2020 IL App (1st) 200500-U

FIRST DISTRICT,
FIRST DIVISION
December 14, 2020

No. 1-20-0500



IN THE
APPELLATE COURT OF ILLINOIS
FIRST JUDICIAL DISTRICT

| | | |
|---|---|---|
| DARIUS ALEXANDER, | ) | Appeal from the |
| | ) | Circuit Court of |
| Plaintiff-Appellant, | ) | Cook County, Illinois. |
| | ) | |
| v. | ) | No. 19 CH 06995 |
| | ) | |
| EDDIE T. JOHNSON, Superintendent of Police, | ) | Honorable |
| | ) | Franklin Valderrama, |
| Defendant-Appellee. | ) | Judge Presiding. |

JUSTICE COGHLAN delivered the judgment of the court.
Presiding Justice Walker and Justice Hyman concurred in the judgment.

**ORDER**

¶ 1 *Held*: Police board ordered the termination of officer who solicited sexual favors from minor. We affirmed, finding the board's findings of fact were not against the manifest weight of the evidence and there was sufficient cause for discharge.

¶ 2 Plaintiff Darius Alexander (Alexander), a Chicago police officer, allegedly solicited sexual favors from a 17-year-old in exchange for releasing her mother's impounded vehicle. The superintendent of police, defendant Eddie Johnson (Johnson), filed disciplinary charges against him. Following a hearing, the Police Board of the City of Chicago ruled that Alexander's

conduct violated multiple CPD rules and ordered him discharged. Alexander filed a *pro se* complaint for administrative review. The circuit court affirmed the Board's decision, and Alexander now appeals. For the reasons that follow, we affirm.

¶ 3 BACKGROUND

¶ 4 On May 24, 2012, at around 5:14 p.m., Alexander was conducting surveillance when he observed a suspected narcotics transaction: an individual approached a car, reached their hand into the car, and then left. Alexander and his partner, Officer Edgar Brown, curbed the car. Four people were inside: Jane Doe[1] (Doe) (the driver), Megan Berry (Berry), Thomas Wilcox (Wilcox), and Eric Blanco (Blanco). Doe was 17 years old, and Blanco was her boyfriend.

¶ 5 The officers arrested the two males for drug possession and impounded the car. No narcotics were found near either of the two females, so they were not arrested. Instead, Officer Brown drove them to the police station for their safety. He observed that both of them "looked young." When they reached the station, Officer Brown advised them that they "might want to find some better friends," after which he had no further contact with either of them.

¶ 6 At the station, Doe asked Alexander if she could get her ID and debit card from the car. Alexander escorted her to the car and retrieved the items for her. He noticed that Doe was "hysterical" and "desperate" about the car, which belonged to her mother. He exchanged phone numbers with Doe, telling her that he would help get the car out of impoundment. (This was a lie. By Alexander's own admission, he had no intention of helping her get the car back.)

¶ 7 Alexander claimed he got Doe's phone number in hopes of obtaining information on her drug dealer. He acknowledged that he never saw Doe in possession of narcotics, and she did not live in his district or even in Chicago. Nevertheless, he "felt [she] had a lot of information." But

[1] Because Jane Doe was a minor at the time of the incident, she is referred to by a pseudonym.

he did not document Doe and Berry on the incident report or the arrest reports for Wilcox and Blanco. He also did not complete a contact information card for either of them, contrary to department policy.

¶ 8 That evening, Alexander and Doe had a long text message conversation, during which Alexander said he had a friend at the impound lot who could release the car if Doe did something for Alexander. (This, too, was a lie.) According to Doe, Alexander asked her why she was dating Blanco. He told her that she "could do better" and "should be with someone with more potential," which Doe took to mean Alexander himself. For his part, Alexander denied making any statements about who she was or should be dating.

¶ 9 Doe said she kept responding to Alexander's texts because she "was a scared 17-year-old." She had not yet told her mother what happened to the car. She also did not have a way to get back home. Instead, after Blanco was released, she and Berry went with him to his grandparents' house, where they spent the night.

