2017 IL App (1st) 170454-U

No. 1-17-0454

Third Division
December 27, 2017

IN THE

APPELLATE COURT OF ILLINOIS

FIRST DISTRICT

ANDRE GILES, Plaintiff-Appellee/Cross-Appellant, v. THE BOARD OF FIRE AND POLICE COMMISSIONERS OF THE CITY OF COUNTRY CLUB HILLS; EDDIE MARTIN, Commissioner; GABE BARNES, Commissioner; CHESTER L. MILLER,SR., Commissioner, DONALD GREEN, Commissioner, JOHN MARCH, Chairman; and WILLIAM JONES, Chief of Police of the City of Country Club Hills, Defendants-Appellants/Cross Appellees.	)	Appeal from the Circuit Court of Cook County. No. 16 CH 1038 Honorable David B. Atkins, Judge, presiding.

PRESIDING JUSTICE COBBS delivered the judgment of the court.
Justices Howse and Lavin concurred in the judgment.

O R D E R

¶ 1 *Held*: Administrative board's decision to discharge plaintiff was neither arbitrary nor against the manifest weight of the evidence.

¶ 2 Plaintiff Andre Giles was discharged from service as a police officer after the Board of Fire and Police Commissioners of the City of Country Club Hills (The Board) found he knowingly violated departmental rules and regulations in the aftermath of a fellow officer's unauthorized discharge of a firearm. The circuit court, on administrative review, upheld the Board's findings of misconduct but remanded the case for an alternative sanction. The Board and the police chief of the City of Country Club Hills jointly appealed the circuit court's ruling that cause for termination did not exist. Plaintiff cross-appealed arguing that the Board's findings of misconduct were against the manifest weight of the evidence. We reverse the circuit court order for remand and affirm the Board's decision to terminate plaintiff.

¶ 3 I. BACKGROUND

¶ 4 On the evening of March 8, 2014, former police officer John Silas discharged his police-issued firearm while off-duty causing property damage to a private residence. Silas later resigned and was charged with various criminal offenses. The City of Country Club Hills Police Department (the Department) also investigated plaintiff's involvement in Silas's misconduct and served him with a formal notice of interrogation. The notice, made pursuant to the Uniform Peace Officers' Disciplinary Act (the Act) (50 ILCS 725/1 *et seq*. (West 2014)), described the interrogation's purpose as follows:

> "To determine whether you violated any rules, regulations, or general orders of the Police Department, or otherwise engaged in conduct unbecoming a police officer, by assisting or aiding former police officer John Silas' efforts to obstruct or influence the Department's investigation of Mr. Silas' off-duty discharge of his weapon on March 9, 2014."

Plaintiff was also formally ordered by then Police Chief Mark Scott to provide copies of his personal cell phone records in relation to the shooting incident.

¶ 5 During the initial session of plaintiff's interrogation, the city's attorney repeatedly referred to the incident as occurring on March 9, 2014. Plaintiff responded by describing the events of March 8, but did not correct the attorney's error. At the next session, the attorney asked plaintiff whether he had acquired his phone records as ordered by the police chief. Plaintiff explained that he had, but he could not print them. Plaintiff stated his own attorney would obtain them and provide them shortly. Unable to continue without the records, the city's attorney sought to reschedule.

¶ 6 Over the next two months, the city's attorney sent repeated requests to plaintiff's attorney for the phone records. The requests included written notices that Chief Scott ordered plaintiff to turn the records over and non-compliance would constitute a separate act of insubordination. Plaintiff eventually turned over his phone records for March 9, 2014, but not for March 8, 2014. Responding to requests for the omitted records, plaintiff's attorney argued that a new notice of interrogation specifying March 8, 2014, was required. The city's attorney reiterated that the incident at issue spanned both dates and refusal to turn over the March 8 records would be considered a separate act of insubordination.

¶ 7 Following plaintiff's continued refusal to produce the requested records, the Department terminated the interrogation. On September 24, 2014, the new police chief, William Jones, charged plaintiff with an act of insubordination and sought his termination pursuant to section 10-2.1-17 of the Illinois Municipal Code (65 ILCS 5/10-2.1-17 (West 2014)). The Department later amended those charges to specify three offenses: (1) refusal to produce the March 8, 2014, cell phone records; (2) unauthorized disclosure of investigatory, evidentiary

information to a criminal suspect; and (3) aiding and abetting Silas's efforts to destroy evidence. These charges alleged plaintiff violated several departmental rules and regulations regarding, *inter alia*, insubordination, neglect of duty, failure to take proper action, transmission of confidential information, conduct which discredited the Department, and failure to maintain loyalty to the Department and cooperate in internal investigations. The Board subsequently held a hearing on the charges.

