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☞ Details: Legislative Audit Bureau Letter Report (February 2006): Employment of Felons by UW System

(FORM UPDATED: 08/11/2010)

# WISCONSIN STATE LEGISLATURE ... PUBLIC HEARING - COMMITTEE RECORDS

## 2005-06

(session year)

## Joint

(Assembly, Senate or Joint)

## Committee on Audit...

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  - (**ab** = Assembly Bill)                      (**ar** = Assembly Resolution)                      (**ajr** = Assembly Joint Resolution)
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Letter Report

**Employment of Felons  
by UW System**

*February 2006*



**Legislative Audit Bureau**

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STATE OF WISCONSIN

Legislative Audit Bureau

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February 28, 2006

Janice Mueller  
State Auditor

Senator Carol A. Roessler and  
Representative Suzanne Jeskewitz, Co-chairpersons  
Joint Legislative Audit Committee  
State Capitol  
Madison, Wisconsin 53702

Dear Senator Roessler and Representative Jeskewitz:

At your request, we have completed a review of the number of University of Wisconsin (UW) System employees convicted of felonies, as part of a comprehensive evaluation of UW System personnel policies and practices approved by the Joint Legislative Audit Committee. That evaluation will be completed later this year.

Using Department of Corrections' felony data and UW System's payroll data, we identified 40 felons employed by UW System in September 2005 and under state supervision in November 2005. UW-Madison employed 27 of the 40 felons we identified, including 4 who are incarcerated.

Section 111.321, Wis. Stats., generally prohibits employment discrimination on the basis of arrest or conviction record, but under s. 111.335(1)(c), Wis. Stats., employment can be terminated when a conviction is substantially related to the circumstances of an individual's job. The decision to terminate is typically determined by an internal investigation. Because UW institutions were unaware of most of the 40 felons and could not provide complete information on how many internal investigations had been conducted, we have recommended that internal investigations be conducted to determine whether the convictions of any of the felons we identified are substantially job-related and any action is appropriate.

Terminating employment is often a lengthy process. In February 2006, the Board of Regents approved changes to expedite the termination of faculty who are convicted of serious criminal misconduct. We have recommended that it also clarify its termination process for academic staff and discuss the process for classified staff.

Finally, we found great variation in how UW institutions conduct background checks of candidates for employment. We have recommended that the Board of Regents promulgate uniform policies to identify the types of jobs for which background checks should be conducted.

We appreciate the courtesy and cooperation extended to us by UW System during the course of our review.

Sincerely,

Janice Mueller  
State Auditor

JM/KW/ss

## **EMPLOYMENT OF FELONS BY UW SYSTEM**

The University of Wisconsin (UW) System has approximately 42,000 employees, making it Wisconsin's largest employer. As a public institution and a responsible employer, it should seek to ensure a safe environment for faculty, staff, and students and that its employees do not damage its integrity, reputation, or the public trust. However, in so doing, it must not illegally discriminate against its employees.

Section 111.321, Wis. Stats., generally prohibits employment discrimination against any individual on the basis of arrest or conviction record. However, under s. 111.335(1)(c), Wis. Stats., an individual can be terminated from employment because of a conviction record if the conviction is substantially related to the circumstances of his or her job. Office of State Employment Relations guidelines state that to determine whether a felony conviction is related to a job, employers are to consider whether the conviction:

- compromises an employee's ability to retain the public's trust, have access to funds, or work with sensitive data, records, or property;
- arose out of an employment-related situation; or
- affects an employee's ability to perform his or her job in a safe and efficient manner.

Media reports in spring and summer 2005 focused attention on UW System's management of personnel issues, including its handling of three high-profile cases involving faculty members who had committed felonies while employed at UW-Madison. In response to requests from legislators and UW System's president, the Joint Legislative Audit Committee in October 2005 approved an audit of UW System personnel policies and practices, including a review of the number of UW System employees convicted of felonies. Our comprehensive report on other UW System personnel policies will be released later this year.

Section 939.60, Wis. Stats., defines a felony as a crime punishable by imprisonment in a state prison, even though some may serve their sentences in county jails. Statutes do not clearly indicate whether individuals are considered felons even after their sentences have been completed. Some consider felons to be those who have committed a felony at any time in their lives, regardless of whether they remain under supervision. Others consider felons to be those who have committed a felony and remain under supervision, which includes:

- being incarcerated in a state correctional institution;
- being on parole, which applies to individuals who have been released from a state correctional institution and are under supervision by a parole officer; and
- being on probation, which applies to individuals who were not sentenced to a state correctional institution but are under supervision by a probation officer.

Our analyses include only individuals who have been convicted of one or more felonies and remain under supervision because they have not yet completed their sentences, and lawmakers

and the courts have determined they may continue to pose a risk to others. In conducting this review, we compared the names and dates of birth of UW System employees on the September 2005 payroll to the Department of Corrections' (DOC's) list of individuals who were convicted of felonies and incarcerated in a state correctional institution or supervised by state probation or parole officers in November 2005. Some of the individuals included in our analyses are no longer employed by UW System. Others were on the payroll but not paid during the pay period we examined because they were, for example, crowd control officers at special events.

State and federal law enforcement authorities state that fingerprints are the most accurate method of determining whether an individual has been convicted of a felony, because a name or other personal information may falsely identify an individual as having a criminal conviction. Therefore, to verify the accuracy of our matching analysis, we:

- examined DOC's data for known aliases, changes in last names as a result of marriage or divorce, and common misspellings and abbreviations of names;
- searched the Consolidated Court Automation Programs (CCAP) for the employees identified from DOC's data, which allowed us to double-check information on the employees and their offenses;
- reviewed DOC parole and probation records to verify the supervision status and employment information of the employees we identified; and
- sent a certified letter to each employee we identified, with the exception of those known to have been incarcerated in 2005, asking them to contact us if they believed our information was incorrect.

We also determined the number of UW System employees who are registered sex offenders. An individual who lives, works, or attends school in Wisconsin must register with DOC as a sex offender if he or she has been convicted of a felony listed in s. 301.45(1d)(b), Wis. Stats., including first, second, or third degree sexual assault and first or second degree sexual assault of a child. Section 301.45(2), Wis. Stats., requires DOC to maintain a data base of registered sex offenders, who remain under limited state supervision for either 15 years or the remainder of their lives, depending on their offenses. Individuals on the registry must notify DOC of their current address and place of employment.

We took several steps to be reasonably assured that our analyses do not incorrectly include or exclude employees who were convicted of felonies and were subject to state supervision in November 2005. However, some felons may have been missed because criminal records from other jurisdictions were unavailable to us. For example, in most instances our analyses exclude UW System employees who:

- may have committed federal felonies and are under federal supervision;
- may have committed crimes in other states; and
- may be in county jails and are not on state probation or parole.

In addition to the matching analysis, we obtained the policies and procedures governing criminal background checks of employees and candidates for employment at each of the UW institutions, including all 13 four-year campuses, UW Colleges, UW Extension, and UW System Administration. We also attended meetings of the Board of Regent's Committee Regarding Faculty and Academic Staff Disciplinary Process, which was formed in October 2005 to recommend ways to expedite investigations of employees convicted of serious criminal misconduct.

