

**BOARD OF TRUSTEES
JACKSONVILLE POLICE & FIRE PENSION FUND
ADMINISTRATIVE RULE GOVERNING FORFEITURE PROCEEDINGS**

1. Florida Statute §112.3173 governs the forfeiture of pension benefits of public officers and employees when convicted of certain specified offenses which constitute a breach of the public trust. The statute provides that any public officer or employee who is convicted of a specified offense committed prior to retirement, or whose office or employment is terminated by reason of his or her admitted commission, aid, or abetment of a specified offense, shall forfeit all rights and benefits under any public retirement system of which he or she is a member, except for the return of his or her accumulated contributions as of the date of termination.

1. The Board shall follow the procedure outlined in Florida Statute §112.3173 regarding the initiation of forfeiture proceedings against members convicted of specified offenses. However, the statute does not address the procedure to be employed by the Board in instances where the member has been charged with a crime, and prior to conviction, has filed an application for retirement with the Board. The Board has the authority to adopt this administrative rule addressing the procedure to be followed in this circumstance.

3. When a member has filed a retirement application, and evidence has been brought to the Board's attention that the member has been charged with a specified offense, the Board shall vote at the next regularly scheduled meeting to either defer acting on the retirement application until the criminal case is resolved, or, if the member so chooses, to allow the member to continue to receive an amount equal to their employee contributions and defer acting on all other amounts until resolution of the criminal case. Should it be determined that the member has been convicted of a specified offense in violation of Florida Statute 112.3173, the Board shall initiate forfeiture proceedings at that time. If the member is not convicted of a specified offense, the Board shall act on the retirement application of the member.

4. The Board of Trustees reserves the right to amend this Administrative Rule from time to time as it deems appropriate. The Board shall retain the right to exercise its discretion in interpreting this Rule and in resolving any disputes that may arise hereunder.



POLICE AND FIRE PENSION FUND

ONE WEST ADAMS STREET, SUITE 100

JACKSONVILLE, FLORIDA 32202-3616

"We Serve...and We Protect"

Phone: (904) 255-7373

Fax: (904) 353-8837

Dear

I have previously notified you the Board approved your application for vesting you Retirement Benefits as of December 20, 2013. As discussed with you this morning on the telephone, when payments begin, you will be paid a bi-weekly pension in the amount of \$ 1,445.65. Due to your current circumstances, the distribution of your pension benefit is limited to a total of \$ 94,943.20.

At the approved rate, we project you will reach your current maximum benefit distribution in March or April of 2016.

Please keep this office informed of the status of your current situation. Call our office at 255-7373, with any additional questions.

Very truly yours,

John Keane

Executive Director - Administrator



POLICE AND FIRE PENSION FUND

ONE WEST ADAMS STREET, SUITE 100

JACKSONVILLE, FLORIDA 32202-3616

"We Serve. . .and We Protect"

Phone: (904) 255-7373

Fax: (904) 353-8837

TO:

FROM:

RE: YOUR STATUS OF PENSION BENEFITS WITH YEARS OF SERVICE
ELIGIBLE FOR TIME SERVICE RETIREMENT

DATE: June 2, 2015

We have been informed by the Appointing Authority you have been removed from the active payroll and are in a non pay status pending resolution of certain charges. Please note the following:

- A. You are NOT gaining any additional pension credit.
- B. You have _____ years of credited service.
- C. You are vested in the Police and Fire Pension Plan and entitled to a Time Service Retirement benefit.
- D. If your employment is terminated you are eligible to receive a pension benefit in the estimated amount of \$_____ monthly, paid biweekly effective _____
This benefit may be subject to forfeiture in certain circumstances. CONSULT WITH YOUR LEGAL COUNSEL.
- E. Pending the final resolution of any proceedings against you, the Fund will not process payment of benefits in excess of your accumulated pension contributions.
- F. If your employment is terminated you may elect to receive a refund of your contributions less the required federal income tax instead of a monthly benefit. As of today your pension contributions total \$_____.

Please contact our office in writing if you have any questions.



POLICE AND FIRE PENSION FUND

ONE WEST ADAMS STREET, SUITE 100

JACKSONVILLE, FLORIDA 32202-3616

"We Serve...and We Protect"

Phone: (904) 255-7373

Fax: (904) 353-8837

TO:

FROM:

SUBJECT: YOUR STATUS OF VESTED PENSION BENEFITS WITH LESS THAN 20 YEARS OF SERVICE

DATE: September 9, 2011

We have been informed by the Appointing Authority you have been removed from the active payroll and are in a non pay status pension resolution of certain charges. Please note the following:

- A. You are NOT gaining any addition pension credit.
- B. You have _____ years of credited service.
- C. You are vested in the Police and Fire Pension Plan with less than 20 years of service.
- D. If your employment is terminated you are eligible to receive a pension benefit in the estimated amount of \$_____ monthly, paid biweekly, effective on your 20th pension anniversary. This benefit may be subject to forfeiture in certain circumstances. CONSULT WITH YOUR LEGAL COUNSEL.
- E. If your employment is terminated you may elect to receive a refund of your contributions less the required federal income tax instead of a monthly benefit. As of today your pension contributions total \$_____.

Please contact our office in writing if you have any questions.



POLICE AND FIRE PENSION FUND

ONE WEST ADAMS STREET, SUITE 100

JACKSONVILLE, FLORIDA 32202-3616

"We Serve. . .and We Protect"

Phone: (904) 255-7373

Fax: (904) 353-8837

TO:

FROM:

RE: YOUR STATUS OF NON-VESTED PENSION BENEFITS

DATE: June 2, 2015

We have been informed by the Appointing Authority you have been removed from the active payroll and are in a non pay status pending resolution of certain charges. Please note the following:

- A. You are NOT gaining any additional pension credit.
- B. You have _____ years of credited service.
- C. You are NOT vested in the Police and Fire Pension Plan.
- D. If your employment is terminated you are entitled to a refund of your pension contributions less the required federal income tax. As of today, your contributions total \$_____.

Please contact our office in writing if you have any questions.