IN THE UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF FLORIDA
TALLAHASSEE DIVISION

JASON BAEZ,

Plaintiff,

v. **Case No.: 4:25cv216-MW/MAF**

RICKY DIXON, in his official capacity as Secretary of the Florida Department of Corrections,

Defendant.

_____________________________/

ORDER ON CROSS-MOTIONS FOR SUMMARY JUDGMENT

This Court has considered, without hearing, the parties' cross-motions for summary judgment, ECF Nos. 52 and 54. Plaintiff brings an as-applied challenge to Florida's Civil Restitution Act, asserting the Act's application against him unconstitutionally conflicts with federal law and is therefore preempted. Both sides have moved for summary judgment on the legal question of whether this application of Florida's Civil Restitution Act is preempted by 42 U.S.C. § 1983. For the reasons set out below, this Court concludes that Plaintiff's motion is due to be granted and Defendant's cross-motion is due to be denied.

I

Summary judgment is appropriately granted when "the movant shows that there is no genuine dispute as to any material fact and the movant is entitled to judgment as a matter of law." Fed. R. Civ. P. 56(a). A "genuine" dispute exists "if the evidence is such that a reasonable jury could return a verdict for the nonmoving party." *Anderson v. Liberty Lobby, Inc.*, 477 U.S. 242, 248 (1986). On cross-motions, that standard remains the same. This Court evaluates the cross-motions separately, viewing the evidence in the light most favorable to the non-movant. Where material facts are not in dispute, this Court may "resolve purely legal questions" at this stage. *Rodriguez v. Procter & Gamble Co.*, 465 F. Supp. 3d 1301, 1314 (S.D. Fla. 2020) (citation omitted).

II

This Court begins with the undisputed facts. Plaintiff Jason Baez is an inmate in the Florida Department of Corrections serving a thirty-year sentence for a non-capital, non-life felony offense. He was sentenced in 2006. While in custody, Plaintiff suffered injuries from correctional officers' alleged excessive force and prison medical staff's alleged failure to provide medical treatment. In June 2019, Plaintiff brought section 1983 claims against DOC personnel and a DOC medical contractor in federal court based on this incident. DOC settled the claims against DOC personnel for $60,000.00,[1] and the medical contractor settled the claims

[1] Of the $60,000.00 that the DOC paid to settle Plaintiff's claims, $40,000.00 was deposited into Plaintiff's inmate trust account.

against it for over $300,000.00. Plaintiff's section 1983 claims were dismissed pursuant to the notice of settlement in August 2022.

Following the settlement in Plaintiff's section 1983 action, on July 11, 2024, DOC filed a motion in Florida state court to impose a civil restitution lien against Plaintiff. DOC sought liquidated damages for the cost of Plaintiff's incarceration in the amount of $50 per day for each day of Plaintiff's 30-year sentence, totaling $547,850.00. The same day, the state court entered an order imposing the lien, plus interest. A week later, DOC placed a hold on Plaintiff's inmate trust account for the amount of the lien and subsequently removed all the money from Plaintiff's account on February 12, 2025, including all the funds he had received as part of his settlement in his section 1983 action. DOC then distributed the funds taken from Plaintiff's account, including his settlement funds, to the State of Florida's General Revenue Fund.

III

Plaintiff contends that DOC's imposition of a cost-of-incarceration lien and subsequent removal of Plaintiff's section 1983 settlement funds from his inmate trust account pursuant to Florida law is unconstitutional as applied to him because this application of Florida's cost-recovery law "stands as an obstacle to the accomplishment and execution of the full purposes and objectives of Congress," in enacting section 1983, and is thus preempted by section 1983. *Crosby v. Nat'l*

Foreign Trade Council, 530 U.S. 363, 372 (2000). Defendant does not dispute any facts or inferences drawn from the facts but instead asserts that Plaintiff has not met "the high threshold for obstacle preemption." ECF No. 54 at 5. Having considered the cross-motions independently, this Court concludes that no dispute of material fact or inference drawn therefrom exists, and Plaintiff has the better of the argument as to the purely legal question at issue in this case.

"Federal law can preempt state law through express preemption, conflict preemption, or field preemption." *Club Madonna Inc. v. City of Miami Beach*, 42 F.4th 1231, 1253 (11th Cir. 2022). Both sides agree this case is solely about whether Florida's cost-recovery law, as applied to Plaintiff, is conflict preempted by section 1983. "Conflict preemption occurs either when it is physically impossible to comply with both the federal and state laws or when the state law stands as an obstacle to the objective of the federal law." *Id.* (quoting *Fla. State Conf. of N.A.A.C.P. v. Browning*, 522 F.3d 1153, 1167 (11th Cir. 2008)). As noted above, Plaintiff's claim, and the cross-motions for summary judgment, concern the narrow issue of whether Florida's cost-recovery law, as applied to Plaintiff and the State's seizure of his settlement funds from his section 1983 lawsuit, "stands as an obstacle to the objective of" section 1983.