## **Employees with Felony Convictions**

As shown in Table 1, 40 UW System employees had been convicted of felonies and were under state supervision in November 2005.

Table 1

**UW System Employees Convicted of Felonies and Under State Supervision**  
As of November 2005

	Number of Employees
On Probation or Parole	35
Incarcerated	4
Under Limited Supervision <sup>1</sup>	1
<b>Total</b>	<b>40</b>

<sup>1</sup> One employee is a registered sex offender who committed a felony but is no longer incarcerated or on probation or parole.

As shown in Table 2, 32 of the 40 employees were classified staff. Two of the four academic staff were lecturers, and the other two were information technology staff. It should be noted that all three of the faculty members we identified were the subjects of extensive media reports in 2005. We did not identify any other faculty currently under state supervision for felony convictions.

Table 2  
**UW System Employees Convicted of Felonies, by Employment Category**  
 As of November 2005

Employment Category	Number of Employees	Percentage of Total
<b>Classified Staff</b>		
Permanent	18	45.0%
Limited-Term	14	35.0
<b>Subtotal</b>	<b>32</b>	<b>80.0</b>
<b>Academic Staff</b>		
Faculty	3	7.5
Student Employee <sup>1</sup>	1	2.5
<b>Total</b>	<b>40</b>	<b>100.0%</b>

<sup>1</sup> We included only those student employees who were funded at least in part by UW System. Neither student employees funded exclusively by federal, state, or private grants nor students not employed by UW System were included in our analysis.

As shown in Table 3, UW-Madison employed approximately two-thirds of the 40 employees, including all 3 faculty members and 2 of the 4 academic staff. No other institution employed more than four felons under state supervision.

Table 3  
**UW System Employees Convicted of Felonies, by Institution**  
 As of November 2005

Institution	Number of Employees	Percentage of Total
Madison	27	67.5%
Milwaukee	4	10.0
Oshkosh	2	5.0
Stevens Point	2	5.0
Eau Claire	2	5.0
Extension	1	2.5
Green Bay	1	2.5
System Administration	1	2.5
<b>Total</b>	<b>40</b>	<b>100.0%</b>

As shown in Table 4, the 40 employees had a total of 54 felony convictions, including 9 convictions for violent felonies. Two employees were convicted of homicide in the 1970s and have been on parole since the early 1990s. Four employees were convicted of a total of five counts of sexual assault of a child. Two of the four were convicted in the 1990s, while the other two were convicted since 2004.

**Table 4**  
**Felonies Committed by UW System Employees<sup>1</sup>**  
 As of November 2005

	Number of Convictions	Percentage of Total
<b>Violent Felonies</b>		
Sexual Assault of a Child	5	9.2%
Homicide	2	3.7
Robbery	1	1.9
Battery	1	1.9
<b>Subtotal</b>	<b>9</b>	<b>16.7</b>
<b>Other Felonies</b>		
Fraud and Forgery	9	16.7
Operating a Vehicle While Intoxicated	7	13.0
Theft	7	13.0
Drug Possession	6	10.9
Endangering Safety	3	5.6
Burglary	2	3.7
Bail Jumping	2	3.7
Child Abuse	2	3.7
Other <sup>2</sup>	7	13.0
<b>Total</b>	<b>54</b>	<b>100.0%</b>

<sup>1</sup> Some employees were convicted of multiple felonies.  
<sup>2</sup> Includes crimes such as false imprisonment and reckless injury.

## Disciplinary Process and Criminal Background Checks

As shown in Table 5, 25 of the 40 employees were convicted before beginning employment by UW System, and 15 were convicted while employed by UW System.

Table 5

### UW System Employment Status at the Time of Conviction

	Number of Employees	Percentage of Total
Convicted Before Employed	25	62.5%
Convicted While Employed	15	37.5
<b>Total</b>	<b>40</b>	<b>100.0%</b>

As noted, statutes allow UW System to terminate an individual's employment only if the circumstances of a felony conviction are substantially related to the employee's job. Statutes and administrative rules specify various processes for terminating employment in various employment categories, such as faculty, academic staff, and classified permanent staff. For example, administrative rules state that faculty and permanent academic staff (technically known as indefinite academic staff within UW System) may be dismissed only by the Board of Regents, for just cause, and after due notice and hearing. Faculty and permanent academic staff cannot be terminated from employment unless an internal investigation determines that the termination is justified. Internal investigations can be conducted based on convictions that occurred either before or after an employee was hired by UW System.

We did not attempt to determine whether any of the 54 convictions shown in Table 4 were related to the offending employees' jobs. We did attempt to determine the number of internal investigations conducted, but UW System Administration does not centrally maintain this information. Therefore, we asked each institution to provide information retained by its human resources department regarding all employees known to have been convicted of felonies, whether internal investigations of those employees had been conducted, and the outcomes of any investigations.

As shown in Table 6, UW institutions reported that 6 of the 15 employees we identified as having been convicted of felonies while employed by UW System were the subjects of internal investigations, but they could not provide us with information on the other 9. UW-Madison stated that it investigated six employees convicted of felonies in recent years and found that three of the employees' convictions were substantially related to their jobs. These three employees are the faculty members who were the subjects of extensive media coverage in 2005. In February 2006, the Board of Regents terminated the employment of one of these individuals, but the other two remain employed by UW-Madison while their termination decision appeals are considered. The remaining UW institutions indicated they were unaware of any employees

convicted of felonies who were the subjects of internal investigations. We have now provided UW System Administration with the names of all 40 employees we identified.

Table 6

**Internal Investigations of Those Convicted While Employed by UW System**

	Number of Employees
Internal Investigations Conducted	6
Unknown	9
<b>Total</b>	<b>15</b>

**Recommendation**

*We recommend University of Wisconsin System Administration direct University of Wisconsin institutions to conduct internal investigations to determine whether the convictions of the felons we identified are substantially job-related and whether any action is appropriate.*

**Timeliness of Investigations**

Concerns have been raised about the time needed to complete internal investigations and determine whether disciplinary action is required, which UW officials note can take months. For example, law enforcement agencies may prohibit an institution from contacting witnesses until a criminal prosecution is completed. In addition, the committees that UW institutions create to consider evidence against employees may be unable to complete their work in a timely manner if committee members are not available to meet.

The Board of Regents' Committee Regarding Faculty and Academic Staff Disciplinary Process met five times from November 2005 through January 2006 to improve the employment termination process for any faculty member who has committed a felony and engaged in behavior that clearly poses a substantial risk to others, seriously impairs public trust in UW and its ability to fulfill its missions, or seriously impairs the faculty member's ability to fulfill the duties of the position. Such actions are considered to be serious criminal misconduct. In February 2006, the committee recommended several changes to the Board of Regents, including:

- requiring faculty members to inform the institution when they are charged with or convicted of serious criminal misconduct;
- allowing chancellors to place faculty members on leave without pay until the process is completed; and
- establishing shorter time lines for the investigation and termination processes.

At its February 2006 meeting, the Board of Regents agreed to send its committee's recommendations to each of the faculty senate committees for their consideration. The faculty's review is required under UW System's shared governance structure and is expected to take approximately two months. After the Board of Regents receives the faculty senate committees' input, it will decide whether to change the process for terminating the employment of faculty who have engaged in serious criminal misconduct.

