

**IN THE CIRCUIT COURT OF COOK COUNTY, ILLINOIS
COUNTY DEPARTMENT, CHANCERY DIVISION**

ROBERT COLLINS,)
)
 Plaintiff,)
)
 v.)
)
 VILLAGE OF DOLTON, an Illinois)
 Municipal Corporation,)
)
 Defendant.)

Case No. 2024CH00571

COMPLAINT AT LAW

NOW COMES Plaintiff, Robert Collins, by his attorneys, Richard F. Blass &

Associates, LLC, and complains of Defendant, Village of Dolton, and complains as follows:

1. Plaintiff, Robert Collins ("Collins") at all times relevant to this Complaint was a resident of Cook County, Illinois.
2. Collins was employed as the Chief of Police for Defendant, Village of Dolton ("Village"), having been appointed to said office on or about May 8, 2021 by the then mayor of the Village with the advice and consent of the Village Board of Trustees.
3. Defendant, Village of Dolton ("Village") is a home rule municipal corporation established under the laws of the State of Illinois and is located in Cook County, Illinois.
4. At all times relevant to this Complaint, Tiffany Heynard ("Heynard") served as Mayor of the Village.
5. Pursuant to the Illinois Municipal Code, a municipal mayor has authority, among other responsibilities, to appoint a Police Chief.
6. 65 ILCS 5/10-2.1-17 states in pertinent part as follows:

If the chief of the fire department or the chief of the police department or both of them are appointed in the manner provided by ordinance, they may be removed or discharged by the appointing authority. In such case the appointing authority shall file with the corporate authorities the reasons for such removal or discharge, which removal or discharge shall not become effective unless confirmed by a majority vote of the corporate authorities.

7. Village Code of Ordinances provides for the appointment of a police chief by the mayor with the advice and consent of the Board of Trustees. As such, the removal of a police chief must occur in the same fashion.
8. During his time as Police Chief for the Village, Collins performed his duties in an exceptional manner and received above average and excellent performance evaluations.
9. During his time as Police Chief for the Village, Collins received no disciplinary action, was not placed on a performance improvement plan, nor informed of any performance deficiencies.
10. Without provocation or reason, on October 5, 2023 Village Mayor Tiffany Heynard ("Heynard") notified Collins that he was discharged effective immediately.
11. Heynard failed to issue charges against Collins or to notify him or the Board of Trustees of any cause or basis for Collins' discharge.
12. Heynard failed to seek the advice and consent of the Village Board of Trustees with regard to the discharge of Collins by bringing the matter to the Board of Trustees for a vote to confirm or reject her action against Collins.

COUNT I – VIOLATION OF THE ILLINOIS MUNICIPAL CODE

13. Collins restates and realleges Paragraph 1 through 12 of the Complaint as if more fully set forth herein.
14. In order to properly discharge Collins, Heynard was required to not only notify him of the decision, but to seek the advice and consent of the Village Board of Trustees.
15. Heynard's failure to adhere to the requirements of 65 ILCS 5/10-2.1-17 and the Village Code of Ordinances regarding the appointment and removal of the Police Chief renders the discharge of Collins invalid because the action was never approved by a majority of the Village Board of Trustees in violation of the Illinois Municipal Code.

WHEREFORE, Plaintiff Robert Collins prays that this Court enter an order as follows:

- a. Awarding judgment in favor of Collins on Count I of his Complaint;
- b. Awarding damages for lost wages and benefits due him as a result of the Village's unlawful discharge of him;
- c. Ordering payment of interest by Defendant on all monies awarded to Collins;
- d. Awarding all other relief that this Court finds just and equitable.

COUNT II – VIOLATION OF THE ILLINOIS HUMAN RIGHTS ACT

16. Collins restates and realleges Paragraph 1 through 12 of this Complaint as if more fully set forth herein.
17. On information and belief based on statements made to him by Village officials shortly after he was abruptly discharged, Heynard discharged Collins simply because his wife is friendly with some individuals who Heynard believes to be political opponents of hers.
18. The Illinois Human Rights Act 775 ILCS 5/1-101 et seq., protects against discrimination in employment based, among other reasons, on the marital status of the employee.
19. Heynard's discharge of Collins based on his marital status violates the Illinois Human Rights Act as cited above.
20. As a result of his unlawful discharge in violation of the Illinois Human Rights Act, Collins has suffered loss of wages and benefits of employment, as well as emotional distress.

WHEREFORE, Plaintiff respectfully requests that this Honorable Court enter an Order as follows:

- a. Awarding judgement in favor of Collins on Count II of his Complaint;
- b. Awarding damages for lost wages and benefits due him as a result of the Village's unlawful discharge of him;
- c. Awarding an amount in excess of \$50,000 for emotional distress
- d. Ordering payment of interest by Defendant on all monies awarded to Collins;
- e. Awarding all other relief that this Court finds just and equitable.

Dated: January 29, 2024

Respectfully submitted,

RICHARD F. BLASS & ASSOCIATES, LLC

By: _____
One of Plaintiff's Attorneys

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