

**IN THE COURT OF COMMON PLEAS
OF ALLEGHENY COUNTY, PENNSYLVANIA**

COMMONWEALTH OF
PENNSYLVANIA,
DEPARTMENT OF TRANSPORTATION,

Plaintiff,

v.

PENNSYLVANIA STATE
CONSTABULARY,

Defendant.

SUMMARY APPEALS BRANCH

Case No. SA-23-552

**BRIEF IN SUPPORT OF PETITION
FOR APPEAL**

Filed on behalf of Defendant:

**PENNSYLVANIA STATE
CONSTABULARY**

Counsel of Record for this Party:

Roy E. Leonard, Esquire
PA I.D. No. 54782
rleonard@leonardfirm.com
LEONARD, PLLC
105 Market Street, Suite 300
Pittsburgh, PA 15222
(412) 448-2868

Justin D. Beck, Esquire
PA I.D. No. 324787
jdb@muslaw.com
MEYER, UNKOVIC & SCOTT LLP
Henry W. Oliver Building
535 Smithfield Street, Suite 1300
Pittsburgh, PA 15222-2315
(412) 456-2800

Matthew Dugan, Esquire
Pa. I.D. No. 203417
matt@mattduganlaw.com
DUGAN LAW, LLC
P.O. Box 1007
Moon Twp, PA 15108
(412) 204-6083

CERTIFICATE OF COMPLIANCE

I certify that this filing complies with the provisions of the *Public Access Policy of the Unified Judicial system of Pennsylvania: Case Records of the Appellate and Trial Courts* that require filing confidential information and documents differently than non-confidential information and documents.

/s/ Roy E. Leonard
Roy E. Leonard, Esquire

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Case No. SA-23-552

Plaintiff,

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CONSTABULARY,

Defendant.

BRIEF IN SUPPORT OF PETITION FOR APPEAL

Defendant Pennsylvania State Constabulary (the “**Constabulary**”) respectfully submits this Brief in Support of Petition for Appeal, stating as follows:

I. INTRODUCTION

This is a statutory appeal from the Pennsylvania Department of Transportation’s (“**PennDOT**”) suspension¹ of registration plate number MG3590N (the “**Registration Plate**”). PennDOT issued the Registration Plate for a 2018 Ford Police Interceptor owned² by the Constabulary (title number 78865259 and vehicle identification number 1FM5K8AR4JGB33960) (the “**Vehicle**”). By letter dated September 11, 2023, PennDOT notified the Constabulary that the Registration Plate would be suspended indefinitely as of September 26, 2023 pursuant to Section 1373(b)(2) of the Vehicle Code for nonpayment of required fees (the “**Official Notice of Suspension**”). *See* Ex. I. On October 6, 2024, the Constabulary filed a timely Petition for Appeal

¹ In its Motion for Reconsideration filed on May 17, 2024, arguing again at the hearing on July 11 (*see* Hearing Tr. ((Jul. 11 2024)) Pg. 3 ¶ 22), PennDOT argues that its sanction against the Constabulary was a revocation, not a suspension. As stated in its Response in Opposition filed on May 28, the Constabulary disagrees with such a characterization.

² The Constabulary is the “owner” of the Vehicle as the term is defined in Section 102 of the Vehicle Code. *See* Exs. N and O. *See also* Hearing Tr. (Jul. 11 2024) Pg. 51 ¶ 18-21.

to this Court (the “**Petition for Appeal**”). On July 11, 2024, a hearing was held before the Honorable Jennifer Satler. On August 8, 2024 PennDOT filed a Memorandum of Law (the “**Memorandum of Law**”). This Brief is respectfully submitted in support of the Constabulary’s Petition for Appeal.

The Constabulary is a domestic nonprofit corporation, public in nature and governmental in character. Its member-employees³ are elected municipal officials and peace officers. The Constabulary’s revenue is earned by performing law enforcement services, one of which is a governmental function declared essential by the General Assembly. A substantial portion of the Constabulary’s revenue is earned from performing services paid for by tax dollars.

The Constabulary purchased the Vehicle with its own funds for use by one of its employees, Constable Jason C. Knapp (“**Constable Knapp**”).⁴ The Constabulary’s member-employees are “police officers,” and the Vehicle is a “police vehicle,” as those terms are defined and used in Section 102 of the Vehicle Code. The Vehicle is equipped, pursuant to the Vehicle Code and Rules of Judicial Administration and local rules, to (a) perform judicial services by Constable Knapp, (b) perform services of constables that are statutorily authorized under the Vehicle Code, including to conduct traffic control, (c) perform other law enforcement services, including, but not limited to, election day security, and (d) apprehending those suspected of committing in-presence felonies and breaches of the peace.

For the reasons set forth below, this Honorable Court should grant the Constabulary’s Petition for Appeal and vacate PennDOT’s suspension (or revocation) of the Registration Plate.

³ The Constabulary’s member-employees contemporaneously hold both membership and employee statuses with the nonprofit corporation. References made to the Constabulary’s member-employees are to Constable Knapp and those prospectively admitted and hired as member-employees.

⁴ Constable Knapp is, and has been, the constable in and for the Second Ward of the City of Pittsburgh since March 23, 2021. *See* Exs. A and C. *See also* Hearing Tr. (Jul. 11 2024) Pg.71 ¶ 8-10.

II. LEGAL STANDARD

Section 1377 of the Vehicle Code provides, in relevant part, that:

Any person⁵ who has been sanctioned by [PennDOT] under this chapter or whose registration ... has been denied, suspended or otherwise sanctioned by [PennDOT] shall have the right to appeal to the court vested with jurisdiction of such appeals by or pursuant to Title 42 (relating to judiciary and judicial procedure). ... The court shall schedule the appeal for hearing upon 30 days' written notice to [PennDOT], and thereupon take testimony and examine into the facts of the case and determine whether the petitioner is entitled to registration,⁶ subject to suspension of registration or other sanction under the provisions of this title or departmental regulations.

Notably, the Vehicle Code grants no deference to PennDOT's original administrative determination. Instead, Section 1377 makes clear that this Court is empowered to take testimony and receive evidence regarding "the facts of the case." In other words, this Court's standard of review is *de novo*. See generally *Weber v. Com., Dept. of Transp., Bureau of Driver Licensing*, 675 A.2d 359 (Pa. Commw. Ct. 1996) ("the trial court, on an appeal from a license suspension by [PennDOT], conducts a *de novo* review...").

III. ARGUMENT

A. The Constabulary is a "Governmental or Quasi-Governmental Entity" Within the Meaning of Section 1901(a) of the Vehicle Code.

i. The Constabulary is a Nonprofit Corporation that Admits as Members and Hires as Employees Certain Eligible Constables and Deputies.

The Constabulary is a domestic nonprofit corporation duly incorporated on December 3, 2021, under the Nonprofit Corporation Law of 1988, as amended.⁷ As a nonprofit corporation,

⁵ "**Person**" is defined as "[a] natural person, firm, copartnership, association or **corporation**" (emphasis added). See 75 Pa.C.S. § 102.

⁶ "**Registration**" is defined as "the authority for a vehicle to operate on a highway as evidenced by the issuance of an identifying card and plate or plates." *Id.*

⁷ See Statement of Conversion, which includes the Constabulary's Articles of Incorporation, filed on December 3, 2021 with the Secretary of the Commonwealth (see Ex. B)

the Constabulary possesses general corporate powers,⁸ including “[t]o conduct its business, carry on its operations, have offices and exercise the powers granted by this article or any other provision of law in any jurisdiction within or without the United States.”⁹ The Constabulary has a governing body, consisting of a board of commissioners¹⁰ and corporate officers.¹¹ The Constabulary has one (1) class of voting members¹² who elect the board of commissioners and take other actions permitted by members.¹³ The Constabulary’s voting members are elected constables. Deputy constables who are admitted as members have no voting rights; their interests are represented through the elected constables who duly appointed them as deputies. *See Ex. P.*

In addition to being admitted as members, eligible constables and deputy constables¹⁴ are hired as employees of the Constabulary. Admission as a member creates an employment relationship; admitted members contract for employment with the Constabulary and agree to comply with its rules and regulations. *See Ex. Q.* To be eligible, members must meet certain requirements. One such requirement to be considered for admission to the Constabulary is to be certified by the Commission on Crime and Delinquency in accordance with 44 Pa.C.S. § 7144. The Constabulary’s other requirements for admission include those modeled after the Monroe County Constable Task Force and Accreditation Program,¹⁵ which was established in collaboration with the Monroe County District Attorney’s Office. *See Exs. H and J.*

Pennsylvania courts have consistently held that a constable’s *de facto* employment status is “independent contractor.” *See In re Act 147 of 1990*, 598 A.2d 985 (Pa. 1991) (citing *Rosenwald*

⁸ *See* 15 Pa.C.S. § 5502 (relating to general corporate powers).

⁹ *See* 15 Pa.C.S. § 5502(18) (relating to corporate activities).

¹⁰ *See* 15 Pa.C.S. § 5721 (relating to boards of directors).

¹¹ *See* 15 Pa.C.S. § 5732 (relating to corporate officers).

¹² *See* 15 Pa.C.S. § 5751 (relating to classes and qualifications of membership).

¹³ *See* 15 Pa.C.S. § 5757 (relating to actions by members).

¹⁴ For economy, the term “constable” includes “deputy constable,” unless otherwise indicated.

¹⁵ *See* Monroe County District Attorney’s Office: Constable Task Force and Accreditation Program Manual (2018).

v. Barbieri, 462 A.2d 644 (Pa. 1983)) (“[a] constable is an **independent contractor** and is **not an employee** of the Commonwealth, the judiciary, the township, or the county in which he works” (emphasis added)).¹⁶ As independent contractors, therefore, constables have a constitutional right to contract for employment under Article I, Section 17 of the Pennsylvania Constitution (relating to the impairment of contracts). The Pennsylvania Supreme Court has long held that “[t]he right to contract for employment is one of the most important of property rights and, therefore, the power of a court of equity may properly be involved to prevent its impairment.” *See Bright v. Pittsburgh Musical Soc., American Federation of Musicians, Local Sixty*, 108 A.2d 810, 814 (Pa. 1954) (citing *Heasley v. Operative Plasterers & Cement Finishers Intern. Ass’n*, 188 A. 206 (Pa. 1936)); *see* Restatement of Torts, § 766.

On January 1, 2022, Constable Knapp became a member-employee of the Constabulary. *See* Exs. Q and G.¹⁷ On July 1, 2022, the Constabulary authorized the purchase of the Vehicle, which Constable Knapp uses to perform his duties. Constable Knapp is the Vehicle’s sole authorized driver and user. *See* Ex. N.

ii. The Constabulary’s Member-Employees Are Public Officials Who Represent and Serve Their Municipal Districts and Election Districts.

The Constabulary’s member-employees are public officials who are elected to represent and serve their respective municipal districts and election districts. The several offices of constable are *independent* of their respective municipal governments and county governments. Municipal districts, which also function as taxing districts and election districts, are unincorporated units. As unincorporated units, the districts have no corporate powers, including, entering into contracts or

¹⁶ The Internal Revenue Service has ruled that Pennsylvania constables are **county employees** for tax purposes. *See* IRS Private Letter Ruling (FAA 20131801F): “Elected Constables Are Employees for Tax Purposes; County Is Employer” (Released on May 3, 2013).

¹⁷ Constable Knapp testified that he is a fee-based employee of the Constabulary and **not** an independent contractor. *See* Hearing Tr. (Jul. 11 2024) Pg. 73 ¶ 21-25.

holding title to assets. Thus, the *districts* cannot purchase, own, lease, or dispose of property, personal, real, or otherwise, including vehicles.¹⁸ However, as elected officeholders who are independent contractors, constables do have corporate powers to bind the *offices* in and for the districts they represent and serve.¹⁹ Among the purposes for constables to contract their offices with the Constabulary are to protect and preserve their property interests and liberty interests, which include employment²⁰ and reputation,²¹ along with coordinating their efforts through intergovernmental cooperation²² and efficiency of executing their duties of office.

Given PennDOT’s arguments that the Constabulary and Constable Knapp have “overreach[ed] their statutory granted authority” and “present a huge public safety concern,” both statements of which are untrue, this case illustrates the need for the Constabulary and its member-employees to protect their liberty interests and property interests by defending their reputations, honor and integrity of their agency and offices, and interference with their employment rights. *See* Hearing Tr. (Jul. 11 2024) Pg. 78 ¶ 6-7.

Municipal Districts. The Statutory Construction Act of 1972 defines the term “municipality” as “a county, city, borough, incorporated town or township.” *See* 1 Pa.C.S. § 1991. A “municipal district” is a governmental unit covering all or part of a municipality but is *independent* of the municipality’s government. Municipal districts²³ exist to facilitate certain

¹⁸ While constables and sheriffs share similar duties and powers, one difference is that sheriffs are elected to represent and serve counties, which are bodies corporate and politic. Naturally, counties hold title to the vehicles and other property for the several offices of sheriff.

¹⁹ *See* footnote 95, *infra*.

²⁰ In *Swinehart v. McAndrews*, 221 F.Supp.2d 552 (E.D. Pa. 2002): “Defendants essentially concede that plaintiff [Constable Swinehart] does have a property interest in the constable position.”

²¹ *Id.* at 559: “Where a person’s good name, reputation, honor, or integrity is at stake because of what the government is doing to him, notice and an opportunity to be heard are essential.”

²² *See* Pa.Const. Art. 9 § 5 (relating to intergovernmental cooperation).

²³ Municipal districts are **not** “school districts,” which are incorporated districts under 24 P.S. § 2-211: “The several school districts in this Commonwealth shall be, and hereby are vested as, bodies corporate, with all necessary powers to enable them to carry out the provisions of this act.”

government business as, for example, *taxing districts*²⁴ for local real estate tax assessment and collection²⁵ and, as another example, *election districts* for voting purposes. Officers are elected to represent and serve these municipal districts. The office of alderman, which has since been abolished in Pennsylvania, was one of them. Constables, and the municipal districts they represent as elected officers to serve them, are acknowledged in the Pennsylvania Constitution and the municipalities' own enabling statutes. Constables neither act for, nor are they under the control or employees of, the governments set forth in the respective municipal and county codes.

- Under the Pennsylvania Constitution, **constables** are “**city, ward, borough, and township officers**, [elected] for regular terms of service...on the municipal election day.” See Pa.Const. Art. 7 § 3 (relating to offices to be filled on municipal election days).
- In Pennsylvania cities, except Philadelphia,²⁶ “[t]he qualified voters of **each ward in a city of the second or third class** shall elect a properly qualified person for **constable in each ward**” (emphasis added). See 44 Pa.C.S. § 7112. See also 53 P.S. § 22127 (relating to transferring future elections of constables and other ward officers for wards of second class cities). See also 11 Pa.C.S. § 10103(6) (relating to the preliminary provisions of third class cities not repealing the powers and duties of constables).
- In Pennsylvania boroughs, “the qualified voters of **every borough** shall vote for and elect a properly qualified person for **constable**,” except where those boroughs are divided into wards. See 44 Pa.C.S. § 7113 (emphasis added). In those cases, “the qualified voters...shall vote for and elect a properly qualified person for **constable in each ward** and a properly constable for high constable in the borough.” *Id.* See also 8 Pa.C.S. § 102(6) (relating to the preliminary provisions of the borough code not repealing the powers and duties of borough and ward constables).
- In Pennsylvania townships, “the qualified voters of **every township** shall vote for and elect a properly qualified person for **constable**” and the “qualified electors of **each township of the first class** may vote for and elect a properly qualified person to serve as **constable**” (emphasis added). See 44 Pa.C.S. § 7114. See also 53 P.S. § 55103 (relating to the preliminary provisions of the first class township code not repealing the powers and duties of constables). See also 53 P.S. § 65103 (relating to the preliminary provisions of the second class township code not repealing the

²⁴ See Act of May 25, 1945, P.L. 1050, No. 394 (Local Tax Collection Law).

²⁵ Constables are authorized to collect delinquent taxes for local tax collectors. See 44 Pa.C.S. § 7154.

²⁶ See 44 Pa.C.S. § 7103 (relating to the abolishment of the office of constable in Philadelphia in 1970).

powers and duties of constables). *See also* 53 Pa.C.S. § 3165 (relating to the transitional provisions of optional plan governments not abolishing constables).

- To execute the duties of their offices, **constables** also have the sole power to appoint **deputy constables** in a **ward, borough, or township**, subject to approval of the court of common pleas. *See* 44 Pa.C.S. § 7122.

Accordingly, Constable Knapp neither acts for, nor is he under the control or an employee of, the City of Pittsburgh (a second class city).²⁷ Constable Knapp is an elected officeholder of the Second Ward of the City of Pittsburgh, which is a municipal district and an election district.

Election Districts. Contemporaneously with a municipal district, an “election district” is a governmental unit covering all or part of a municipality but is *independent* of the municipality’s government. The General Assembly defines both district types and empowers certain officials, including constables, to act on their behalf. For example, the Department of State, county boards of elections, and election officers²⁸ are empowered to carry out their duties for the several election districts. *See generally* Pa.Const. Art. 7 § 9 (relating to fixing election districts).

As public officials elected to represent and serve their respective municipal districts, constables provide the same governmental function for election districts. Under the Pennsylvania Election Code, each borough and township (other than those divided into wards) and each ward of every city, borough, and township, constitutes a separate election district, with certain exceptions. *See* 25 P.S. § 2701. Likewise, “[an] [e]lection district [is] a district, division or precinct...in which all qualified electors are eligible to vote in the same polling place.” *See* 25 Pa.C.S. § 701. “[A]

²⁷ According to the City of Pittsburgh, Bureau of Police’s annual report for 2013: “**We, in the Bureau of Police, trace our roots to Samuel Morrison, the first High Constable for the Borough of Pittsburgh.** On March 18, 1816, Pittsburgh was formally incorporated as a city. Under this charter, the Mayor of Pittsburgh was elected by the council and was given the authority to appoint the High Constable and four City Constables. **These constables were enjoined to preserve the peace, arrest all disorderly persons, and attend court, the market, and Councils. This was a daytime duty in which the Constables were paid by event rather than by salary.**”

²⁸ Constables are **not** “election officers.” *See* Pa.Const. Art. 7 § 11.

[d]istrict [is] [a]n **election district** or precinct **of a municipality**” (emphasis added). *See* 25 Pa.C.S. § 1102.