As of February 2006, the Board of Regents' committee expected parallel provisions to be established for permanent academic staff, but those provisions had not been developed. The process for terminating the employment of classified staff is governed by Office of State Employment Relations guidelines and collective bargaining agreements, and as of February 2006, the Board of Regents' committee had not established a plan for discussing this process.

### **Criminal Background Checks**

A criminal background check is a commonly used method for determining whether an applicant for employment has a job-related criminal record. If a background check finds an arrest, charge, or conviction that is substantially job-related, s. 111.335(1)(b) and (c), Wis. Stats., allows an employer to refuse employment. Statutes and administrative rules require criminal background checks of all licensed primary and secondary educators, as well as candidates for law enforcement and caregiver positions, such as those who work in hospitals, nursing homes, and day care facilities. In addition, statutes require all employers of individuals in caregiver positions to perform background checks of their staffs every four years.

UW System Administration does not have a policy governing criminal background checks either of candidates for employment or of its current employees. All institutions conduct background checks of some candidates for employment, but we found great variation among them. For example:

- UW Colleges indicated it conducts background checks of all candidates for employment in food service, the business office, the bookstore, information technology, and maintenance.
- UW-Milwaukee's Division of Administrative Affairs, which includes accounting, payroll, and groundskeeping, indicated it conducts criminal background checks of all finalists for positions in the division.
- UW-Madison indicated it conducts background checks of all candidates for employment in its law enforcement and housing departments and of some candidates for jobs that involve fiduciary responsibilities.
- UW-Green Bay indicated it conducts background checks of all candidates for employment in law enforcement, child care, and positions with access to cash, keys, or sensitive materials.

Office of State Employment Relations guidelines state that an employer may conduct a background check of a candidate for employment if this is disclosed in the job announcement. Conducting background checks would increase administrative costs. The Wisconsin Department of Justice charges state agencies \$5 to conduct each background check, or \$15 if a fingerprint is used.

It may be prudent to conduct background checks for certain types of jobs in addition to those required by statutes, such as positions in which an employee may have access to financial information, cash, or personal information. Given the lack of written guidance in the use of background checks among UW institutions, we believe the Board of Regents should identify the types of positions for which it believes background checks should be conducted and promulgate applicable system-wide policies.

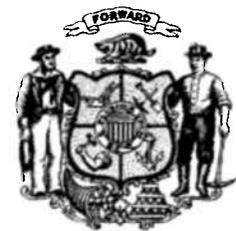
### **Recommendation**

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*We recommend the University of Wisconsin Board of Regents:*

- clarify the process and appropriate circumstances for terminating the employment of academic staff;*
- discuss the process and appropriate circumstances for terminating the employment of classified staff; and*
- determine the types of jobs for which background checks should be conducted and promulgate system-wide policies for conducting background checks of candidates for employment.*

■ ■ ■ ■





State Representative

**Samantha J. Kerkman**

*How do they get  
this written so quickly -*

February 28, 2006

Senator Carol Roessler, Co-Chair  
Joint Committee on Audit  
8 South State Capitol

Representative Suzanne Jeskewitz, Co-Chair  
Joint Committee on Audit  
314 North State Capitol

Dear Senator Roessler and Representative Jeskewitz:

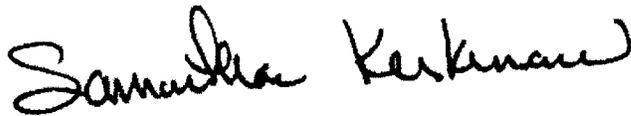
It is with great alarm that I read the Legislative Audit Bureau's Letter Report on Employment of Felons by UW System. This issue is of great concern to me, and because of this I have been anxiously awaiting their report. Due to the information contained in the report, I write to formally request a public hearing on this matter.

The Legislative Audit Bureau's findings are extremely distressing. They indicate that our UW system officials were unaware of most of the 40 felons that are employed by the system. For an institution that prides itself on being a leader in research it seems they have dropped the ball on the most basic of research-background checks. I'm gravely concerned that the administration has chosen to put our students, faculty and administrators at risk by not ensuring a safe environment. The report indicates that although there is a policy for criminal background checks, there is tremendous variation among the institutions. Clearly this discrepancy in application of background checks is a loophole that must be looked into.

I was startled to learn that nearly 17% of the felons were convicted of violent felonies, including sexual assault of a child and homicide. All felony convictions should be considered serious; however, those that are violent in nature are of an even greater concern. This is something that we need to review further. It is our duty to provide opportunity for the UW-System to respond to these shocking statistics, and for the public to air any concerns they may have.

Clearly, this report should only be the beginning of our investigation into the problem. The University System must be held accountable for any failures in employment hiring policies. I appreciate your consideration of a public hearing on the matter. If you would like to discuss this further, do not hesitate to contact me.

Sincerely,

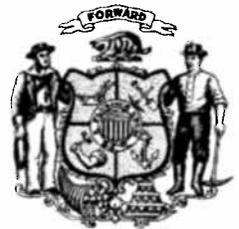
A handwritten signature in black ink that reads "Samantha Kerkman". The signature is written in a cursive style with a large, prominent 'S' at the beginning.

Samantha J. Kerkman  
State Representative  
66<sup>th</sup> Assembly District

Cc: Joint Committee on Audit Members



# WISCONSIN STATE LEGISLATURE





**Board of Regents**

1860 Van Hise Hall  
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Madison, Wisconsin 53706  
(608) 262-2324

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website: <http://www.uwsa.edu>

March 21, 2006

Janice Mueller  
State Auditor  
22 E. Mifflin Street, Ste. 500  
Madison, WI 53703

Dear Ms. Mueller:

On behalf of the Board of Regents of the University Wisconsin System, I wish to formally acknowledge and thank you for your recently released Letter Report, "Employment of Felons by the UW System." The Board accepts and endorses your recommendations. As you are aware, the UW System and the Board of Regents have taken a number of constructive steps in recent months to address several recommendations included in this report.

For example, the university is in the process of clarifying policies about the termination of employees convicted of crimes. We are also working with our institutions and the Office of State Employment Relations to define the kinds of jobs for which background checks should be required and expect to have a uniform policy recommended to the Board of Regents by our June meeting.

We have completed our review of the convictions of employees identified in your audit to determine if they are substantially job-related and have taken, and are taking, appropriate action. Of the 28 employees still employed at the time of this review, one employee has been dismissed, one has had her position reduced from full-time to half-time to remove duties related to her crime, and two others have been recommended for dismissal. The process for the dismissals is moving forward.

We again thank you and your staff for working with us to ensure that the UW System is doing all it can to provide a safe and secure environment for its students, faculty, and staff, as well as the countless community members we serve daily.

Sincerely,

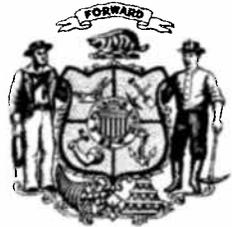
A handwritten signature in black ink, appearing to read 'David Walsh'.

