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**FOUNDED**  
1664

**PENNSYLVANIA STATE CONSTABLE**  
**EAST PENN TOWNSHIP**

**MEMORANDUM**

To: Pennsylvania State Police, Sheriffs, Police Departments, Pennsylvania State Constables  
Date: January 30, 2023  
Re: Law Enforcement Interactions

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Good day to you all.

We would like to take this opportunity to help update fellow officers as to the nature and authorities of Pennsylvania State Constables. Over the last few decades, the role of Constables has been greatly misunderstood through folklore, law by legend, disinformation, or by not having an opportunity to interact with us. Please take the time to read this memorandum in its entirety as there is valuable information contained herein.

While Constables generally have positive interactions with fellow officers when conducting duties, there have been reports of negative interactions while the Constables were in full uniform and/or in marked vehicles<sup>5, 6, 7</sup>.

We think it would be prudent for us to share factual information about the status and authority<sup>11</sup> of Constables as it will help eliminate any further confusion and help you properly verify a Constable's status of office.

Three areas of misunderstanding are arrest powers, work vehicles, and IDs.

Constables are elected officials<sup>1, 2</sup>; they are peace officers<sup>3A</sup>, law enforcement officers<sup>3B</sup>, and police officers<sup>3C</sup> and may arrest for breaches of the peace and unlawful acts committed in their presence<sup>4</sup>.

Constables must provide their own work vehicles, equipment, weapons, etc. Vehicles have to be equipped with a permanent prisoner transport cage, working windows, and child safety locks<sup>5</sup>. These vehicles will include suitable equipment, communications and emergency warning lights.

Constables have been stopped and questioned over the lights on their work vehicles resulting in citations that were later dismissed by the courts<sup>6</sup> and vehicles and equipment returned.

Constables are not issued State ID's therefore they must secure their own law enforcement ID through various methods. For Constables that choose to perform judicial duties, PCCD provides an ID as proof of certification after Constables complete the 80 hour Constable Basic Course<sup>9</sup> or yearly update.

If an interaction with a Constable is necessary and you must determine their identity, those officers should be able to provide you at a minimum with at least one if not all of the following:

- ID
- PCCD ID
- Election Certificate
- Oath of Office

If the Constable is not able to produce any of those documents, they should inform you of the county and municipality they are from. Their County Board of Elections, or Clerk of Courts Office, or supervisor or manager of their municipality should be able to provide verification. PCCD may also be able to confirm.

Please note that PCCD does not have any oversight whatsoever of Constables. PCCD is not the employer or dispatcher of Constables; they merely maintain the *Act 49* training and records for court work and provide firearms qualification and certification.

In closing, I'll refer to Justice Gibson's, 1822, opinion: "*The officers of justice are bound to assist each other in their several departments*".<sup>12</sup>

Our goal is to bridge the gap between our agencies to achieve a better working relationship moving forward. Constables are a valuable resource when utilized correctly.

Thank you for your time. We look forward to working with you.

Regards,

*On behalf of fellow Constables,*

Steven Ramos  
Pennsylvania State Constable  
East Penn Township

Inquiries may be sent to [pr@stateconstable.us](mailto:pr@stateconstable.us).

## SOME FACTS ABOUT CONSTABLES

1. Constables are part of the executive branch of government and answer to the Governor. [IN RE ACT 147 OF 1990]
2. Constables are elected officials. [Title 49, Chapter 71 – B]
3. Constables are Peace Officers <sup>A</sup> [Case: 528 Pa. 460 (1991) / Argued April 11, 1991; Title 18, § 501]; are Law Enforcement Officers <sup>B</sup> [Title 37, Section 21.1; Title 4, Section 89.1]; are Police Officers <sup>C</sup> [Galluze v. Miller, 2012 - United States District Court, W.D. Pennsylvania]; when breaches of the peace or felonies and misdemeanors are committed in their presence.
4. Constables are charged with preserving the peace and may arrest those who are charged with breaches of the peace, vagrancy, riotous or disorderly conduct or drunkenness. They may also arrest for felonies or misdemeanors committed in their presence, and those who are engaged in the commission of any unlawful act tending to imperil the personal security or endanger the property of the citizens. [Cases: Commonwealth v. Deacon, 1822; Stanley Appeal, 1964; IN RE ACT 147 OF 1990; Commonwealth v. Taylor, 1996; Commonwealth v. Copenhagen, 2018; Commonwealth v. Allen, 2019;]
5. Constables transport offenders to jail or for the courts. The Pennsylvania Supreme Court requires that Constables transport offenders in a vehicle that complies with applicable law, be maintained in a roadworthy condition, contain a cage that is permanent and of the same type and quality used in police and sheriff vehicles, and include functioning window and child safety door locks. [Cases: Commonwealth v. Deacon, 1822; PASC Rules: PA Unified Judicial System: Constable Policies, Procedures and Standards of Conduct, 2013]
6. Constables are in compliance with the law regarding mounted red and blue emergency warning lights. Charges of improper lighting on Constables' work vehicles have been dismissed by the courts and the work vehicles and equipment returned as found. [Cases: Docket Number: MJ-03204-TR-0000761-2022 – Not Guilty; Charge – improper lights; Docket Number: CP-51-SA-0001107-2018 – Quashed, Dismissed; Charge – Mounted lights and additional equipment; Title 35 § 7501; Title 75 § 102; Title 75 § 4571]
7. Constables must provide all of their own equipment, work vehicles, weapons, training, etc. to perform their law enforcement duties.
8. Constables are elected locally but they may perform their duties anywhere in the Commonwealth. There is no jurisdiction that is off limits to Constables. [Cases: In re Borough High Constables, 32 Del. 335, 1944; IN RE ACT 147 OF 1990]
9. Constables that choose to perform judicial duties must complete the training provided by PCCD, plus the yearly updates, including basic firearms training and annual firearms qualifications. [Act 49]
10. Constables are exempt from the license to carry permit requirements and can carry a firearm upon taking their oath; for liability coverage they are encouraged to complete basic firearms training and annual firearms qualifications. [Title 18, § 6106]
11. Constables' authority rests with their office and may exercise that authority upon taking their oath of office. [Act 49 § 7151]

12. Constables authority to conduct a warrantless arrest and take the offender to jail.  
[Commonwealth v. Deacon, 1822]