Likewise, constables represent and serve their municipal districts as public officials and law enforcement officers just as they do for their election districts. “The **constable** of a **borough, township or ward**, or his **deputy**, shall do all of the following: (1) Be present at the polling place in each **election district** of the **borough, township or ward at each election** during the continuance of each election and while the votes are being counted, **for the purpose of preserving the peace**. (2) Serve at all elections” (emphasis added). *See* 44 Pa.C.S. § 7152. “Any sheriff, deputy sheriff, **constable, deputy constable**, police or other peace officer, who shall fail upon demand of any member of a county board of elections, judge or inspector of election, or overseer to render such aid and assistance to him as he shall request in the maintenance of peace and in the making of arrests...shall be guilty of a misdemeanor” (emphasis added). *See* 25 P.S. § 3520. In general, police officers are *prohibited* from being present within 100 feet of the polls. *See* 25 P.S. § 3520 (relating to police officers at polling places). This means that the Constabulary is, in general, solely responsible for the security of specific election districts through its member-employees on election days.

iii. The Constabulary Substantially Exercises Police Power Through Its Member-Employees.

Member-employees are peace officers, duly sworn according to law.²⁹ Constables possess statutory and common law powers to arrest. Their arrest powers are both discretionary (*e.g.*, warrantless arrests for in-presence felonies or breaches of the peace) and non-discretionary (*e.g.*, arrests made pursuant to bench or arrest warrants). In addition, “constables...have the use...of borough and township lockups and county correctional institutions for the detention of persons

²⁹ *See* Pa.Const. Art. 6 § 3 (relating to oath of office). *See also* Exs. A and C.

arrested until they can be disposed of according to law...” See 61 Pa.C.S. § 1154 (relating to law enforcement use of county correctional institutions). Their actions are *state* actions, and they are privileged to commit the tort of false imprisonment during an arrest under qualified and quasi-judicial immunity. Constables are also subject to the same liabilities for committing civil rights violations as police officers under 42 U.S.C. § 1983.³⁰ They are liable to be prosecuted for “official oppression” for misusing their powers.

Statutory Arrest Powers. Constables, including Constable Knapp and other member-employees, are vested with statutory arrest powers. Under various statutes, constables are conferred with police power³¹ and prerogatives as constables, peace officers, police officers, and law enforcement officers.

- ***Peace Officer.*** “Any person who by virtue of his office or public employment is vested by law with a duty to maintain public order or to make arrests for offenses, whether that duty extends to all offenses or is limited to specific offenses, or any person on active State duty pursuant to 51 Pa.C.S. § 508 (relating to active duty for emergency).” See 18 Pa.C.S. § 501. See also *Magisterial District Judge Bench Book* (2022) p. 37.
- ***Arrest Prior to Requisition.*** Whenever any person within this Commonwealth shall be charged on the oath of any credible person before any judge or issuing authority of this Commonwealth with the commission of any crime in any other state, and, except in cases arising under section 9127 (relating to extradition of persons not present in demanding state at time of commission of crime) with having fled from justice or with having been convicted of a crime in that state and having escaped from confinement or having broken the terms of his bail, probation or parole, or whenever complaint shall have been made before any judge or issuing authority in this Commonwealth, setting forth on the affidavit of any credible person in another state that a crime has been committed in such other state and that the accused has been charged in such state with the commission of the crime, and, except in cases arising under section 9127, has fled from justice or with having been convicted of a crime in that state and having escaped from confinement or having

³⁰ See 42 U.S.C. § 1983 (relating to civil actions for deprivation of rights).

³¹ See *Pennsylvania Legislator’s Municipal Deskbook*, p.81-82: “It [**police power**] is considered one of the most essential of governmental powers and is subject to the least limitations.” Continuing: “[t]he **Commonwealth delegates limited police power to municipalities**, and a local government’s **police power** may be said to be subject to its enabling legislation or home rule charter. The municipal codes authorize municipalities to exercise their **police power** not only pursuant to specific grants of authority, but also pursuant to a general welfare clause or a general grant of powers clause” (emphasis added).

broken the terms of his bail, probation or parole and is believed to be in this Commonwealth, the judge or issuing authority shall issue a warrant directed to any **peace officer commanding him to apprehend the person** named therein wherever he may be found **in this Commonwealth** and to bring him before the same or any other judge or issuing authority who or which may be available in, or convenient of, access to the place where the arrest may be made to answer the charge or complaint and affidavit, and a certified copy of the sworn charge or complaint and affidavit upon which the warrant is issued shall be attached to the warrant. (emphasis added). See 42 Pa.C.S. § 9134. See also 42 Pa.C.S. § 9161. See also *Magisterial District Judge Bench Book* (2022) pg. 36-37.

- ***Arrest Without a Warrant.*** The **arrest of a person may be lawfully made also by any peace officer ... without a warrant** upon reasonable information that the accused stands charged in the courts of a state with a crime punishable by death or imprisonment for a term exceeding one year, but when so arrested the accused must be taken before a judge or issuing authority with all practicable speed, and complaint must be made against him under oath setting forth the ground for the arrest as in section 9134 (relating to arrest prior to requisition), and thereafter his answer shall be heard as if he had been arrested on a warrant. (emphasis added). See 42 Pa.C.S. § 9135. See also *Magisterial District Judge Bench Book* (2022) pg. 37.
- ***Arrests in Boroughs.*** “**In addition to any other powers granted under law, a constable of a borough shall, without warrant and upon view, arrest and commit for hearing** any person who: (1) Is guilty of a breach of the peace, vagrancy, riotous or disorderly conduct or drunkenness. (2) May be engaged in the commission of any unlawful act tending to imperil the personal security or endanger the property of the citizens. (3) Violates any ordinance of the borough for which a fine or penalty is imposed.³² (emphasis added).
- ***Arrest of Offenders Against Forest Laws.*** “If a person is detected by a constable in the act of trespassing upon any forest or timber land **within this Commonwealth**, under circumstances as to warrant reasonable suspicion that the person has, is or may commit an offense against any law for the protection of forests and timber land, **the constable may, without first procuring a warrant, arrest the person**” (emphasis added). See 44 Pa.C.S. § 7155.
- ***Enforcement of the Dog Law.*** (a) General rule.--The secretary, through State dog wardens, employees of the department and **police officers**,³³ shall be charged with the general enforcement of this law. (emphasis added). See 3 P.S. § 459-901.

³² Among the recommended amendments the Joint State Government Commission made to the General Assembly on constables was to “provide for more uniformity by eliminating unnecessary distinctions among constables elected from boroughs, cities, and townships.” Meaning that “[s]tatutory authority relating to warrantless arrests should apply to constables in townships and cities rather than just in boroughs. See *Constables in Pennsylvania: Proposed Statutory Reforms* (April 2014), p.1, 27.

³³ See footnote 42, *infra*.

- ***Peace Officers; Powers and Duties.*** “**Constables**, county detectives, sheriffs, deputy sheriffs, waterways patrolmen and game protectors **shall perform all those duties authorized or imposed on them by statute**” (emphasis added). See 13 P.S. § 40.
- ***Law Enforcement Officer.*** “[A]ny person who is by law given the power to enforce the law when acting within the scope of that person’s employment.” See Pa.R.Crim.P. 103. Relating to criminal homicide of a *law enforcement officer*, “[t]his term shall have the same meaning as the term ‘peace officer’ is given under section 501 (relating to definitions).” See 18 Pa.C.S. § 2507.

Common Law Arrest Powers. Constables, including Constable Knapp and other member-employees, are also vested with common law arrest powers. Numerous cases and texts, both old and new, confirm this enduring authority:

- In *Commonwealth v. Maxwell*, 114 A. 825 (Pa. 1921), the Supreme Court acknowledged the founding document and genesis of the constable’s (and sheriff’s) role and authority in Pennsylvania: “[u]nder the laws of the Duke of Yorke, April 2, 1664, (Duke of Yorke’s Book of Laws, 1682-1700, page 33), **which were in force in Pennsylvania**, it was provided, for the summoning of jurors, that the **constable shall warn so many of the overseers to attend as jurymen and return their names to the under sheriff**”. *Id.*

Under the original text of the *Duke of York’s Laws* (1664),³⁴ “[e]very **Constable shall have full power, to make Sign and put forth pursuities or Hue and Cryes** after Murtherers Man Slayers Theves Robbers Burglurers and other Capitall Offenders, **as also to Apprehend without warrant** such as are overtaken with Drink, Swearing, Sabbath breaking, Vagrant persons or night walkers provided they be taken in the manner, **either by the Sight of the Constable or by present information from others**” (emphasis added). *Id.*

- In the *Charter for the Province of Pennsylvania* (1681), King Charles II conveyed the territory to Sir William Penn and empowered him to establish offices and appoint officers “for the conservation and preservation of the peace.”³⁵ Through a

³⁴ *The Duke of York’s Laws*. Historical Society of the New York Courts: https://history.nycourts.gov/wp-content/uploads/2018/12/Publications_Dukes-Transcript.pdf (last retrieved on August 3, 2024).

³⁵ Yale University Law School, Lillian Goldman Law Library: *Charter for the Province of Pennsylvania* (1681) https://avalon.law.yale.edu/17th_century/pa01.asp (law retrieved August 8, 2024).

series of letters, proclamations, frames of government, and other laws³⁶ from 1681 to 1780, the constable's role and authority continued to be acknowledged. *See also* 1 Pa.C.S. § 1503(a) (relating to the applicability of colonial law).³⁷

- Regarding the Act of 1705, 1 Sm. L. 25, the Commonwealth Court noted in *Commonwealth v. Beerson*, 49 Pa. D. & C. 609 (Pa. Commw. Ct. 1943) that “Section 4 of the Act of 1705, 1 Sm. L. 25 [sec. 4, 44 PS 330, § 1], prohibiting [**constable’s**] service of a warrant on Sunday except in case of treason, felony or breach of the peace, does not apply to an **arrest without warrant on view**” (emphasis added). *Id.* at n.3.
- In *Commonwealth v. Deacon*, 8 Serg. & R. 47 (Pa. 1822), the Supreme Court held that the keeper of the prison of Philadelphia (Israel Deacon) was bound to receive a person arrested and brought to him by a constable, who was charged with a breach of the peace in the constable's presence. The Court explained that “**a constable is a known officer** charged with the conservation of the peace, and **whose business it is to arrest those who have violated it**” (emphasis added).
- In *Comfort v. Commonwealth*, 5 Whart. 437 (Pa. 1840), the Supreme Court, in a case involving *posse comitatus*, or “power of the county,” concluded “[o]n the whole, we are of opinion that the **constable possesses ... all the powers conferred by the common law on the sheriff**” (emphasis added). *Id.* at 441.
- In *McCullough v. The Commonwealth*, 67 Pa. 30, 1871 WL 10898 (Pa. 1871), the Supreme Court opined: “[t]he **office of constable is ancient, his duties important and powers large**. His general duty is to **keep the peace**; and for this purpose **he may arrest, imprison, break open doors, and the like**” (emphasis added). *Id.* at 6.
- In *Constables' Guide: The Law of Constables in Pennsylvania* (1901), the 230-page treatise describes in detail the several powers and duties of constables within their legal and historical context. “The duties of a **constable** are of a two-fold nature: (a) To enforce the laws, as **arresting** a person for an unlawful act; (b) To assist other officials in the execution of their legal business, as the serving of any writs issued by justices of the peace” (emphasis added). *Id.* at p.6. *See also The Philadelphia Constable* (1956).

³⁶ For example, Act of March 9, 1771 (1 Sm.L.350, Ch.636), entitled “An act for regulating and continuing the nightly watch, enlightening the streets, lanes and alleys of the city of Philadelphia, and for other purposes therein mentioned.” *See also* University of Pennsylvania Law Review: *The Philadelphia Constable* (1956).

³⁷ 1 Pa.C.S. § 1503: “(a) English law.--The common law and such of the statutes of England as were in force in the Province of Pennsylvania on May 14, 1776 and which were properly adapted to the circumstances of the inhabitants of this Commonwealth shall be deemed to have been in force in this Commonwealth from and after February 10, 1777.

- In *Commonwealth v. Rubin*, 82 Pa.Super. 315, 321 (Pa. Super. Ct. 1923), the Superior Court held: “**the authority of a constable to arrest without a warrant upon reasonable suspicion, founded either on his own knowledge or the information of others, that a felony or such breach of the peace as would probably prove to be a felony, has been committed, **cannot be questioned**. It is equally well settled that he cannot arrest for an ordinary misdemeanor, unless present at the commission of the offense” (emphasis added). The Court continued: “[b]y the **original and inherent power in the constable he may** for breach of the peace and some misdemeanors, less than felony, **imprison a person. The arrest, when the crime charged is not a felony, must be made while the crime is being actually committed, in the presence of the office**” (emphasis added). *Id.* at 322.**
- In *In re Stanley*, 201 A.2d 287 (Pa. Super. Ct. 1964), the Superior Court concluded that “[a] **constable’s authority to execute warrants of arrest, to arrest on sight for breach of the peace, vagrancy and drunkenness, to carry a deadly weapon concealed upon his person and to be present at the polling places in order to keep the peace, is not conferred upon private citizens, including private detectives.**” (emphasis added). *Id.* at 289.
- In *In re Act 147 of 1990*, 598 A.2d 985 (Pa. 1991), the Supreme Court ruled that “a **constable is a peace officer,”** *Id.* at 990, that “the **constable is a police officer”** *Id.* at n.3., and that “[i]t is the **constable’s job to enforce the law and carry it out, just as the same is the job of district attorneys, sheriffs, and the police generally”** (emphasis added). *Id.* at 990.
- In *Commonwealth v. Leet*, 641 A.2d 299 (Pa. 1994), the Supreme Court held that “[u]nless the sheriff’s common law power to make warrantless arrests for breaches of the peace committed in his presence has been abrogated, **it is clear that a sheriff (and his deputies) may make arrests for motor vehicle violations which amount to breaches of the peace committed in their presence.**” The Court went on to conclude that “**it is not necessary to find a motor vehicle code provision granting to sheriffs the power to enforce the code--**sheriffs have had the power and duty to enforce the laws since before the Magna Carta; rather, it would be necessary to find an unequivocal provision in the code abrogating the sheriff’s power in order to conclude that the sheriff may not enforce the code.” *Id.* at 303.

The *Leet* Court ultimately held that “**the common law powers of the sheriff include the power to enforce the Motor Vehicle Code, and that such powers have not been abrogated by statute or otherwise**” (emphasis added). *Id.* at 301.

- In *Commonwealth v. Taylor*, 677 A.2d 846 (Pa. Super. Ct. 1996), the Superior Court found that “overwhelming authority supports the proposition that **constables possessed the power at common law to make warrantless arrests for felonies and breaches of the peace**” (emphasis added). *Id.* at 851.
- Contrary to the well-settled common law arrest powers that constables possess, the Supreme Court reasoned in *Commonwealth v. Roose*, 710 A.2d 1129 (Pa. 1998) that: “[u]nlike sheriffs, whose powers grew in the common law tradition to include broad law enforcement authority, the powers of **constables** were not developed as fully in such a strong common law tradition, but were rather set forth in a series of statutes. Thus it is not appropriate to follow the analysis of *Leet*, supra, wherein we reasoned that sheriffs, due to their common law powers, had the authority to enforce the motor vehicle laws unless contravened by statute; conversely, as to **constables**, it seems proper to conclude that unless a statute empowers them to enforce the vehicle laws, then they do not possess the legal authority to do so” (emphasis added). *Id.* at 1130. The Court ultimately held that “due to the absence of statutory authority for **constables** to enforce the motor vehicle laws, they do not possess such authority, as such authority cannot be derived from the common law as was the case for sheriffs in *Leet*, supra” (emphasis added). *Id.*

The *Roose* decision, and the Superior Court’s decision in the same case (690 A.2d 268 (Pa. Super. Ct. 1997)), is often erroneously cited as binding authority as it relates to, *inter alia*, a constable’s authority and status under the Vehicle Code (as is the case at bar).

- In *Commonwealth v. Kline*, 741 A.2d 1281 (Pa. 1999), the Supreme Court held that “[a]lthough Deputy Johnstonbaugh did not receive the exact same training as a municipal police officer would receive pursuant to Act 120, we nevertheless conclude that he ‘complete[d] the same type of training that is required of police officers throughout the Commonwealth’ as required by our holding in *Leet* for purposes of enforcing the Vehicle Code.” *Id.* at 1285. The Court based its holding on “[b]asic training for sheriffs and deputy sheriffs ... consists of **160 hours of instruction** including the following: criminal justice, history of the sheriff’s role and powers and duties of the sheriff (7 hours); Pennsylvania courts (4 hours); civil procedure (30 hours); crimes code, criminal procedure and evidence (18 hours); courtroom security (6.5 hours); prisoner transportation (6.5 hours); first aid (17 hours); crisis intervention (10 hours); firearms (24 hours); self-defense, defense tactics, mechanics of arrest and physical conditioning (27 hours); and communications and professional development (10 hours)” (emphasis added).

- In *Commonwealth v. Lockridge*, 810 A.2d 1191 (Pa. 2002), the Supreme Court held that “**Pa.R.Crim.P. 410 authorizes a deputy sheriff to file a citation for a Vehicle Code summary violation** based on information received from a witness. We therefore conclude that Chief Deputy Corwell was **authorized to file the Citation** charging Appellant with a 75 Pa. C.S. § 1543(b) violation” (emphasis added). *Id.* at 1196.
- In *Commonwealth v. Dobbins*, 934 A.2d 1170 (Pa. 2007) the Supreme Court held that, “absent specific statutory authorization, **sheriffs lack authority to conduct independent investigations ... including the seeking of search warrants where no breach of the peace or felony has occurred in their presence**” (emphasis added). *Id.* at 1181. *See also* *Kopko v. Miller*, 842 A.2d 1028 (Pa. Commw. Ct. 2004) *affirmed* 892 A.2d 766 (Pa. 2006).
- In *Commonwealth v. Marconi*, 64 A.3d 1036, 1044 (Pa. 2013), the Supreme Court held that “that the **Sheriffs did not have the authority to independently establish and conduct the suspicionless sobriety checkpoint** at which Appellee was arrested” (emphasis added).
- However, in *Commonwealth v. Allen*, 206 A.3d 1123 (Pa. Super. Ct. 2019), the Superior Court upheld a constable’s arrest on suspicion of DUI, which constituted an in-presence “breach of the peace” and a violation of the Vehicle Code, determining that: “[o]ur jurisprudence recognizes...that the **common law confers arrest powers upon constables for in-presence felonies or breaches of the peace**” (emphasis added). *Id.* at 1127. The Court explained that “[t]he power to arrest...emanates from the common law. The filing of a citation, however, concerns a process that is among those set out in the Pennsylvania Rules of Criminal Procedure for commencing a summary action.”³⁸ *Id.* at 1128. The Court also noted that “[i]n view of relevant jurisprudence, we discern **no basis for applying a different scope to the concept of ‘breach of the peace’ depending on whether a sheriff’s, a deputy’s, a constable’s, or a private citizen’s authority to effect a [traffic] stop or arrest is under review**” (emphasis added). *Id.* at 1129 n.6.
- Likewise, in *Commonwealth v. Copenhaver*, 229 A.3d 242 (Pa. 2020), the Supreme Court re-affirmed a sheriff’s common law authority to enforce the Vehicle Code, holding that “for purposes of a **deputy sheriff’s common law authority to enforce the Vehicle Code – a breach of the peace** arises from an act or circumstance that causes harm to persons or property, or has a reasonable potential to cause such

³⁸ The *Allen* Court held that: “what constitutes a **breach of the peace for purposes of reviewing deputy sheriffs’ authority to conduct a Fourth Amendment stop**, it is clear that the patently disruptive, intrusive, and dangerous nature of Appellant’s underlying conduct clearly aligns with the ‘**breach of the peace**’ concept in this context” (emphasis added). *Id.* at 1129.

harm, or otherwise to provoke violence, danger, or disruption to public order.” (emphasis added). *Id.* at 246.