¶ 10 The next day, May 25, Alexander was off duty. He called Doe around 10:18 a.m. and arranged to meet with her. He did not tell his partner about this meeting, nor did he tell his supervisor. Berry accompanied Doe to the meeting with Alexander, which was at a public picnic bench across from a gas station.

¶ 11 The meeting was around 45 to 60 minutes long. According to Doe, one of the first things that Alexander did was to take her phone and delete all of their texts from the previous day. After Doe saw this, when she got her phone back, she started recording their conversation. She obtained two audio recordings, both a few minutes long. She stated that this occurred because her phone automatically stopped recording after a certain length of time. The recordings and

transcripts of the recordings were introduced into evidence at the Board hearing, and Doe confirmed their accuracy.

¶ 12 In the first recording, Doe asked, "What are you looking for?" and Alexander replied:

> "I don't know, just throw 'em out. Maybe, maybe I'll find something I'm interested in. I mean, I don't want your money. You know. Like I said, like I'm telling her, I try to help you girls out, but she didn't know what he was doing, you get caught right in the middle. [inaudible] I mean, I see that she's trying to do something with herself, and I don't know about you, but, you know, [inaudible]."[2]

¶ 13 Doe replied, "Well, I mean, if you let me know what you want, I'll do it. But I don't know what you want to do, so that's up to you." Alexander suggested that Doe "go sit in the car" (presumably Alexander's car) and "think about it." He further stated, "I'm trying to see what you two are suggesting to do," to which Doe replied, "We'll obviously do anything." Berry also stated that she might be willing to do "something" to help Wilcox's situation. But Alexander declined to clarify "what offer [he had] in mind."

¶ 14 In the second recording, only Doe and Alexander can be heard. Doe stated this was because Alexander asked Berry to step away, after which he became "more persistent" in asking what Doe would do for him. Alexander claimed that Berry was present for the entire conversation.

> "ALEXANDER: I wanna know everything.
>
> DOE: Okay, well, you give suggestions now.
>
> ALEXANDER: I just told you what you mean? That was a suggestion, I just told you 'what all could I do, what all could I do?'

[2] Quotes from the transcript have been edited for punctuation and capitalization.

DOE: And I'm telling you whatever, whatever.

ALEXANDER: Okay, so I wanna hear it, so I know. And I don't want to be told no, or, you know, [inaudible].

DOE: There are none. I won't tell you no.

***

DOE: I'll do whatever.

ALEXANDER: Okay, name something, name something.

DOE: Okay, boundary: no anal.

ALEXANDER: Okay, see, that's what I'm talking about. How do I know?

DOE: Okay, fine, then that's it. That's the only boundary.

ALEXANDER: You never did that before?

DOE: No, I have.

ALEXANDER: You have?

DOE: Ya.

ALEXANDER: So why is it a boundary?

DOE: Because I don't like it.

ALEXANDER: But you do it, though. But oh, okay, only for your boyfriend you do for.

DOE: No, I did it, but no no no, but I did it once but really drunk but...

ALEXANDER: And you didn't like it? Hmm.

DOE: So can you help me?"

¶ 15 Doe believed that Alexander was asking for sexual favors in exchange for releasing the car. She based this on the "flirtatious" way in which he spoke to her, his statement that she

deserved a better boyfriend, his repeated inquiries as to what she could do for him, and his refusal to accept money from her. She acknowledged that Alexander never directly asked to date her, nor did he touch her or specify any sexual act that she had to perform to get the car released. But she also stated that Alexander never asked her anything about drugs, drug sales, or becoming a confidential informant.

¶ 16 Alexander, for his part, stated that Doe's recordings presented a "very misleading" picture of their meeting, since they represented only 3 to 5 minutes of a 45-minute conversation. He said that he intended "to use [Doe] as bait" by arranging a meeting between her and her drug dealer, and he told her in detail what she could do to set up the dealer. But their conversation was "like a cat and mouse game" because she kept returning to the subject of her mother's car, which Alexander could not do anything about.