David Walsh  
President

cc: Joint Legislative Audit Committee  
Regents  
President Reilly  
Cabinet  
Ron Yates



# WISCONSIN STATE LEGISLATURE



## Matthews, Pam

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**From:** Asbjornson, Karen  
**Sent:** Thursday, March 02, 2006 1:56 PM  
**To:** Matthews, Pam; Shannon, Pam; Chrisman, James  
**Subject:** FW: Ex-felons employed by the UW

fyi

Karen Asbjornson  
Office of Senator Roessler  
608-266-5300/1-888-736-8720  
Karen.Asbjornson@legis.state.wi.us

-----Original Message-----

**From:** Adrian Lomax [mailto:[adrianlomax@mcleodusa.net](mailto:adrianlomax@mcleodusa.net)]  
**Sent:** Thursday, March 02, 2006 12:41 PM  
**To:** Sen.Roessler  
**Subject:** Ex-felons employed by the UW

March 1, 2006

Representative Scott Suder  
69th Assembly District  
State Capital, 21 North  
Madison, WI 53701

Dear Representative Suder:

You were quoted in an article in yesterday's Milwaukee Journal Sentinel saying it is "shocking" and "dangerous" that 40 UW employees (one tenth of one percent of the total) have felony records. I find your statement perplexing. When people are released from prison after paying their debts to society, what do we, as a community, want them to do? We want, desperately, for them to get jobs, support themselves through honest work, and become productive members of society rather than resume criminal behavior.

It appears that is just what these UW employees did (25 of the 40 were convicted before they started their UW jobs). Since they've maintained employment at the university, they are apparently fulfilling the demands of their jobs, which is to say they are good workers and productive members of society. If they'd been getting thrown back in jail for committing new crimes, they wouldn't have kept their UW jobs long. These UW employees are the model for what we want ex-felons to do, and here you are blasting the UW for employing them.

Talk of murderers and child molesters working at the university sparks sensationalism, but it is not clear to me that these employees should not have been hired. There are no children at the UW. And the fact that someone was convicted of murder in the 1970s says nothing about his or her ability to perform a UW job now. The legislature has created a structure of laws that allows these ex-felons to eventually be released from prison; it must necessarily have contemplated that they should be allowed to earn a living after their release.

Discriminating against ex-felons in the labor market makes none of us safer. In fact, it is counterproductive. If ex-felons are not able to obtain employment they will be all the less likely to transform themselves into productive members of our communities. If a given ex-felon is able to adequately carry out the duties of a UW job, he or she should have the same opportunity as anyone else to get that job.

Sincerely yours,

Adrian Lomax

338 W. Wilson St., #1  
Madison, WI 53703  
adrianlomax@mcleodusa.net

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February 28, 2006

Audit found UW System had employed 40 felons

By RYAN J. FOLEY  
Associated Press Writer

MADISON, Wis. (AP) -- The University of Wisconsin System was unaware it employed a total of 40 felons this fall, including two who committed homicides in the 1970s and four child sex offenders, according to an audit released Tuesday.

UW System President Kevin Reilly promised a review of all 40 cases cited by the nonpartisan Legislative Audit Bureau to determine whether the crimes were related to their employment and the system should dismiss the employees.

He said 12 of the employees no longer work for the system and 25 committed the crimes before they were hired. State law prohibits job discrimination based on an employee's arrest or conviction record unless the crimes are substantially related to the person's job.

Lawmakers and Reilly called for the audit last fall following outrage over three UW-Madison professors who kept their jobs despite felony convictions. One of them was fired last month, and UW-Madison is moving to fire the others.

The audit found that UW schools were unaware of most of the felons working for them, and policies on conducting background checks varied greatly among the system's 13 four-year campuses and 13 two-year institutions.

Some Republican lawmakers said that was unacceptable.

"For an institution that prides itself on being a leader in research it seems they have dropped the ball on the most basic of research - background checks," said Rep. Samantha Kerkman, R-Burlington, who called for additional hearings into the matter.

UW System officials said the total number of felons is less than one-tenth of one-percent of their employees. But in addition to the review of each case, they promised to implement uniform rules for background checks and speed up investigations when employees are convicted of crimes to determine if they should be fired.

"Safety and security for our students and employees are always priority number one," Reilly said in a statement.

Auditors compared UW System's payroll of 42,000 full and part-time employees to Department of Corrections data of felons who remain under state supervision. They identified 40 felons - three professors, four academic staff members, 32 classified staff and one student employee.

The employees accounted for 54 felony convictions, including nine that were considered violent, such as the four convicted of sexual assault of a child. The others were for nonviolent offenses such as fraud and forgery, theft and drug possession.

The two workers convicted of homicide during the 1970s have been on parole since the early 1990s, auditors said.

The audit bureau did not immediately release a list of the felons, 27 of whom work at UW-Madison, nor did it specify which cases the UW System knew about.

The UW System Board of Regents is gathering feedback on a plan that would speed up the process of firing professors and academic staff accused of serious criminal misconduct.

But the audit discovered that nine of 15 felony convictions by those already employed by

the UW System failed to trigger internal investigations into whether they should be fired. One reason may be that the campuses were simply unaware of the convictions, said David Walsh, president of the UW System Board of Regents.

A leading critic of UW's handling of the felony cases, Rep. Scott Suder, R-Abbotsford, said the audit was alarming.

"Forty felons on the UW System payroll, including two murderers and four child sex offenders, is not only shocking but I think dangerous," he said.  
"This signals the need for serious reform."

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On the Net:

Legislative Audit Bureau: <http://www.legis.state.wi.us/lab/>

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# WISCONSIN STATE LEGISLATURE





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## NEWS RELEASE

FOR IMMEDIATE RELEASE  
February 28, 2006

Contact: Doug Bradley  
(608) 262-5061

### **UW System: Safety and security always priority No. 1** *University actions address suggestions in Audit Bureau report*

MADISON—The University of Wisconsin System and its Board of Regents have taken steps in recent months to address several recommendations included in an audit about university employees convicted of felonies.

A letter audit, issued Tuesday by the state's Legislative Audit Bureau, recommended that the university clarify policies about the termination of employees convicted of crimes, and that it define the kinds of jobs for which background checks should be required. The audit also suggested that the university review the convictions of employees to determine if they are substantially job-related, and if so, take appropriate action.

"We embrace these recommendations, and are already doing a great deal of work on all three of them," said UW System President Kevin P. Reilly. "We'll keep looking for new ways to ensure controls in our campus day-care centers and health-care facilities, residence halls, classrooms, financial management areas, and for students and staff throughout the UW System. As the audit recommends, we will determine the types of jobs for which background checks should be conducted, and promulgate system-wide policies for conducting these checks of candidates for employment.

"We'll be working with our institutions, and our colleagues in the Office of State Employment Relations and the Legislature, to put together a sound and consistent policy on the use of background checks across the system," Reilly added. "We are also reviewing the cases of the 40 employees cited in the audit to determine if any actions are necessary. Safety and security for our students and employees are always priority number one."

**Page 2**

Earlier this month, a special committee of the Board of Regents proposed a policy change that would allow the university to take immediate action if employees are accused of serious criminal misconduct. The proposal would allow UW institutions to launch immediate investigations of any alleged felony crimes, and suspend individuals under investigation. The UW System is in the process of receiving feedback on these proposals from faculty and academic staff governance groups. The Board will then act on the proposed policy, and will forward it to the Wisconsin Legislature for review.

