

**UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA**

UNITED STATES OF AMERICA,

Plaintiff,

v.

NO. 25-cv-48 (PAM/DLM)

CITY OF MINNEAPOLIS,

Defendant.

MOTION TO INTERVENE

The Police Officers Federation of Minneapolis (“Federation”), by and through its undersigned attorney, James P. Michels of Michels Law Firm PLLC, hereby respectfully moves the Court to intervene in the above-captioned matter pursuant to Rule 24 of the Federal Rules of Civil Procedure. This motion is based on the following facts and authorities. This motion will be heard at a date and time to be determined by the Court.

1. The United States of America (“United States”) has filed a civil complaint against the City of Minneapolis (“Minneapolis”) under the Violent Crime Control and Law Enforcement Act of 1994, 34 U.S.C. § 12601 (Section 12601); Title VI of the 1964 Civil Rights Act, 42 U.S.C. § 2000d (Title VI); the Omnibus Crime Control and Safe Streets Act of 1968, 42 U.S.C. § 3789d (Safe

Streets Act), transferred to 34 U.S.C. § 10228; and Title II of the Americans with Disabilities Act of 1990, 42 U.S.C. §§ 12131–12134 (Title II), alleging that law enforcement officers employed by Minneapolis and its police department (“MPD”) have engaged in a pattern and practice of conduct that violates the United States Constitution and federal laws.

2. The Federation is, pursuant to the provisions of the Minnesota Public Employment Labor Relations Act (“PELRA”), the certified, exclusive representative of all sworn personnel employed by the MPD in the ranks of Police Officer, Sergeant, and Lieutenant (the “Represented Employees”). As such, the Federation is recognized under Minnesota law not only to have standing to assert the rights of the Represented Employees, but also to have certain statutory rights as an exclusive representative.

3. The Federation and Minneapolis are parties to a collective bargaining agreement that is presently in effect regarding the terms and conditions of employment of the Represented Employees (the “Labor Agreement”).

4. The United States and Minneapolis have entered into, and submitted to this Court for approval, a Consent Decree which, if approved, would materially impact the working conditions for the Represented Employees; including terms and conditions of employment over which the Federation has a right under PELRA and the Labor Agreement to bargain.

5. The Federation alleges that it has the right under Fed. R. Civ. P. 24(a) to intervene in this matter because, in its capacity as exclusive representative of the Represented Employees: it has interests which are directly related to the subject matter of this action; it is so situated that a disposition of this action may, as a practical matter, impair or impede the Federation's ability to protect those interests; and the United States and Minneapolis are unable to adequately represent the interests of the Federation and the Represented Employees.

6. In the alternative, the Federation would request the right to intervene permissively under Fed. R. Civ. P. 24(b) on the grounds that the Federation has claims or defenses that share with the main action a common question of law or fact.

7. The Federation asserts that this Motion is timely and that allowing the Federation to intervene will not unduly delay or prejudice the adjudication of the original parties' rights.

8. The Federation has sought the consent of the United States and Minneapolis for intervention and, to date, neither party has given its consent to intervention.

WHEREFORE, the Federation prays for an Order from the Court allowing the Federation to intervene in this matter as a matter of right under Fed. R. Civ. P.

24(a); or, in the alternative, permissively under Fed. R. Civ. P. 24(b) and granting such further relief as the Court deems just and equitable.

Dated: January 17, 2025

/s/ James P. Michels
James P. Michels (#168749)
Attorney for Intervenor Police
Officers Federation of Minneapolis

MICHELS LAW FIRM PLLC
18920 – 26th Avenue North
Minneapolis, MN 55447-1503
Phone No. (763) 473-1896
jim@jmichelslaw.com