¶ 8 At the hearing, Deputy Chief John Galvin testified that he responded to a shots-fired call around 8:00 p.m. on March 8, 2014. Plaintiff's squad car was parked on the street, but he did not see plaintiff. Silas, dressed in plainclothes, approached Galvin and introduced him to the man who had called the police. The man told Galvin that someone had fired a gun into his home. Galvin then entered the house as Silas left. Working alongside Detective Demere Terry, Galvin collected evidence inside the home. They recovered a bullet lodged in an interior wall. It had retained its shape relatively well and Galvin estimated it to be a .40 caliber bullet, a type of ammunition used by on-duty officers. Plaintiff entered the house while Galvin and Terry worked. He asked about the recovered bullet and Terry showed it to him. After looking for evidence outside the home, all three men returned to the police station.

¶ 9 Around 10:00 p.m., Silas called Galvin from plaintiff's personal cell phone. Silas stated he "kind of f***d up" and needed Galvin to "do [him] a solid." Galvin agreed to meet Silas at a restaurant outside of the city. Plaintiff's squad car and a civilian car were parked behind the closed restaurant when Galvin arrived. Plaintiff stood outside of his car and Silas exited the passenger side of the other. Both men approached Galvin in his vehicle. Apprehensive of the situation, Galvin stayed in his car but rolled down his window. Silas admitted that he was responsible for shooting at the house. Silas then asked multiple questions about the

processing of the evidence and made a "roundabout" request to prevent the recovered bullet from reaching the crime lab. Silas also expressed fear that he would be linked to the shooting because his weapon would be on file from prior incidents. Plaintiff stood about five feet behind Silas and commented that "the only reason why they were telling [Galvin] this is because they respect [Galvin]." Galvin told Silas he would head back to the station and make his notifications. He also instructed Silas to keep his phone on because they'd be in contact.

¶ 10 As Galvin drove back to the station, he spoke with Detective Terry on the phone and learned that Terry had also received a call from Silas. At the station, Galvin spoke with Terry and notified Deputy Chief Brian Zarnowski.

¶ 11 Detective Terry testified consistently with Galvin about the parties at the scene of the shot-fired call and the recovery of the bullet. He added that he saw Silas "making statements" but did not speak to him. Terry spoke with the homeowner and his daughter before photographing the window and wall damaged by the bullet. He did not recall when plaintiff entered or exited the house, but recalled him being present while Galvin and Terry extracted the bullet. The bullet was slightly smashed and looked similar to .40 caliber police ammunition. He left the house with Galvin and did not see Silas.

¶ 12 Silas, using plaintiff’s personal cell phone, called Terry after the detective had returned to the station. Silas asked Terry to "do [him] a solid," before admitting his culpability for the shots-fired and asking for the recovered bullet. Terry replied that he needed to respond to a dispatch call and would have to talk later. Silas later called again, repeating his requests. Terry told Silas that he could not and would not help him tamper with evidence. He advised Silas to talk to a supervisor before things "got out of hand." Terry attempted to reach Galvin, who called him back and said they would discuss the situation once he reached the station.

Terry received another call that night from plaintiff's work phone but did not answer. Terry's testimony was consistent with his written report, detailing his contact with Silas, which was admitted into evidence.

¶ 13 Former Deputy Chief Zarnowski testified that Galvin called him either late in the evening on March 8 or shortly after midnight on March 9, 2014. Galvin described the meeting with Silas and plaintiff at the restaurant and Silas's admission that he was the shooter. Galvin described both "subjects" as requesting the bullet and asking Galvin "to be a stand-up guy." Zarnowski instructed Galvin to also contact Chief Scott. He then met with Galvin and Terry, and later with Chief Scott. The Department initiated a criminal investigation.

¶ 14 Plaintiff testified that he was on patrol on the afternoon of March 8, 2014. Before his shift, he ran into Silas who was coming off duty and they made plans to meet later. Plaintiff completed his initial rounds and then met with Silas at their friend's house around 3:00 p.m. Their friend, Deandre Smith, lived near the scene of the subsequent shots-fired call. The three men stood outside and made small talk for about fifteen minutes before plaintiff left to resume his patrol. He later received a call from either Smith or Silas and returned to Smith's house. Smith and Silas were sitting in Silas's car in the driveway. They made small talk for another fifteen minutes, chatting from their cars with the windows rolled down.

