

Vaughn v. City of Carbondale, 2016 IL 119181

Appellate citation: 2015 IL App (5th) 140122

JUSTICE THOMAS delivered the judgment of the court, with opinion.

Chief Justice Garman and Justices Freeman, Kilbride, Karmeier, Burke, and Theis concurred in the judgment and opinion.

The plaintiff in this Jackson County case was formerly employed as a police officer for the defendant city of Carbondale. While on duty on June 28, 2005, he was outside of his patrol car in a parking lot when a call from the police department's dispatcher came in on the radio inside his vehicle. In order to reach the microphone to answer the call, he reached head first through the open driver's side door and struck his head on the door frame. He would later claim that this caused him to "see stars" and that he experienced a sharp pain in his arm. There was no abrasion or blood loss. An MRI would later reveal a compression fracture of the T1-T3 vertebrae. After July 19, 2005, he never again worked for the police department.

Illinois' Public Safety Employee Benefits Act (Act) is applicable where a police officer suffers a catastrophic injury. It provides for the lifetime payment of health insurance premiums for such an employee and his spouse and children. Another prerequisite is required by the Act, however, and the one applicable to this plaintiff is that the injury must have occurred in response to what was reasonably believed to be an emergency. By the time this cause reached the Illinois Supreme Court, the defendant no longer disputed the issue of catastrophic injury, but still maintained that the plaintiff had not been responding to what he had reasonably believed was an emergency and thus was not entitled to the Act's benefits. In this decision, the supreme court held that the plaintiff had never been eligible for benefits under the Act in the first place, even though they had initially been approved. The plaintiff was presently contesting their proposed termination. (A 2012 medical examination required by statute had resulted in a doctor's finding that the plaintiff was physically able to return to work.) The supreme court stated that it could not be said "every call from dispatch is an emergency until proven otherwise," thereby rejecting the argument on which the plaintiff relied. The plaintiff's claims based on equitable estoppel were also found not to be applicable.

The defendant city was, therefore, not prohibited from terminating the plaintiff's benefits under the Public Safety Employee Benefits Act.