To determine whether this application of Florida law is preempted by section 1983, this Court must use its "judgment to determine what constitutes an unconstitutional obstacle to federal law, and this judgment is informed by examining the federal statute as a whole and identifying its purpose and intended effects." *Club Madonna*, 42 F.4th at 1253–54 (quoting *United States v. Alabama*, 691 F.3d 1269, 1281 (11th Cir. 2012)). This Court must "examine the statutory text, its regulatory framework, and, if necessary, the legislative history" of section 1983 "to determine whether Congress made a deliberate choice to exclude" Florida law from permitting the use of a cost-of-incarceration lien to seize Plaintiff's section 1983 settlement funds. *Id*. at 1254. Ultimately, this Court must "examine whether [this imposition of a cost-of-incarceration lien] stand[s] as an obstacle," to the objectives of section 1983. *Id*.

Section 1983's statutory text states, in relevant part, that

> Every person who, under color of any statute, ordinance, regulation, custom, or usage, of any State . . . subjects, or causes to be subjected, any citizen of the United States or other person within the jurisdiction thereof to the deprivation of any rights, privileges, or immunities secured by the Constitution and laws, shall be liable to the party injured in an action at law, suit in equity, or other proper proceedings for redress, except that in any action brought against a judicial officer for an act or omission taken in such officer's judicial capacity, injunctive relief shall not be granted unless a declaratory decree was violated or declaratory relief was unavailable.

42 U.S.C. § 1983. In short, the text of section 1983 creates liability for state actors who violate the constitutional rights of U.S. citizens and other persons within the United States.[2]

With respect to examining the text and goals of section 1983, this Court is not writing on a blank slate. The Supreme Court has explained that "[t]he legislative history of § 1983 . . . demonstrates that [section 1983] was intended to 'create a species of tort liability' in favor of persons who are deprived of 'rights, privileges, or immunities secured' to them by the Constitution." *Carey v. Piphus*, 435 U.S. 247, 253 (1978) (citations omitted). Further, the Supreme Court, in an early preemption case involving section 1983, recognized that section 1983 has a "broad sweep," that furthers the policies of "compensation of persons injured by deprivation of federal rights and prevention of abuses of power by those acting under color of state law." *Robertson v. Wegmann*, 436 U.S. 584, 590–91 (1978) (listing cases); *see also Beeks v. Hundley*, 34 F.3d 658, 661 (8th Cir. 1994) ("Since the purposes and objectives of § 1983 are themselves broad . . . the preemptive sweep of § 1983 is obviously considerable."). Likewise, the Supreme Court has noted that Congress's goal of compensation for constitutional violations reinforces the goal of deterrence of

---

[2] Section 1983's text does not expressly displace state laws allowing for the recovery of the State's cost of incarcerating convicted state prisoners. If it did, this case would be resolved on express preemption grounds. But the fact that the statute says nothing about state laws concerning cost-of-incarceration liens does not end this Court's inquiry into whether Congress intended to supersede the use of such laws to seize section 1983 plaintiffs' settlement awards.

further violations. *See Memphis Community Sch. Dist. v. Stachura*, 477 U.S. 299, 310 (1986) ("Section 1983 presupposes that damages that compensate for actual harm ordinarily suffice to deter constitutional violations.") (citing *Carey*, 435 U.S. at 256–57)). Accordingly, with the benefit of Supreme Court precedent identifying Congress's twin goals of compensation and deterrence,[3] this Court must determine whether Congress made a deliberate choice to exclude the State from seizing Plaintiff's section 1983 settlement funds to cover his cost of incarceration. Further, this Court must determine whether such an application of Florida law stands as an obstacle to the objectives of section 1983.