The *Allen* Court’s holding reaffirms, consistent with over 350 years of precedent (1664-2019), a constable’s common law authority to make warrantless arrests for in-presence felonies and breaches of the peace. The *Copenhaver* Court’s decision upholds the Supreme Court’s prior decision in *Leet* of a sheriff’s common law authority to enforce the Vehicle Code. The holdings also confirm that **adequately trained**³⁹ sheriffs and constables (and their deputies) have equivalent common law authority to effect traffic stops and arrests, which is consistent with the law enforcement status conferred on *peace officers* under Pennsylvania law.

Originating Police Power. With respect to the *enforcement* aspect of police power, Pennsylvania statutes often use the phrase “**conferred with all the powers and prerogatives of constables of the Commonwealth**” to denote an officer’s powers to enforce laws:

- Troopers derive their powers, in part, from constables: “The various members of the Pennsylvania State Police...**shall have all the powers and prerogatives conferred by law...upon constables of the Commonwealth**” (emphasis added). *See* 71 P.S. § 252.
- County detectives derive their powers, in part, from constables: “[c]ounty detectives...**shall have the powers conferred on constables by the laws of this Commonwealth**, so far as they relate to criminal law and procedures...” (emphasis added). *See* 16 P.S. § 1440; *see also* 16 P.S. § 4440.
- Second class county police officers derive their powers, in part, from constables: “(b) Such police officers shall have jurisdiction anywhere within the county by which employed, and shall have and possess all the following powers: (3) **The powers and prerogatives conferred by law upon constables of the Commonwealth**” (emphasis added). *See* 16 P.S. § 4501.

³⁹ The *Copenhaver* Court also reaffirmed that “**appropriately trained** deputies are permitted to make arrests for Vehicle Code violations amounting to an in-presence breach of the peace” (emphasis added). *Id.* at 244. The *Kline* Court, *supra*, held that certification as a municipal police officer was **not** the standard to be “appropriately trained” to enforce the Vehicle Code. *See also* the *Snyder* Court’s decision, *infra*, regarding private police officers.

- Capitol Police “officers so commissioned shall have **all the powers and prerogatives conferred by law upon constables of the Commonwealth**” (emphasis added). *See* 71 P.S. § 1791.1.
- In third class cities “[p]olice officers shall be *ex-officio* **constables of the city** and shall enforce the laws of this Commonwealth...” (emphasis added). *See* 11 Pa.C.S. § 12005.⁴⁰

Constables Qualify as Police Officers.⁴¹ As mentioned above, the *In re Act 147* Court ruled that a constable is both a peace officer and a police officer. Under the Dog Law, a constable is among those defined as a police officer.⁴² Under the Vehicle Code, constables fall within the definition of “police officer” as “[a] natural person authorized by law to make arrests for violations of law.”⁴³ *See* 75 Pa.C.S. § 102. Similarly, under the Rules of Criminal Procedure, constables fall within the definition of a *police officer* as “any person who is by law given the power to enforce the law when acting within the scope of that person’s employment.” *See* Pa. R. Crim. P. 103.

In *Commonwealth v. Charley*, 2 Pa. D. & C.3d 94, at *3 (Pa. Ct. Cm. Pls. Chester Cnty., Dec. 31, 1975), the Chester County Court of Common Pleas held that a county detective who possessed “the powers conferred on **constables** by the laws of this Commonwealth, so far as they relate to criminal law and procedure” was a “**police officer.**” The *Charley* Court acknowledged that the Vehicle Code of 1959 provided no definition of “police”; rather, Section 102 of the predecessor statute used the term “**peace officer**” and defined it as: “[a] sheriff, deputy sheriff,

⁴⁰ Borough and township police officers were also *ex-officio* constables until recent legislation removed the phrase.

⁴¹ The Constabulary does **not** argue that its member-employees, or constables generally, are “police officers” under every Pennsylvania statute. For example, constables (and sheriffs, except in second class counties) do **not** fall within such a definition provided in Section 103 of the Crimes Code.

⁴² *See* 3 P.S. § 459-102: a “**police officer**” is “[a]ny person employed or elected by this Commonwealth, or by any municipality and whose duty it is to preserve peace or to make arrests or to enforce the law. The term includes **constables** and dog, game, fish and forest wardens.”

⁴³ “When the words of a statute are clear and free from all ambiguity, the letter of it is not to be disregarded under the pretext of pursuing its spirit.” *See* 1 Pa.C.S. § 1921(b). “It is **only when** the statutory language at issue is ambiguous that we look beyond it to the various factors listed in Subsection 1921(c) to ascertain its meaning” (emphasis added). *See A Special Touch v. Commonwealth*, 228 A.3d 489 (Pa. 2020) citing *Barnard v. Travelers Home & Marine Ins. Co.*, 216 A.3d 1045 (Pa. 2019).

constable, member of the Pennsylvania State Police, State Highway Patrolman, or other police officer vested with authority of arrest” (emphasis added). *Id.* The *Charley* Court further concluded that the county detective’s vehicle was a “**police vehicle**,” which was used in pursuit of his official duties and extensively equipped for law enforcement use; despite, however, that it was a privately owned vehicle (“**POV**”), registered to him [the county detective] and his wife, and lacked any distinctive markings.

In *Commonwealth v. Trefry*, 375 A.2d 786 (Pa. Super. Ct. 1977), the Superior Court observed that:

Section 1204 of the Vehicle Code of 1959, entitled “Arrests on view or with warrant”, was amended to add the following sentence: “A **peace officer** may, **upon view or upon probable cause without a warrant, arrest any person violating section 1037 of this act** in cases causing or contributing to an accident.” An addition was subsequently made to Pa.R.Crim.P. 101, entitled “Means of Instituting Proceedings in Court Cases,” in order that it **harmonize** with the statute. Rule 101 provides, in pertinent part: “Criminal proceedings in court cases shall be instituted by: 4. an arrest without a warrant upon probable cause when the offense is a misdemeanor not committed in the presence of the police officer making the arrest, when such arrest without a warrant is specifically authorized by statute. (emphasis added).

The Court confirmed that “peace officers” possessed warrantless arrest powers under the Vehicle Code of 1959. The Court’s commentary also gives insight as to why the long-standing⁴⁴ defined term “peace officer,” which had a class *member* type of definition that specifically referenced several types of law enforcement officers (including constables, as the *Charley* Court noted, *supra*), was replaced with the term “police officer,” which uses a class *describing* type of definition (*i.e.*, describes the class to which members belong—instead of identifying the class

⁴⁴ The Constabulary asks this Court to take judicial notice that both the Vehicle Code of 1929 (Act of May 1, 1929, P.L. 905, No. 403) and the Vehicle Code of 1959 (Act of April 29, 1959, P.L. 58, No. 32) used the term “**peace officer**,” which included **constables**, to define those officers with police power to enforce the Vehicle Codes. Those powers included sections with similar **arrest** powers, on view and without warrant, equivalent to Section 6304 under the current Vehicle Code.

members themselves), in the current Vehicle Code (Act of June 17, 1976, P.L. 162, No. 81). It aimed to further “harmonize” the statute and Rules of Criminal Procedure.

In *Mitchell v. Department of Transportation*, 826 A.2d 936 (Pa. Commw. Ct. 2003) (citing *Snyder v. Commonwealth*, 640 A.2d 490 (Pa. Commw. Ct. 1994)), a *private* police officer was ruled a “police officer” under the Vehicle Code:

In that case, a campus police officer employed by Carnegie Mellon University (CMU) observed the licensee operating a motor vehicle and noticed that he had a strong odor of alcohol on his breath. After the licensee failed field sobriety tests, the campus police officer arrested the licensee, and then turned him over to a City of Pittsburgh police officer. The licensee thereafter refused to submit to chemical testing and his license was suspended.

This court reversed the licensee’s suspension agreeing with his argument that the campus police officer who arrested him was not a police officer as that term is defined in 75 Pa.C.S. § 102. In accordance with 75 Pa.C.S. § 102 a police officer is defined as “[a] natural person authorized by law to make arrests for violations of the law.” Although Department argued that the campus police officer had authority to make arrests as a private policeman, Department did not produce any evidence to support its assertion that the campus officer was in fact appointed by the court of common pleas as a private policeman in accordance with 22 Pa.C.S. § 501(a).

The *Snyder* Court, after reciting the Vehicle Code’s current definition of “police officer,” reasoned that “a plain reading of section 1547(a) evidences the legislative intent to trigger the provisions of the Implied Consent Law only when a person with legal authority to make an arrest has reasonable cause to believe a motorist has been driving a motor vehicle while intoxicated.” The Court concluded that “[o]nly those persons appointed by court order are private police as envisioned by this section [22 Pa.C.S. § 501(a)]; if the CMU campus police were such private policemen, **[PennDOT] could have easily met its section 1547 burden of proving so by introducing a copy of the court order making the appointment. [PennDOT] however introduced no such evidence**” (emphasis added). *Id.* at 492.

Thus, the *Snyder* Court ruled that a *private* police officer, who was employed by and acting for a **nonprofit corporation**, was a “police officer” under the Vehicle Code, *but for* the lack of evidence of the officer’s appointment proving his “legal authority to make an arrest.” The Constabulary asks this Court to take judicial notice that the CMU officer in this case, as a *private* police officer appointed under 22 Pa.C.S. § 501(a), would **not** have been required to be trained or certified as a municipal police officer,⁴⁵ in order to meet the Section 1547 burden as a “police officer” under the Vehicle Code, which is consistent with the *Kline* Court’s decision, *supra*, that municipal police certification is **not** the training standard to enforce the Vehicle Code. *See also* Act of 1974, P.L. 359, No. 120 (relating to municipal police officer training and certification requirements).

Likewise, the *Mitchell* Court, *supra*, held that a trooper, “who was off-duty, dressed in street clothing and in an unmarked car, put a red light on his car and pulled the over the suspect vehicle,” [*sic*] had made a lawful arrest.

In this case, even though Corporal Stauffer was off-duty and not in uniform at the time of the arrest it does not follow that he was not a police officer able to conduct police business. In accordance with Section 712 of the Administrative Code of 1929, 71 P.S. § 252 members of the Pennsylvania State Police are authorized to:

(a) To make arrests, without warrant, for all violations of the law, including laws regulating the use of highways, which they may witness, and to serve and execute warrants issued by the proper local authorities. They shall have **all the powers and prerogatives conferred by law** upon members of the police force of cities of the first class, and **upon constables of the Commonwealth.**

Thus, as a Pennsylvania State Police officer, Corporal Stauffer has the **authority to arrest** without warrant a person whom he observes violating the laws regulating the use of the highway. (emphasis added).

⁴⁵ The *Snyder* Court also rejected PennDOT’s argument that CMU was a state-aided university, which is among those employers whose officers are required to be certified municipal police officers.

The *Mitchell* Court upheld the trooper’s status as a “police officer” under the Vehicle Code based on his arrest powers, including those conferred upon constables. The Constabulary again asks this Court to take judicial notice that the *Mitchell* Court did **not** construe the term to mean that training or certification was a condition precedent to being part of a particular class described as “police officers” under the Vehicle Code.

Lastly, the Constabulary asks this Court to take judicial notice that a constable’s common law power to arrest or enforce the Vehicle Code has **not** been abrogated by statute or otherwise.⁴⁶ Furthermore, the Constabulary argues that the General Assembly never intended to disturb the constable’s (or sheriff’s) authority to enforce the current Vehicle Code when it replaced the defined term “peace officer” with “police officer.” Rather, as the *Trefry* Court noted, *supra*, recent changes had been made in an effort to harmonize the Vehicle Code of 1959 and Rules of Criminal Procedure. Thus, given the proximate timing of the *Trefry* Court’s comments (1977) and the enactment of the current Vehicle Code (1976), the similarities in terms and class *describing* definitions, and the fact that the General Assembly did **not** abrogate or restrict the *peace officer*’s powers from the preceding statutes, it follows that the legislative intent to replace “peace officer” with “police officer” in the current Vehicle Code was merely toward further unifying the statute and rules.⁴⁷

Constables Have Immunities and Liabilities of Police Officers. In *Davis v. Darby Borough*, 669 F.Supp.2d 532 (E.D. Pa. 2009), the U.S. District Court for the Eastern District of

⁴⁶ In *PA Against Gambling Expansion Fund v. Commonwealth*, 877 A.2d 383 (Pa. 2005), the Supreme Court held “[w]e are strengthened in this conclusion by the well-known, uniform practice, long existent, of legislative draftsmen thus to place in brackets all parts of an existing law intended to be abrogated, as well as by the general understanding that such abrogation is to be deemed to occur only when so indicated.”

⁴⁷ Since the term “**peace officer**,” in the predecessor statutes, was replaced by the term “**police officer**” in the current Vehicle Code, the Constabulary asks this Court to resolve any ambiguity or uncertainty that *could* exist in the Court’s mind regarding a constable’s status according to 1 Pa.C.S. § 1921(c)(5): “(c) When the words of the statute are not explicit, the intention of the General Assembly may be ascertained by considering, among other matters: (5) The former law, if any, including other statutes upon the same or similar subjects.”

Pennsylvania found “the fact that **constables** are authorized ‘to initiate discretionary acts depriving others of their rights,’ *Waits v. McGowan*, 516 F.2d 203, 207 (3d. 1975), argues in favor of considering **constables** as equivalent to **police officers** in the context of civil liability **immunity**” (emphasis added). In addition, in *Reuben v. O’Brien*, 496 A.2d 913 (Pa. Commw. Ct. 1985), the Commonwealth Court held that “[a]lthough *Lockhart* involved an action filed under the Civil Rights Act of 1871, 42 U.S.C. § 1983, and the case *sub judice* does not, the ‘derivative immunity’ applied in *Lockhart* was developed in the common law, and it is the common law **immunity** which we apply to **constables**’ actions in this case” (emphasis added).⁴⁸

Constables are subject to penalties for civil rights violations under 42 U.S.C. § 1983. “The court of appeals in *County of Allegheny v. Berg*, 219 F.3d 261 (3d Cir. 2000), and *Abbott v. Latshaw*, 164 F.3d 141 (3d Cir. 1998), and the district court in *Maloney v. City of Reading*, 04-cv-5318, 2006 WL 305440 (E.D. Pa. Feb. 8, 2006), treated **constables** as **police officers** for purpose of § 1983 claims” (emphasis added). *See Galluze v. Miller*, No. 10-836, 2012 U.S. Dist. LEXIS 39110 (W.D. Pa. Mar 22, 2012). *See also McCullers v. Pennsylvania*, No. 5:15-cv-3732 (E.D. Pa. Jun 30, 2016). Similarly, constables are subject to the charge of “official oppression” for misusing the powers of their offices. In *Commonwealth v. Garner*, 301 A.3d 462 (Pa. Super. Ct. 2023), the Superior Court observed that Constable Garner had been convicted of three (3) counts of official oppression when, in acting in his official capacity, “he subjected the two drivers and one passenger to investigative detentions.” *See also* 18 Pa.C.S. § 5301 (relating to official oppression).

iv. The Constabulary Performs an Essential Governmental Function Through Its Member-Employees.

⁴⁸ The *Rueben* Court further explained: “A ‘derivative immunity’ born from the doctrine of judicial **immunity** has become well settled in the law; “any public official acting pursuant to court directive is also immune from suit.” *Lockhart v. Hoenstine*, 411 F.2d 455, 460 (3d Cir.1969), *cert. denied*, 396 U.S. 941, 90 S.Ct. 378, 24 L.Ed.2d 244 (1969); *see also United States ex rel. Smith v. Heil*, 308 F.Supp. 1063 (E.D.Pa.1970). Rosenwald’s actions in this case were consistent with the execution order signed by District Justice O’Brien and the laws of this Commonwealth regulating a **constable’s** conduct. (emphasis added).

In addition to substantially exercising police power, the Constabulary, through its member-employees, also performs a constitutionally mandated governmental function that the General Assembly has declared essential.

“Elections shall be free and equal; and **no power, civil or military, shall at any time interfere to prevent the free exercise of the right of suffrage**” (emphasis added). *See* Pa.Const. Art. 1 § 5.

Moreover, the General Assembly has declared a constable’s role and duty on election days as essential:

[n]o part of any day fixed for the performance of duties by any person or official under this part shall be deemed a Sunday or a legal holiday so as to affect the legality of work done for the purpose of carrying out this part or the right of a person to compensation provided for rendering any service required by this part or so as to relieve any person from doing on such day whatever is necessary for the purpose of carrying out this part. **Such services are declared to be necessary public services**” (emphasis added). *See* 25 Pa.C.S. § 1104.

Thus, the Constabulary’s duties, through its member-employees, to preserve the peace in and for their election districts are an essential governmental function.

Right-to-Know Law. The performance of any essential governmental function is significant under Pennsylvania law. For instance, under the Right-to-Know Law (“RTKL”),⁴⁹ any agency that provides services mandated by the Constitution, declared to be essential, or required for the continuation of the Commonwealth is considered a Commonwealth agency:

“**Commonwealth agency.**” Any of the following: (1) **Any office, department, authority, board, multistate agency or commission of the executive branch,** an independent agency and a State-affiliated entity. The term includes: (i) The Governor’s Office. (ii) The Office of Attorney General, the Department of the Auditor General and the Treasury Department. (iii) **An organization established by the Constitution of Pennsylvania, a statute or an executive order which performs or is intended to perform an essential governmental function**” (emphasis added).

⁴⁹ *See* 65 P.S. § 67.101 *et seq.*

Under the RTKL, the Constabulary qualifies as a Commonwealth agency.⁵⁰ The Constabulary is “an organization established by ... a statute [Nonprofit Corporation Law of 1988], which performs or is intended to perform an essential governmental function [preserving the peace of election districts through its member-employees].

The Supreme Court held in *SWB Yankees LLC v. Wintermantel*, 45 A.3d 1029 (Pa. 2012) that the delegation of an essential governmental function to a private entity confers “agency” status and that the records directly relating to their essential governmental function are non-exempt. While **not** a private entity, the Constabulary shares or intends to share the responsibility of an essential governmental function with member-employees when the two (2) parties enter into a membership and employment agreement. *See* Exs. P and Q.