¶ 17 Alexander admitted that Doe discussed performing sexual activities to get the car back, but he stated: "I never asked for anything sexual or said anything sexual. *** [I]f it came up, it's because she may have brought it up, but I never asked for it or even suggested anything sexually of that nature." He further stated that he was "frustrated" at his inability to get information on her dealer, and, as a result, he "said a couple of stupid stuff just to entertain her conversation and get it over with," but he "never asked her for anything sexually." Additionally, he claimed that he never touched her cell phone.

¶ 18 The meeting ended when Alexander said his friend at the impound lot was not working that day. Doe felt that he was not actually going to help her get the car, so she told him that she needed to go home. After she left, she returned to the police station to check on the status of the impounded car, but she did not report Alexander's conduct because she was "too scared." She

then took a train home. On the way back, Alexander called her multiple times. In one of the calls, he asked to be her boyfriend and asked how she was getting home.

¶ 19 When Doe reached home, she told her mother what happened to the car and what transpired between her and Alexander. Her mother got angry, took her phone, and grounded her. She did not believe that Alexander "was trying to have sex with [her]."

¶ 20 Meanwhile, Alexander did not tell anyone about his meeting with Doe and Berry, nor did he submit an overtime request for meeting a potential informant on his day off. He explained: "[I]t was embarrassing. I mean, I didn't have any information. It was a waste of time."

¶ 21 Several days later, on May 29, Doe's mother unlocked Doe's phone and found Doe's audio recordings of her meeting with Alexander. She then brought Doe to the Crystal Lake Police Department to report Alexander's conduct. Doe told the Crystal Lake officers what happened. Additionally, at the station, Doe got her phone back, and at the direction of her mother or the officers (she could not remember which), she texted Alexander. Screenshots of the texts, which Doe confirmed were accurate, were admitted into evidence.

¶ 22 In the texts, Doe asked if Alexander had heard anything about the car, and Alexander said it was still in impoundment. Doe then said:

> "DOE: I really need my car to get to work, can you be straight up with me and tell me what I can do to get it out I'll do anything
>
> DOE: Is there anyway that we can still do that deal ?
>
> ALEXANDER: What deal
>
> DOE: You gunna play dumb now you know what I'm talking about:) everything but anal lol
>
> ALEXANDER: Ur funny kid

DOE: Are you gunna help me get my car or not?

ALEXANDER: I'm good

DOE: Thanks I thought you said you'd help me :/

ALEXANDER: I was but u just stopped talking to me

DOE: My mom took my phone when I came back with no car. I just got my phone back

***

DOE: Can you help me? Yes or no cause I don't want to waste my time

ALEXANDER: Ok don't then, besides u have no way getting back up here anyway so no thx"

¶ 23 Doe later spoke with Chicago Police Department officers and identified Alexander in a photo lineup. Alexander was stripped of police authority and put on desk duty. (Alexander could not remember exactly when this happened, but he said it was still in May.) Although his May 24 texts with Doe were on his phone, he never submitted them to the Internal Affairs department to prove that he had been discussing ways to catch a drug dealer instead of soliciting sex. He claimed this was because he did not know the exact nature of the charges against him, though he knew they involved his meeting with Doe and Berry. Eventually he got a new phone and his text message history was gone.

¶ 24 Six years after the incident with Doe, on August 28, 2018, Johnson, in his capacity as police superintendent, filed disciplinary charges against Alexander with the Board. Johnson recommended that Alexander be discharged from the police department for violating the following rules: Rule 2, which prohibits any action that "brings discredit upon the Department"; Rule 3, which prohibits "[a]ny failure to promote the Department's efforts to implement its policy

or accomplish its goals"; Rule 4, which prohibits use of one's position for personal gain or influence; Rule 6, which prohibits disobeying an order or directive; and Rule 10, which prohibits "[i]nattention to duty."

¶ 25 The Board held a disciplinary hearing on February 19 and 20, 2019. At the hearing, Doe and Alexander both testified to their respective versions of events. Additionally, Officer Brown testified that as a tactical officer, he would use "[p]eople who were invested in the community," such as business owners and private security guards, as unofficial informants; but he would never use someone who did not live or work in his district. He further stated that if he met with an unofficial informant, he would want to be paid for his time, and he would not meet one on his day off. Additionally, he would let his sergeant know about any such meeting for his own safety.

