



Legislation Text

File #: 180105, **Version:** 1

180105
SUBSTITUTE 1

THE CHAIR

Substitute resolution authorizing settlement of lawsuit, Charles Collins, et al. v. City of Milwaukee, et al. in the amount of \$1,900,000.

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 and consent decree providing for certain actions by the police department and fire and police commission and for the payment of \$1,900,000 for attorneys' fees and costs claimed by counsel for the plaintiffs.

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, alleging 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

Whereas, The parties have agreed to settle this lawsuit with an agreement for certain actions by the Milwaukee Police Department, the Milwaukee Fire and Police Commission, and by 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 Consent Decree, be it

Resolved, By the Common Council of the City of Milwaukee that the City Attorney is authorized to effectuate 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, 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 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.

City Attorney
JAS:

April 25, 2018
1032-2017-434:248838