



June 23, 2022

Supervisor Aaron Peskin, Chair
Supervisor Rafael Mandelman
Supervisor Connie Chan
Rules Committee, San Francisco Board of Supervisors
City Hall, Room 244
1 Dr. Carlton B. Goodlett Plaza
San Francisco, CA 94102

RE: File No. 220633

Charter Amendment (First Draft) to amend the Charter of the City and County of San Francisco to provide for forfeiture of the pension of a member of the San Francisco Employees' Retirement System upon a finding by clear and convincing evidence after an administrative hearing that the member committed a crime of moral turpitude in connection with the member's duties as a City employee or officer. (Supervisors Peskin and Chan)

Dear Supervisors Peskin, Mandelman and Chan:

The San Francisco Employees' Retirement System submits this cost report pursuant to Charter Section A8.500

Current provisions in the SFERS plans provide that members who are convicted of a crime of moral turpitude in connection with their duties forfeit their entitlement to any retirement benefits funded by the City. The proposed Charter Amendment creates an administrative hearing process where SFERS pensions can also be forfeited if the hearing officer finds by clear and convincing evidence that the member has committed a crime of moral turpitude in connection with their duties.

The additional expense to the Retirement System is too speculative to cost at this time. Under the proposal, SFERS will incur additional costs to investigate and litigate potential moral turpitude cases. SFERS is unable to estimate how many cases may be litigated under these provisions. To date, few members have had their benefits forfeited.

Representatives of the Retirement System will attend the Rules Committee hearing on this matter on June 27, 2022.

Very truly yours,

Caryn Bortnick
SFERS Chief Operating Officer

cc: Victor Young, Asst Clerk
Rules Committee