Inherently Governmental. The Constabulary does not claim that its member-employees are employees of the Commonwealth or any municipality. However, one’s employment status is not itself dispositive of one’s status or classification. The same is true for entities. In *Pa. State Univ. v. Derry Twp. Sch. Dist.*, 731 A.2d 1272 (Pa. 1999), the Supreme Court held that “an entity’s status as an agency or instrumentality varies, depending on the issue for which the determination is being made.” However, certain activities are inherent to an entity’s status as government, such as being delegated the substantial exercise of a sovereign power, performing an essential governmental function, existing for public purposes, and being controlled by elected officials. When taken together, these characteristics are inherently governmental and tend to transcend more context-sensitive definitions of government under statute. In this regard, the Constabulary

⁵⁰ In *Grevas v. Pennsylvania State Constabulary*, OOR Dkt. AP 2023-0713, the OOR ruled that it was not presented with sufficient factual evidence to determine whether the Constabulary was an “agency” under the RTKL and found, therefore, that the Constabulary was not an agency.

possesses powers and characteristics that could classify it as a Commonwealth agency or local agency, but it nevertheless remains governmental or quasi-governmental.

v. The Purposes Served by the Constabulary are Public, Not Private.

The Constabulary serves several purposes, which are public in nature, not private, under Pennsylvania law.

Public Employer. As the current and prospective employer of public officers, the Constabulary qualifies as a “public employer” under the Public Employe Relations Act.⁵¹ It is well-established under Pennsylvania law that constables are public law enforcement officers. To this end, the *In re Stanley* Court, *supra*, ruled that a constable cannot simultaneously hold a private detective license:

To give these powers, conferred upon a **duly elected constable for the benefit of the public**, to a person licensed to act for private persons, creates the distinct possibility of grave abuses. **The public policy against allowing one clothed with such “extraordinary authority” to act as a private detective for private employers seems obvious.** Therefore, the action of the court below in suspending his license during the time when he holds this authority is proper. (emphasis added). *Id.* at 289. *See also* The Private Detective Act of 1953 P (22 P.S. § 11).

Consistent with this ruling,⁵² constables and other peace officers are not permitted to work for private employers when acting in their official capacities.⁵³ In addition, the Office of Open Records has determined that constables must comply with the RTKL as local agencies,⁵⁴ and the

⁵¹ *See* 43 P.S. § 1101.301.

⁵² The Attorney General’s Office stated in an earlier opinion that “[t]here should be no ground for suspicion that, in the performance of his duties, an elected public officer of any grade is subject to the directions of a *private* corporation, and it seems to us that it is highly improper for a **constable** to serve during his term of office as such, also as a railroad policeman” (emphasis added). *See* Attorney General’s Opinion to the Governor, March 25, 1930).

⁵³ “These cases make clear that **Pennsylvania**, as a matter of public policy, **prohibits individuals who, by virtue of their public employment status, have powers and authority not commonly held by private citizens**, including private detectives, because these individuals might abuse their public power and authority to benefit private persons” (emphasis added). *See In re Clader*, 135 A.3d 1062, 1069 (Pa. Super. Ct. 2016).

⁵⁴ The Constabulary concurs with the Office of Open Records’ holding that constables are “agencies” under RTKL but respectfully disagrees that their correct classification be as “local.” Given the office’s statutory duties to their election districts, with those duties being among those declared *essential* by the General Assembly, the proper

State Ethics Commission requires constables to comply with the Public Official and Employee Ethics Act,⁵⁵ including filing annual statements of financial interest.⁵⁶

Public Law Enforcement Agency. The Constabulary is a public law enforcement agency that currently employs one (1) public law enforcement officer and prospectively employs other public law enforcement officers.⁵⁷ As defined under the Law Enforcement Background Investigations and Employment Information statute, a *law enforcement agency* and *prospective law enforcement agency* is: “[a] law enforcement agency in this Commonwealth that is the employer of [or considering employing] a law enforcement officer” wherein the term *law enforcement officer* is defined as “[having] the same meaning as the term ‘peace officer’ under 18 Pa.C.S. § 501 (relating to definitions).” See 44 Pa.C.S. § 7302.

Public corporations,⁵⁸ quasi-municipal corporations,⁵⁹ and other law enforcement agencies, like the Constabulary, provide organizational governance and standards for its public employees.⁶⁰ Through a constable’s employment with the Constabulary, background checks

classification should be as a ‘Commonwealth agency’ in accordance with 65 P.S. § 67.102. See *Grove v. Constable John-Walter Weiser*, OOR Dkt. AP 2018-0457 (finding that constables are “local” agencies).

⁵⁵ See 65 Pa.C.S. § 1101 *et seq.*

⁵⁶ See *Commonwealth v. Robel*, 2466 EDA 2021 (Pa. Super. Ct. 2022) in which two (2) constables were convicted of failing to provide required financial information; their convictions were vacated on appeal as being *de minimis* infractions under the statute.

⁵⁷ According to the Commission on Crime and Delinquency’s Annual Report of 2023, 685 constables certified and firearms qualified were eligible for membership and employment with the Constabulary, subject to other prerequisites.

⁵⁸ Black’s Law Dictionary defines the term “public corporation” as “2. A corporation that is created by the state as an agency in the administration of civil government.” and “3. A government-owned corporation that engages in activities that benefit the general public, *usu.* while remaining financially independent. Such a corporation is managed by a publicly appointed board.”

⁵⁹ Cornell University Law School, Legal Information Institute defines “quasi-municipal corporations” as “public agencies with attributes of a municipality only insofar as they serve the performance of its express objectives.” See Wex Dictionary: https://www.law.cornell.edu/wex/quasi-municipal_corporation

⁶⁰ Concerns about the standards, uniformity, and supervision of constables is well-documented. In 2014 and 2020, the Joint State Government Commission conducted two (2) reviews, one of constables and the other of Pennsylvania law enforcement, respectively. In 1997, the Superior Court in *Roose* expressed similar concerns. Before that, the Commission on Crime and Delinquency, Local Government Commission, Department of Community & Economic Affairs, and Administrative Office of Pennsylvania Courts have conducted similar inquiries to better understand these challenges. The Constabulary believes these issues and challenges have been caused by the lack of, and are overwhelmingly resolved through, an employer.

become statutorily mandated. Furthermore, the Constabulary can require member-employees to meet certain training standards that other constables may not otherwise be required to meet.⁶¹ Member-employees can also receive additional benefits, such as workers' compensation, if injured while on duty.

Public Assets. The Constabulary's assets are owned and used for public ends. The Constabulary's vehicles, firearms, less-lethal weapons, and other equipment are purchased for the use of its member-employees while performing their official duties. Given their powers to arrest, authority to use both lethal and less-lethal force, and the risks they take as law enforcement officers, the Constabulary's member-employees should be well-equipped and regulated. The public's trust and confidence in its law enforcement officers is crucial.

vi. The Constabulary's Revenue is Derived from Tax Dollars and Its Other Revenue is Public in Character.

Tax Dollars. The Constabulary is not itself a taxing authority and has not been delegated the sovereign power of taxation by the General Assembly (nor have the unincorporated units its member-employees represent and serve). However, its revenue comes from public sources and the performance of criminal law enforcement services and civil process such as executing landlord-tenant evictions⁶² and judgments, and serving writs and other legal documents. It collects fees for performing public services from various taxing authorities, including the Commonwealth, counties, courts, and municipalities. These fees are paid directly from taxpayer funds. *See* Ex. D.

Public Revenue. The Constabulary also collects fees from the public at-large by contract for performing law enforcement services. In this regard, the fees charged by the Constabulary to perform its services are virtually identical in character to the fees charged by Commonwealth,

⁶¹ *See* Ex. H.

⁶² *See* The Landlord and Tenant Act of 1951 (68 P.S. § 250.101 *et seq.*). *See also* Pa.R.Civ.P. 1915. *See also* Pa.R.Civ.P.M.D.J. 307, 313, 403, 404, 405, 506, 508, 516, 517, and 1209.

county, and municipal agencies. Their fees are set by statute or the individual agencies. For example, “[p]olice officers may serve and execute criminal process or processes issued for the violation of township ordinances and shall charge the same fees and costs as pertain by law to constables of the township for similar services, but the fees and costs shall be paid to the township treasurer for the use of the township” (emphasis added). See 53 P.S. § 56404 (relating to police services in first class townships). In this regard, the Constabulary (a *nonprofit* corporation) collects and uses fees for services performed by its member-employees (constables) in virtually the same way a township (a *municipal* corporation) does for services performed by its employees (police officers).

Likewise, a county sheriff’s office performs similar services as the Constabulary, such as criminal and civil process, and charges fees for doing so.⁶³ The revenue that sheriff’s offices earn for charging fees to perform these services is considered public, **not** private, revenue. Another example is when PennDOT charges private businesses and individuals to title and register their vehicles to operate on public roads. That revenue is public even though it is charged to private parties.

Yet another example is when event promoters, such as those promoting concerts, sports games, festivals, races, and other types of large public gatherings, contract with a county or municipality for law enforcement services. The compensation paid by the event promoters to counties and municipalities for their officers to perform law enforcement services, while in uniform and acting under color of law, is considered public revenue and usually paid as overtime to officers.

⁶³ See fee sheet from the Sheriff’s Office of Allegheny County, PA for performing services (last retrieved August 7, 2024) – <https://sheriffalleghenycounty.com/wp-content/uploads/2024/06/Fee-List-July-2024.pdf>

Beneficiary of Tax Dollars. The Constabulary also receives the benefit of tax dollars from the Constables' Education and Training Fund account, benefiting from the program's fund to provide annual continuing education and firearms qualification to its member-employees. This restricted account is funded through fees collected and remitted for criminal and civil process served by constables,⁶⁴ which are a line item in the Governor's annual budget to the General Assembly.

vii. The Constabulary is Controlled by Public Officials.

The Constabulary's member-employees are comprised of voting members who elect the governing body. Its member-employees, in their capacity as voting members, are also empowered to propose and consent to certain actions such as bylaw amendments and other acts permitted under the law. In this regard, the Constabulary is under the control of its voting members who are elected officials. *See Exs. P and Q. See also Hearing Tr. (Jul. 11 2024) Pg.33 ¶ 1-3.*

viii. The Constabulary is a Body Corporate and Politic.⁶⁵

The nexus of constables' offices, powers, and duties is through the governmental units they are elected to represent and serve: municipal districts and election districts. While these districts are unincorporated units, like the several offices of constable, they are not themselves bodies corporate and politic. This contrasts with, for example, municipal corporations,⁶⁶ municipal authorities, and school districts,⁶⁷ all of which are both bodies corporate and politic under their enabling statutes.

⁶⁴ *See* 44 Pa.C.S. § 7149 (relating to the establishment of a special restricted account for administering the Constables' Education and Training Program).

⁶⁵ Black's Law Dictionary defines a "body politic" as "[a] group of people regarded in a political (rather than a private) sense and organized under a common governmental authority."

⁶⁶ Under the Statutory Construction Act of 1972, the Constabulary is **not** a municipal corporation. A "municipal corporation" is "a city, borough, or incorporated town [or township]." *See* 1 Pa.C.S. § 1991.

⁶⁷ *See* footnote 23, *supra*.

However, as independent contractors, constables possess the rights and powers to contract on behalf of their offices in an official capacity (except where incompatible, such as with private employers). Thus, the process of admitting and hiring member-employees through membership and employment agreements establishes the Constabulary as a body politic.⁶⁸ A further example of its status is when the Constabulary contracts to provide law enforcement services, for the judiciary or otherwise. In this regard, the Constabulary acts like a municipal corporation that contracts with another municipal corporation to provide law enforcement services.⁶⁹ Thus, the Constabulary is a body corporate by *statute* [Nonprofit Corporation Law of 1988] and a body politic by *contract* (e.g., bylaws, membership and employment agreements, contracts for services, etc.).

ix. The Constabulary is an Exempt Entity Under Subsections 1901(a)(1), 1901(a)(2), or 1901(a)(3) of the Vehicle Code.

The Constabulary is, plainly, a governmental or quasi-governmental entity, according to the phrase's common and approved usage.⁷⁰ More specifically, the General Assembly used the comprehensive and wide-ranging phrase “governmental and **quasi**-governmental entities”⁷¹ to

⁶⁸ According to its common and approved usage, the term “constabulary” means “the body of constables of a district.”

⁶⁹ [A]ny [second class] township may contract with any municipal corporation to provide police services within the other municipal corporation. When a contract is made, the township police have all the powers and authority conferred by law on police in the municipal corporation which has contracted to secure police service.” See 53 P.S. § 66904.

⁷⁰ “To determine statute’s plain meaning, a court must analyze the operative statutory language in context and give words and phrases their common and approved usage.” See *Kornfeind v. New Werner Holding Co.*, 280 A.3d 918 (Pa. 2022).

⁷¹ Black’s Law Dictionary defines “**quasi**” as “Lat. As if; almost as it were; analogous to. This term is used in legal phraseology to indicate that one subject resembles another, with which it is compared, in certain characteristics, but that there are intrinsic and material differences between them. [citations omitted.] It is often prefixed to English words, implying mere appearance or want of reality. [citation omitted.] It is exclusively a term of classification. Prefixed to a term of Roman law, it implies that the conception to which it serves as an index is connected with the conception with which the comparison is instituted by a strong superficial analogy or resemblance.”

exempt such vehicles from registration fees, which indicates a strong legislative intent toward an inclusive interpretation, **not** an exclusionary one.⁷²

But because the phrase belongs to a heading of a subsection, it “shall not be considered to control but may be used to aid in the construction thereof.” *See* 1 Pa.C.S. § 1924. Therefore, this Court must analyze the six (6) classes of entities the phrase comprises: (1) the Commonwealth; (2) political subdivisions; (3) state and local authorities; (4) state-related institutions of higher learning; (5) the federal government; and (6) other states.” 75 Pa.C.S. § 1901(a)(1)-(6).⁷³

Political Subdivision. The Constabulary qualifies as a *political subdivision*⁷⁴ under Section 1901(a)(2). Political subdivisions are comprised of municipalities and other bodies corporate and politic, as defined under the Statutory Construction Act of 1972. The relationship between municipalities, on the one hand, and municipal districts and election districts, on the other hand, is deeply connected under Pennsylvania law. The districts are governmental units that are constitutionally and statutorily recognized, serving an essential governmental function. Constables are clearly elected to represent and serve these governmental units and exercise “extraordinary authority” in doing so. Among other things, the contract for membership and employment between officeholder and entity converge to form the body corporate and politic of the Constabulary.

⁷² Since those provisions under Chapter 13 of the Vehicle Code relevant to this case are directly related to the Commonwealth’s imposing required fees on the Constabulary, the Constabulary asks this Court to **strictly construe** these provisions in favor of the exemption provided for in Section 1901(a) according to 1 Pa.C.S. § 1928: “(b) All provisions of a statute of the classes hereafter enumerated shall be strictly construed: (3) Provisions imposing taxes.”

⁷³ Because the Constabulary cannot reasonably be interpreted to mean part of, or belonging to, a state-related institution of higher learning, the federal government, or any other state, the classes of entities in 75 Pa.C.S. § 1901(a)(4)-(6) can be dismissed out of hand.

⁷⁴ *See* 1 Pa.C.S. § 1991: A “political subdivision” is “[a]ny county, city, borough, incorporated town, township, school district, vocational school district and county institution district.”

Likewise, by letter dated April 25, 2022, the Department of Revenue concluded that the Constabulary qualifies as a “**political subdivision** of the Commonwealth.”⁷⁵ See Ex. E. This tax status determination by the Commonwealth government was the basis for the Constabulary completing and providing the PennDOT messenger service a completed and signed form REV 1220, which the messenger service then used to complete the form MV-4ST (sales and use tax return; application for registration) and supplemental form MV-14MG (municipal government registration). Both motor vehicle forms were ultimately signed by the Constabulary. See Ex. L. See also Hearing Tr. (Jul. 11 2024) Pg. 57 ¶ 12-14.

The Constabulary’s member-employees possess qualified and quasi-judicial immunity as “peace officers,” under Pennsylvania law and as “related staff” under the Judicial Code. Following the Supreme Court’s logic in *Guinn v. Alburdis Fire Co.*, 614 A.2d 218 (Pa. 1992), wherein volunteer fire companies and their members were afforded governmental immunity and official immunity under the Political Subdivision Tort Claims Act, the Constabulary also qualifies for governmental immunity and official immunity as a “local agency.” See also *Pysher v. Clinton Twp. Volunteer Fire Co.*, 766 C.D. 2022 (Pa. Commw. Ct. 2023). See also 42 Pa.C.S. § 8501 *et seq.* (relating to matters involving local agencies). Accordingly, the Constabulary and its member-employees qualify as a “government agency” as defined in the Judicial Code as “[a]ny Commonwealth agency or **any political subdivision or municipal or other local authority, or any officer or agency of any such political subdivision or local authority**” (emphasis added).⁷⁶ See 42 Pa.C.S. § 102.

⁷⁵ See 61 Pa. Code § 32.23: “(a) Sales of tangible personal property or services to the Commonwealth, or its instrumentalities or **political subdivisions**, are not taxable under section 204(12) of the TRC (72 P.S. § 7204(12)). Sales to the individual teachers, school principals or other employes are taxable. The transaction is exempt only when the sale is made and invoiced directly to the exempt entity. (2) **Political subdivisions** include county, city, borough, incorporated town, township, school district, vocational school district and county institution district.”

⁷⁶ The Constabulary is **not** a “Commonwealth agency” as the term is defined under the Judicial Code.

As mentioned above, in 2013, the IRS determined that Pennsylvania constables are county employees for tax purposes. *See* footnote 16 *supra*. In this regard, the analysis and determination of an administrative agency, interpreting relevant Pennsylvania law, was that constables are under the control of the county for which they are working (counties are “political subdivisions” as defined under the Statutory Construction Act of 1972). Thus, through judicial work alone, the Constabulary qualifies as a *political subdivision* under the IRS’s interpretation. Following another IRS ruling, an auxiliary police organization⁷⁷ was held to be a *political subdivision* for tax purposes based on the entity’s characteristics, which are shared by the Constabulary. Similarly, the IRS found that a nonprofit corporation⁷⁸ and public corporation⁷⁹ sharing the characteristics of the Constabulary were *political subdivisions*. These rulings by the IRS are consistent with the determination that the Constabulary qualifies as a *political subdivision*, as was determined by the Department of Revenue by letter dated April 25, 2022.⁸⁰ *See* Ex. E.

For all of these reasons, the Constabulary qualifies as a government or quasi-governmental entity under Section 1901(a)(2) of the Vehicle Code.⁸¹

State or Local Authority. In the alternative, the Constabulary qualifies as a state or local authority under Section 1901(a)(3) of the Vehicle Code. Although the term “local authorities” is

⁷⁷ See Internal Revenue Service: Private Letter Ruling (LTR 9323018): “Auxiliary Police Organization Is Political Subdivision” (March 1993).

⁷⁸ See Internal Revenue Service: Private Letter Ruling (LTR 201114010): “Nonprofit Corporation Qualifies as a Political Subdivision” (December 2010).