¶ 26 In response, Alexander testified that as a tactical officer, he was under a lot of pressure to make arrests. He said he met with Doe on his day off because he was "young" and "overzealous" and his focus was on catching the drug dealer. On cross-examination, he acknowledged that he was 28 years old at the time and had been on the police force for six years. He further acknowledged that he did not bring his badge, his gun, his handcuffs, or his radio to the meeting with Doe. Additionally, he had no backup, and his sergeant and partner did not know about the meeting. He stated that if he got "any great information," he would have contacted his supervisor at that point.

¶ 27 Lastly, Alexander called Lemuel Washington, a minister in Chicago, as a character witness. Washington stated that he knew Alexander from an annual conference for Christian men. He described Alexander as positive, motivational, and "an awesome man of integrity."

¶ 28 On May 16, 2019, the Board unanimously found Alexander guilty of all disciplinary charges and ordered him discharged. The Board found that Alexander's failure to document Doe

and Berry on contact cards or on the incident and arrest reports—itself a violation of CPD rules 2, 3, and 6—"was not inadvertent but part of a larger plan by Officer Alexander to prevent anyone from knowing about his interaction with these young women."

¶ 29 The Board also found that Alexander solicited sexual favors from Doe. It stated that Doe's testimony was "particularly compelling based on the credible and detailed manner in which she testified," while Alexander's version of events was "patently untrue." The Board cited Doe's audio recording in which Alexander was "plainly seeking sexual favors in exchange for help with her car, and includes no mention of drug dealers or transactions." The Board also found it significant that Alexander did not preserve his May 24 texts with Doe, stating: "If the texts were exculpatory, *i.e.*, about following up on the identity of drug dealers, Officer Alexander had every reason to preserve those texts, but he did not do so, confirming the damning nature of the texts."

¶ 30 Finally, although the Board was "deeply troubled" by the six-year delay in filing charges against Alexander, it explicitly found that Alexander was not prejudiced by the delay.

¶ 31 On June 10, 2019, Alexander filed a *pro se* complaint for administrative review in the circuit court. The circuit court affirmed the Board's decision, and Alexander now appeals.

¶ 32 ANALYSIS

¶ 33 As this is an administrative appeal, we review the decision of the Board, not that of the circuit court. *Krocka v. Police Board of City of Chicago*, 327 Ill. App. 3d 36, 46 (2001). In doing so, we employ a two-step analysis. First, we determine whether the Board's findings of fact are against the manifest weight of the evidence. *McDermott v. City of Chicago Police Board*, 2016 IL App (1st) 151979, ¶ 18. Second, we determine whether those findings provide sufficient cause for the Board's determination to terminate Alexander. *Id.*

¶ 34 Here, Alexander challenges both prongs of the test, arguing that the Board's finding that he solicited sexual favors from Doe was against the manifest weight of the evidence, and also arguing that the penalty of discharge was overly harsh. Additionally, he claims his due process rights were violated by the six-year delay in bringing disciplinary charges against him. We consider these arguments in turn.

¶ 35 Findings of the Board

¶ 36 Alexander first argues that the Board's finding that he solicited sexual favors from Doe was against the manifest weight of the evidence. We disagree. On the contrary, Doe's testimony, as well as the other evidence offered at the hearing, amply supports the Board's finding.

¶ 37 In reviewing the Board's findings of fact, it is not our function to resolve factual inconsistencies or reweigh the evidence. *Launius v. Board of Fire & Police Commissioners of City of Des Plaines*, 151 Ill. 2d 419, 427-28 (1992). "Conflicts in witness testimony do not constitute a sufficient reason to reverse an administrative agency's decision, since the agency's responsibility is to resolve the conflicting evidence." (Internal quotation marks omitted.) *Orsa v. Police Board of City of Chicago*, 2016 IL App (1st) 121709, ¶ 47. We defer to the Board's findings unless they are against the manifest weight of the evidence, which occurs only where the opposite conclusion is clearly evident. *Marconi v. Chicago Heights Police Pension Board*, 225 Ill. 2d 497, 534 (2006).

