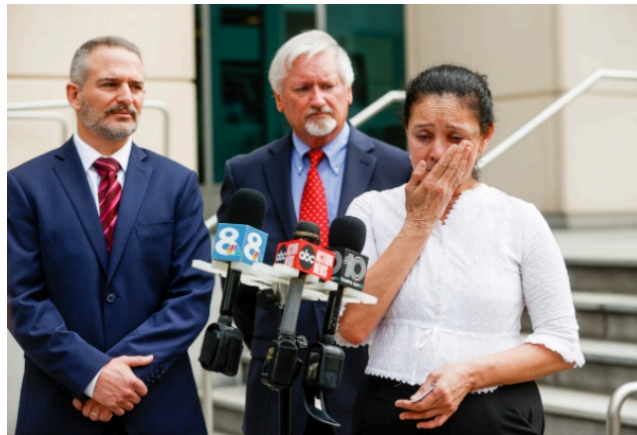
Jung dismissed all but two counts against Thacker, ruling that Sanchez-Mayen could pursue the claims of battery and excessive force.

Jung wrote in a ruling that the most "disturbing" aspect of Thacker's conduct was the way he removed Sanchez-Mayen from the van, which the judge called "reckless, callous, and something every Boy Scout with a First Aid merit badge would know is entirely improper."

Jung dismissed the case later that month after the parties reached an agreement through mediation.

The following month, the St. Petersburg City Council unanimously approved a \$2.5 million settlement in the case.

The city agreed to pay Sanchez-Mayen \$200,000 within seven days, and the rest would be paid after a claims bill was approved by the state Legislature and signed by DeSantis.



Attorneys Thomas Scolaro, left, and Dan Faherty listen as Elsa Hernandez addresses the media outside the Sam Gibbons U.S Courthouse in Tampa on March 18, 2024. They announced a lawsuit after Hernandez's brother, Heriberto Sanchez-Mayen, was paralyzed after he was arrested by St. Petersburg police on a trespassing charge [Times (2024)]

Faherty and Sanchez-Mayen's other attorney, Tom Scolaro, said the amount was disappointing given the nature of his injuries, but they decided to settle because it could have taken several more years before the case reached a jury time that their client might not have. By then, he had already outlived the average life expectancy for a person of his age who'd undergone a double amputation above the knee, and the City Council vote was only the beginning of the next phase of the process to get the full settlement amount.

Under state law, no one can get more than \$200,000 from a judgment or settlement against the government in cases of negligence without the Legislature passing a bill to pay out the rest.

(The payment cap when more than one person is owed damages is \$300,000.)

State agencies, cities, counties, sheriffs offices, state universities, public hospitals and schools are immune from payment in negligence lawsuits above that amount without legislative intervention.

When a legislator files a claim bill on behalf of an injured person, staff attorneys for the House and Senate hold a hearing based on evidence from the trial or settlement and beyond.

At the end, they recommend a payout, which is often similar to the settlement or judgment figure.

Lawmakers use it as a starting point.

The Tampa Bay Times reported in March that as the Legislature's session was about to end, lawmakers had taken up the call eight times to pay out injured Floridians and tourists who together are owed a collective \$47.2 million for injuries caused by local governments.

The Legislature had passed just two of those bills, including Sanchez-Mayen's

Lawmakers over the years have filed bills to reform the process.

One proposal has been to increase the caps on the amount that local government entities can pay out without legislative approval.

Another is to change the current law that states the only way a city, for instance, can settle above the \$200,000 threshold is if it has purchased insurance coverage.

Doing away with the requirement would allow the city to settle the claim above the limit without intervention by the Legislature.

That Idea has faced pushback from counties, cities, school districts and sheriffs.

None of the proposals have become law, but a measure passed this year is expected to be sent to DeSantis soon.

Filed by Rep. Fiona McFarland, a Sarasota Republican, HB 145 increases the payment cap per injured person to \$350,000 and the cap per incident to \$500,000.

## **'It shouldn't happen'**

After the City Council vote, Sanchez-Mayen's attorneys and a lobbyist got to work to get a relief bill passed.

Rep. Kimberly Berfield, a Clearwater Republican, and Sen. Darryl Rouson, a St. Petersburg Democrat, were the main sponsors for Sanchez-Mayen's bill.

Berfield did not return messages seeking comment for this story.

A representative for Rouson said he was not immediately available for comment.

DeSantis's office did not respond to a message seeking comment.

In an online summary explaining the bill, Berfield wrote that the measure authorizes the city of St. Petersburg to compensate Sanchez-Mayen "for ongoing care he will require and demonstrate their commitment to accountability and compassion."

The bill passed both chambers unanimously, "something our lobbyist said was so rare that she could hardly believe it," Faherty said.

Sanchez-Mayen is now in a rehab center in Pennsylvania, where his sister lives.

His attorneys said the settlement money would be placed into a trust to supplement gaps in his Medicaid coverage.

"On behalf of our client, we want to thank the city of St. Petersburg, the Florida Legislature, and specifically Gov. DeSantis for showing compassion in the wake of a very terrible, tragic event, and doing the right thing, Scolaro said.

St. Petersburg police spokesperson Yolanda Fernandez said the city had no comment for this story.

After the City Council vote last year, Fernandez said the department was "thankful everyone involved could come to

a mutually agreeable settlement in this unfortunate accident."

Faherty and Scolaro had hoped the case would prompt the St. Petersburg Police Department to consider requiring that detainees be restrained in seat belts, as they are when transported in patrol vehicles.

Fernandez previously told the Times that there was no plan to change department policy, which requires detainees be handcuffed in front of their bodies with a "belly chain" while in the back of a van.

Neither officer was disciplined after the incident. In February 2024, a judge dismissed the trespassing charge after finding the "no trespassing" signs on the city-owned lot were not properly posted.

Joseph Patner, a city attorney, noted in a previous interview that a deposition Thacker gave in the case revealed he'd transported more than 5,300 people, and only one other person besides Sanchez-Mayen had been injured in an incident.

The numbers. Patner said, "speak for themselves."

"The numbers do speak for themselves, Faberty said. "If you look at the millions and millions of dollars in medical care that had to be expended on one single resident of St. Petersburg, those are the numbers that mean anything to me, especially with the severity of the outcome.

"Frankly, I don't think Tom and I care how many times it has or hasn't happened," he continued.

"The point is it shouldn't happen."

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