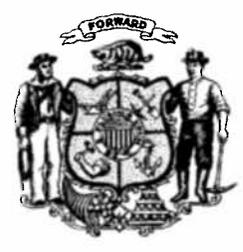
The audit found felony convictions for less than one-tenth of 1 percent of the UW System's more than 41,000 employees, including full-time, part-time, student hourly, and limited-term employees. These include 32 classified employees, four members of the academic staff, three faculty members, and one graduate assistant. Twelve of the 40 individuals identified in the audit are no longer employed by the university.

The letter audit was part of a broader, ongoing audit of the university's employment policies and practices, called for by President Reilly as a complement to continuing personnel reforms begun by the UW this past fall.

#####



WISCONSIN STATE LEGISLATURE



## Matthews, Pam

---

**From:** Asbjornson, Karen  
**Sent:** Thursday, March 02, 2006 1:56 PM  
**To:** Matthews, Pam; Shannon, Pam; Chrisman, James  
**Subject:** FW: Ex-felons employed by the UW

fyi

Karen Asbjornson  
Office of Senator Roessler  
608-266-5300/1-888-736-8720  
Karen.Asbjornson@legis.state.wi.us

-----Original Message-----

**From:** Adrian Lomax [mailto:adrianlomax@mcleodusa.net]  
**Sent:** Thursday, March 02, 2006 12:41 PM  
**To:** Sen.Roessler  
**Subject:** Ex-felons employed by the UW

March 1, 2006

Representative Scott Suder  
69th Assembly District  
State Capital, 21 North  
Madison, WI 53701

Dear Representative Suder:

You were quoted in an article in yesterday's Milwaukee Journal Sentinel saying it is "shocking" and "dangerous" that 40 UW employees (one tenth of one percent of the total) have felony records. I find your statement perplexing. When people are released from prison after paying their debts to society, what do we, as a community, want them to do? We want, desperately, for them to get jobs, support themselves through honest work, and become productive members of society rather than resume criminal behavior.

It appears that is just what these UW employees did (25 of the 40 were convicted before they started their UW jobs). Since they've maintained employment at the university, they are apparently fulfilling the demands of their jobs, which is to say they are good workers and productive members of society. If they'd been getting thrown back in jail for committing new crimes, they wouldn't have kept their UW jobs long. These UW employees are the model for what we want ex-felons to do, and here you are blasting the UW for employing them.

Talk of murderers and child molesters working at the university sparks sensationalism, but it is not clear to me that these employees should not have been hired. There are no children at the UW. And the fact that someone was convicted of murder in the 1970s says nothing about his or her ability to perform a UW job now. The legislature has created a structure of laws that allows these ex-felons to eventually be released from prison; it must necessarily have contemplated that they should be allowed to earn a living after their release.

Discriminating against ex-felons in the labor market makes none of us safer. In fact, it is counterproductive. If ex-felons are not able to obtain employment they will be all the less likely to transform themselves into productive members of our communities. If a given ex-felon is able to adequately carry out the duties of a UW job, he or she should have the same opportunity as anyone else to get that job.

Sincerely yours,

Adrian Lomax

338 W. Wilson St., #1  
Madison, WI 53703  
adrianlomax@mcleodusa.net

-----  
February 28, 2006

Audit found UW System had employed 40 felons

By RYAN J. FOLEY  
Associated Press Writer

MADISON, Wis. (AP) -- The University of Wisconsin System was unaware it employed a total of 40 felons this fall, including two who committed homicides in the 1970s and four child sex offenders, according to an audit released Tuesday.

UW System President Kevin Reilly promised a review of all 40 cases cited by the nonpartisan Legislative Audit Bureau to determine whether the crimes were related to their employment and the system should dismiss the employees.

He said 12 of the employees no longer work for the system and 25 committed the crimes before they were hired. State law prohibits job discrimination based on an employee's arrest or conviction record unless the crimes are substantially related to the person's job.

Lawmakers and Reilly called for the audit last fall following outrage over three UW-Madison professors who kept their jobs despite felony convictions. One of them was fired last month, and UW-Madison is moving to fire the others.

The audit found that UW schools were unaware of most of the felons working for them, and policies on conducting background checks varied greatly among the system's 13 four-year campuses and 13 two-year institutions.

Some Republican lawmakers said that was unacceptable.

"For an institution that prides itself on being a leader in research it seems they have dropped the ball on the most basic of research - background checks," said Rep. Samantha Kerkman, R-Burlington, who called for additional hearings into the matter.

UW System officials said the total number of felons is less than one-tenth of one-percent of their employees. But in addition to the review of each case, they promised to implement uniform rules for background checks and speed up investigations when employees are convicted of crimes to determine if they should be fired.

"Safety and security for our students and employees are always priority number one," Reilly said in a statement.

Auditors compared UW System's payroll of 42,000 full and part-time employees to Department of Corrections data of felons who remain under state supervision. They identified 40 felons - three professors, four academic staff members, 32 classified staff and one student employee.

The employees accounted for 54 felony convictions, including nine that were considered violent, such as the four convicted of sexual assault of a child. The others were for nonviolent offenses such as fraud and forgery, theft and drug possession.

The two workers convicted of homicide during the 1970s have been on parole since the early 1990s, auditors said.

The audit bureau did not immediately release a list of the felons, 27 of whom work at UW-Madison, nor did it specify which cases the UW System knew about.

The UW System Board of Regents is gathering feedback on a plan that would speed up the process of firing professors and academic staff accused of serious criminal misconduct.

But the audit discovered that nine of 15 felony convictions by those already employed by

the UW System failed to trigger internal investigations into whether they should be fired. One reason may be that the campuses were simply unaware of the convictions, said David Walsh, president of the UW System Board of Regents.

A leading critic of UW's handling of the felony cases, Rep. Scott Suder, R-Abbotsford, said the audit was alarming.

"Forty felons on the UW System payroll, including two murderers and four child sex offenders, is not only shocking but I think dangerous," he said.  
"This signals the need for serious reform."

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On the Net:

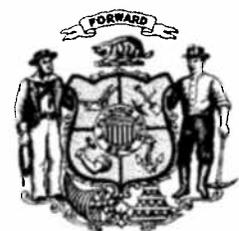
Legislative Audit Bureau: <http://www.legis.state.wi.us/lab/>

University of Wisconsin System: <http://www.wisconsin.edu>

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WISCONSIN STATE LEGISLATURE



## Matthews, Pam

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**From:** Handrick, Diane  
**Sent:** Monday, March 06, 2006 8:20 AM  
**To:** Matthews, Pam  
**Subject:** FW: UW-Madison LAB Felons Audit

-----Original Message-----

**From:** Don Nelson [mailto:dwnelson@bascom.wisc.edu]  
**Sent:** Friday, March 03, 2006 10:30 PM  
**To:** Don Nelson  
**Subject:** UW-Madison LAB Felons Audit

**To:** Legislators  
**From:** Office of State Relations  
**Subject:** Legislative Audit Bureau Felons Audit

The Legislative Audit Bureau, acting on open records requests, released the names and additional details about the 40 employees of the UW System found in this week's letter audit to have felony convictions. That release was made this afternoon to media in Madison and Milwaukee.

