

# InForce

A publication of the Berks County Sheriff's Office

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December 2019



"Making a Difference"

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## A Message from Sheriff Eric J. Weaknecht

Thank you, Berks County, for re-electing me as your Sheriff for a fourth term. As your Sheriff, I will continue to stand firm in my beliefs and convictions that support the Second Amendment of the Constitution and the rights of law-abiding citizens to keep and bear arms. As a newly appointed member of Governor Tom Wolf's Gun Violence Task Force (pg. 2), I will strongly support the rights and freedoms of citizens to defend themselves and their families from harm, both domestic and foreign.

A focus on safety has always been a top priority,

so I will advocate for an increase in the number of sworn personnel to meet the rise in number of arrests, active warrants, and security issues. In that regard, I will continue to work with the Board of Commissioners and President Judge and commend them for making decisions that will benefit the citizens of Berks County. If successful, it will be the first increase in personnel since 2014.

The number of individuals applying for positions in law enforcement everywhere has decreased to record lows, and that's true in the Sheriff's Office as well. The importance of competitive compensation is needed to not only attract qualified candidates but to retain them after they are hired.

Most importantly, I commend the commitment of sheriff deputies and law enforcement everywhere. Thank you for continuing to be diligent despite a climate that places each of you at greater risk each day.



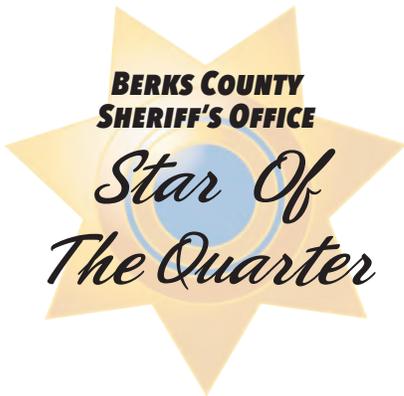
## Kevin Freed Deputy Sheriff

Kevin Freed has been a deputy sheriff with the Berks County Sheriff's Office since June 2013 and is being recognized for his involvement and aid as Hurricane Dorian was making its way to the southeast coast of the United States. Freed, a volunteer with Reinholds EMS and member of the Glenville EMS (a subcontractor for FEMA), was deployed on August 30, 2019 to the FEMA



staging area in South Georgia. From there, he and his partner were stationed at Port St. Lucie, FL to assist with the evacuation of hospitals. At that time, it was not clear where Dorian would make landfall; the storm would stall and speed up eventually making landfall September 6, 2019 at Cape Hatteras, North Carolina.

Freed has an associate's degree in Criminal Justice from Berks Technical Institute and worked for the Lancaster County Sheriff's Office before joining the Berks County Sheriff's Office in 2013. He is a certified CPR instructor and has been a volunteer EMT with the Reinholds EMS for 15 years. In his spare time, he enjoys camping, hiking, cycling, fishing, and spending time with his wife and three children.



The Berks County Sheriff's Office wishes the citizens of Berks County a safe and Merry Christmas and a prosperous and Happy New Year!

# SHERIFF WEAKNECHT NAMED TO GOVERNOR WOLF'S GUN VIOLENCE TASK FORCE

**Subject: Reducing Gun Violence**

**Number: 2019-06**

**By Direction of: Tom Wolf, Governor**

**Date: August 16, 2019**



On August 16, 2019, Governor Tom Wolf signed an Executive Order to reduce gun violence following the August 14, 2019 wounding of six Philadelphia police officers.\* Sheriff Eric J. Weaknecht was appointed to Wolf's Special Council on Gun Violence formed shortly after the signing of the Executive Order.



**EXECUTIVE ORDER**

Weaknecht, an outspoken defender of Second Amendment rights, hopes to bring balance to the debate on proposed changes to gun laws stating that none of those proposed changes will do anything to alter the mindset of those who illegally obtain firearms. In regard to the proposal to expand background checks, for example, Weaknecht says, "The bad guys know they can't pass a background check;" he says, "they don't come into the Sheriff's Office to obtain a conceal carry permit, and they don't purchase firearms from a gun distributor."

Governor Wolf gave the newly appointed Special Council on Gun Violence until March 2020 to make recommendations on reducing the number of mass shootings as well as shootings stemming from domestic violence, suicides and accidents.

*\*The officers were wounded in the course of serving a narcotics warrant; an hours-long standoff ensued before the suspect surrendered.*



## Weaknecht's previous appointment by Governor Wolf

Sheriff Eric Weaknecht was appointed by Republican Gov. Tom Corbett to the state Sheriff and Deputy Sheriff Education and Training Board in 2012. Weaknecht was reappointed by Gov. Tom Wolf when Wolf took office in 2015.