Again, this Court is not the first to address the question of whether federal law preempts a State's attempt to recoup the costs of incarceration from the funds that a civil rights plaintiff has received for section 1983 claims against state actors. *See, e.g.*, *Williams v. Marinelli*, 987 F.3d 188 (2d Cir. 2021); *Hankins v. Finnel*, 964 F.2d 853 (8th Cir. 1992); *see also Harris v. Hobbs*, ECF No. 175, Case No.: 4:08cv569-

[3] This Court is not persuaded by Defendant's suggestion that in heeding the Supreme Court's prior examination and clear articulation of the twin goals of section 1983 (including in a decades-old conflict-preemption case), this Court is engaging in the dubious exercise of stacking inferences to divine Congress's intent. *See* ECF No. 54 at 11–16. Defendant apparently would have this Court ignore decades of precedent discussing the recognized federal objectives of section 1983 and, instead, demand proof of an express-preemption provision concerning cost-of-incarceration liens before concluding that relief may be appropriate. But Defendant is mistaken. The standard of proof for conflict preemption is not proof of an express-preemption clause in the federal statute. *See Geier v. Am. Honda Motor Co., Inc.*, 529 U.S. 861, 869 (2000) (noting that an express-preemption provision "does *not* bar the ordinary working of conflict pre-emption principles" (emphasis in original)). That would essentially render the cases discussing the differences and nuances of the two types of preemption meaningless, and this Court rejects Defendant's arguments to the extent they encourage this analysis.

RH/WCS (N.D. Fla. Dec. 6, 2012) (concluding *Hankins*, while not binding, is on point and reached the correct result and concluding that Florida sheriff could not offset section 1983 damages judgment with cost-of-incarceration lien). The Eleventh Circuit has not yet reached this question. *See Rinaldo v. Corbett*, 256F.3d 1276, 1281 (11th Cir. 2001) ("We need not address Rinaldo's argument under *Hankins* that a money judgment for a § 1983 plaintiff cannot be used to satisfy a civil restitution lien for incarceration costs under Fla. Stat. § 960.293."). Nonetheless, notwithstanding Defendant's attempt to distinguish this case from similar cases decided in other Circuits, this Court is persuaded that the Eighth and Second Circuit decisions on this issue, while not binding, are on point and correct.

For example, in *Hankins*, the Eighth Circuit addressed the appeal of a district court order enforcing a section 1983 judgment against a corrections officer who sexually harassed the plaintiff while he was incarcerated in state prison. Following a jury trial in the section 1983 action, the State of Missouri initiated ex parte proceedings in state court to obtain 90% of the amount paid to the plaintiff based on the jury verdict and judgment against the corrections officer pursuant to a state law that, like Florida's, allows the State to recover an inmate's costs of incarceration. The district court determined that the State's attempt to recoup these costs from the plaintiff's section 1983 damages was preempted by federal law and the Eighth Circuit affirmed.

The Eighth Circuit reiterated that "the purpose of section 1983 is two-fold: to compensate victims and to deter future deprivations of federal constitutional rights." 964 F.2d at 861. Moreover, "[t]o allow the State to largely recoup this award would be inimical to the goals of the federal statute." *Id.* In holding that section 1983 preempts the Missouri Incarceration Reimbursement Act as it applied in that case, the Eighth Circuit emphasized that "[t]o the extent that the Act permits the State to recoup the very monies it has paid to satisfy a section 1983 judgment against one of its employees, the Act is invalidated under the Supremacy Clause." *Id.*[4]

More recently, the Second Circuit addressed this issue in *Williams*. *See* 987 F.3d 188. In that case, the plaintiff sued a Connecticut corrections officer for violating his Eighth Amendment rights under section 1983. A jury found the officer

[4] Defendant mistakenly suggests the Eleventh Circuit has expressed "skepticism" toward the Eighth Circuit's holding in *Hankins*. ECF No. 54 at 18 (citing *Rinaldo*, 256 F.3d at 1281 n.9). But rather than express doubt as to whether *Hankins* correctly held that section 1983 preempts the State from imposing a cost-of-incarceration lien to seize an inmate's section 1983 award, the Eleventh Circuit simply recognized the Eighth Circuit later declined to extend that holding to victim restitution liens imposed on inmate assets in *Beeks v. Hundley*, 34 F.3d 658 (8th Cir. 1994). Other courts have made a similar distinction between the application of laws that permit the State to recoup funds the State has paid toward section 1983 claims (which are preempted) and laws that require inmates to pay funds—including section 1983 damage awards—to crime victims and other third parties (which are generally not preempted by federal law). *See, e.g.*, *Brooks v. Colorado Dep't of Corrs.*, 2025 WL 1207588, at *3 (D. Co. Apr. 25, 2025) (distinguishing payment of ADA judgment toward victim restitution from *Hankins* and *Williams* and noting that the inmate "and his victims, *rather than the State of Colorado*, benefited from the state's interception of the payment because the state applied those funds to Mr. Brooks['] restitution." (emphasis added)); *Vincent v. Sitnewski*, 2011 WL 452386, at *3–*4 (S.D.N.Y. Sep. 30, 2011) (rejecting section 1983 preemption claim challenging New York law that recognized that crime victims may have a valid cause of action against the perpetrator, set forth procedures to assist in locating funds which might be recovered by the perpetrator, and procedures to facilitate litigation of the victim's cause of action).