⁷⁹ See Internal Revenue Service: Private Letter Ruling (LTR 201741010): “Public Corporation Qualifies as a Political Subdivision” (July 2017).

⁸⁰ The Constabulary asks this Court to resolve any ambiguity or uncertainty that *could* exist in the Court’s mind regarding the Constabulary’s classification as a *political subdivision* according to 1 Pa.C.S. § 1921: “(c) When the words of the statute are not explicit, the intention of the General Assembly may be ascertained by considering, among other matters: (8) Legislative and administrative interpretations of such statute.”

⁸¹ *See* 1 Pa.C.S. § 1921(8) (relating to ascertaining the General Assembly’s intention by considering administrative interpretations of such statute).

a defined term under the Vehicle Code,⁸² the term used by PennDOT on the form MV-14MG is “municipal authority.” *See* Ex. L. Moreover, it is not clear from the definition of “local authorities” under the Vehicle Code that the General Assembly intended to limit local authorities to only those entities formed under the Municipality Authorities Act since many municipal authority types have no circumscribed authority to enact laws relating to traffic. The Constabulary asks this Court to take judicial notice that “police officers” appointed to protect the property of municipal authorities “shall have the same rights as other **peace officers** in this Commonwealth with respect to the property of the authority”⁸³ (emphasis added).

For example, Section 8002 of the General Local Government Code defines “authority” as “an authority or **nonprofit corporation** organized under any statute by or on behalf of the **Commonwealth** or any **local government unit** or jointly by any one or more of them” (emphasis added), where a local government unit means “a county, county institution district, city, borough, incorporated town, township, school district or any **similar, general or limited purpose unit of local government** or any unit created by joint action of two or more local government units which is authorized to be created by law” (emphasis added).⁸⁴ As a state authority, the Constabulary is a nonprofit corporation organized under any statute [Nonprofit Corporation Law of 1988], by a constable, Constable Knapp (vested with state power), acting in his official capacity. As a local authority, a municipal district and an election district are “similar, general or limited purpose units of local government” that formed the Constabulary under a statute, the Nonprofit Corporation Law of 1988, by an elected official of a municipal district and election district.⁸⁵

⁸² *See* Section 102 of the Vehicle Code defines “local authorities [as] county, municipal and other local boards or bodies **having authority to enact laws relating to traffic**. The term also includes airport authorities, except where those authorities are located within counties of the first class or counties of the second class” (emphasis added).

⁸³ *See* 53 Pa.C.S. § 5607.

⁸⁴ *See* 53 Pa.C.S. § 8002.

⁸⁵ *See* 15 Pa.C.S. § 5301 (relating to corporate purpose) and 5202 (relating to incorporators).

Given the attributes that the Constabulary possesses, it is reasonable to construe the Constabulary as a state or local authority under Section 1901(a)(3) of the Vehicle Code.

Commonwealth. In the alternative, the Constabulary qualifies as the *Commonwealth* under Section 1901(a)(1). In reality, the Constabulary’s member-employees are vested with substantial police power delegated from and codified by the Commonwealth. The General Assembly has conferred arrest powers to constables through various statutes. Since as early as 1822, the Supreme Court of Pennsylvania has recognized a constable’s common law power to arrest. As recently as 2019 and 2020, the Superior Court and Supreme Court reaffirmed a constable’s and peace officer’s common law powers to arrest for in-presence felonies and breaches of the peace. Depriving one of liberty by arrest is inherently a *state* action and an exercise of sovereign power that can only be authorized, legislatively or judicially, by the Commonwealth.

Although the Supreme Court has held that “constables [are] neither acting for nor under the control of the Commonwealth and ... , therefore, they [cannot] be considered to be employees of the Commonwealth,”⁸⁶ the statutory phrase “**powers and prerogatives of constables of the Commonwealth**” suggests a strong legislative intent that constables act for the Commonwealth and under the control of the General Assembly and courts through their statutory and common law grants of police power, respectively, rather than merely relating to their employment status.⁸⁷ Similarly, as peace officers (and police officers under Pa.R.Crim.P. 103), constables are acting on behalf of the Commonwealth by arresting “for acts of the defendant [that] were *against the peace and dignity of the Commonwealth of Pennsylvania*” (emphasis added). See Pa.R.Crim.P. 504 (relating to contents of criminal complaints). Likewise, a warrant issued to a constable (and other police officers defined under Rule 103) contains the directive “[i]n the name of the

⁸⁶ See *In re Act 147 of 1990*, 598 A.2d 985 (Pa. 1991) citing *Rosenwald v. Barbieri*, 462 A.2d 644 (Pa. 1983).

⁸⁷ The Constabulary does **not** argue that it, or its member-employees, are privileged with sovereign immunity.

Commonwealth of Pennsylvania, you are commanded to take the defendant into custody.” *See* Pa.R.Crim.P. 150 (relating to bench warrants), Pa.R.Crim.P. 430 (relating to bench warrants and arrest warrants in summary cases), Pa.R.Crim.P. 513 (relating to arrest warrants), and Pa.R.Crim.P. 515 (relating to execution of arrest warrants).

Were constables to have a legislatively created employer, the employer would likely be in the form of an *independent* executive agency of the Commonwealth, like the Game Commission⁸⁸ or Fish and Boat Commission.⁸⁹ By default, constables are *independent* contractors who “belong analytically to the *executive* branch.” *In re Act 147* at 990. This was made clear when, in 1991 after the General Assembly attempted to make the office of constable part of the judiciary and constables “personnel of the system,” the *In re Act 147* Court, *supra*, declared the act to be “infested with unconstitutionality” for violating the separation of power doctrine. *Id.* Constables have never historically had an employer.

This compares with senators and representatives of the General Assembly who are elected to represent and serve local legislative districts, with magisterial district judges who are elected to represent and serve local magisterial districts, and with common pleas court judges who are elected to represent and serve local judicial districts—but contrasts with their employment status since all of them are *Commonwealth* employees. Notwithstanding, constable districts (i.e., municipal districts and election districts) are the *executive* equivalent to senate districts and house districts for the *legislature*, and magisterial and judicial districts for the *judiciary*. Thus, the districts of each are constituent parts that, when taken together, form one political body within their respective branches of government. The Constabulary asks this Court to take judicial notice that, like constable districts and the districts underlying them, legislative districts, judicial districts, and

⁸⁸ *See* 34 Pa.C.S. § 301 (relating to the organization of the Pennsylvania Game Commission).

⁸⁹ *See* 30 Pa.C.S. § 301 (relating to the organization of the Pennsylvania Fish and Boat Commission).

magisterial districts are unincorporated units. And, that these officers elected to represent and serve their respective local districts do **not** act for the Commonwealth *only* by virtue of their employment status but also by their prescribed authority under Pennsylvania law.

Rather “state” constables are likewise elected to represent and serve local districts, their powers and jurisdiction as peace officers and process servers are generally statewide, and they have civil rights immunities and liabilities as *state* actors in the same way as police and other law enforcement officers; yet they are **not** regarded to be part of or belonging to the Commonwealth due to a lack of employment status. Accordingly, the Constabulary argues that given its member-employees powers and prerogatives while acting within the scope of their employment, the Constabulary qualifies as the Commonwealth under Section 1901(a)(1).

There are additional reasons to believe that the Constabulary is acting under the control of the Commonwealth. For example, the Constabulary’s Vehicle is modified according to law to perform certain judicial duties. The Rules of Judicial Administration require certified constables to perform their judicial services in accordance with the *Constable Policies, Procedures, and Standards of Conduct* promulgated by the Administrative Office of Pennsylvania Courts.⁹⁰ Certified constables must comply with the rules and regulations set by the Commission on Crime and Delinquency. When taken together, the Commonwealth exercises considerable control over the Constabulary’s functions, through its member-employees.

Given the attributes that the Constabulary and its member-employees possess, it is reasonable to construe the Constabulary as part of or belonging to the *Commonwealth* under Section 1901(a)(1) of the Vehicle Code.

B. The Constabulary is Entitled to Municipal Government Registration Under Section 1331 of the Vehicle Code.

⁹⁰ See Pa.R.J.A. 1907.1 and Pa.R.J.A. 1907.2.

i. The Vehicle is Owned by a Governmental or Quasi-Governmental Entity.

The Vehicle is a governmental or quasi-governmental owned vehicle. It is not owned by any natural person, which is evidenced by the Vehicle's transfer documents and title. *See* Exs. L and O. *See also* Hearing Tr. (Jul. 11 2024) Pg. 51 ¶ 24.

First, the Constabulary is the transferee, owner, and registrant of the Vehicle, not Constable Knapp. *See* Exs. F, K, L, M, N, and O. The Constabulary's funds were used to purchase, title, register, insure, inspect, and maintain the Vehicle, not those of Constable Knapp. *See* Hearing Tr. (Jul. 11 2024) Pg. 50 ¶ 24 through Pg. 52 ¶ 4.

Second, the vehicles at issue in the cases on which PennDOT relies, namely, *Rodriguez*,⁹¹ *Silver Spring Twp*,⁹² *Metzgar*,⁹³ and *Office of Constable*⁹⁴ were all **POVs**. These vehicles were purportedly owned by governmental or quasi-governmental entities when, in fact, they were owned by natural persons. The Courts recognized in each case that the vehicles were privately owned by the constables in their individual capacities, holding that office and officeholder of constable are one and the same.⁹⁵ In other words, the Courts found that a vehicle can no more be owned by the office of a mayor than it can be owned by the office of a constable and still be a governmental or quasi-governmental vehicle. *See Office of the Constable v. Dep't of Transp.*, 112 A.3d 678 (Pa. Commw. Ct. 2015) (citing *Kmonk-Sullivan v. State Farm Mut. Auto. Ins. Co.*, 788 A.2d 955 (Pa. 2001)) (“[g]enerally, courts use the term ‘government vehicle’ to denote government

⁹¹ *See Commonwealth v. Rodriguez*, 2013 PA Super 302, 81 A.3d 103 (Pa. Super. Ct. 2013).

⁹² *See Silver Spring Twp. State Constable Office v. Commonwealth*, 65 A.3d 1078 (Pa. Commw. Ct. 2013)

⁹³ *See Metzgar v. Commonwealth*, No. 294 C.D. 2012, No. 395 C.D. 2012, 2013 Pa. Commw. Unpub. LEXIS 272 (Pa. Commw. Ct. 2013).

⁹⁴ *See Office of the Constable v. Dep't of Transp.*, 112 A.3d 678 (Pa. Commw. Ct. 2015).

⁹⁵ *See Id.* holding that the “[c]onstable’s argument is constructed on the faulty premise that the Office is a separate government entity apart from Metzgar as office-holder.”

ownership of a vehicle” (emphasis added)). Simply put, the vehicles in the cases cited by PennDOT were POVs and **not** governmental or quasi-governmental owned vehicles.

As mentioned above, in order for Constable Knapp to perform judicial services, the Vehicle has been modified to ensure that, *inter alia*, “[c]ages shall be permanent, rather than temporary, and of the same type and quality used in police and sheriff’s vehicles.”⁹⁶ This means that the Vehicle, and any other of the Constabulary’s vehicles, must be modified to function the same way other law enforcement vehicles do, in every county in which the Constabulary operates across the Commonwealth. Per the testimony of Constable Knapp, the Vehicle is used extensively as a police vehicle to perform law enforcement services. *See* Hearing Tr. (Jul. 11 2024) Pg. 68 ¶ 17. Thus, in addition to ownership, the uses of the Vehicle are further evidence that the Vehicle is a governmental or quasi-governmental vehicle.

ii. Designating the Vehicle as a Municipal Government Vehicle Serves the Public Interest.

Identifying the Vehicle to the Public as Governmental or Quasi-Governmental. The Vehicle is a “police vehicle,” under the Vehicle Code, that serves a public law enforcement purpose. It is exclusively driven and used by Constable Knapp,⁹⁷ who is a “police officer” under the Vehicle Code, to conduct official agency business. A municipal government plate allows the general public and other law enforcement agencies to immediately recognize that this is an official vehicle of a governmental or quasi-governmental entity, rather than an individual committing the misdemeanor of impersonating a public servant.⁹⁸ The Vehicle is equipped with red and blue

⁹⁶ Since Constable Knapp primarily works in Allegheny County, the Constabulary’s Vehicle follows the local rules set by the Fifth Judicial District. *See* Constable Handbook for the Fifth Judicial District (last revised June 2023). <https://www.alleghecourts.us/magisterial-district-courts/policies-and-procedures/constable-handbook/>

⁹⁷ Per testimony, the Constabulary authorized the Vehicle to be exclusively **used** and **driven** by Constable Knapp. Contrary to PennDOT’s claims in its Memorandum of Law, the Vehicle is exclusively **owned** and **controlled** by the Constabulary. *See* Ex. N. *See also* Hearing Tr. (Jul. 11 2024) Pg.52 ¶ 10-14.

⁹⁸ *See* 18 Pa.C.S. § 4912.

lights and sirens as a police vehicle, consistent with the Vehicle Code,⁹⁹ Rules of Judicial Administration,¹⁰⁰ and other statutory and common law authorities conferred upon constables. *See* Ex. N.

The Constabulary asks this Court to take judicial notice that the *Charley* Court, *supra*, did not impose any government ownership requirement on the county detective’s POV when holding it to be a “police vehicle.” Rather, the *Charley* Court “[did] **not** believe that external markings or use on a particular occasion alone determine the status of a vehicle as a ‘police vehicle.’ We think that designation as such, properly equipping same, and having the vehicle available for that use determines the status of ‘police vehicle...’” (emphasis added). *Id.* at *4.

Consistent with the *Charley* Court’s holding, the Vehicle is a “police vehicle” and is an “emergency vehicle.”¹⁰¹ The General Assembly has added provisions to the Vehicle Code, commonly referred to as the “Move Over, Slow Down” law, to protect emergency response areas and disabled vehicles. *See* 75 Pa.C.S. § 3327. Per the testimony of Constable Knapp, the Vehicle has been used as an emergency vehicle to protect disabled vehicles. *See* Hearing Tr. (Jul. 11 2024) Pg. 19 ¶ 2-6.

Tracking Use of Taxpayer and Other Public Funds. By designating the Vehicle, and any other vehicle owned by the Constabulary as a municipal government vehicle, members of the public can monitor their use. This serves an important public purpose because tax dollars and public revenue fund payment of the Constabulary’s services. The fees generated by and collected for the Constabulary’s services performed by its member-employees often come directly as fees

⁹⁹ *See Rodriguez supra*: “[t]he automobile does not exhibit any distinctive markings or insignia to identify it as an official Pennsylvania government vehicle, and **does not feature emergency lights**” emphasis added. *See also* 75 Pa.C.S. § 4571 (relating to visual and audible signals on emergency vehicles).

¹⁰⁰ *See* footnote 90, *supra*.

¹⁰¹ A “police vehicle” is among those vehicles defined as an “emergency vehicle.” *Id.*

charged to defendants in criminal cases or plaintiffs in civil cases by magisterial district courts. In other cases, such as for court security, prisoner transports and holding, and election day services, those fees are paid out of the county treasury to the Constabulary. In other cases still, the Constabulary contracts directly with a Commonwealth, county, or local agency for services. *See* Ex. D. Since all these services are paid for with tax dollars, the public has an interest in tracking the use of its funds. PennDOT argued in its briefs in the *Ward* (2012 PA CW. Ct. Briefs LEXIS 1918, *11) and *Metzgar* (2014 PA CW. Ct. Briefs LEXIS 1464, *11) cases that the tracking of public funds used to purchase vehicles was one (1) of two reasons that it issues municipal government registrations.

Vehicles Owned or Used by Governmental or Quasi-Governmental Entities for Less Essential Purposes. A municipal authority can be formed for several different purposes, including, to administer public works, remove garbage, or oversee parks. On balance, the public benefits as much or more from clear visual indicators of a police vehicle than those just mentioned. For instance, a defendant or intervening bystanders may reasonably question or object to such defendant's lawfully being taken into custody and placed into a vehicle, when the vehicle lacks an official registration plate that indicates such authority. In this regard, without a municipal government registration plate, the public could reasonably see the Constabulary's and its member-employees' authority as that of a private security guard, or someone impersonating a public servant, and not that of a public law enforcement agency or officer. This perception erodes confidence and imperils the safety and security of those involved.

C. The Evidence Does Not Support PennDOT's Suspension (or Revocation).¹⁰²

¹⁰² The Constabulary asks this Court to take judicial notice that PennDOT's Memorandum of Law referred to its sanction against the Constabulary as a **suspension**, not a *revocation*. A **suspension** is the *only* sanction the facts presented support, which is what the Constabulary has maintained throughout these proceedings. Thus, PennDOT has effectively abandoned its argument that it *revoked* the Registration Plate.

As set forth in the *Legal Standard* section above, Section 1377 makes clear that a court is to “take **testimony** and examine into the **facts** of the case” (emphasis added). PennDOT called no witnesses to testify (*see* Hearing Tr. (Jul. 11 2024) Pg.76 ¶ 9-10) and only cross-examined Constable Knapp. The records introduced by PennDOT and admitted by this Court substantiate the claims made by the Constabulary, while the facts contradict the claims made by PennDOT.

Averments and Representations by Counsel are Not Facts. Neither averments nor representations made by legal counsel are factual evidence. The Pennsylvania Rules of Evidence do **not** allow for averments or representations made by counsel to be taken as factual evidence for a court to consider. In its Memorandum of Law, “[PennDOT] *avers* that the PA State Constabulary’s sole member, [Constable Knapp], is not entitled to a municipal government plate. [PennDOT] further *avers* that the PA State Constabulary, to the extent a distinction can be made, is also not entitled to a municipal government plate.” PennDOT is making legal conclusions on which it presented no factual evidence. Similarly, “[PennDOT] *avers* that [Constable Knapp] is an independent contractor and is not authorized to work on behalf of the government.” PennDOT is again making legal conclusions on which it presented no factual evidence. In presenting no factual evidence of these claims, this Court should lend no weight to them whatsoever, as such averments or representations are not evidence.

Furthermore, given that the hearing has concluded, every averment or representation made by PennDOT heretofore, to the extent that such averments or representations were merely legal conclusions on which no factual evidence was admitted for this Court to consider, should equally be rejected.

No Defects Contained in the Application for Registration.¹⁰³ PennDOT presented no factual evidence that the PennDOT messenger service filled out the motor vehicle forms incorrectly or that the forms were otherwise defective, under Section 1305 or elsewhere under Chapter 13. In addition, PennDOT presented no factual evidence that Constable Knapp “[applied] for and [was] granted a governmental municipal plate upon a material representation that *he* is a political subdivision” (emphasis added). *See* Hearing Tr. (Jul. 11 2024) Pg. 3 ¶ 22-25. As was instructed by the Department of Revenue (*see* Ex. E. *See also* and Hearing Tr. (Jul. 11 2024) Pg. 54 ¶ 23-25), the Constabulary completed a REV 1220 form (*see* Hearing Tr. (Jul. 11 2024) Pg. 56 ¶ 11-14), which the PennDOT messenger service used to complete the motor vehicle forms applying for the Registration Plate (*see* Ex. L), after which PennDOT processed and issued the Registration Plate.