## Special Council members, led by Pennsylvania Commission on Crime and Delinquency Chairman Charles Ramsey, include:

- Mikele Bay, Children's Advocacy Center Advisory Committee (CACAC)
- Marcus Brown, Pennsylvania Homeland Security
- Sen. Jake Corman, Senate Republicans
- Col. Robert Evanchick, Pennsylvania State Police
- Rep. Movita Johnson-Harrell, House Democrats
- Dr. Rachel Levine, Department of Health
- Teresa Miller, Department of Human Services
- Rep. Eric Nelson, House Republicans
- Angela Parker-Quarles, Victims' Services Advisory Committee (VSAC)
- Michael Pennington, PA Commission on Crime and Delinquency
- Charles Ramsey, PA Commission on Crime and Delinquency, Chair
- Pedro Rivera, Department of Education
- Jack Rozel, Mental Health and Justice Advisory Committee (MHJAC)
- Helena Tuleya-Payne, School Safety and Security Committee (SSSC)
- Mike Vereb, Criminal Justice Advisory Committee (CJAC)
- Eric Weaknecht, Sheriffs and Deputy Sheriffs Education and Training Board (SDSETB)
- Sen. Anthony Williams, Senate Democrats
- Robert Williams, Juvenile Justice and Delinquency Prevention Committee (JJDCP)



Official White House photo by *Joyce N. Boghosian*

## SHERIFF WEAKNECHT TRAVELS TO WASHINGTON, DC TO ATTEND WHITE HOUSE BRIEFING ON SECURE BORDERS AND SAFE COMMUNITIES

On September 26, Sheriff Weaknecht and other sheriffs from all over the United States joined President Donald J. Trump and Senior Administration Officials for the White House Briefing on Secure Borders and Safe Communities to include two panel discussions.

President Trump later tweeted a message thanking the nation's sheriffs.

Panel Discussion Participants on "Combating the Drug Crisis" (A discussion focused on fighting addiction and enforcing drug control):

- **Kellyanne Conway**  
Assistant to the President & Senior Counselor
- **Uttam Dhillon**  
Acting Administrator, U.S. Drug Enforcement Administration
- **Tom Murphy**  
State & Local Affairs Coordinator, Office of National Drug Control Policy
- **Acting Secretary Kevin McAleenan**  
Department of Homeland Security

Panel Discussion Participants on "Secure Borders and Safe Communities" (A discussion focused on the border crisis and protecting American communities):

- **Ken Cuccinelli**  
Director, Citizenship and Immigration Services Office
- **Theo Wold**  
Special Assistant to the President, Office of American Innovation
- **Joe Grogan**  
Assistant to the President & Director, Domestic Policy Council

# EXPANDING EXPERIENCES

The *Deputy Kyle Pagerly Law Enforcement Explorer Post* completed its 8th year of operation at the end of 2019. The Explorer Post, which focuses primarily on exposing young men and women to the various fields of law enforcement, went outside that boundary this past November to explore firefighting and the field of emergency medicine (which all work together as a team).



Shillington's Fire Captain David Yoch, who has just entered his 46th year in November, explains the importance of correctly wearing safety gear



Explorer, Bobbi King, has been a volunteer with Shillington for five years



Lt. Eric Kohl, a member of the SFD for 27 years, discusses Shillington's fire engine capabilities



In addition to his role as a Deputy with the Berks County Sheriff's Office, Kyle Pagerly was also a lieutenant in the Spring Township Fire Department.



Thermal Imaging Camera used by firefighter personnel to detect heat in buildings and behind walls.

# County Connections - District Attorney

District Attorney John Adams and Sheriff Eric Weaknecht, both elected officials, head Berks County law enforcement offices and, thus, their paths are often intertwined. In fact, in order for the District Attorney's Office to successfully prosecute cases, it is imperative that it work closely with all 40 plus law enforcement agencies in Berks County to ensure the laws of the Commonwealth of Pennsylvania are upheld and its citizens are protected.

The Sheriff's Office will notify the District Attorney's Office to investigate any matter dealing with illegal drugs and other crimes. It serves all the warrants issued by the District Attorney's Office and completes approved extraditions. At the request of the DA's Office, duly sworn deputies of the Marshal's US Task Force and K-9 teams will assist the District Attorney's office on drug roundups.



