



OFFICE OF THE COUNTY EXECUTIVE

Milwaukee County

CHRIS ABELE • COUNTY EXECUTIVE

DATE: March 6, 2018

TO: Milwaukee County Board of Supervisors, Pension Study Commission

FROM: County Executive Abele

SUBJECT: Request for approval to amend Section 201.24(4.5) and to create Section 201.24(14.8) of Chapter 201 of the Milwaukee County General Ordinances related to pension payments to employees convicted of criminal activity

REQUEST:

Amend MCGO Ch.11.7 and 14.8 to clarify:

- a) Milwaukee County can forfeit pension benefits following a felony conviction.
- b) No member (or beneficiary designated by such member) shall be entitled to receive any retirement or other benefit except a return of the contributions paid into the system without interest, if such a member (or beneficiary):
 - a. Is convicted or pleads guilty or no defense to a Class A, B, C, or D felony (as defined by Wisconsin Criminal Code 939-951). Examples include murder, first degree sexual assault, enticement of a child for sexual assault, vehicular homicide.
 - b. For lower classifications: is convicted or pleads guilty or no defense to a Class E, F, G, H or I felony (as defined by Wisconsin Criminal Code 939-951) AND such a felony or offense is related to the member's employment with the County. Examples include: different degrees of aggravated assault, battery, theft, and misconduct in public office.
- c) In addition to terminating pension benefits, under the terms of the ordinance, the County Pension Board would be able to retain the felon's personal pension contributions to satisfy payment of any fine, penalty, or legal judgment owed by the convict. The funds would also be available to repay the County or other governmental entities for any funds that had been misappropriated.

BACKGROUND:

Over the last year, there have been several cases of employees involved in criminal activity attempting to access retirement funds. This is an affront to the people who pay their taxes in good faith every year with the reasonable expectation that public servants will be responsible stewards of their money and it is an affront to the hardworking employees of this County who come to work day in and day out and do not lie, cheat, or steal. Criminals should not benefit from taxpayer funded pension benefits.

This ordinance change clarifies the County's ability to terminate pension benefits for an individual or beneficiary who is convicted, pleads guilty, or no defense to the above captioned classes of felony charges and associated conditions -, and to recoup the funds already paid. It is critically important to deter future crimes and to sustain the health of this community that you send the message today that corruption in local government **WILL NOT BE TOLERATED** in Milwaukee County.

RECOMMENDATION:

The County Executive recommends approval of the described ordinance amendments in order to protect the County and its taxpayers.



Chris Abele, County Executive

cc: Milwaukee County Board of Supervisors
Kelly Bablitch
Amy Pechacek
Kerry Mitchell
Teig Whaley-Smith
Scott Manske
Jerry Heer
Steve Cady
Margaret Daun
Jim Carroll