The Constabulary, not Constable Knapp, is the owner and registrant of the Vehicle. Constable Knapp testified on direct examination that the PennDOT messenger service completed the motor vehicle forms, and that the Constabulary merely signed them. Constable Knapp has never represented that he or his office is a “political subdivision,” and PennDOT introduced no evidence supporting such a claim. Moreover, PennDOT introduced the same REV 1220 form that Constable Knapp testified was used by the PennDOT messenger service to complete the motor vehicle forms for the Vehicle’s title and Registration Plate.

Exemption from Registration Fees Not Challenged. PennDOT presented no factual evidence that the Constabulary was non-exempt, as a governmental or quasi-governmental entity, from registration fees. In response, the Department of Revenue reconsidered its initial decision

¹⁰³ The Constabulary asks this Court to take judicial notice that PennDOT’s Memorandum of Law makes no reference to the Constabulary or Constable Knapp making a material misrepresentation on the motor vehicle forms. PennDOT has effectively abandoned its argument that the Constabulary and/or Constable Knapp made a material misrepresentation to PennDOT as the basis for its suspension (or revocation), as it has previously claimed.

but PennDOT offered no evidence to explain the factual or legal motivations or whether PennDOT exerted undue influence in having the Department of Revenue reconsider its initial finding. **Because the Constabulary was prevented from conducting discovery by Order of Court, it was forced to speculate whether there was improper influence in the Department of Revenue's redetermination.**

As Constable Knapp testified to on direct examination, the Department of Revenue had determined that the Constabulary qualified as a “political subdivision,” which is a governmental or quasi-governmental entity type specifically exempt under Section 1901(a)(2) from paying registration fees. PennDOT presented no factual evidence that challenged or contradicted this exemption, even though nonpayment of required fees was the basis for the suspension under Section 1373(b)(2) as stated in the Official Notice of Suspension. PennDOT merely argues that “a constabulary is [not] a political subdivision because it is not a governmental entity or a quasi-governmental entity.” See Hearing Tr. (Jul. 11 2024) Pg.78 ¶ 1-3. Assuming counsel is referring to the Constabulary, the claim fails as a *petitio principii*.

Public Safety Concern Inapposite. PennDOT argues that “Pennsylvania courts have recognized significant public safety issues where a constable has attempted to overreach his statutorily granted authority and take actions akin to those reserved for highly trained police officers. See *Ward v. Commonwealth* at 1083. To that end, in order to protect the safety of the citizens of the Commonwealth, government municipal plates are not granted to constables nor constabularies.” The Constabulary asks this Court to take judicial notice that municipal government registrations are routinely issued to vehicles driven and used by public employees who are **not** “highly trained” police officers.

In fact, the *Ward* and *Metzgar* cases cited by PennDOT both rely on the *Roose* Court's holdings, *supra*. Since the facts in those cases are clearly distinguishable from the case at bar, and those Courts relied on common law that has subsequently changed, this Court should not rely on the cases that PennDOT cites. The Constabulary also asks this Court to take judicial notice that the “public safety” concern and “highly trained police officers,” to which PennDOT refers, first appeared in the Superior Court's opinion in *Roose*, and that the *Kline* Court specifically considered these issues when determining whether the deputy sheriff was adequately trained.

Notwithstanding, Constable Knapp is well-trained as a law enforcement officer and instructor, as he testified to on direct examination. *See* Hearing Tr. (Jul. 11 2024) Pgs. 12-19. The Constabulary has adopted training standards above the minimum requirements of a certified constable (Act of Oct. 9, 2009, P.L. 494, No. 49). A certified constable undergoes basic training¹⁰⁴ and basic firearms¹⁰⁵ to complete a 120-hour constable certification program administered by the Commission on Crime and Delinquency. Certified constables must also undergo continuing education to maintain their certification.¹⁰⁶ Per testimony, Constable Knapp is certified under the Lethal Weapons Training Act (Act of Oct. 10, 1974, P.L. 705, No. 235). He is also trained and experienced in driving emergency vehicles and managing traffic incidents, which is consistent with his traffic control authority under the Vehicle Code and his status as an emergency responder under the Emergency Management Services Code (*see* 35 Pa.C.S. § 75A01) and an emergency service responder.¹⁰⁷

¹⁰⁴ See 37 Pa. Code § 431.21 (relating to basic training curriculum). *See also* details of the training curriculum: <https://www.pccd.pa.gov/training/Pages/Constables-Basic-Training.aspx>

¹⁰⁵ See 37 Pa. Code § 431.41 (relating to basic firearms training). *See also* details of the training curriculum: <https://www.pccd.pa.gov/training/Pages/Constables-Basic-Firearms.aspx>

¹⁰⁶ See 37 Pa. Code § 431.31 (relating to basic training curriculum). *See also* details of the training curriculum: <https://www.pccd.pa.gov/training/Pages/Constables-Continuing-Education.aspx>

¹⁰⁷ An “emergency service responder” is defined as “[a]n individual acting in an official capacity as any of the following: (1) A police officer.” *See* 75 Pa.C.S. § 102.

The Constabulary is a Separate and Distinct Entity. The Constabulary is a duly incorporated and validly existing entity, an employer, a taxpayer, an owner of personal property, including the Vehicle, an organization with powers, privileges, rights, immunities, duties, liabilities, and obligations under the law, including as a “person” under the Vehicle Code. The Constabulary has a governing body, which consists of a board of commissioners, with two (2) of the seven (7) board seats currently filled, leaving five (5) seats currently vacant. The Constabulary has a chief executive officer, Constable Knapp, a corporate secretary, Cassia M. Minich, and three (3) law firms and attorneys who provide legal counsel and representation.

Per testimony from Constable Knapp, the Constabulary is in an incubation phase. *See* Hearing Tr. (Jul. 11 2024) Pg. 27 ¶ 14-19. The Department of Community & Economic Development reports that “eighty-three percent [83%] of [Pennsylvania] municipal police departments have less than ten [10] officers.”¹⁰⁸ The fact that the Constabulary currently has “[Constable Knapp] as its sole member[-employee]” during its incubation phase is consistent with most Pennsylvania municipal police departments and, thus, is unremarkable.

Furthermore, to conclude that the Constabulary, or any other governmental or quasi-governmental entity, was formed for its member-employees to “**cloak** themselves ... under the color of [the Constabulary] in order to obtain municipal government plates” is an absurd and unreasonable conclusion.¹⁰⁹ POVs of law enforcement officers generally, not just those of constables, are excluded from being considered for emergency vehicle designation.¹¹⁰ PennDOT

¹⁰⁸ *See* Department of Community & Economic Development: <https://dced.pa.gov/local-government/police/> (Last retrieved on August 12, 2024).

¹⁰⁹ The Constabulary asks this Court, “in ascertaining the intention of the General Assembly in the enactment of [the Vehicle Code] the following presumptions, among others, may be used: (1) That the General Assembly does not intend a result that is **absurd**, impossible of execution or **unreasonable**” (emphasis added). *See* 1 Pa.C.S. § 1922.

¹¹⁰ *See* 37 Pa. Code § 41.5: “(b) Exclusions. **Private vehicles** of the following persons will not be considered for an emergency vehicle designation: (2) **Police**, special police, auxiliary police, part-time police, **constables**, security police and campus police” (emphasis added).

is essentially making a slippery slope argument that other law enforcement officers could form agencies in order to obtain a certain registration plate, one which offers virtually no privileges (exemption from a nominal registration fee). The municipal government registration primarily exists for the public to identify vehicles as governmental or quasi-governmental. To conclude that this opens the floodgates for such activity is an absurd and unreasonable conclusion, an interpretation against which the Statutory Construction Act of 1972 suggests. Moreover, PennDOT has presented no facts evidencing its claim.

Lastly, as Constable Knapp testified to on direct examination, the Constabulary's assets belong to and remain with the entity, even when a member-employee using such assets separates, which includes the Vehicle. *See* Hearing Tr. (Jul. 11 2024) Pg. 52 ¶ 10-14.

Constable Knapp is a Member-Employee, Not an Independent Contractor. PennDOT avers in its Memorandum of Law that “[Constable Knapp] is an independent contractor and is not authorized to work on behalf of the government.” PennDOT argues that “[a]s of now, [Constable Knapp] is not paid a salary. He is fee based via contract, which I believe goes to the conclusion that he is an independent contractor.” Constable Knapp is not an “independent contractor.” Rather, he is a fee-based employee of the Constabulary. *See* Ex. Q.

The *A Special Touch* Court, *supra*, held that “the phrase ‘customarily engaged’ ... requires that **an individual actually be involved**, as opposed to merely having the ability to be involved, in **an independently established trade, occupation, profession, or business**” (emphasis added). *Id.* at 506. Notwithstanding their pay structure (*e.g.*, fees, salaries, wages, commissions, *etc.*), member-employees are, among other things, subject to the control and oversight of the Constabulary, contracted for a continuous term of employment, with taxes and deductions

withheld from their compensation, and they receive W-2s (not 1099s) annually for tax reporting.¹¹¹
See Ex. G.

The Constabulary is a Nonprofit Corporation, Not a Limited Liability Company. “Per testimony, Jason Knapp originally filed for an LLC under the fictitious name Pittsburgh Private Security Company, which no longer exists. Accordingly, Jason Knapp is undeniably attempting to cloak himself as the ‘PA State Constabulary.’ However, in actuality, Jason Knapp is the sole member of the PA State Constabulary who has exclusive control over the vehicle; and who had previously created the Pittsburgh Private Security Company to discharge his constable services.” Pittsburgh Private Security Company, which was a for-profit limited liability company formed several years before Constable Knapp took office and which terminated business in 2021, is not and has never been involved with the Constabulary or constable services. *See* Hearing Tr. (Jul. 11 2024) Pg. 72 ¶ 6-8.

General Offense Report and Demand Letter Are Inaccurate.¹¹²

First, neither Trooper Gordon nor anyone from the Pennsylvania State Police or PennDOT was called to testify regarding this General Offense Report or Demand Letter.

Second, Constable Knapp never “applied for tax exemption with the Department of Revenue under the self-created LLC ‘Pennsylvania State Constabulary’ under the belief that he was a political subdivision.”

Third, Constable Knapp never “was wrongfully granted the exemption which he later used to purchase a retired police vehicle and did not pay taxes due to the exemption.”

Fourth, neither the Constabulary nor Constable Knapp filled in the exemption block (1A) with “18” on the MV-4ST form stating that he was a municipal authority.

¹¹¹ See University of Pennsylvania Carey School of Law: *Worker Classification Overview*

¹¹² *See* General Offense Report (Ex. K) and Trooper’s Demand Letter (Ex. M).

Fifth, Constable Knapp never “used the newly granted title to file for a municipal government plate under the belief that he was in fact a municipal authority.”

Sixth, Trooper Gordon based his conclusion on the faulty premise that “all of this was wrong for [Constable Knapp] due to the court rulings in ‘Commonwealth vs Ward’ and ‘Commonwealth vs Metzgar,’ which specifically addresses these issues with constables. Constables are not allowed to have Municipal Government plates. Constables are also NOT considered to be affiliated with any municipality, magistrate, or political subdivision. Therefore, constables are not entitled to any tax exemption.”

Seventh, Trooper Gordon stated “I am requesting that [Constable Knapp’s] registration be **suspended**, and a document pickup be issued for PA registration MG3590N”¹¹³ (emphasis added).

Eighth, Trooper Gordon further stated “I am also requesting that the tax exemption for ‘Pennsylvania State Constabulary’ LLC be rescinded, and KNAPP be made responsible for the missing tax money on the vehicle purchase.”

Ninth, Trooper Gordon also included “Supplemental Information: PennDOT has yet to **suspend** the registration of the SUSPECT. I will be contacting PennDOT in order to get this handled. Report remains open pending **suspension**”¹¹⁴ (emphasis added).

Trooper Gordon Did Not Testify. Because Trooper Gordon did not testify, his training and experience related to the case law he cited, namely, the *Ward* and *Metzgar* cases, as the basis for his request for suspension, cannot be ascertained. Similarly, because Trooper Gordon did not testify, his training and experience related to the Pennsylvania Uniform Limited Liability

¹¹³ The Constabulary asks this Court to take judicial notice that Trooper Gordon requested that PennDOT **suspend**, not *revoke*, the Registration Plate. See Ex. K (p. 3).

¹¹⁴ The Constabulary asks this Court to take judicial notice that Trooper Gordon again requested that PennDOT **suspend**, not *revoke*, the Registration Plate. See Ex. K (p. 5).

Company Act of 2016, Nonprofit Corporation Law of 1988, or the Associations Code generally, cannot be ascertained. Lastly, because Trooper Gordon did not testify, his training and experience related to the Tax Reform Code of 1971, or federal and Pennsylvania tax law generally, cannot be ascertained.¹¹⁵

IV. CONCLUSION

The factual evidence presented in this case shows that the Constabulary's Vehicle is entitled to municipal government registration and does not support PennDOT's suspension (or revocation) of the Registration Plate.

WHEREFORE, for the reasons set forth above, the Constabulary respectfully requests that this Honorable Court grant the Constabulary's Petition for Appeal and vacate PennDOT's suspension (or revocation) of the Registration Plate.

Date: August 13, 2024

Respectfully submitted,

LEONARD, PLLC

/s/ Roy E. Leonard

Roy E. Leonard, Esquire

PA I.D. No. 54782

rleonard@leonardfirm.com

105 Market Street, Suite 300

Pittsburgh, PA 15222

Telephone: 412.448.2868

Facsimile: 412.448.2860

MEYER, UNKOVIC & SCOTT LLP

/s/ Justin D. Beck

Justin D. Beck, Esquire

¹¹⁵ The Constabulary's motion to conduct discovery in this case, which would likely have produced factual evidence relevant in these matters, was denied.

PA I.D. No. 324787

Henry W. Oliver Building
535 Smithfield Street, Suite 1300
Pittsburgh, PA 15222-2315
(412) 456-2800

DUGAN LAW, LLC

/s/ Matthew Dugan
Matthew Dugan, Esq.
Pa. I.D. No. 203417

P.O. Box 1007
Moon Twp, PA 15108
(412) 204-6083

*COUNSEL FOR THE PENNSYLVANIA
STATE CONSTABULARY*

APPENDIX A

EXHIBIT	TITLE or DESCRIPTION	DATE	ADMITTED
A	Appointment Orders – Constable Knapp	04/27/2021	
B	Constabulary’s Statement of Conversion	12/03/2021	
C	Election Certificate – Constable Knapp	12/17/2021	
D	Constabulary’s Revenue from Public Sources	2022-2024	
E	PA Dept of Revenue Entity Determination Letter	04/25/2022	
F	Vehicle Registration for MG3590N	08/11/2022	
G	IRS Form W-2s – Constable Knapp	2022-2023	
H	Corporate Resolution re: Training Standards	01/01/2022	
I	Official Notice of Suspension – PennDOT to Constabulary	09/11/2023	
J	Training Certificates – Constable Knapp	2020-2023	
K	General Offense Report – PA State Trooper Gordon	11/29/2022	
L	PennDOT Exhibits 3-3G – Constabulary Financial Responsibility, Tite, etc.	06/04/2024	
M	Demand Letter – PA State Trooper Gordon	11/29/2022	
N	Corporate Resolution re: Vehicle Purchase and Use	07/01/2022	
O	Title for Constabulary’s Vehicle	07/29/2022	
P	Amended and Restated Bylaws of Constabulary	01/01/2022	
Q	Membership and Employment Agreement – Constable Knapp	01/01/2022	

FILED

21 APR 27 AM 11:23

DEPT. OF COURT RECORDS
CRIMINAL DIVISION
ALLEGHENY COUNTY PA
IN THE COURT OF COMMON PLEAS OF ALLEGHENY COUNTY, PENNSYLVANIA

IN RE: APPOINTMENT OF : CRIMINAL DIVISION
Jason C. Knapp : CP-02-MD- 659-2021
AS CONSTABLE IN AND FOR
Pittsburgh-Ward 2 :
ALLEGHENY COUNTY, PA.

F I N A L O R D E R O F C O U R T

And now, this 27 day of April, 2021, thirty (30) days having elapsed since the entry of an Order Nisi, in the above-captioned matter, and there being no exceptions filed thereto, the Order Nisi, dated March 23, 2021, be and same is hereby absolute, subject to condition that Jason C. Knapp shall post a bond in the amount of \$ 2,000.00, which bond shall be approved by the Court.

BY THE COURT,



J.
Administrative Judge

Defendants
EXHIBIT
A

FILED

Form 25 Dept. of Court Records

21 APR 27 PM 2:30

COMMONWEALTH OF PENNSYLVANIA }
COUNTY OF ALLEGHENY } SS.

DEPT. OF COURT RECORDS
CRIMINAL DIVISION
ALLEGHENY COUNTY PA

I, Michael McGeever, Director, County of Allegheny Department of Court Records, do hereby certify that

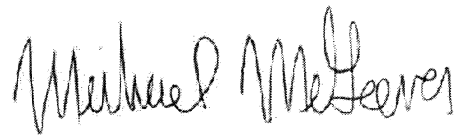
Jason C Knapp

was duly appointed and is qualified as Constable in and for

Pittsburgh- Ward 2

for the term ending the first Monday of January, A.D. 2022 and until his/her successor be duly appointed and qualified.

WITNESS my hand and this seal this 27 day of
April A.D. 20 2021



Director, Dept. of Court Records



COMMONWEALTH OF PENNSYLVANIA }
COUNTY OF ALLEGHENY } SS.

I, Jason C Knapp
RESIDING AT 320 Fort Duquesne Blvd Apt 21E Pittsburgh, PA 15222-1134

DO SOLEMNLY SWEAR (OR AFFIRM) THAT I WILL SUPPORT, OBEY AND DEFEND THE CONSTITUTION OF THE UNITED STATES AND THE CONSTITUTION OF THIS COMMONWEALTH, AND THAT I WILL DISCHARGE THE DUTIES OF MY OFFICE WITH FIDELITY, THAT I HAVE NOT PAID OR CONTRIBUTED OR PROMISED TO PAY OR CONTRIBUTE, EITHER DIRECTLY OR INDIRECTLY, ANY MONEY OR OTHER VALUABLE THING TO PROCURE MY NOMINATION OR ELECTION (OR APPOINTMENT), EXCEPT FOR NECESSARY AND PROPER EXPENSES EXPRESSLY AUTHORIZED BY LAW; THAT I HAVE NOT KNOWINGLY VIOLATED ANY ELECTION LAWS OF THIS COMMONWEALTH, OR PROCURED IT TO BE DONE BY OTHERS ON MY BEHALF; THAT I WILL NOT KNOWINGLY RECEIVE, DIRECTLY OR INDIRECTLY, ANY MONEY OR OTHER VALUABLE THING FOR THE PERFORMANCE OR NON-PERFORMANCE OF ANY ACT OR DUTY PERTAINING TO MY OFFICE OTHER THAN THE COMPENSATION ALLOWED BY LAW.