John T. Adams, District Attorney

*Office Overview: The District Attorney is the chief law enforcement officer in Berks County. The Office is comprised of 31 attorneys, 33 detectives, 2 analysts, and 24 support personnel. The Pennsylvania State legislature defines each crime with a series of elements, all of which must be met to satisfy the state's burden of proof. It is the District Attorney's job to make certain the evidence available and admissible in the case is sufficient to meet this burden. The prosecutor generally relies on law enforcement to produce sufficient evidence of the crime, but it is the prosecutor's ultimate responsibility to investigate illegal activity.*

The District Attorney's Office assists the Sheriff's Office in performing the necessary background work in the hiring process, has purchased two narcotics K-9s from drug forfeiture money, and makes itself available for tours to members of the Kyle Pagerly Explorer Post.



*Animals Everywhere are Thankful!*

On November 25, 2019 President Donald Trump signed into law the bipartisan bill, **Preventing Animal Cruelty and Torture (PACT) Act**, which criminalizes certain acts of animal cruelty. The bill was passed in the Senate by unanimous decision on Nov. 5 after being approved in the House in late October. Intentional acts of cruelty to animals is now a federal crime and can carry penalties up to seven years in prison.

Working animals (like BCSO K9's Vito, Roxy, Axel, Rizzo and Max); domestic animals (like all the pets across America); wildlife in the ocean, on the ground and in the air; and abused and neglected animals (all voiceless) are thankful. A humane society is thankful, too.



**THE HUMANE SOCIETY OF THE UNITED STATES**

The Humane Society of the United States reports that the shocking number of animal cruelty cases reported every day is just the tip of the iceberg—most cases are never reported. Cruelty and neglect cross all social and economic boundaries and media reports suggest that animal abuse is common in both rural and urban areas. The animals whose abuse is most often reported are dogs, cats, horses and livestock.

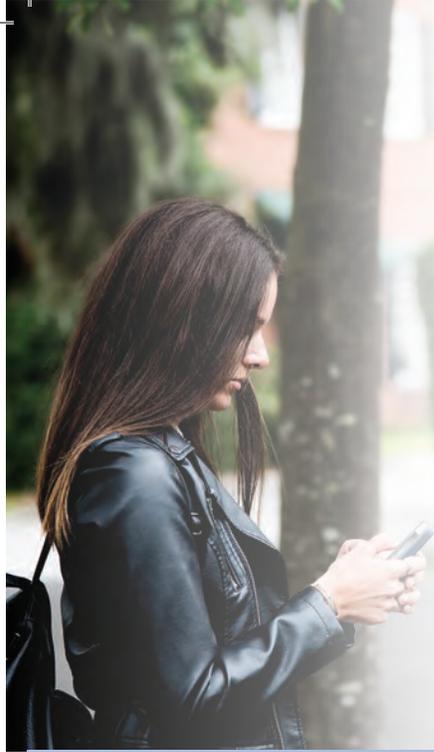
## Safety Tips

### BE AWARE OF YOUR SURROUNDINGS

It was nine years ago this January when video footage featured a woman walking into a fountain at the Berkshire Mall in Reading (Wyomissing). The video clip shows the woman on her cellphone, head down, as she tumbles into the water. The story brought national attention to the risks we all face when distracted by our cellphones. What if the woman had walked in front of a bus?

Being aware of your surroundings, even when not on a cellphone, can be the difference between life and death – add in the distractions at the chirp or buzz of your cellphone, and the ability to remain focused decreases even more. In fact, a 2017 study conducted by the University of Texas in 2017 found that “the more dependent people are on their phones, the stronger the distraction” (www.computerworld.com).

Research shows that putting down your phone and other mobile devices (including earbuds) gives your brain the opportunity to take notice of people and objects around you. Although it’s always good to have a cellphone in case of emergency, you want to avoid it becoming a harmful distraction. You may need to practice being proactive about your surroundings by turning off your phone and placing it out of sight. Make it a new habit to stop the bad habit of allowing your cellphone to distract you.



### Working Within the Law for Those In the Law

The Law Enforcement Officers Safety Act (LEOSA) is a United States FEDERAL law, enacted in 2004, that allows two classes of persons - the “qualified Law Enforcement officer” and the “qualified retired or separated Law Enforcement officer” - to carry a concealed firearm in any jurisdiction in the United States or United States Territories, regardless of state or local laws, with certain exceptions (leosaonline.com).