It should be noted, however, that significant errors were found in today's information release, and LAB has contacted the reporters involved to make them aware that a correct document will not likely be available until Monday.

Since more media coverage is pending, we want to take this opportunity to update you on UW-Madison's status with regard to internal investigations and other issues.

Darrell Bazzell, our vice chancellor for administration, issued a statement to media and the campus community on Tuesday that aptly describes our course of action. Please view the full document at:  
<http://www.news.wisc.edu/12253.html>

Here is further detail on our actions to date:

In the audit released February 28, 2006, the LAB recommended that the university conduct internal investigations to determine whether the convictions of any of the identified felons are substantially related to their jobs, and whether any action should be taken. The Wisconsin Fair Employment Act prohibits discrimination based on a felony conviction unless the employee's job is "substantially related" to their position.

Of the 27 felons identified at UW-Madison, 20 were still employed at the time the list was released. The list is comprised of 8 classified permanent staff, 8 classified-LTE, one academic staff, two faculty members and one teaching assistant.

In the initial review of the employment records, it appears that the convictions of 18 of the 20 employees were not substantially related to their jobs. In the two cases where it appeared there may be a connection, the relevant job duties of the employees have been removed pending further investigation. In these cases, as well as all 20 cases reviewed, the employees do not pose any threat to the safety of students, employees or the public.

Currently, we are conducting more in-depth investigations to confirm our initial review. We are meeting with the employing units of all 20 employees to determine the following:

Whether the individual was a university employee at the time of the conviction.

- Whether the employer was aware of the conviction at the time of hire.
- If the conviction occurred while a university employee, whether an internal investigation was conducted.
- Whether the conviction was substantially related to the job.

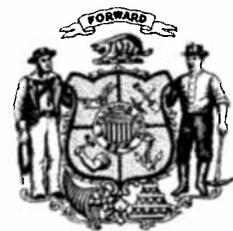
The university expects to conclude the investigation early next week.

If you have any questions about this or any other issue, please feel free contact Don Nelson or Kristi Thorson.

Don Nelson  
Assistant Director, State Relations  
Office of the Chancellor  
University of Wisconsin - Madison  
96 Bascom Hall  
608-265-4105 office  
608-217-5110 cell  
dwnelson@bascom.wisc.edu  
www.staterelations.wisc.edu



WISCONSIN STATE LEGISLATURE



# University of Wisconsin-Madison

NEWS

## Letter to campus community from Bazzell on LAB felon audit

February 28, 2006

The Legislative Audit Bureau (LAB) on Feb. 28 released an audit showing that 40 employees of the UW System, including 27 employees at UW-Madison, have felony conviction records.

This audit came about at the request of lawmakers in October, after UW-Madison dealt with three high-profile cases of faculty convicted of felonies. They were the first such cases involving faculty in many years, and obviously they were – and continue to be – distressing matters for the university to endure.

A few important issues should be emphasized in the wake of this audit. First, the safety of the campus community is a paramount concern at the university. We perform background checks of employees in many critical environments, including day care centers, housing facilities and sensitive material labs. We do not believe that the results of the audit indicate in any way that campus safety was compromised.

Second, the audit identifies felony convictions in fewer than one-tenth of 1 percent of the more than 40,000 employees throughout the UW System. We believe that a similar audit of any major state agency or corporation would likely find a percentage of convicted felons that mirrors the UW system figures.

Third, state law prohibits employment discrimination on the basis of conviction records, unless the offense is substantially related to an employee's job. At the request of auditors, we are conducting a detailed internal investigation of all individual cases to determine whether the felony has any connection to their current position.

In our initial review, we found two cases where it appears some duties may be substantially related to their convictions. We have temporarily reassigned duties in those cases while the review continues. Under no circumstances was safety a factor in either case.

We welcome any and all constructive proposals that will allow the university to operate more safely and efficiently. The audit recommended that the UW System take a number of corrective actions, and we have either already completed those actions or are close to doing so.

What are the next steps for the university? One area of progress is in policies related to background checks. A UW-Madison task force has been working diligently for several months on practices related to background checks and we believe the work will lay the foundation for a uniform policy on the subject.

Finally, we should keep in mind one of the basic principles behind corrections. We expect people to pay for their crimes, but no one wants to see high recidivism rates among convicted criminals. One important aspect of reform is the ability to find some form of work and contribute to society.

Like any other employer, universities play a role in that equation.

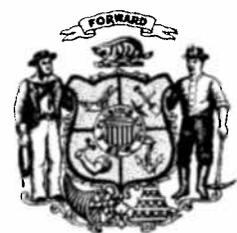
- Darrell Bazzell, vice chancellor for administration

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File last updated: January 21, 2006  
Feedback, questions or accessibility issues: [comments@uc.wisc.edu](mailto:comments@uc.wisc.edu)  
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WISCONSIN STATE LEGISLATURE



# Channel3000.com

## Reilly Promises Review Of Felon Audit

### Audit Finds 40 Felons Working At UW

UPDATED: 9:15 pm CST February 28, 2006

**MADISON, Wis.** -- University of Wisconsin System President Kevin Reilly is promising a review of all 40 felons on the universities' payroll as of last November.

The Legislative Audit Bureau on Tuesday released a report that was requested by Republican lawmakers that detailed the felons who worked at the university and its campuses. Four of the felons were on the academic staff as of this fall.

There were 54 felonies committed by the 40 employees, nine of which were considered violent. The system has 41,000 employees, WISC-TV reported.

The bureau reviewed the UW System's hiring practices after concerns were raised about three professors who kept their jobs despite felony convictions. One of the professors was fired earlier this year.

The report said that two of the felons committed homicides in the 1970s, but they have been on parole since the early 1990s.

Reilly said on Tuesday that 12 of the employees no longer work for the system and 25 committed the crimes before they were hired.

The audit found 27 of the 40 felons work at the University of Wisconsin-Madison. Four employees were convicted of a total of five sexual assaults of a child.

State law prohibits job discrimination based on an employee's arrest or conviction record unless the crimes are substantially related to the person's job.

Reilly said that his review will determine whether the crimes were related to their employment.

The audit found that UW schools were unaware of most of the felons working for them, and policies on conducting background checks varied greatly among the system's 13 four-year campuses and 13 two-year institutions.

Administrators said that initial examinations show none of those still on campus pose any danger to students or other staff, WISC-TV reported.

"There's no question about that," said UW official Darrel Bazzell. "We've taken a preliminary look at the individuals identified through the audit, and we feel very confident that we have a very safe and secure and welcoming environment, and people should feel free to walk around and engage in ways that are appropriate, and without fear of their safety."

State Sen. Carol Roessler, R-Oshkosh, who is on the Joint Legislative Audit Committee that requested the probe, said that the report should ease some concerns about the system's hiring practices.

"I think when you look at this as 40 -- of which 13 are no longer there -- 27 in total being far less than one-tenth of 1 percent is very good news," Roessler said. "We don't have individuals lurking there that are not familiar with and would be cause for concern."

**Related Link:**

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Do you care that 40 convicted felons were on the University of Wisconsin System's payroll as of last fall?