¶ 15 A little before 8:00 p.m., plaintiff prepared to return to patrol and began to pull out of the driveway. He stopped about two or three car lengths ahead of Silas's car, where the edge of the driveway meets the street, to check some information on his in-car computer. He then heard five muffled "pops." He did not investigate the noise because he did not observe any signs of a disturbance. Shortly after, a shots-fired call went out over the radio, and plaintiff attempted to radio in that he was on the scene and would investigate. He pulled out of the

driveway and parked on the street. Plaintiff spoke with the man who had called the police and entered his residence as Galvin and Terry arrived. He secured the scene inside before meeting with Galvin and Terry outside. The three then entered to collect evidence. Plaintiff saw the bullet, but did not recognize it to be a .40 caliber spent round. After recovering the bullet, the officers exited the house and saw Silas. Galvin questioned Silas's presence at the scene and plaintiff explained that he and Silas had been visiting a friend across the street earlier that evening. Plaintiff did not speak with Silas at the scene.

¶ 16 As plaintiff was driving to the station, he received a call from Silas, who admitted his shooting of the house. At the station with Terry and Galvin, plaintiff did not report what he had learned from Silas. Instead, he asked Terry and Galvin if they needed anything else before he returned to patrol. He subsequently called Silas and met up with Silas and Smith in a parking lot. He told Silas, "[Y]ou f***d up and you need to make this right. Don't put this on me. I had nothing to do with it. You need to do what's right." He loaned Silas one of his phones because Silas's phone had no battery. He then left and returned to the station.

¶ 17 When he later returned to patrolling, Silas called plaintiff again and asked to meet at a restaurant outside the city. He left his patrol and joined Silas and Smith who were sitting in Smith's car in the parking lot. Silas disclosed his conversation with Terry and plaintiff instructed him to call Galvin. Galvin arrived at the restaurant a few minutes later. Silas admitted he was drunk when he fired the shot. He and Galvin then discussed how the bullet must have ricocheted off the ice on the ground into the residence. Silas also disclosed his conversation with Terry and Galvin stated, "[W]e probably don't have to send [the bullet] in because it's only criminal damage to property. Let me see what I can do. I'm going to call and

talk to Terry, and I'll call you back." Galvin inquired who else knew about the situation and then left. Plaintiff did not say anything during Silas's conversation with Galvin.

¶ 18 Plaintiff resumed patrolling until his shift ended. He attempted to call Galvin to check in, but did not receive an answer. He also spoke to Silas once more that night, after he went off-duty, encouraging Silas to turn himself in. An hour after arriving at home, plaintiff was ordered back to the station to give a statement.

¶ 19 Plaintiff further testified that he previously requested and received his phone records for the month of March 2014. He admitted producing his March 9 records with intentional redactions to obscure the March 8 records. He also testified that he lost the records sometime in June 2014 and had left that phone company's service rendering him unable to re-request the records.

¶ 20 Following the close of evidence, the Board found by a preponderance of the evidence that plaintiff committed all three charges of misconduct in violation of the Department's rules and regulations. It further noted that it found the Department's witnesses to be credible and did not find plaintiff to be credible. It then considered evidence in mitigation and aggravation.

¶ 21 Plaintiff's disciplinary history was presented by stipulation. Over his six years of employment with the Department, plaintiff was suspended three times: for sleeping on duty and failing to respond as directed (10-day suspension), for use of unprofessional language at roll call (one-day suspension), and for inattention to duty (two-day suspension). He had also been written up for excessive sick leave and being late for duty. He was previously terminated in May 2011, for an off-duty excessive force incident also involving Silas. After negotiations through the union, that termination was reduced to a three-month suspension without pay.

¶ 22 Plaintiff submitted two recent quarterly performance evaluations as evidence in mitigation. Two Glenwood police officers, who previously worked with plaintiff, testified that plaintiff was an outstanding officer while in Glenwood and that the charges in this case were not consistent with plaintiff's character.

¶ 23 After hearing arguments, the Board found that just cause existed for discharging plaintiff from his position with the Department. Plaintiff subsequently sought administrative review of the Board's determination and the circuit court affirmed the Board's factual findings but held that good cause did not exist for termination and remanded the case for a lesser sanction.