SWORN AND SUBSCRIBED BEFORE
ME THIS: 27
DAY OF April 2021
[Signature]
(CLERK)

[Signature: Michael McLeaver]
DEPT. OF COURT RECORDS

COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF STATE
BUREAU OF CORPORATIONS AND CHARITABLE ORGANIZATIONS
401 NORTH STREET, ROOM 206
P.O.BOX 8722
HARRISBURG, PA 17105-8722
WWW.CORPORATIONS.PA.GOV

Jason Knapp
PO Box 22070
Pittsburgh PA 15222

Pennsylvania State Constabulary


The Bureau of Corporations and Charitable Organizations is happy to send your filed document. The Bureau is here to serve you and we would like to thank you for doing business in Pennsylvania.

If you have any questions pertaining to the Bureau, please visit our website at www.dos.pa.gov/BusinessCharities Or you may contact us by telephone at (717)787-1057. Information regarding business and UCC filings can be found on our searchable database at www.corporations.pa.gov/Search/CorpSearch .

Entity number : 7353204

Defendants
EXHIBIT
B

**PENNSYLVANIA DEPARTMENT OF STATE
BUREAU OF CORPORATIONS AND CHARITABLE ORGANIZATIONS**

<input checked="" type="checkbox"/> Return document by mail to: Jason C. Knapp Name PO Box 22070 Address Pittsburgh, PA 15222-0070 City State Zip Code	Statement of Conversion DSCB:15-355 (7/1/2015)  TML211217JD1581
<input checked="" type="checkbox"/> Return document by email to: <u>jason.knapp@stateconstablepa.us</u>	

Read all instructions prior to filing

Fee: \$70

In compliance with the requirements of the applicable provisions of 15 Pa.C.S. § 355 (relating to Statement of conversion), the undersigned association, desiring to effect a conversion, hereby states that:

A. For the converting association:

1. The name of the converting association is: Pennsylvania State Constabulary, LLC

2. The jurisdiction of formation of the converting association is: Pennsylvania

3. The type of association is (check only one):

- | | | |
|---|---|--|
| <input type="checkbox"/> Business Corporation | <input type="checkbox"/> Limited Partnership | <input type="checkbox"/> Business Trust |
| <input type="checkbox"/> Nonprofit Corporation | <input type="checkbox"/> Limited Liability (General) Partnership | <input type="checkbox"/> Professional Association |
| <input checked="" type="checkbox"/> Limited Liability Company | <input type="checkbox"/> Limited Liability Limited Partnership | <input type="checkbox"/> Other _____ |

4. Date on which the association was created, incorporated, formed or otherwise came into existence:

07/22/2021
(MM/DD/YYYY)

5. If the converting association is a domestic filing association (a Pennsylvania business corporation, nonprofit corporation, limited partnership, limited liability company, professional association or business trust), the statute under which it was first created, incorporated, formed or otherwise came into existence:


Limited Liability Company Act of 2016
(ex. Business Corporation Law of 1988, Limited Liability Company Law of 1994, etc.)

PA DEPT OF STATE

DEC 03 2021

Exhibit "A"

PENNSYLVANIA DEPARTMENT OF STATE BUREAU OF CORPORATIONS AND CHARITABLE ORGANIZATIONS

<input checked="" type="checkbox"/> Return document by mail to: Jason C. Knapp Name PO Box 22070 Address Pittsburgh, PA 15222-0070 City State Zip Code	Articles of Incorporation - Nonprofit DSCB:15-5306/7102 (rev. 2/2017)  5306
<input checked="" type="checkbox"/> Return document by email to: <u>jason.knapp@stateconstablepa.us</u>	

Read all instructions prior to completing. This form may be submitted online at <https://www.corporations.pa.gov/>.

Fee: \$125

I qualify for a veteran/reservist-owned small business fee exemption (see instructions)

Check one: Domestic Nonprofit Corporation (§ 5306) Nonprofit Cooperative Corporation (§ 7102)

In compliance with the requirements of the applicable provisions (relating to articles of incorporation or cooperative corporations generally), the undersigned, desiring to incorporate a nonprofit/nonprofit cooperative corporation, hereby state(s) that:

1. The name of the corporation is:

Pennsylvania State Constabulary

2. Complete part (a) or (b) – not both:

(a) The address of this corporation's current registered office in this Commonwealth is:
(post office box alone is not acceptable)

320 Fort Duquesne Blvd Ste 235 Pittsburgh PA 15222-1102 Allegheny

Number and Street City State Zip County

~~(b) The name of this corporation's commercial registered office provider and the county of venue is:~~

~~e/e:~~

~~Name of Commercial Registered Office Provider~~

~~County~~

3. The corporation is incorporated under the Nonprofit Corporation Law of 1988 for the following purpose or purposes.

To honorably serve this Commonwealth by providing for, among other things, conservation of the peace and prevention of cruelty to our children and aged citizens

through modern training and oversight of member constables and deputies.

4. The corporation does not contemplate pecuniary gain or profit, incidental or otherwise.

5. Check and complete one: The corporation is organized on a nonstock basis.

~~The corporation is organized on a stock share basis and the aggregate number of shares authorized is _____.~~

~~6. For unincorporated association incorporating as a nonprofit corporation only. Check if applicable:~~

~~_____ The incorporators constitute a majority of the members of the committee authorized to incorporate such association by the requisite vote required by the organic law of the association for the amendment of such organic law.~~

7. For Nonprofit Corporation Only:

Check one: The corporation shall have no members.
 The corporation shall have members.

~~8. For Nonprofit Cooperative Corporation Only:~~

~~Check and complete one:~~

~~_____ The corporation is a cooperative corporation and the common bond of membership among its members is: _____.~~

~~_____ The corporation is a cooperative corporation and the common bond of membership among its shareholders is: _____.~~

9. The name(s) and address(es) of each incorporator(s) is (are) (all incorporators must sign below):

Name(s)

Address(es)

Jason C. Knapp

PO Box 22070 Pittsburgh, PA 15222-0070

~~10. The specified effective date, if any, is:~~

~~_____~~
~~month day year hour, if any~~

11. Additional provisions of the articles, if any, attach an 8½ x 11 sheet.

IN TESTIMONY WHEREOF, the incorporator(s) has/have signed these Articles of Incorporation this

27th day of November 2021.


Signature

Signature

Signature

Articles of Incorporation for the Pennsylvania State Constabulary

A Pennsylvania Nonprofit Corporation

Exhibit "A-1"

The undersigned, whose incorporator is a citizen of the United States of America, desiring to form a domestic nonprofit corporation under the Pennsylvania Nonprofit Corporation Law of 1988, as amended, does hereby certify:

FIRST: The name of the corporation shall be **Pennsylvania State Constabulary**.

SECOND: The place in this Commonwealth where the principal office of the corporation is to be located is the Second Ward of the City of Pittsburgh and the County of Allegheny with its physical and mailing addresses being, respectively:

320 Fort Duquesne Boulevard, Suite 235
Pittsburgh, Pennsylvania 15222-1102

Post Office Box 22070
Pittsburgh, Pennsylvania 15222-0070

THIRD: This corporation is organized exclusively for charitable, religious, educational, and scientific purposes, including, for such purposes, the making of distributions to organizations that qualify as exempt organizations under section 501(c)(3) of the Internal Revenue Code, or the corresponding section of any future federal tax code.

FOURTH: The name and address of the person who is the initial director of the corporation is as follows:

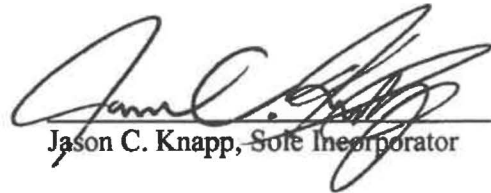
Mr. Jason C. Knapp
320 Fort Duquesne Boulevard, Apartment 21E
Pittsburgh, Pennsylvania 15222-1134

FIFTH: No part of the net earnings of the corporation shall inure to the benefit of, or be distributable to its members, trustees, officers, or other private persons, except that the corporation shall be authorized and empowered to pay reasonable compensation for services rendered and to make payments and distributions in furtherance of the purposes set forth in Article Third hereof. No substantial part of the activities of the corporation shall be the carrying on of propaganda, or otherwise attempting to influence legislation, and the corporation shall not participate in, or intervene in (including the publishing or distribution of statements) any political campaign on behalf of or in opposition to any candidate for public office. Notwithstanding any other provision of these articles, this corporation shall not,

except to an insubstantial degree, engage in any activities or exercise any powers that aren't in furtherance of the purposes of this corporation.

SIXTH: Upon the dissolution of the corporation, assets shall be distributed for one or more exempt purposes within the meaning of section 501(c)(3) of the Internal Revenue Code, or the corresponding section of any future federal tax code, or shall be distributed to the federal government, or to a state or local government, for a public purpose. Any such assets not so disposed of shall be disposed of by a court of competent jurisdiction of the county in which the principal office of the corporation is then located, exclusively for such purposes or to such organization or organizations, as such court shall determine, which are organized and operated exclusively for such purposes.

AND NOW, the undersigned has hereunto subscribed his name on this 27th day of November 2021.



Jason C. Knapp, Sole Incorporator



RECEIPT

Receipt Number: 02-2021-R000098964
Recorded Date: 12/17/2021 02:07PM
Receipt Date: 12/17/2021

Payor: Jason C. Knapp
320 Fort Duquesne Blvd
Apt 21E
Pittsburgh, PA 15222-1134

Payable to: Department of Court Records - Criminal
Division
115 Courthouse
436 Grant Street
Pittsburgh, PA 15219

Payment Source: Window

Payment Date	Payment Method	Check / Money Order Number	Bank Transit Number	Void	Payment Amount
12/17/2021	Cash			No	\$20.00

Responsible Participant: Jason C. Knapp

Docket Number: CP-02-MD-0004868-2021

Short Caption: In Re: Knapp, Jason C.

Total Amount Owed by Responsible Participant on this case: \$0.00

Total Amount Owed by Responsible Participant on all non-archived cases in this Court: \$0.00

Payment Summary:

<i>Total Payment Received:</i>	\$	20.00
<i>Change Amount:</i>	\$	0.00
<i>Retained Unapplied Amount:</i>	\$	0.00
<i>Payments Less Change:</i>	\$	20.00

Comments:

RETAIN THIS RECEIPT FOR YOUR RECORDS

You can now make case payments online through Pennsylvania's Unified Judicial System web portal. Visit the portal at <https://ujportal.pacourts.us/epay> to make a payment and learn more. Currently, Epay is available for Criminal and Summary Appeal docket types and for participating counties, Miscellaneous or Juvenile Delinquency d



COMMONWEALTH OF PENNSYLVANIA }
COUNTY OF ALLEGHENY } SS.

I, Michael McGeever, Director, County of Allegheny Department of Court Records, do hereby certify that

JASON C KNAPP

was duly elected and is qualified as Constable in and for

PITTSBURGH WARD 2

for the term ending the first Monday of January, A.D. 2028 and until his/her successor be duly elected and qualified.

WITNESS my hand and this seal this 17 day of
DECEMBER A.D. 2021



Michael McGeever

Director, Dept. of Court Records

COMMONWEALTH OF PENNSYLVANIA

COUNTY OF ALLEGHENY



We, the undersigned, constituting the
Return Board of the County of Allegheny, do hereby certify that
at the Election held on the second day of November, 2021

Jason C. Knapp

was duly elected to the Office of

Constable

in


Pittsburgh Ward 2

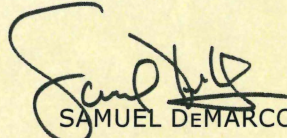
in the County of Allegheny, Commonwealth of Pennsylvania,
Witness our hands and seal on this 22nd day of November, 2021

BOARD OF ELECTIONS
EX OFFICIO, THE RETURN BOARD
OF ALLEGHENY COUNTY




RICH FITZGERALD, CHAIRMAN


BETHANY HALLAM


SAMUEL DEMARCO



Pennsylvania State Constabulary

Payment by Customer

All Dates

CUSTOMER	PRODUCT/SERVICE FULL NAME	AMOUNT	BALANCE
County of Allegheny			
County of Allegheny	Courtroom Security:Courtroom Security	\$52.00	\$52.00
County of Allegheny	Courtroom Security:Courtroom Security	\$52.00	\$104.00
County of Allegheny	Prisoner Transport:Prisoner Transport	\$102.50	\$206.50
County of Allegheny	Courtroom Security:Courtroom Security	\$52.00	\$258.50
County of Allegheny	Courtroom Security:Courtroom Security	\$52.00	\$310.50
County of Allegheny	Courtroom Security:Courtroom Security	\$52.00	\$362.50
County of Allegheny	Courtroom Security:Courtroom Security	\$52.00	\$414.50
County of Allegheny	Courtroom Security:Courtroom Security	\$52.00	\$466.50
County of Allegheny	Courtroom Security:Courtroom Security	\$52.00	\$518.50
County of Allegheny	Courtroom Security:Courtroom Security	\$52.00	\$570.50
County of Allegheny	Courtroom Security:Courtroom Security	\$52.00	\$622.50
County of Allegheny	Courtroom Security:Courtroom Security	\$52.00	\$674.50
County of Allegheny	Courtroom Security:Courtroom Security	\$52.00	\$726.50
County of Allegheny	Courtroom Security:Courtroom Security	\$52.00	\$778.50
County of Allegheny	Courtroom Security:Courtroom Security	\$52.00	\$830.50
County of Allegheny	Election Day Security:Election Day Security	\$150.00	\$980.50
County of Allegheny	Courtroom Security:Courtroom Security	\$52.00	\$1,032.50
County of Allegheny	Courtroom Security:Courtroom Security	\$52.00	\$1,084.50
County of Allegheny	Courtroom Security:Courtroom Security	\$52.00	\$1,136.50

Defendants
EXHIBIT
D



Pennsylvania State Constabulary

Payment by Customer

All Dates

CUSTOMER	PRODUCT/SERVICE FULL NAME	AMOUNT	BALANCE
County of Allegheny	Courtroom Security: Courtroom Security	\$52.00	\$1,188.50
County of Allegheny	Courtroom Security: Courtroom Security	\$52.00	\$1,240.50
County of Allegheny	Courtroom Security: Courtroom Security	\$52.00	\$1,292.50
County of Allegheny	Prisoner Transport: Prisoner Transport	\$128.50	\$1,421.00
County of Allegheny	Prisoner Transport: Prisoner Transport	\$97.50	\$1,518.50
County of Allegheny	Courtroom Security: Courtroom Security	\$52.00	\$1,570.50
County of Allegheny	Courtroom Security: Courtroom Security	\$39.00	\$1,609.50
County of Allegheny	Courtroom Security: Courtroom Security	\$52.00	\$1,661.50
County of Allegheny	Courtroom Security: Courtroom Security	\$52.00	\$1,713.50
County of Allegheny	Courtroom Security: Courtroom Security	\$52.00	\$1,765.50
County of Allegheny	Courtroom Security: Courtroom Security	\$52.00	\$1,817.50
County of Allegheny	Courtroom Security: Courtroom Security	\$52.00	\$1,869.50
County of Allegheny	Courtroom Security: Courtroom Security	\$52.00	\$1,921.50
County of Allegheny	Courtroom Security: Courtroom Security	\$52.00	\$1,973.50
County of Allegheny	Courtroom Security: Courtroom Security	\$52.00	\$2,025.50
County of Allegheny	Courtroom Security: Courtroom Security	\$52.00	\$2,077.50
County of Allegheny	Courtroom Security: Courtroom Security	\$52.00	\$2,129.50
County of Allegheny	Warrant Service: Warrant Service	\$82.50	\$2,212.00
County of Allegheny	Prisoner Transport: Prisoner Transport	\$97.50	\$2,309.50
County of Allegheny	Prisoner Transport: Prisoner Transport	\$97.50	\$2,407.00



Pennsylvania State Constabulary

Payment by Customer

All Dates

CUSTOMER	PRODUCT/SERVICE FULL NAME	AMOUNT	BALANCE
County of Allegheny	Courtroom Security:Courtroom Security	\$15.50	\$2,422.50
County of Allegheny	Election Day Security:Election Day Security	\$150.00	\$2,572.50
County of Allegheny	Prisoner Transport:Prisoner Transport	\$52.00	\$2,624.50
County of Allegheny	Prisoner Transport:Prisoner Transport	\$52.00	\$2,676.50
County of Allegheny	Courtroom Security:Courtroom Security	\$52.00	\$2,728.50
County of Allegheny	Courtroom Security:Courtroom Security	\$52.00	\$2,780.50
County of Allegheny	Courtroom Security:Courtroom Security	\$52.00	\$2,832.50
County of Allegheny	Courtroom Security:Courtroom Security	\$52.00	\$2,884.50
County of Allegheny	Courtroom Security:Courtroom Security	\$52.00	\$2,936.50
County of Allegheny	Courtroom Security:Courtroom Security	\$52.00	\$2,988.50
County of Allegheny	Courtroom Security:Courtroom Security	\$52.00	\$3,040.50
County of Allegheny	Courtroom Security:Courtroom Security	\$52.00	\$3,092.50
County of Allegheny	Courtroom Security:Courtroom Security	\$52.00	\$3,144.50
County of Allegheny	Courtroom Security:Courtroom Security	\$52.00	\$3,196.50
County of Allegheny	Courtroom Security:Courtroom Security	\$52.00	\$3,248.50
County of Allegheny	Courtroom Security:Courtroom Security	\$52.00	\$3,300.50
County of Allegheny	Courtroom Security:Courtroom Security	\$52.00	\$3,352.50
County of Allegheny	Courtroom Security:Courtroom Security	\$52.00	\$3,404.50
County of Allegheny	Prisoner Transport:Prisoner Transport	\$84.50	\$3,489.00
County of Allegheny	Prisoner Transport:Prisoner Transport	\$84.50	\$3,573.50



