



Brevard County Board of County Commissioners

2725 Judge Fran Jamieson
Way
Viera, FL 32940

Legislation Text

File #: 2160, **Version:** 1

Subject:

Approval of Settlement for Tillman v. Miller, et al.

Fiscal Impact:

Payment of attorneys' fees in amount of \$126,143.09, of which \$98,000.00 has previously been approved by the Board at the July 21, 2015 meeting.

Dept/Office:

County Attorney's Office.

Requested Action:

- 1) Approve proposed settlement;
- 2) Approve additional attorneys' fees for a total amount of \$126,143.09;
- 3) Direct County Attorney's Office to take all necessary action to seek an Order to Terminate Consent Decree.

Summary Explanation and Background:

This is a case involving claims of jail overcrowding which was initially filed in February, 1983 which resulted in a Final Consent Decree. Since that time, the County and the Sheriff's Office have made numerous efforts to address the issues raised, including expanding the jail to increase capacity and retaining a Jail Population Management Coordinator whose duties include monitoring the criminal justice system in Brevard County and identifying factors that may lead to overcrowding. The Court has been advised of progress through status reports.

In 2015 there were some negotiations to find a resolution to the matter with a goal of mutually agreeing to terminate/dismiss the Final Consent Decree. As part of the process, during the July 21, 2015 Meeting, the BoCC approved plaintiff's attorneys' fees in the amount of \$98,000. Despite efforts, the Final Consent Decree was not dismissed at that time.

The parties have recently re-engaged in negotiations to seek final resolution of this matter. The discussions have resulted in a proposed agreement that would resolve both the jail population monitoring and attorney's fees. Upon resolution of those two issues, the Court could terminate the Final Consent Decree thereby concluding the case.

Attachments: 1) Prior Board Action

2) Proposed Motion to Terminate Consent Decree and Determination of Attorneys' Fees.

Clerk to the Board Instructions:

