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## Police union lawsuit claims Moorhead chief sets quotas

By [news@inforum.com](mailto:news@inforum.com) on Jul 14, 2005 at 12:00 a.m.



Moorhead police must meet monthly quotas for traffic and drunk driving citations, a lawsuit brought by the officers' union claims.

The complaint filed in Clay County District Court claims a policy that grades patrol officers on the number of tickets they issue violates a Minnesota law prohibiting quotas.

But Police Chief Grant Weyland said the policy is a performance standard that ensures officers are enforcing traffic laws.

"Our position is we absolutely have no quota," Weyland said. "Traffic citations are part of an officer's job performance."

Weyland and the city of Moorhead are listed as defendants in the lawsuit.

Becker County District Court Judge Thomas Schroeder was assigned to the case Wednesday after two Clay County judges recused themselves to avoid a potential conflict of interest.

The complaint filed by the Law Enforcement Labor Services union says Moorhead police officials have maintained a traffic quota since 2001.

The complaint states:

Officers are evaluated monthly on the number of traffic and DWI citations they produce.

They are expected to meet the average of citations issued the previous month during the same shift. Under special circumstances, an officer can meet 80 percent of the average.

If an officer falls below the average, police administration takes disciplinary steps that include a performance improvement plan, written and oral reprimands, suspension and termination.

The union has filed two grievances under the labor contract regarding disciplinary action taken against officers. Both grievances await arbitration.

The complaint requests the judge to issue an order barring Weyland and the city of Moorhead from evaluating or disciplining officers on the basis of quotas.

Minnesota's law prohibiting quotas for traffic citations reads: "A law enforcement agency may not order, mandate, require, or suggest to a peace officer a quota for the issuance of traffic citations on a daily, weekly, monthly, quarterly, or yearly basis."

Marylee Abrams, attorney for Law Enforcement Labor Services, declined to comment Wednesday.

Moorhead City Attorney Brian Neugebauer said the city will respond to the complaint soon.

"I suspect what we'll do is either request the court dismiss it or send it to arbitration," he said.

Neugebauer said in two similar cases concerning police departments in Woodbury and Edina, the state mediation board sided with the cities, rejecting union claims that performance standards amount to ticket quotas.

"They're trying to get it into the court system because they know the arbitrators aren't going to rule in their favor," Neugebauer said of the union.

The union criticized Weyland and the city in 2002 for the same policy.

No officers have been suspended or terminated for failing to meet the standard, Weyland said.

So far this year the Police Department has issued two oral reprimands and one written reprimand against officers who fell below the average, he said.

In previous years no officers were disciplined, he said, although some received performance notes or were counseled by their supervisors to bring up their performance.

The standards for officers depend on what shift they work, Weyland said. For example, a daytime patrol officer would not be expected to issue as many DWI citations as a night officer.

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