
EMPLOYMENT - CONNECTICUT

Doody v. Town of North Branford

United States District Court, D. Connecticut - September 24, 2013 - F.Supp.2d - 2013 WL 5323308

Deputy Chief of Police was terminated when Town eliminated the position due to budget cuts.

Deputy Chief sued, claiming that the Town deprived him of his Fourteenth Amendment right to procedural due process by failing to provide him with a hearing both prior to and after eliminating his position. The Town contended that because Deputy Chief's position was eliminated as a result of budgetary issues, and not based on any charges against him, it was under no obligation to provide a pre- or post-termination hearing unless Deputy Chief specifically requested one.

For the purposes of its motion for summary judgment, the Town conceded that the officer had a constitutionally protected property interest in his position as Deputy Police Chief. The Town also conceded that it deprived Deputy Chief of that interest when the Commissioners voted to eliminate the position. However, the Town argued that this deprivation was not effected without due process, and that it did not fail to provide Deputy Chief with adequate procedural protections either before or after his termination.

The court found that, although officer failed to protest his termination before it occurred, under the circumstances here this failure does not prevent him from claiming a violation of his due process right to a pre-termination hearing. Because the Town provided him no notice prior to the layoff becoming effective, it did not afford him an opportunity to timely object, which is a prerequisite to waiver of one's pretermination hearing rights. Therefore, Town's motion for summary judgment was denied with respect to this aspect of its claim.

However, the court found that the Deputy Chief could not satisfy the criteria to show that he was unconstitutionally deprived of a post-termination hearing. In particular, he failed to create a genuine issue of fact as to whether he requested a post-termination hearing.

Copyright © 2026 Bond Case Briefs | bondcasebriefs.com