

..Number  
180105  
..Version  
SUBSTITUTE 2  
..Reference

..Sponsor  
THE CHAIR

..Title  
Substitute 2 Resolution authorizing settlement of lawsuit, *Charles Collins, et al. v. City of Milwaukee, et al.*, Case No. 17-CV-00234-JPS.

..Analysis  
Resolution authorizes settlement of federal civil rights lawsuit entitled *Charles Collins, et al. v. City of Milwaukee, et al.*, Case No. 17-CV-00234-JPS by authorizing the City Attorney to execute a settlement agreement providing for certain actions by the police department and fire and police commission, for the payment of \$1,900,000 for attorneys' fees and costs claimed by counsel for the plaintiffs, and for payment for fees and costs of a consultant, Crime and Justice Institute, which the parties agree will not exceed \$1,505,000 over five years

..Body  
Whereas, Charles Collins, Dallas Adams, Caleb Roberts, Stephen Jansen, Gregory Chambers, Alicia Silvestre, David Crowley, and Jeremy Brown filed a complaint on their behalf and seeking class certification against the City of Milwaukee, the Milwaukee Fire and Police Commission, and Edward Flynn, which complaint alleged that members of the police department violated the plaintiffs' rights and the rights of others by unlawfully stopping, frisking, or searching people and by engaging in such conduct in a racially or ethnically discriminatory manner; and

Whereas, the plaintiffs have made no claim for personal damages or injuries on their behalf or on the behalf of others, but have sought payment under federal law for their reasonable attorneys' fees and costs and payment of a consultant to ensure compliance over a period of five years following any settlement; and

Whereas, the defendants have disputed the claims and relief sought by the plaintiffs in their action; and

Whereas, the parties have agreed to settle this lawsuit with an agreement for certain actions by the Milwaukee Police Department and the Milwaukee Fire and Police Commission, agreement to pay of \$1,900,000 for attorneys' fees and costs to the plaintiffs, as set forth in the attached proposed Settlement Agreement and Court Order, and further agree that the City should pay for the costs and fees of a consultant, Crime and Justice Institute, which the parties agree should not exceed \$1,505,000 over five years; now therefore be it

Resolved, by the Common Council of the City of Milwaukee that the City Attorney is authorized to execute the attached Settlement Agreement and such further documents as may be necessary and related thereto; and, be it

Further Resolved, that upon execution of the Settlement Agreement by counsel for the plaintiffs, and entry of the Order by the Court, the proper City officers are authorized and directed to issue a City check, payable to the order of the ACLU Foundation, 125 Broad Street, 18th Floor, New York, NY 10004, in full and final settlement of all monetary damages sought in this lawsuit against the defendants, said amount to be charged to the Damages and Claims Fund, Account No. 0001-1490-S118-006300; and be it

Further Resolved, that the funding of the aforesaid settlement amount will be authorized by a resolution contemporaneously approved by the Common Council, and that the proper City officers are authorized to make the necessary transfers to the appropriate accounts or funds to dispense the settlement amount; and be it

Further Resolved, that the execution of a contract for the consultant, Crime and Justice Institute, required by the Settlement Agreement will be authorized by a resolution contemporaneously approved by the Common Council.

..Requestor  
City Attorney  
..Drafter  
JAS:  
June 28, 2018  
1032-2017-434:250512