

UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF
FLORIDA

CASE NO. 76-6086-CIV-MIDDLEBROOKS

OLLIE CARRUTHERS, et al.,)
)
Plaintiffs,)
)
v.)
)
SCOTT J. ISRAEL, as Sheriff of)
Broward County, Florida,)
)
)
Defendant.)
<hr/>)

ORDER PARTIALLY TERMINATING CONSENT DECREE

THIS CAUSE comes before the Court upon Joint Motion for Court Order Partially Terminating the Consent Decree (“Motion”), filed by Defendant Scott J. Israel, as Sheriff of Broward County, and Plaintiffs on March 20, 2017 (collectively, the “Parties”). (DE 997). The Parties move to partially terminate the Consent Decree pursuant to the terms of the Settlement (DE 930-1) and 18 U.S.C. § 3626(b)(1)(B).

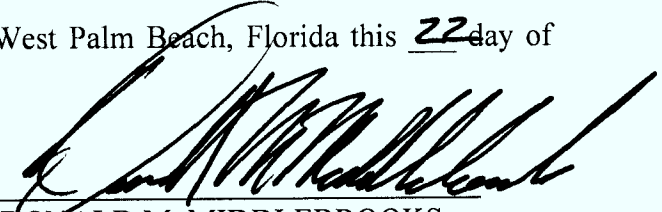
Section 3626(b)(1) lays out the procedures for termination of prospective relief in prison litigation, including by agreement of the Parties. 18 U.S.C. § 3626(b)(1). The Settlement provides that “[s]hould the final reports filed with the Court determine that there are no current and ongoing violations of federal rights, and should any objections by Plaintiffs to such determinations be overruled, the Court shall enter an order terminating the Consent Decree.” (DE 930-1 ¶ 20). In his Final Expert Report, Michael A. Berg found no current and ongoing violations in the areas of overcrowding, excessive use of force, inmate violence, and substantial burdens on religious rights. (DE 996). Neither Party has any objections to the Report, and the Parties agree to terminate the Consent Decree in the areas of overcrowding, excessive use of force, inmate violence, and substantial burdens on religious rights. (DE 997).

Accordingly, it is hereby

ORDERED and ADJUDGED that

- (1) The Parties' Motion (DE 997) is **GRANTED**.
- (2) All prospective relief in the Consent Decree relating to overcrowding, excessive use of force, inmate violence, and substantial burdens on religious rights is hereby **TERMINATED**.
- (3) The Court shall retain jurisdiction over this matter pursuant to the terms of the Settlement of the Parties.

DONE AND ORDERED in Chambers at West Palm Beach, Florida this 22 day of
March, 2017.



DONALD M. MIDDLEBROOKS
UNITED STATES DISTRICT JUDGE

Copies furnished to: Counsel of Record