

Nassau LONG ISLAND

Nassau cop wins federal lawsuit seeking return to full duty

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A federal jury Wednesday sided with a Nassau County police officer with bipolar disorder who claimed top police department officials have unfairly kept him on desk duty and stripped him of his guns for more than 6 years after he had a “manic episode,” according to his lawyer and court documents.

Christopher Hoey, 47, an officer in the Fourth Precinct in Hewlett, was awarded \$129,500 in emotional damages and loss of overtime in the civil discrimination suit, according to the jury sheet provided by Hoey’s attorney, Rick Ostrove of Leeds Brown Law in Carle Place.

“This is a big victory for my client,” Ostrove said. “He is excited to get back to work as a full-duty police officer and help protect the public. The Americans with Disabilities Act was designed to protect disabled individuals from discrimination based on prejudice, stereotypes or unfounded fear. The jury recognized that and came to the right verdict.”

Magistrate Judge Gary Brown, who presided over the eight-day trial featuring testimony from Acting Police Commissioner Thomas Krumpert in U.S. District Court in Central Islip, now must decide whether to immediately reinstate Hoey to full duty.

Nassau County Attorney Carnell Foskey said in a statement: “The county followed the proper procedures and we will review the record and decide what legal options remain, including an appeal.”

The lawsuit against the county and the police department’s chief surgeon, Marjorie Blika, was filed Sept. 28, 2012, and alleged Hoey was hospitalized as a result of undiagnosed bipolar disorder on Nov. 17, 2009.

Hoey’s psychiatrist cleared him to return to full-duty a few weeks later, but a department psychiatrist recommended restricted duty, stripping Hoey of his department-issued and off-duty weapon, according to the suit.

Through 2010 and 2011, Hoey repeatedly requested to return to full-duty and was given clearance by one department doctor, but wasn’t allowed to return to full-duty, according to the suit.

At one point in 2010, the suit claims, a supervisor told Hoey that because another officer had committed suicide, it was best that Hoey hold off on formally requesting to be reinstated.

The decision to keep Hoey on desk duty, where he remains to this day, has “negatively impacted Officer Hoey’s career progression and future earning capacity,” the suit said.

James Carver, president of the Nassau Police Benevolent Association, declined to comment.

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