¶ 24 II. ANALYSIS

¶ 25 The Board contends that trial court erroneously reversed the Board's determination that there was good cause to terminate plaintiff's employment. Plaintiff, in his cross appeal, argues that the Board's findings of misconduct were against the manifest weight of the evidence. In reviewing an administrative agency's decision to discharge an employee we first review the factual findings of the agency before determining whether good cause existed for the discharge. *Launius v. Board of Fire & Police Commissioners*, 151 Ill. 2d 419, 427 (1992). Accordingly, we consider the claims of plaintiff's cross appeal before considering the Board's claims.

¶ 26 A. Plaintiff's Brief

¶ 27 Before addressing the merits of plaintiff's claims, we are compelled to note that his brief on appeal is disorganized and frequently incohesive. See *Twardowski v. Holiday Hospital Franchising, Inc.*, 321 Ill. App. 3d 509, 511, (2001) (This court is "entitled to have briefs submitted that present an organized and cohesive legal argument in accordance with the Supreme Court Rules.") His convoluted brief frequently weaves together non-legal

arguments, speculative allegations of the Board's motives, and legal citations taken out of context, which together hinder this court's ability to discern the specific legal contentions plaintiff intends to put forth. The court "is not a depository into which the burden of research may be dumped" (*Campbell v. Wagner,* 303 Ill. App. 3d 609, 613 (1999)) and the failure to provide cohesive, organized arguments supported by legal citation may result in waiver of a party's claims (*Calomino v. Board of Fire and Police Commissioners of Village of Schaumburg,* 273 Ill. App. 3d 494, 501 (1995)). Nonetheless, we are able to ascertain the issues to be decided from the opposing party's cogent brief. Thus we choose to address the merits of this appeal in order to establish a clear record and to reach a final disposition. *Coleman v. Akpakpan,* 402 Ill. App. 3d 822, 825 (2010).

¶ 28 B. Findings of Misconduct

¶ 29 On administrative review, an appellate court reviews the decision of the administrative agency rather than that of the trial court. *Marconi v. Chicago Heights Police Pension Board,* 225 Ill. 2d 497, 531 (2006). The factual findings of an administrative agency are treated as *prima facie* true and correct. *Kappel v. Police Board,* 220 Ill. App. 3d 580, 588 (1991). The Board's findings will be reversed only where they are against to the manifest weight of the evidence, such that the opposite conclusion is clearly apparent. *McCloud v. Rodriguez*, 304 Ill. App. 3d 652, 660 (1999). We will sustain the Board's findings if the record contains some competent evidence to support the findings. *Valio v. Board of Fire and Police Commissioners*, 311 Ill. App. 3d 321, 330 (2000). It is the agency's responsibility to resolve conflicting evidence. *Collura v. Board of Police Commissioners,* 135 Ill. App. 3d 827, 839 (1985). "When sufficient evidence in the record supports an administrative agency's findings,

the decision will not be reversed." *Id.* We will not reweigh the evidence or substitute our judgment for that of the agency. *Marconi*, 225 Ill. 2d at 534.

¶ 30 1. Charges Regarding Assistance to Silas

¶ 31 After hearing the evidence, the Board found that plaintiff had committed misconduct by (1) informing Silas, a criminal suspect, of evidentiary information; (2) aided and abetted Silas in attempting to destroy evidence; and (3) failed to complete his duty as an officer by reporting or arresting Silas. We find that the record contains competent evidence to support each of these findings.

¶ 32 According to Galvin and Terry's testimony, they were alone with plaintiff when they discovered the bullet. Both men recognized it as the same caliber used by police officers and neither shared this information with Silas. Plaintiff, by his own admission, met and spoke with Silas following the recovery of the bullet and before Silas called and met with Galvin requesting that he "do him a solid" by removing the bullet from evidence. Thus, the Board could reasonably infer that plaintiff, the only other individual who knew of the recovered bullet, had informed his friend of the potentially inculpatory evidence.

¶ 33 There was also evidence that plaintiff assisted Silas in attempting to destroy evidence. Silas used plaintiff's personal cell phone to contact both Sergeant Galvin and Detective Terry and request that they help him. Plaintiff was also present at the meeting where Silas requested that Galvin help recover the bullet to keep it from being tested. According to Galvin, plaintiff participated in that request, encouraging Galvin by stating that they were coming to him out of respect. Plaintiff's presence with Silas in the dark parking lot behind the restaurant made Galvin apprehensive. His presence could reasonably be considered as intimidating. Taken together with the evidence suggesting plaintiff had informed Silas of the

recovered bullet, the Board could reasonably conclude that plaintiff had assisted Silas in his attempts to destroy evidence.

