



(Docket No. 131343)

DONALD B. MORELAND, Appellee, v. THE RETIREMENT BOARD OF THE
POLICEMEN’S ANNUITY AND BENEFIT FUND OF THE CITY OF CHICAGO, Appellant.
Opinion filed November 20, 2025.

Justice Rochford delivered the judgment of the court, with opinion.

This case concerns whether plaintiff, a Chicago police officer, was entitled to a duty disability pension due to injuries he suffered after an on-duty car collision in 2017. Plaintiff suffered injuries to his hips, left leg, and upper and lower back. An MRI in 2021 showed herniated discs and disc degeneration, and plaintiff underwent various therapies and surgery to improve his condition. In seeking duty disability benefits, he ultimately received differing prognoses from his treating physician and one appointed by the pension board: his treating physician found him disabled because his back spasms made him unable to safely carry and use a firearm, but the pension board physician found he could safely carry and use a firearm, along with other police duties. The police department would not place plaintiff in a job.

The pension board denied plaintiff a duty disability pension, and the circuit court affirmed, finding the pension board’s decision was not against the manifest weight of the evidence. The appellate court reversed; in the appellate court’s view, the conflicting medical opinions and the inability for plaintiff to resume work as an officer left him in a catch-22, which the supreme court’s prior opinion in *Kouzoukas v. Retirement Board of the Policemen’s Annuity and Benefit Fund of Chicago*, 234 Ill. 2d 446 (2009), would not abide. The supreme court disagreed, noting that the *Kouzoukas* court determined the pension board’s decision was against the manifest weight of the evidence in that case. The “catch-22” situation in *Kouzoukas* resulted only from the pension board’s argument that, if any police department position could accommodate the officer’s restrictions, she could not be awarded a duty disability pension. Here, in contrast, the pension board was entitled to place more weight on the opinion of its appointed physician and to resolve the conflicting evidence against a duty disability pension; the police department’s decision not to offer plaintiff another position could not bind the pension board to offer him a duty disability pension. Because the pension board’s decision was not against the manifest weight of the evidence, it was affirmed.