¶ 38 Here, Doe's testimony, which the Board found credible, supports the Board's finding. According to Doe, Alexander spoke to her in a "flirtatious" manner, telling her that she should get a boyfriend "with more potential" (which, in context, Doe understood to mean Alexander

himself). He also asked repeatedly what she could do for him, but he refused her offer of money and never said anything about drugs, drug sales, or becoming a confidential informant.

¶ 39 Doe's testimony is corroborated by her audio recordings of her meeting with Alexander. In the first recording, Alexander urges Doe to "throw *** out" an offer he might be "interested in," but he makes no mention of Doe's drug dealer. In the second recording, Doe and Alexander are clearly discussing Doe's sexual preferences and boundaries—specifically, her dislike of anal sex. When Doe says, "Okay, boundary: no anal," Alexander does not express any surprise, but tells her, "[T]hat's what I'm talking about" and presses her for further details.

¶ 40 Doe's version of events is additionally corroborated by Alexander's failure to document Doe and Berry on the incident report, on the arrest reports for Wilcox and Blanco, or on contact cards. Under the circumstances, the Board reasonably found that this omission was "part of a larger plan *** to prevent anyone from knowing about his interaction with these young women."

¶ 41 The Board also found Alexander's version of events not believable. Although Alexander claimed he planned to use Doe as "bait" to catch her drug dealer, he met with her on his day off without informing his sergeant or partner; he did not have his gun, badge, or handcuffs, nor did he have any backup. Moreover, Doe did not live in Chicago, let alone in Alexander's district. Officer Brown testified that, as a tactical officer, he would not recruit an unofficial informant who did not live or work in the district and did not have a stake in the community. On these facts, the Board's decision not to credit Alexander's testimony was not against the manifest weight of the evidence.

¶ 42 Alexander nevertheless argues that the Board erred in its finding for three reasons. First, he asserts that he never touched Doe's phone and speculates that she deleted their May 24 texts herself. But, as noted, it is the Board's prerogative to make credibility determinations. *Orsa*,

2016 IL App (1st) 121709, ¶ 47. The Board could reasonably decide to credit Doe's testimony and not Alexander's testimony in this regard.

¶ 43 Second, Alexander argues that "[t]here was no witness present at the Chicago police board hearing to testify and attest to [the] alleged incident" between himself and Doe. This is plainly not the case, since both Doe and Alexander testified at the hearing. Although Berry did not testify, her testimony was not required for the Board to determine which of Doe or Alexander was more credible. *Cf. People v. Siguenza-Brito*, 235 Ill. 2d 213, 228 (2009) (in a criminal prosecution, "[i]t remains the firm holding of this court that the testimony of a single witness, if positive and credible, is sufficient to convict, even though it is contradicted by the defendant"); *People v. Alvarez*, 2012 IL App (1st) 092119, ¶ 51 (same).

¶ 44 Lastly, Alexander claims that he is exonerated by Doe's testimony that he never physically touched her and never specified a particular sexual act that she had to perform to get the car released. The Board reasonably rejected this argument based on Doe's testimony that Alexander kept asking what she could do for him and also heavily implied that she should be his girlfriend. As Doe herself explained: "[J]ust from him asking me to be his girlfriend, I mean, that is going to end up in a sexual way." Furthermore, as discussed, when Doe brought up the subject of anal sex, Alexander confirmed: "[T]hat's what I'm talking about." Finally, if Doe's testimony is believed, it is not possible for this case to hinge on a misunderstanding (*i.e.*, Alexander intended to use Doe as bait to catch a drug dealer, but Doe mistakenly thought he was talking about sex) because Doe unequivocally stated that Alexander never referenced drugs or drug deals in their 45-minute meeting.

¶ 45 Accordingly, the Board's finding that Alexander was soliciting sexual favors from Doe was not against the manifest weight of the evidence.

