

## SPORTS

LIONS DOMINATE TROJANS, MOVE TO 6-0 | PAGE A6



## DIVA'S ON A DIME

WHAT'S THE SECRET TO GREAT TURKEY MEATBALLS? | PAGE B2



ISSUE 38 • 2 SECTIONS, 16 PAGES

WEDNESDAY, SEPTEMBER 21, 2022 • \$1

# Underwood granted 30-day delay in reporting to prison

BY TRAVIS JENKINS  
TJENKINS@ONLINECHESTER.COM

Former Chester County Sheriff Alex Underwood did not have to report to federal prison Thursday as originally scheduled.

Underwood was found guilty on several counts last April including a conspiracy charge in relation to wire fraud, federal program theft or falsification of records, civil rights violations (related to the November 2018 arrest of Kevin Simpson) and additional federal program theft

and conspiracy charges. In July, he was sentenced to 46 months in federal prison.

Last Monday, Underwood's new attorney Elizabeth Franklin-Best filed a motion for release pending appeal. If approved by a judge, it would allow Underwood to remain free on bond until his appeal is heard. The motion quotes laws about release or detention pending appeal, saying that "the judicial officer shall order that a person who has been found guilty of an offense and sentenced to a term of impris-

onment, and who has filed an appeal or a petition for a writ of certiorari, be detained, unless the judicial officer finds... by clear and convincing evidence that the person is not likely to flee or pose a danger to the safety of any person or the community if released... and that the appeal is not for the purpose of delay and raises substantial question of law or fact likely to result in reversal, an order for a new trial, a sentence that does not include a term of imprisonment or a reduced sentence..."

The motion cites Underwood's "lifelong commitment to law enforcement," claims he would pose a threat to the community and that there is no reason for the court to suspect the filing was a stall tactic since he "has consistently submitted to the authority of this court."

The motion notes that Underwood was acquitted on three of the four civil rights violations with which he was charged and "there is reason to believe that once considered by the Fourth Circuit

Court of Appeal, the other count will also be found to be infirm because the district court erred in excluding Mr. Underwood's evidence that constituted his defense and would have shown the jury that his actions that night were reasonable (related to the arrest of Simpson)." Specifically, Underwood sought to enlist "his expert, Ray Nash" president and founder of Police Dynamic Institute and a long-time law

SEE PRISON/PAGE A3



BY BRIAN GARNER/THE N&R

Just as depicted in the words of the George Strait song, retired SLED Major George Booth talked to the law enforcement professionals at the CCSO Awards Ceremony about "the weight of the Badge" and what it should mean to the audience he called "the company of heroes." In the background, retired State Trooper Mike Povlick, chair of the Foundation for the Chester County Sheriff's Office, takes in Booth's words.

## CARRYING THE BADGE

Retired SLED Major Booth reminds law enforcement audience the weight of that piece of metal

BY BRIAN GARNER  
BGARNER@ONLINECHESTER.COM

Every law enforcement professional at the Chester County Sheriff's Office Award Ceremony has probably heard George Strait's "The Weight of the Badge." Retired SLED Major George Booth reminded them what it means to carry that weight.

Booth was the guest speaker at the first Chester County Sheriff's Office Awards Ceremony. The event was sponsored by the Foundation for the Chester County Sheriff's Office.

Booth was invited to speak at the ceremony by Chester County Sheriff Max Dorsey, who was mentored by Booth when they were both SLED

agents. He is a 33-year law enforcement veteran and served previously as the Sheriff of Saluda County and a past S.C. Sheriff of the Year.

He told the law enforcement professionals, "I want you to understand something tonight: you are in the company of heroes. Look around you at these men and women, wearing badges, wearing uniforms. Dispatchers. Correctional officers. You are among heroes."

"In a time when there are thousands of "sideline quarterbacks" every day, second-guessing what these heroes do, what they should have done, what they could have done. But hand them the ball and say 'you take the ball

and 'come out here and you put on the uniform, come out here with us'. The sideline quarterbacks never step on the field. The field of honor, where you heroes work every day," Booth said.

"You are building something here in the Chester Sheriff's Office: you are building something called a team. We are all familiar with teams, there's football teams, baseball teams, all kind of teams. You have formed a team. Every member of that team is a vital part of it...you have to love it — your heart's got to be in it. The team won't survive if you lay down and say 'I'm just not feeling it, I'm just not there today.' You're there every day," he said.

Booth threw out some words that he reckoned the audience could tell him a little something about: gold, diamond and money. Then

SEE BADGE/PAGE A3

## 'We need to pay this'

Emails illustrate problems that lead to City's retirement lawsuit

BY TRAVIS JENKINS  
TJENKINS@ONLINECHESTER.COM

The failure to pay withheld money from the paychecks of some City employees into the State retirement system appears to have been partly due to an oversight, but partly due to necessary procedures simply being left undone.

City of Chester Fireman Michael Waits filed a lawsuit over the matter in February. He claimed that since July of 2021,

his employer withheld 9.75% of his salary, which is supposed to be paid into PORS (a branch of the State's PEBA retirement system set up for police officers and firefighters). The money wasn't paid into the system, though, nor was the additional contribution of 19.24% the City is supposed to make.

The suit by Waits claims he was never told of a change to his wages or deductions (as required by law). So there was a financial angle but he was also not earning due credit towards his retirement time.

Shortly after Waits filed the suit, seven more employees joined

SEE EMAILS/PAGE B4

## City was delinquent on more than PEBA payments

Insurance payments, power bills, reports and tax forms all lagged, per emails

BY TRAVIS JENKINS  
TJENKINS@ONLINECHESTER.COM

The City of Chester fell months behind on making employee contributions to the state retirement system and may pay a steep price for doing so after a recent court ruling (see related story). That was not the only instance of the City being delinquent on making payments, however.

A review of thousands of City emails (obtained by the News & Reporter through a Freedom of Information Act request) showed a regular pattern of the City falling behind on bills, entering delinquent status, often having to scramble to overnight

payments to various entities and sometimes not responding to inquiries about past due bills for long periods of time. There also appear to have been issues with delivering necessary documents to employees in a timely fashion.

On Feb. 1 of this year, a member of the City's front office staff emailed Jackson about a past due bill to Duke Energy. The employee noted that it took an entire day to get someone on the phone and resolve an issue dealing with a bill that was "red flagged" in "the portal."

"She was able to take the

SEE PEBA/PAGE A4



### INDEX

CLASSIFIEDS B6-8 SPORTS A6-7  
GREAT FALLS B1 VIEWPOINT A5  
RELIGION B3

### WEATHER

TODAY HIGH: 94 — LOW: 66  
THURSDAY HIGH: 96 — LOW: 59  
FRIDAY HIGH: 78 — LOW: 52

### OBITUARIES

Theodore Brown  
Mildred Coleman