¶ 34 Plaintiff also admitted that he chose not to report Silas after Silas confessed to him. He had multiple opportunities to make a report to his superiors or to take Silas into the station. Even without Silas's confession, plaintiff was sitting in the same driveway as Silas was when the gunshots occurred. Although only a few car lengths away from Silas, he described the shots as only "pops" and chose not to investigate. Moreover, plaintiff does not deny his actions, instead arguing that he should not be punished for failing to take action because neither Galvin nor Terry were punished for their failures to arrest Silas. The decision to discipline or not discipline Galvin and Terry is not a question before this court. Furthermore, both officers, unlike plaintiff, immediately reported and took steps to investigate Silas once they became aware of his conduct. Clearly, there was evidence to support the Board's finding that plaintiff failed to report or arrest Silas.

¶ 35 Plaintiff argues that Galvin and Terry's testimony and the findings of the Board are contradicted by his own testimony. Yet, the Board specifically found that his testimony was not credible. We will not reweigh the credibility determinations of the Board. See *McDermott v. City of Chicago Police Board*, 2016 IL App (1st) 151979, ¶ 28. We find that there was competent evidence to support the Board's findings that plaintiff more likely than not committed these acts of misconduct. Accordingly, those findings are not against the manifest weight of the evidence.

¶ 36 2. Insubordination

¶ 37 The Board also found that plaintiff had committed insubordination by failing to comply with the police chief's order to turn over his phone records during the internal investigation.

Plaintiff does not contest that he disobeyed an order given by his supervisor. Instead, he contends that there was no insubordination because the order was unlawful under section 3.2 of the Act (50 ILCS 725/3.2 (West 2014)). He asserts that because the notice of interrogation specified events of March 9, but not March 8, he was not required to turn over phone records from the earlier date.

¶ 38 Section 3.2 of the Act states, "No officer shall be subjected to interrogation without first being informed in writing of the nature of the investigation." 50 ILCS 725/3.2 (West 2014). We perceive that the police chief's order was related to plaintiff's interrogation. However, the order to produce was given by the police chief before the actual interrogation took place. Plaintiff had requested his phone records from the provider even before attending his formal interrogation. Although the records were an important component of the interrogation, and the order was later clarified as a specific request for the March 8-9 records, the order and the interrogation appear to be distinct from one another. Plaintiff has cited no statutory language or case law supporting his proposition that the order was a part of the interrogation and thus section 3.2 applies. Nevertheless, even if we were to agree that section 3.2 applies to the order, plaintiff's argument that the notice was insufficient is unpersuasive.

¶ 39 The Act only requires the notice to include information "sufficient as to reasonably apprise the officer of the nature of the investigation." 50 ILCS 725/3.2 (West 2014). "It is well established that all that is required is that the charges be sufficiently clear and specific to enable the respondent to intelligently prepare a defense." *Ealey v. Board of Fire & Police Commissioners of City of Salem*, 188 Ill. App. 3d 111, 117 (1989).

¶ 40 The notice of the interrogation was clear and specific enough to apprise plaintiff of the nature of the investigation against him. Although the date referenced was incomplete as to

the entire scope of the incident, the incident was clearly referenced and the major charges against plaintiff were identified. See *Roman v. Cook County Sheriff's Merit Board*, 2014 IL App (1st) 123308, ¶¶ 99-100 (2014) (Notice was sufficient where it listed only the major charges against the officers and identified the dates of occurrence as "2007-2008"). Thus, plaintiff's argument that the order was unlawful is unpersuasive. Given that he admits he intentionally redacted the records and continued his refusal to provide the March 8 records, the Board's decision to sustain the charge of insubordination was not against the manifest weight of the evidence.

¶ 41 C. Cause for Termination

¶ 42 Having determined that the Board's factual findings were not against the manifest weight of the evidence, we consider its contention that the circuit court erred in reversing plaintiff's termination and remanding for a lesser sanction.