¶ 46 Penalty of Discharge

¶ 47 Alexander next argues that the Board lacked sufficient basis to terminate his employment. Under section 14 of the State Police Act (20 ILCS 2610/14 (2012)), no officer shall be removed except for "cause," which is judicially defined as "some substantial shortcoming which renders the employee's continuance in office in some way detrimental to the discipline and efficiency of the service and which the law and sound public opinion recognize as good cause for his no longer holding the position." (Internal quotation marks omitted.) *Robbins v. Department of State Police Merit Board*, 2014 IL App (4th) 130041, ¶ 45. Because the Board is in the best position to determine the effect of an officer's conduct on the department's operations, we give "considerable deference" to its determination of cause. *Id.* ¶ 39. Accordingly, we will only reverse the Board's decision if it is arbitrary, unreasonable, or unrelated to the requirements of service. *Chisem v. McCarthy*, 2014 IL App (1st) 132389, ¶ 20. We may not consider whether we would have imposed a more lenient penalty. *Orsa*, 2016 IL App (1st) 121709, ¶ 60.

¶ 48 In this case, Alexander abused his authority as a police officer to attempting to take sexual advantage of a minor after impounding her mother's car. He additionally tried to conceal his misconduct by not documenting his interactions with Doe and Berry and by deleting texts from Doe's phone. In light of this conduct, the Board reasonably found that Alexander's actions "exhibited a significant lack of integrity and brought discredit upon the Chicago Police Department, thereby undermining public confidence in the judgment of its officers." It further found that his continued service as an officer would impede the department's law enforcement goals by "foster[ing] public distrust and a lack of confidence in police officers." Under these facts, we find no error in the Board's decision.

¶ 49 Alexander argues that his discharge was unwarranted because he did not solicit sexual favors from Doe. Essentially, he reiterates his earlier arguments as to the Board's factual findings. But, as discussed, the Board did not commit manifest error in choosing to find Doe's testimony more credible than Alexander's.[3]

¶ 50 Alexander next argues that the Board should not have terminated him because he had a clean disciplinary history, no other similar allegations on his record, and "nearly 100 achievement awards." But "[a]n officer's violation of a single rule has long been held to be a sufficient basis for termination." *Siwek v. Police Board of City of Chicago*, 374 Ill. App. 3d 735, 738 (2007). The facts of *Siwek* are instructive. Siwek, a former officer, was terminated for violating department rules prohibiting other employment while on medical leave. She filed an administrative appeal arguing that her termination was "too severe" in light of "her good character and conduct," as evidenced by various awards she had received. *Id.* at 737-38. We rejected this argument, stating: "An administrative agency need not give mitigating evidence sufficient weight to overcome a termination decision, and a discharge decision made despite the presentation of such evidence is not, without more, arbitrary or otherwise erroneous." *Id.* at 738-39. Likewise, in the present case, the Board was not required to give Alexander's clean disciplinary history or his achievement awards more weight than his decision to abuse his position to solicit sexual favors from Doe.

¶ 51 Finally, in his reply brief, Alexander argues for the first time that his removal was unnecessarily harsh because "[t]here are many cases where white officers or officers with 'clout' commit more serious crimes and *** receive a suspension" rather than being terminated. In

[3] We note that Alexander's claimed version of events—that he repeatedly lied to a "hysterical" and "desperate" 17-year-old to manipulate her into being "bait" for a drug dealer—does not bring credit upon the Chicago police department either.

support, he cites several unrelated police disciplinary cases. He further speculates that he would have received a lesser penalty if he were white and Doe were black.