- Yes, that's alarming.
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- ["Employment of Felons By UW System" Report \(PDF Format\)](#)

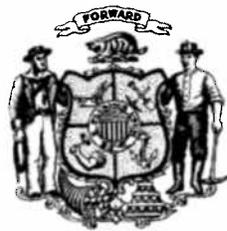
**Previous Story:**

- February 28, 2006: [Audit: 40 Felons Work In UW System](#)

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WISCONSIN STATE LEGISLATURE



Posted on Wed, Mar. 01, 2006

## UW System employed 40 felons

**President says all cases will be reviewed; 12 of the people no longer with system**

BY RYAN J. FOLEY  
Associated Press

MADISON — The University of Wisconsin System was unaware it employed a total of 40 felons this fall, including two who committed homicides in the 1970s and four child sex offenders, according to an audit released Tuesday.

UW System President Kevin Reilly promised a review of all 40 cases cited by the nonpartisan Legislative Audit Bureau to determine whether the crimes were related to their employment and the system should dismiss the employees.

He said 12 of the employees no longer work for the system and 25 committed the crimes before they were hired. State law prohibits job discrimination based on an employee's arrest or conviction record unless the crimes are substantially related to the person's job.

Lawmakers and Reilly called for the audit last fall following outrage over three UW-Madison professors who kept their jobs despite felony convictions. One of them was fired last month, and UW-Madison is moving to fire the others.

The audit found that UW schools were unaware of most of the felons working for them, and policies on conducting background checks varied greatly among the system's 13 four-year campuses and 13 two-year institutions.

Some Republican lawmakers said that was unacceptable.

"For an institution that prides itself on being a leader in research, it seems they have dropped the ball on the most basic of research — background checks," said Rep. Samantha Kerkman, R-Burlington, who called for additional hearings into the matter.

UW System officials said the total number of felons is less than one-tenth of one-percent of their employees. But in addition to the review of each case, they promised to implement uniform rules for background checks and speed up investigations when employees are convicted of crimes to determine if they should be fired.

"Safety and security for our students and employees are always priority number one," Reilly said in a statement.

Auditors compared UW System's payroll of 42,000 full- and part-time employees to Department of Corrections data of felons who remain under state supervision. They identified 40 felons — three professors, four academic staff members, 32 classified staff and one student employee.

The employees accounted for 54 felony convictions, including nine that were considered violent, such as the four convicted of sexual assault of a child. The others were for nonviolent offenses such as fraud and forgery, theft and drug possession.

The two workers convicted of homicide during the 1970s have been on parole since the early 1990s, auditors said.

State auditor Jan Mueller declined to release a list of the felons, 27 of whom work at UW-Madison, saying she was still working through legal issues before the names could be made public. She also did not specify which cases the UW System knew about.

UW-Madison vice chancellor Darrell Bazzell said the university launched reviews into two of the cases and has restricted the employees' duties in the meantime. He declined to release the names of the employees or their convictions but insisted they did not present a danger to campus.

The UW System Board of Regents is gathering feedback on a plan that would speed up the process of firing professors and academic staff accused of serious criminal misconduct.

But the audit discovered that nine of 15 felony convictions by those already employed by the UW System failed to trigger internal investigations into whether they should be fired. One reason may be that the campuses were simply unaware of the convictions, said David Walsh, president of the UW System Board of Regents.

## UW System employed 40 felons

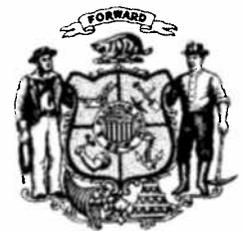
A leading critic of UW's handling of the felony cases, Rep. Scott Suder, R-Abbotsford, said the audit was alarming.

"Forty felons on the UW System payroll, including two murderers and four child sex offenders, is not only shocking but I think dangerous," he said. "This signals the need for serious reform."

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## UW financial worker embezzled from ex-employer

March 6, 2006

MADISON - A University of Wisconsin-Madison employee who has handled donations, grants and credit card transactions was convicted last year on charges she embezzled more than \$30,000 from a previous employer, court records show.



The Legislative Audit Bureau identified Jennifer K. Joas, a financial specialist in the university's agronomy department, as one of 40 felons on the UW System payroll as of last fall in a list obtained by The Associated Press.

THE UNIVERSITY  
**WISCONSIN**

Joas, 36, pleaded no contest in May to felony theft in a business setting stemming from her employment as an accountant with The Carrington Group Inc., which runs assisted living centers in southern Wisconsin.

Company executives fired Joas in March 2003 after three years as the firm's bookkeeper for poor performance and suspected embezzlement, court documents show, and once she was gone they discovered she had stolen company money repeatedly between 2002 and 2003.

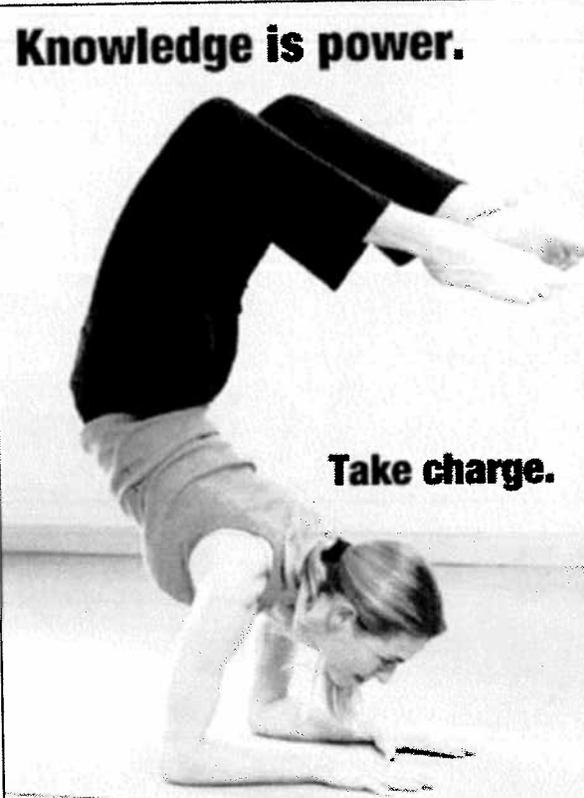
*advertisement*

Reached at her Edgerton home on Saturday, Joas said, "I have no comment at this time."

UW-Madison hired Joas to work as a financial specialist for the agronomy department, in the College of Agriculture and Life Sciences, in August 2004. She was charged with two counts of theft in a business setting the following month.

UW-Madison spokesman Brian Mattmiller said state law prevents the university from releasing information about Joas' case, which is currently under investigation. He said Joas' supervisor was aware of her conviction at the time but he did not know what steps, if any, the university took in response.

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The audit recommended the UW System conduct background checks on candidates for positions in which employees have access to financial information or cash. UW-Madison told auditors they conduct checks on some employees with financial responsibilities. Mattmiller would not say if that happened in this case.

Joas' duties have included balancing department accounts, preparing cash transfers, making sure grant money is spent, monitoring credit card purchases and depositing checks from private sources into accounts, according to a job description released by UW-Madison. She earns \$25,000 per year, according to a UW System payroll database.