liable, and plaintiff was ultimately awarded a $300,000 judgment. The State of Connecticut paid the judgment but diverted nearly half of the funds to a State agency "pursuant to a Connecticut statute granting the State a lien on part of the proceeds of an inmate's civil action to pay part of the inmate's costs of incarceration." *Id*. at 192. The district court found that the judgment had not been satisfied in light of this diversion of funds and that the State's actions were preempted by section 1983. On appeal, the Second Circuit affirmed the district court's preemption ruling, holding that Connecticut's "actions here conflict sufficiently sharply with § 1983's goals, particularly the goal of deterring state officers from abusing prisoners in their charge in violation of their constitutional rights," and this justified "the district court's conclusion that the State's attempt to discharge [the correction officer's] judgment obligations while recouping more than half the judgment through its cost-recovery statutes is preempted by § 1983 . . . ." *Id*. at 201.

The Second Circuit emphasized that its holding "is very much dependent on the facts of this case." *Id*. These facts included the jury's award of punitive damages to punish or deter similar conduct, the seriousness of the plaintiff's injuries suffered at the hands of the corrections officer, the State's voluntary undertaking to pay the officer's judgment notwithstanding the finding that the officer's conduct was malicious or reckless, the State's recoupment would deprive the plaintiff of at least 60% of his judgment, the length of the plaintiff's sentence (and resulting high cost of incarceration), and the fact that the cost-of-incarceration debt applies broadly to all inmates, "making it easier for officials to know *ex ante* that prisoners' civil recoveries will likely be reduced by operation of the Connecticut cost-recovery statutes." *Id*.

In sum, both *Hankins* and *Williams* stand for the basic principle that a state's recovery of state funds paid to a section 1983 plaintiff via "bookkeeping maneuvers"—specifically by imposing a cost-of-incarceration lien—sharply undermines the goals of compensating section 1983 plaintiffs for constitutional violations and deterring state actors from violating inmates' constitutional rights in the future. *See Brooks,* 2025 WL 1207588, at *3 (describing *Williams* as a case where the State "engaged in bookkeeping maneuvers to relieve itself of the financial burdens" in the plaintiff's section 1983 action). And here, Plaintiff has amply demonstrated that this principle applies to the State's decision to seize the same funds the State paid to him to settle his section 1983 claims against employees of the Department of Corrections.[5]

Defendant's attempt to distinguish the facts of this case from those at issue in *Hankins* and *Williams* does not persuade this Court that those cases were wrongly

[5] The focus of Plaintiff's argument concerns the State's decision to "reimburse itself" for state funds paid to settle claims against state corrections officers. *See* ECF No. 52 at 11. Plaintiff does not provide any specific explanation for why the State's seizure of settlement funds paid by a third-party contractor is also preempted. Accordingly, this Court's analysis is limited solely to whether the seizure of the funds paid to settle Plaintiff's claims against the Department of Corrections is preempted by section 1983.

decided or that the principles they articulate do not apply with equal force here. For example, nobody contests that this case involves settlement funds rather than a judgment following a jury verdict. But as Plaintiff points out, Defendant's proposed rule—allowing the State to recoup its own settlement funds while preventing the State from recouping section 1983 damages following a jury verdict—only serves to encourage perverse outcomes while continuing to pose an obstacle to Congress's goal of compensating section 1983 plaintiffs and deterring future constitutional violations. *See* ECF No. 59 at 17 (noting that Defendant's position would result in discouraging incarcerated people from accepting settlement offers in section 1983 actions).

