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**APPELLATE COURT RULES IN MADIGAN'S SUIT TO TERMINATE PENSION OF FORMER CHICAGO POLICE CMDR. JON BURGE*****Dismissal Reversed, Case Remanded to Circuit Court***

**Chicago** — Attorney General Lisa Madigan today applauded a ruling by the First District Appellate Court that reversed a lower court's decision to dismiss her lawsuit seeking to deny pension benefits to former Chicago Police Commander Jon Burge.

"When he was convicted of lying about his knowledge of and participation in torturing suspects, Jon Burge forfeited his right to a public pension. Taxpayers should never be forced to foot the bill for a convicted public official," Madigan said.

In issuing its ruling, the Appellate Court remanded the case back to Cook County Circuit Court for it to proceed. It is the latest development in the lawsuit Madigan filed in February 2011 against Retirement Board of the Policemen's Annuity and Benefit Fund of Chicago. The Attorney General's suit contends the pension board unlawfully allowed Burge to keep his more than \$3,000 per month pension, despite felony convictions for lying about his knowledge of and participation in torture and abuse of suspects. The lawsuit is based on the Illinois Pension Code provision prohibiting the payment of benefits to any person convicted of a felony related to, arising out of or in connection with his service as a policeman.

The Attorney General contends Burge's obstruction of justice and perjury convictions resulted in the forfeiture of his right to a pension paid for by taxpayer dollars. Burge's criminal indictment and felony convictions were based on statements he made in a 2003 civil case. In that case, Burge denied any knowledge of or participation in the torture or physical abuse of suspects at Area Two. The Attorney General maintains Burge's denials, which led to his criminal convictions for perjury and obstruction of justice, were directly related to his service as a police officer. As a result, Madigan contends, Burge has forfeited his pension benefits.

Madigan's lawsuit seeks to revoke pension payments to Burge and order the former commander to pay back any benefits paid to him since his sentencing.

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