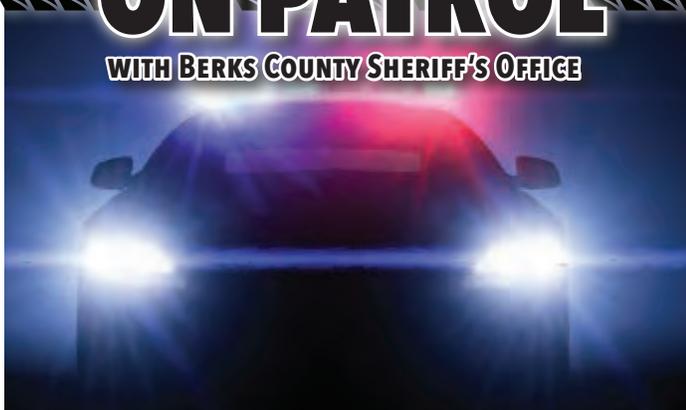
Explicitly written into the statute are several areas considered off-limits to those carrying under LEOSA, such as restrictions imposed by private persons or entities on their property; those imposed on state or local government property, installations, buildings and parks; and in a federal facility (nraila.org). Each state has exemptions to these areas considered off-limits, and qualified/retired officers must be familiar with the specifics of STATE laws and exemptions while carrying concealed.

Because a qualified officer/retired officer carrying under LEOSA is doing so under FEDERAL law, many may also choose to obtain a concealed carry permit to ensure compliance with an individual STATE’s concealed carry laws that allow for exemptions to carry in federal parklands and gun free safety zones.



## ON PATROL

WITH BERKS COUNTY SHERIFF'S OFFICE



### Did you know...

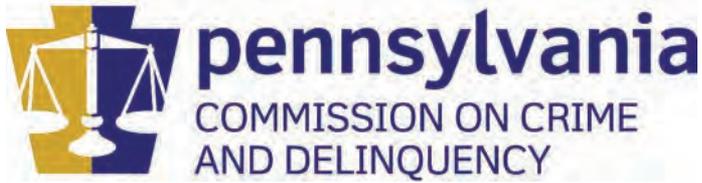
**It is important to clear all snow and ice from your vehicle. Not only does it prevent a hazard from snow and ice that may fall from your vehicle, it also provides an unobstructed view.**

Pa.C.S. Title 75, §3720

Snow and ice dislodged or falling from moving vehicle.

When snow or ice is dislodged or falls from a moving vehicle and strikes another vehicle or pedestrian causing death or serious bodily injury as defined in section 3742 (relating to accidents involving death or personal injury), the operator of the vehicle from which the snow or ice is dislodged or falls shall be subject to a fine of not less than \$200 nor more than \$1,000 for each offense plus costs.

# FUTURE FUNDING IN QUESTION



Through the Pennsylvania Commission on Crime and Delinquency, each sheriff's office in Pennsylvania is reimbursed for training costs relative to training and certification of deputies following hire. Unfortunately, funding beyond 2022 for these reimbursements is uncertain.

One current prediction regarding cuts by PCCD is that firearms training for Pennsylvania constables registered with the PCCD will eventually be eliminated due to declining revenues. Without certification, constables can't work for the courts (mainly MDJs), and if constables can't work for the courts, that work will fall to other law enforcement agencies, including (and possibly) the county sheriff's offices. In Berks County, an increase in BCSO deputies would be required to cover the work currently handled by state constables, and what isn't covered by fees associated with services will fall on the state's various County Commissioners to figure out.

Future reimbursement for deputy sheriff training and certification appears to remain intact through 2022, but to save costs, PCCD has cut the three class offerings each year to two class offerings. Information regarding future cuts is not known.

An increase in service fees is a legislative possibility.

*Congratulations to Sergeant Andrew Fasolka who was promoted from the rank of Deputy effective October 9, 2019.*



Sergeant Fasolka has been with the Berks County Sheriff's Office since January of 2016. Fasolka was originally assigned to the Courts Division before being

transferred to the Central Booking Division and, most recently, to the Patrol Division.

Sergeant Fasolka worked for the Allentown 9-1-1 Center for five years and later as a police communications officer with the Pennsylvania State Police.

As a Sergeant in Central Booking, Fasolka is responsible for the timely processing, arraignment and transport of inmates and for ensuring effective communication with judges, central court staff, and outside agencies. In addition, Fasolka will continue to work alongside those deputies in the Division's daily operations.



*Captain Doris Natal answers questions about the Berks County Sheriff's Office*

## Sheriff's Office Takes Part in "Legal" Tour for Local Elementary School

It was a day which focused on all aspects of law for a local elementary school. Magisterial District Judges Kyley Scott and Carissa Johnson (in background above) were the tour guides for approximately five groups of 4th grade students as the students toured various offices, including the Sheriff's Office, judges' courtrooms, Commissioners' offices, county law library, City Hall and Mayor's office, and Reading's Council Chambers

Upon request, a member of the BCSO will present information to students about the structure and duties of the Sheriff's Office or on topics such as anti-bullying, drugs, or any other violence-free issues.