¶ 52 Our supreme court has stated that a disciplinary sanction may be considered arbitrary and unreasonable where it is inconsistent with discipline imposed in a "completely related" case—*i.e.*, where the officers were involved in the same incident, or where the facts are identical. *Launius*, 151 Ill. 2d at 441-42. However, we have consistently declined to consider discipline imposed in separate, unrelated cases where the circumstances are not identical, or where the record is not sufficiently developed to permit an informed comparison between the cases. *Id.* at 442; *McDermott*, 2016 IL App (1st) 151979, ¶ 26 (in disciplinary hearing, officer was not entitled to have Board consider "CR files from two completely unrelated cases involving different circumstances and different charged rule violations"); *Siwek*, 374 Ill. App. 3d at 738 (affirming officer's termination despite officer's citation of cases in which other officers received less severe penalties for arguably worse conduct; none of the cited cases were "completely related" to officer's case).

¶ 53 Here, Alexander cites several cases in which officers were found guilty of misconduct but received lesser sanctions than termination. In No. 16 PB 2901, a police sergeant received a written reprimand for failing to properly supervise detectives who were investigating a homicide. In No. 19 PB 2956, an officer was suspended for instigating a conflict with an allegedly suspicious-looking 18-year-old and then shooting him when he reached for his cell phone. In No. 19 PB 2957, an officer was suspended for attending a business meeting on behalf of a secondary employer while on police duty and in police uniform. Finally, in No. 19 PB 2967, an

officer was suspended due to an incident where he was off duty at a bar and threatened someone with his gun.[4]

¶ 54 Clearly, none of these cases is factually comparable or in any way related to the case at hand. Accordingly, these cases do not render Alexander's sanction unreasonable. Nor does Alexander present any substantiation for his claims of racial bias on the part of the Board. See *Jones v. Civil Service Commission of Alton*, 80 Ill. App. 3d 74, 75 (1979) (affirming discharge of police officer despite his "unsubstantiated conclusion that criminal conduct on the part of white police officers resulted in the imposition of apparently minimal disciplinary sanctions").

¶ 55 In sum, we do not find the Board's decision to terminate Alexander to be arbitrary, unreasonable, or unrelated to the requirements of service. *Chisem*, 2014 IL App (1st) 132389, ¶ 20.

¶ 56 Due Process

¶ 57 Finally, Alexander argues that the six-year delay in bringing disciplinary charges against him violated his due process rights.

¶ 58 Initially, we note that Alexander has forfeited this argument, since he cites no legal authority in support of his contention. Under Supreme Court Rule 341, an appellant's brief must contain argument supported by legal authority and citations to the record. Ill. S. Ct. R. 341(h)(7) (eff. May 25, 2018). This court "is not a depository in which the appellant may dump the burden of argument and research." (Internal quotation marks omitted.) *Kic v. Bianucci*, 2011 IL App (1st) 100622, ¶ 23. Accordingly, "[w]here an appellant has failed to support his or her arguments with citations to authority, this court will not research the issues on the appellant's behalf."

[4] Alexander also cites No. 16 PB 2913, in which all charges were withdrawn following the sergeant's resignation.

*Gakuba v. Kurtz*, 2015 IL App (2d) 140252, ¶ 19 (*pro se* appellant forfeited issue by failing to cite legal authority). Thus, we need not consider Alexander's argument.

¶ 59 In any event, we rejected a nearly identical argument in *Orsa*, 2016 IL App (1st) 121709, ¶ 39, holding that the plaintiff officers' due process rights were not violated by a four-year delay in bringing disciplinary charges against them. Although we agreed that plaintiffs had a property interest in their employment, we observed that they remained employed with the police department until charges were officially filed, and they were given "a thorough and meaningful opportunity to be heard during a five-day hearing before the Board." *Id.*; see also *Chisem*, 2014 IL App (1st) 132389, ¶ 15 (officer's due process rights were not violated by delay in filing charges where he "was working as a paid CPD officer throughout the entire investigation and was only suspended after charges were officially filed").

¶ 60 Likewise, in this case, Alexander remained employed with the Chicago police department on desk duty until the Board rendered its decision against him. Moreover, our review of the record reflects that he had a meaningful opportunity during the lengthy Board hearing to tell his version of events and call witnesses on his behalf. Consequently, Alexander's due process rights were not violated.

¶ 61 CONCLUSION

¶ 62 For the foregoing reasons, we affirm the decision of the Board terminating Alexander's employment.

¶ 63 Affirmed.