Mattmiller said Saturday that two employees with financial responsibilities were reassigned after the audit "because there is some clear potential of a possible connection between the conviction and the job." He would not say if Joas was one of them. He said the university hopes to decide by next week whether to dismiss the two employees.

Dane County Circuit Court Judge Richard Niess sentenced Joas to five months in jail last May but she was allowed to serve her time on work release in an electronic monitoring program, which she completed in December. She also was ordered to pay \$33,000 in restitution and stay on probation for four years.

After The Carrington Group fired her, the company documented 50 instances in which Joas misappropriated funds totaling more than \$30,000 for personal use, court records show. She falsely accounted for funds in corporate records, writing checks for her own use but then recording them in the books as business expenses for others, the records show.

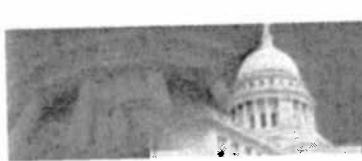
Joas used the money to buy a motorcycle and a Jeep, among other things, and purchased money orders payable to herself and her associates, court records show.

Jeffrey Jaschinski, chief financial officer of the company, said UW-Madison never did a reference check with him before she was hired.

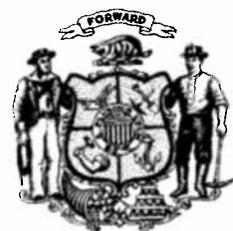
"Her supervisors ought to take precautions to make sure that she doesn't repeat her crime," he said. "There'd have to be a very high level of supervision to make sure the past wasn't repeating itself."

William Tracy, chairman of UW-Madison's agronomy department, which has about 55 employees, declined to comment on Joas on Friday. The department researches ways to improve the production and quality of crops grown for food such as corn and soybeans.

*Associated Press*



# WISCONSIN STATE LEGISLATURE





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## Jones resigns his position on UW-Whitewater faculty

April 5, 2006

MADISON - A former dean at the University of Wisconsin-Whitewater, fired from that job four months ago after a critical audit, has resigned from his faculty position, the university confirmed Tuesday.

Lee Jones stepped down as a tenured professor March 22 in an e-mail to the campus chancellor in which he blamed "blatant racism and constant harassment" by top administrators for his departure.

"It is apparent to me that I have no choice but to resign or continue to endure harassment from members of the community," wrote Jones, who is black.

*advertisement*

Jones' letter came one week after UW-Whitewater Chancellor Martha Saunders formally sought his dismissal from the faculty. Saunders accepted the resignation, but she and other school officials have repeatedly denied that racism played any role in Jones' situation.

Jones was fired as dean of graduate studies and continuing education in December after a school audit found he repeatedly broke school rules on credit card spending and travel.

He was moved into a job as a tenured education professor that was guaranteed in his employment contract. The university had started the lengthy process to remove him from that post, citing misuse of school funds.

Jones had not shown up to teach this semester and he provided a doctor's note to show that he was ill.

Jones said in the e-mail that he has accepted a position "at a university that is more

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capable and committed" to diversity. His lawyer, David Lasker, would not say if he has accepted employment elsewhere.

Lasker has already filed a notice with the state warning that he will seek hundreds of thousands of dollars in a discrimination complaint claiming Jones was singled out for scrutiny because of his race. He said he plans to file a lawsuit against the university in federal court.

"He was forced to resign. No reasonable person in his position could have been expected to put up with the circumstances that he's been up against," Lasker said. "He's been so thoroughly and unfairly humiliated."

The resignation marks another setback in the career of Jones, who founded a national group to help black men move up the ranks in academia.

Jones had resigned from Florida State University in 2003 as the university investigated his spending there. He was hired in Wisconsin months later.

Lasker said the situation at UW-Whitewater for Jones has been "as emotionally disastrous an experience as anyone could ever have to endure."

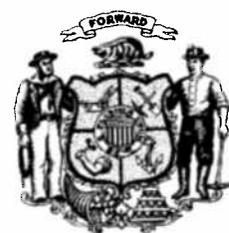
UW-Whitewater spokeswoman Sara Kuhl said Jones did not receive any kind of settlement.

"We regret the circumstances that led us to this point but we wish him well in his future endeavors," she said.

*Associated Press*



# WISCONSIN STATE LEGISLATURE





Rep. Scott Suder, R-Abbottsford, says "the UW's employment and dismissal policies need serious reform."

# Lawmakers demand audit to tally felons employed by UW System

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Nine Republican lawmakers are asking for an independent state audit to determine how many felons are employed by the University of Wisconsin System.

Led by state Rep. Scott Suder, R-Abbottsford, the group hand-delivered a letter Friday to the Joint Legislative Audit Committee, which handles requests for audits to the nonpartisan Legislative Audit Bureau. Suder previously asked System President Kevin Reilly to provide the information after recent news re-

ports about three UW-Madison professors who were convicted of serious crimes but remain employed by the university pending internal investigations and/or appeals.

Reilly, in a response to the lawmakers, said he couldn't provide the information. He said the university doesn't

maintain System-wide records of how many employees have been convicted of felonies and that it would be too expensive to generate them.

Reilly also said the university has to follow state laws allowing the professors due process

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UW System President Kevin Reilly says the university doesn't keep records of how many employees are felons.

## Felons

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before they can be fired. He said none of the three is still earning a regular salary at the university, although two are being paid through vacation benefits they have legally earned during their careers.

After those benefits are exhausted, they will be placed on unpaid leave pending the outcome of the university investigations or appeals processes in their cases, Reilly said.

That response didn't satisfy Suder, who decided to ask for the independent audit.

"The UW's employment and dismissal policies need serious reform and (university officials') most recent actions are forcing the Legislature to intervene," he said in a statement Friday. "Public trust in the UW System is at an all-time low."

A spokeswoman for committee co-chairwoman, Rep. Suzanne Jeskewitz, R-Menomonee Falls, said Friday that the letter was received and would probably be discussed at an upcoming meeting.

The request was from Suder and Reps. Jeff Wood of Chippewa Falls, Terry Musser of Black River Falls, Joel Kleefisch of Oconomowoc, Steve Kestell of Elkhart Lake, Robin Vos of Racine, Samantha Kerkman of Burlington, Mark Pettis of Herchel and state Sen. Robert Cowles of Green Bay.

System officials already are

collecting information for a possible broad audit of employment policies after lawmakers were angered by other personnel issues this summer. The committee last month asked for — by Sept. 2 — the names and titles of all System employees with backup jobs as well as those who have received paid leave after resigning since July 1, 2002.

The three UW-Madison professors convicted of crimes were:

- Roberto Coronado, a professor in the medical school, who earns \$137,641 per year. He was sentenced to eight years in prison for sexually assaulting three young girls. UW administrators moved to fire him, but Coronado is appealing.

- Lewis Keith Cohen, a liter-

ature professor, who earns \$72,856 per year. Cohen was sentenced to 30 days in jail and two years' probation after pleading no contest to having sexually explicit conversations with a 14-year-old boy over the Internet and e-mailing nude photographs to him. The university is investigating whether there are grounds for his dismissal.

- Steven Clark, an associate professor in the medical school, who earns \$67,761 per year. Clark was sentenced to one year in jail on a stalking conviction. The university began an internal investigation into whether Clark violated policies related to faculty conduct.

The Associated Press contributed to this story.