¶ 43 A police officer may not be discharged without cause. 65 ILCS 5/10-1-18(a) (West 2014). Cause for discharge exists when "some substantial shortcoming which renders continuance in employment in some way detrimental to the discipline and efficiency of the service and something which the law and a sound public opinion recognize as a good cause for his no longer occupying the position." *Fantozzi v. Board of Fire and Police Commissioners*, 27 Ill. 2d 357, 360 (1963); see also *Krocka v. Police Bd. of City of Chicago*, 327 Ill. App. 3d 36, 47 (2001). The Board's decision to terminate is given substantial deference because the Board, and not the reviewing court, stands in the best position to determine the effect of an officer's conduct on the department. *Valio*, 311 Ill. App. 3d at 330-31. We will reverse the Board's finding of sufficient cause for discharge only where the sanction was arbitrary and unreasonable or unrelated to the requirements of service. *Launius*,

151 Ill. 2d at 435. We may not consider whether we would have imposed a more lenient disciplinary penalty. *Krocka*, 327 Ill. App. 3d at 48.

¶ 44 Termination is warranted when officers display a lack of trustworthiness, reliability, good judgment, and integrity. See *Village of Oak Lawn v. Human Rights Commission*, 133 Ill. App. 3d 221, 224 (1985). Even the violation of a single rule may constitute a sufficient basis for discharge. *Siwek*, 374 Ill. App. 3d at 738; *Calomino*, 273 Ill. App. 3d at 499. Additionally, certain behaviors constitute categorically substantial shortcomings, which render an officer unfit for service because they undermine the discipline and efficiency of the police force. See *Sangirardi v. Village of Stickn*ey, 342 Ill. App. 3d 1, 18 (2003) ("Disobedience to a proper order given by a superior officer is cause for discharge."); see also *Clark v. Board of Fire and Police Commissioners of Village of Bradley*, 245 Ill. App. 3d 385, 393 (1993) ("A police officer's refusal to enforce the law is perhaps the most substantial shortcoming possible.") Moreover, minor misconduct can also supply cause for discharge where the officer has a history of previous infractions. *Davis v. City of Evanston*, 257 Ill. App. 3d 549 (1993) (Officer's minor violation, when combined with record of nine prior incidents, provided sufficient cause for discharge).

¶ 45 We have already upheld the Board's findings that plaintiff violated departmental rules by improperly informing Silas of evidentiary information, assisting him in attempting to destroy evidence, failing to complete his duty as an officer by reporting or arresting Silas, and committing insubordination in the ensuing investigation. In aiding Silas's misconduct, plaintiff neglected his duty to enforce the law and demonstrated a lack of trustworthiness, reliability, good judgment, and integrity. Additionally, he had a history of prior violations including neglect of duty and excessive force. Taken together, these behaviors display

substantial shortcomings that would impair the discipline and efficiency of the service. Thus, the Board's decision that good cause existed for plaintiff's termination was not unreasonable, arbitrary, or unrelated to the requirements of service.

¶ 46 In arguing that his termination was unwarranted, plaintiff cites numerous cases where police officers' sanctions were overturned on administrative review. He provides no legal analysis or explanation of how the cases are applicable to the facts at bar. Having reviewed these cases, we note that each is readily distinguishable as the sanctioned behavior was less serious than plaintiff's conduct. See *Massingale v. Police Bd. of City of Chicago*, 140 Ill. App. 3d 378, 382 (1986) (Discharge overturned where officer was arrested for driving under the influence while off-duty and had no history of infractions); *Hale v. Hellstrom*, 101 Ill. App. 3d 1127, 1130 (1981) (Suspension overturned where officer inadvertently let unauthorized police personnel into crime scene); *Humbles v. Board of Fire and Police Com'rs of City of Wheaton*, 53 Ill. App. 3d 731, 734 (1977) (Discharge overturned where officer lied about testifying in a traffic case to conceal his divorce proceedings); *Kreiser v. Police Bd. of City of Chicago*, 69 Ill. 2d 27, 31 (1977) (Discharge overturned where officer lied about a traffic violation in his personal car). None of the cited cases are comparable to plaintiff's active participation in Silas's attempts to avoid culpability by tampering with evidence and his subsequent insubordination that hindered the Department's investigation of the matter. Accordingly, these cases are all inapposite.

¶ 47 III. CONCLUSION

¶ 48 The Board's findings that plaintiff improperly disclosed evidentiary information to Silas, assisted Silas's efforts to destroy evidence, neglected his duty to enforce the law, and disobeyed a lawful order were not against the manifest weight of the evidence. The Board's

decision to discharge plaintiff from his position as a police officer was not arbitrary, unreasonable, or unrelated to the requirements of service. Accordingly, we reverse the circuit court's order to remand for a lesser sanction and affirm the Board's decision to terminate plaintiff's employment.

¶ 49 Circuit court judgment reversed.
Board decision affirmed.