Nor does Plaintiff deny that his liability to the State for the cost of his incarceration arose at the time of his conviction in 2006, long before he settled his section 1983 claims with the Department of Corrections. *See* § 960.293(2), Fla. Stat. But Defendant misses the point in insisting that Plaintiff's pre-existing obligation to pay the costs of incarceration is somehow determinative. *See* ECF No. 54 at 19 (comparing Plaintiff's "pre-existing" liability for the cost of incarceration to the inmate's "pre-existing obligations to the victims of their crimes" in *Beeks*). *Hankins* and *Williams* both stand for the proposition that the State cannot simply repay itself for the cost of incarcerating a section 1983 plaintiff from the same funds it has paid to that inmate in a section 1983 action. *Beeks* reaffirmed this principle while declining to extend the *Hankins* holding to preempt the collection of victim restitution from an inmate's section 1983 damages award. But the Eighth Circuit did not decline to extend *Hankins* to preempt the application of the victim restitution law in *Beeks* simply because the inmate's obligation to pay his victims restitution was a "pre-existing" obligation. Instead, the Eighth Circuit emphasized that "victim restitution does not defeat § 1983's deterrence goal," because "[i]n most cases, crime victims are private persons or institutions . . . [and thus] the State does not ultimately receive the § 1983 proceeds." *Beeks*, 34 F.3d at 661. And even when the State is the victim of the inmate's crimes, "Iowa's victim restitution regime will not permit the state institution whose employees were responsible for the § 1983 violation to recoup the money judgment." *Id*.

This Court is also not persuaded by Defendant's attempt to distinguish *Williams* based on the fact that Florida's Division of Risk Management indemnified the corrections officers sued in Plaintiff's section 1983 case and paid the settlement on their behalf pursuant to Florida law. While the Second Circuit, in *Williams*, considered the fact that the State of Connecticut volunteered to pay the judgment on the corrections officer's behalf notwithstanding a finding that the officer had acted maliciously and the jury awarded punitive damages, these facts only underscored the sharp conflict with section 1983's goals posed by the State's application of its cost-of-incarceration law to the inmate in that case. *See Williams*, 987 F.3d at 201.

Indeed, in *Williams*, the Second Circuit also considered the seriousness of the inmate's injuries. *Id*. Here, Plaintiff's injuries were also serious. Following an alleged beating by several corrections officers, Plaintiff suffered the complete loss of vision in his right eye and partial blindness in his left eye.

And in *Williams*, the Second Circuit also considered the length of the inmate's sentence and resulting high cost of incarceration, along with the high percentage of his section 1983 award that was taken to pay the cost of incarceration. *Id*. The same is true here—Plaintiff is serving a thirty-year sentence, charged $50 per day for the cost of his incarceration, resulting in a total financial obligation exceeding half a million dollars, which resulted in the seizure of 100% of the remaining funds paid to Plaintiff to settle his claims against the Department of Corrections.

Finally, the Second Circuit in *Williams* also considered the fact that the cost-of-incarceration debt applies broadly to a significant portion of the inmate population, which makes "it easier for officials to know *ex ante* that prisoners' civil recoveries will likely be reduced by operation of the Connecticut cost-recovery statutes." *Id*. So too here. All convicted offenders in Florida are liable to the State "for damages and losses for incarceration costs and other correctional costs . . . [u]pon conviction." § 960.293, Fla. Stat.

Ultimately, considering the reasoning articulated in *Hankins* and *Williams*, this Court is persuaded that Plaintiff has the better of the argument as to the narrow question before this Court. Here, the twin goals of Congress in enacting section 1983—both to compensate individuals whose constitutional rights have been violated by state actors and to deter further abuses of power—are sharply undermined when the State seizes its own funds paid to settle a section 1983 claim based on the constitutional violations of its own corrections officers in order to pay the cost of incarcerating the inmate. This is particularly true, here, where the State seized Plaintiff's entire remaining settlement award after paying him to dismiss his excessive force claims against state corrections officers who allegedly caused him injuries so severe as to leave him almost completely blind. Even more, Plaintiff has years left on his thirty-year sentence at the mercy of the state's corrections officers. These officers would hardly be deterred by section 1983 liability if they knew the State could just settle and recoup those settlement funds going forward. For these reasons, this Court concludes, as a matter of law, that the State's application of its cost-recovery statute to seize the cost of incarceration from Plaintiff's DOC settlement funds is preempted by section 1983.

Accordingly,

IT IS ORDERED:

1. Plaintiff's motion for summary judgment, ECF No. 52, is **GRANTED** to the extent this Court concludes, as a matter of law, that the application of Florida's Civil Restitution Act to seize the settlement funds paid to Plaintiff by the

State of Florida to settle his section 1983 claims against DOC corrections officers is preempted by section 1983.

2. Defendant's motion for summary judgment, ECF No. 54, is **DENIED**.

3. Inasmuch as Plaintiff requests leave to submit supplemental briefing on the scope and terms of any injunctive relief necessary to remedy the violation, the parties shall file such supplemental briefing **on or before August 13, 2026.**

SO ORDERED on July 30, 2026.

s/Mark E. Walker
United States District Judge