Pennsylvania State Constabulary

Payment by Customer

All Dates

CUSTOMER	PRODUCT/SERVICE FULL NAME	AMOUNT	BALANCE
County of Allegheny	Courtroom Security: Courtroom Security	\$52.00	\$3,625.50
County of Allegheny	Courtroom Security: Courtroom Security	\$52.00	\$3,677.50
County of Allegheny	Courtroom Security: Courtroom Security	\$52.00	\$3,729.50
County of Allegheny	Prisoner Transport: Prisoner Transport	\$84.50	\$3,814.00
County of Allegheny	Courtroom Security: Courtroom Security	\$52.00	\$3,866.00
County of Allegheny	Courtroom Security: Courtroom Security	\$52.00	\$3,918.00
County of Allegheny	Courtroom Security: Courtroom Security	\$52.00	\$3,970.00
County of Allegheny	Warrant Service: Warrant Service	\$33.75	\$4,003.75
County of Allegheny	Election Day Security: Election Day Security	\$150.00	\$4,153.75
County of Allegheny	Courtroom Security: Courtroom Security	\$52.00	\$4,205.75
County of Allegheny	Courtroom Security: Courtroom Security	\$52.00	\$4,257.75
County of Allegheny	Courtroom Security: Courtroom Security	\$52.00	\$4,309.75
County of Allegheny	Courtroom Security: Courtroom Security	\$52.00	\$4,361.75
County of Allegheny	Courtroom Security: Courtroom Security	\$52.00	\$4,413.75
County of Allegheny	Courtroom Security: Courtroom Security	\$52.00	\$4,465.75
County of Allegheny	Courtroom Security: Courtroom Security	\$52.00	\$4,517.75
County of Allegheny	Courtroom Security: Courtroom Security	\$52.00	\$4,569.75
County of Allegheny	Courtroom Security: Courtroom Security	\$52.00	\$4,621.75
County of Allegheny	Courtroom Security: Courtroom Security	\$52.00	\$4,673.75
County of Allegheny	Courtroom Security: Courtroom Security	\$104.00	\$4,777.75



Pennsylvania State Constabulary

Payment by Customer

All Dates

CUSTOMER	PRODUCT/SERVICE FULL NAME	AMOUNT	BALANCE
County of Allegheny	Courtroom Security:Courtroom Security	\$52.00	\$4,829.75
County of Allegheny	Courtroom Security:Courtroom Security	\$52.00	\$4,881.75
County of Allegheny	Courtroom Security:Courtroom Security	\$52.00	\$4,933.75
County of Allegheny	Courtroom Security:Courtroom Security	\$52.00	\$4,985.75
County of Allegheny	Courtroom Security:Courtroom Security	\$52.00	\$5,037.75
County of Allegheny	Courtroom Security:Courtroom Security	\$52.00	\$5,089.75
County of Allegheny	Courtroom Security:Courtroom Security	\$52.00	\$5,141.75
County of Allegheny	Courtroom Security:Courtroom Security	\$52.00	\$5,193.75
County of Allegheny	Courtroom Security:Courtroom Security	\$52.00	\$5,245.75
County of Allegheny	Courtroom Security:Courtroom Security	\$52.00	\$5,297.75
County of Allegheny	Warrant Service:Warrant Service	\$34.05	\$5,331.80
County of Allegheny	Warrant Service:Warrant Service	\$34.05	\$5,365.85
County of Allegheny	Warrant Service:Warrant Service	\$27.50	\$5,393.35
County of Allegheny	Warrant Service:Warrant Service	\$27.50	\$5,420.85
County of Allegheny	Prisoner Transport:Prisoner Transport	\$157.08	\$5,577.93
County of Allegheny	Courtroom Security:Courtroom Security	\$52.00	\$5,629.93
County of Allegheny	Courtroom Security:Courtroom Security	\$52.00	\$5,681.93
County of Allegheny	Courtroom Security:Courtroom Security	\$52.00	\$5,733.93
County of Allegheny	Courtroom Security:Courtroom Security	\$52.00	\$5,785.93
County of Allegheny	Courtroom Security:Courtroom Security	\$52.00	\$5,837.93



Pennsylvania State Constabulary

Payment by Customer

All Dates

CUSTOMER	PRODUCT/SERVICE FULL NAME	AMOUNT	BALANCE
County of Allegheny	Warrant Service:Warrant Service	\$275.00	\$6,112.93
County of Allegheny	Courtroom Security:Courtroom Security	\$52.00	\$6,164.93
County of Allegheny	Courtroom Security:Courtroom Security	\$52.00	\$6,216.93
County of Allegheny	Prisoner Transport:Prisoner Transport	\$84.50	\$6,301.43
County of Allegheny	Election Day Security:Election Day Security	\$150.00	\$6,451.43
County of Allegheny	Election Day Security:Election Day Security	\$150.00	\$6,601.43
County of Allegheny	Prisoner Transport:Prisoner Transport	\$105.10	\$6,706.53
County of Allegheny	Warrant Service:Warrant Service	\$35.36	\$6,741.89
County of Allegheny	Prisoner Transport:Prisoner Transport	\$78.00	\$6,819.89
County of Allegheny	Courtroom Security:Courtroom Security	--	\$6,819.89
County of Allegheny	Courtroom Security:Courtroom Security	--	\$6,819.89
County of Allegheny	Courtroom Security:Courtroom Security	--	\$6,819.89
County of Allegheny	Courtroom Security:Courtroom Security	--	\$6,819.89
County of Allegheny	Election Day Security:Election Day Security	\$150.00	\$6,969.89
County of Allegheny	Warrant Service:Warrant Service	\$66.29	\$7,036.18
County of Allegheny	Warrant Service:Warrant Service	\$54.50	\$7,090.68
County of Allegheny	Warrant Service:Warrant Service	\$27.50	\$7,118.18
County of Allegheny	Warrant Service:Warrant Service	\$27.50	\$7,145.68
County of Allegheny	Prisoner Transport:Prisoner Transport	\$44.25	\$7,189.93
County of Allegheny	Prisoner Transport:Prisoner Transport	\$54.50	\$7,244.43



Pennsylvania State Constabulary

Payment by Customer

All Dates

CUSTOMER	PRODUCT/SERVICE FULL NAME	AMOUNT	BALANCE
County of Allegheny	Warrant Service:Warrant Service	\$55.00	\$7,299.43
County of Allegheny	Courtroom Security:Courtroom Security	\$80.00	\$7,379.43
County of Allegheny	Prisoner Transport:Prisoner Transport	\$84.00	\$7,463.43
Total for County of Allegheny		\$7,463.43	
Magisterial District Court 05-2-04			
Magisterial District Court 05-2-04	Warrant Service:Warrant Service	\$33.10	\$33.10
Magisterial District Court 05-2-04	Warrant Service:Warrant Service	\$33.10	\$66.20
Magisterial District Court 05-2-04	Warrant Service:Warrant Service	\$27.50	\$93.70
Magisterial District Court 05-2-04	Warrant Service:Warrant Service	\$33.10	\$126.80
Magisterial District Court 05-2-04	Warrant Service:Warrant Service	\$33.10	\$159.90
Magisterial District Court 05-2-04	Warrant Service:Warrant Service	\$33.10	\$193.00
Magisterial District Court 05-2-04	Warrant Service:Warrant Service	\$33.10	\$226.10
Magisterial District Court 05-2-04	Warrant Service:Warrant Service	\$33.10	\$259.20
Magisterial District Court 05-2-04	Warrant Service:Warrant Service	\$33.10	\$292.30
Magisterial District Court 05-2-04	Warrant Service:Warrant Service	\$33.10	\$325.40
Magisterial District Court 05-2-04	Warrant Service:Warrant Service	\$33.10	\$358.50
Magisterial District Court 05-2-04	Warrant Service:Warrant Service	\$33.10	\$391.60
Magisterial District Court 05-2-04	Warrant Service:Warrant Service	\$33.10	\$424.70
Magisterial District Court 05-2-04	Warrant Service:Warrant Service	\$33.10	\$457.80
Magisterial District Court 05-2-04	Warrant Service:Warrant Service	\$33.10	\$490.90



Pennsylvania State Constabulary

Payment by Customer

All Dates

CUSTOMER	PRODUCT/SERVICE FULL NAME	AMOUNT	BALANCE
Magisterial District Court 05-2-04	Warrant Service:Warrant Service	\$33.10	\$524.00
Magisterial District Court 05-2-04	Warrant Service:Warrant Service	\$27.50	\$551.50
Magisterial District Court 05-2-04	Warrant Service:Warrant Service	\$33.10	\$584.60
Magisterial District Court 05-2-04	Warrant Service:Warrant Service	\$26.41	\$611.01
Magisterial District Court 05-2-04	Warrant Service:Warrant Service	\$27.50	\$638.51
Magisterial District Court 05-2-04	Warrant Service:Warrant Service	\$33.10	\$671.61
Magisterial District Court 05-2-04	Warrant Service:Warrant Service	\$33.10	\$704.71
Magisterial District Court 05-2-04	Warrant Service:Warrant Service	\$33.10	\$737.81
Magisterial District Court 05-2-04	Warrant Service:Warrant Service	\$33.10	\$770.91
Magisterial District Court 05-2-04	Warrant Service:Warrant Service	\$33.10	\$804.01
Magisterial District Court 05-2-04	Warrant Service:Warrant Service	\$27.50	\$831.51
Magisterial District Court 05-2-04	Warrant Service:Warrant Service	\$33.10	\$864.61
Magisterial District Court 05-2-04	Warrant Service:Warrant Service	\$33.10	\$897.71
Magisterial District Court 05-2-04	Warrant Service:Warrant Service	\$33.10	\$930.81
Magisterial District Court 05-2-04	Warrant Service:Warrant Service	\$16.60	\$947.41
Magisterial District Court 05-2-04	Warrant Service:Warrant Service	\$27.50	\$974.91
Magisterial District Court 05-2-04	Warrant Service:Warrant Service	\$33.10	\$1,008.01
Magisterial District Court 05-2-04	Warrant Service:Warrant Service	\$33.10	\$1,041.11
Magisterial District Court 05-2-04	Warrant Service:Warrant Service	\$27.50	\$1,068.61
Magisterial District Court 05-2-04	Warrant Service:Warrant Service	\$33.10	\$1,101.71



Pennsylvania State Constabulary

Payment by Customer

All Dates

CUSTOMER	PRODUCT/SERVICE FULL NAME	AMOUNT	BALANCE
Magisterial District Court 05-2-04	Warrant Service:Warrant Service	\$33.10	\$1,134.81
Magisterial District Court 05-2-04	Warrant Service:Warrant Service	\$27.50	\$1,162.31
Magisterial District Court 05-2-04	Warrant Service:Warrant Service	\$27.50	\$1,189.81
Magisterial District Court 05-2-04	Warrant Service:Warrant Service	\$32.50	\$1,222.31
Magisterial District Court 05-2-04	Warrant Service:Warrant Service	\$33.10	\$1,255.41
Magisterial District Court 05-2-04	Warrant Service:Warrant Service	\$33.10	\$1,288.51
Magisterial District Court 05-2-04	Warrant Service:Warrant Service	\$13.30	\$1,301.81
Magisterial District Court 05-2-04	Warrant Service:Warrant Service	\$33.10	\$1,334.91
Magisterial District Court 05-2-04	Warrant Service:Warrant Service	\$33.10	\$1,368.01
Magisterial District Court 05-2-04	Warrant Service:Warrant Service	\$33.10	\$1,401.11
Magisterial District Court 05-2-04	Warrant Service:Warrant Service	\$25.71	\$1,426.82
Magisterial District Court 05-2-04	Warrant Service:Warrant Service	\$33.10	\$1,459.92
Magisterial District Court 05-2-04	Warrant Service:Warrant Service	\$33.10	\$1,493.02
Magisterial District Court 05-2-04	Warrant Service:Warrant Service	\$33.10	\$1,526.12
Magisterial District Court 05-2-04	Warrant Service:Warrant Service	\$33.10	\$1,559.22
Magisterial District Court 05-2-04	Warrant Service:Warrant Service	\$33.10	\$1,592.32
Magisterial District Court 05-2-04	Warrant Service:Warrant Service	\$33.10	\$1,625.42
Magisterial District Court 05-2-04	Warrant Service:Warrant Service	\$33.10	\$1,658.52
Magisterial District Court 05-2-04	Warrant Service:Warrant Service	\$16.10	\$1,674.62
Magisterial District Court 05-2-04	Warrant Service:Warrant Service	\$10.50	\$1,685.12



Pennsylvania State Constabulary

Payment by Customer

All Dates

CUSTOMER	PRODUCT/SERVICE FULL NAME	AMOUNT	BALANCE
Magisterial District Court 05-2-04	Warrant Service:Warrant Service	\$33.10	\$1,718.22
Magisterial District Court 05-2-04	Warrant Service:Warrant Service	\$6.69	\$1,724.91
Magisterial District Court 05-2-04	Warrant Service:Warrant Service	\$33.10	\$1,758.01
Magisterial District Court 05-2-04	Warrant Service:Warrant Service	\$27.50	\$1,785.51
Magisterial District Court 05-2-04	Warrant Service:Warrant Service	\$33.10	\$1,818.61
Magisterial District Court 05-2-04	Warrant Service:Warrant Service	\$33.10	\$1,851.71
Magisterial District Court 05-2-04	Warrant Service:Warrant Service	\$15.70	\$1,867.41
Magisterial District Court 05-2-04	Warrant Service:Warrant Service	\$33.10	\$1,900.51
Magisterial District Court 05-2-04	Warrant Service:Warrant Service	\$13.30	\$1,913.81
Magisterial District Court 05-2-04	Warrant Service:Warrant Service	\$33.10	\$1,946.91
Magisterial District Court 05-2-04	Warrant Service:Warrant Service	\$33.10	\$1,980.01
Magisterial District Court 05-2-04	Warrant Service:Warrant Service	\$33.10	\$2,013.11
Magisterial District Court 05-2-04	Warrant Service:Warrant Service	\$16.10	\$2,029.21
Magisterial District Court 05-2-04	Warrant Service:Warrant Service	\$11.51	\$2,040.72
Magisterial District Court 05-2-04	Warrant Service:Warrant Service	\$16.10	\$2,056.82
Magisterial District Court 05-2-04	Warrant Service:Warrant Service	\$33.10	\$2,089.92
Magisterial District Court 05-2-04	Warrant Service:Warrant Service	\$33.10	\$2,123.02
Magisterial District Court 05-2-04	Warrant Service:Warrant Service	\$10.50	\$2,133.52
Magisterial District Court 05-2-04	Warrant Service:Warrant Service	\$16.10	\$2,149.62
Magisterial District Court 05-2-04	Warrant Service:Warrant Service	\$33.10	\$2,182.72



Pennsylvania State Constabulary

Payment by Customer

All Dates

CUSTOMER	PRODUCT/SERVICE FULL NAME	AMOUNT	BALANCE
Magisterial District Court 05-2-04	Warrant Service:Warrant Service	\$33.10	\$2,215.82
Magisterial District Court 05-2-04	Warrant Service:Warrant Service	\$5.20	\$2,221.02
Magisterial District Court 05-2-04	Warrant Service:Warrant Service	\$19.80	\$2,240.82
Magisterial District Court 05-2-04	Warrant Service:Warrant Service	\$33.10	\$2,273.92
Magisterial District Court 05-2-04	Warrant Service:Warrant Service	\$16.10	\$2,290.02
Magisterial District Court 05-2-04	Warrant Service:Warrant Service	\$33.10	\$2,323.12
Magisterial District Court 05-2-04	Warrant Service:Warrant Service	\$33.10	\$2,356.22
Magisterial District Court 05-2-04	Warrant Service:Warrant Service	\$16.10	\$2,372.32
Magisterial District Court 05-2-04	Warrant Service:Warrant Service	\$33.10	\$2,405.42
Magisterial District Court 05-2-04	Warrant Service:Warrant Service	\$33.10	\$2,438.52
Magisterial District Court 05-2-04	Warrant Service:Warrant Service	\$600.25	\$3,038.77
Magisterial District Court 05-2-04	Warrant Service:Warrant Service	\$1,088.55	\$4,127.32
Magisterial District Court 05-2-04	Warrant Service:Warrant Service	\$466.90	\$4,594.22
Magisterial District Court 05-2-04	Warrant Service:Warrant Service	\$247.50	\$4,841.72
Magisterial District Court 05-2-04	Warrant Service:Warrant Service	\$175.74	\$5,017.46
Magisterial District Court 05-2-04	Warrant Service:Warrant Service	\$166.75	\$5,184.21
Magisterial District Court 05-2-04	Warrant Service:Warrant Service	\$27.50	\$5,211.71
Magisterial District Court 05-2-04	Warrant Service:Warrant Service	\$132.99	\$5,344.70
Magisterial District Court 05-2-04	Warrant Service:Warrant Service	\$433.55	\$5,778.25
Magisterial District Court 05-2-04	Warrant Service:Warrant Service	\$55.00	\$5,833.25



Pennsylvania State Constabulary

Payment by Customer

All Dates

CUSTOMER	PRODUCT/SERVICE FULL NAME	AMOUNT	BALANCE
Magisterial District Court 05-2-04	Warrant Service:Warrant Service	\$197.81	\$6,031.06
Magisterial District Court 05-2-04	Warrant Service:Warrant Service	\$733.70	\$6,764.76
Magisterial District Court 05-2-04	Warrant Service:Warrant Service	\$165.00	\$6,929.76
Magisterial District Court 05-2-04	Warrant Service:Warrant Service	\$102.09	\$7,031.85
Magisterial District Court 05-2-04	Warrant Service:Warrant Service	\$266.80	\$7,298.65
Magisterial District Court 05-2-04	Warrant Service:Warrant Service	\$247.50	\$7,546.15
Magisterial District Court 05-2-04	Warrant Service:Warrant Service	\$575.44	\$8,121.59
Magisterial District Court 05-2-04	Warrant Service:Warrant Service	\$607.50	\$8,729.09
Magisterial District Court 05-2-04	Warrant Service:Warrant Service	\$82.50	\$8,811.59
Magisterial District Court 05-2-04	Warrant Service:Warrant Service	\$253.32	\$9,064.91
Magisterial District Court 05-2-04	Warrant Service:Warrant Service	\$337.50	\$9,402.41
Magisterial District Court 05-2-04	Warrant Service:Warrant Service	\$192.50	\$9,594.91
Magisterial District Court 05-2-04	Warrant Service:Warrant Service	\$218.24	\$9,813.15
Magisterial District Court 05-2-04	Warrant Service:Warrant Service	\$33.35	\$9,846.50
Magisterial District Court 05-2-04	Warrant Service:Warrant Service	\$202.50	\$10,049.00
Magisterial District Court 05-2-04	Warrant Service:Warrant Service	\$76.56	\$10,125.56
Magisterial District Court 05-2-04	Warrant Service:Warrant Service	\$67.50	\$10,193.06
Magisterial District Court 05-2-04	Warrant Service:Warrant Service	\$55.00	\$10,248.06
Magisterial District Court 05-2-04	Warrant Service:Warrant Service	\$337.50	\$10,585.56
Magisterial District Court 05-2-04	Warrant Service:Warrant Service	\$137.50	\$10,723.06



Pennsylvania State Constabulary

Payment by Customer

All Dates

CUSTOMER	PRODUCT/SERVICE FULL NAME	AMOUNT	BALANCE
Magisterial District Court 05-2-04	Warrant Service:Warrant Service	\$29.50	\$10,752.56
Magisterial District Court 05-2-04	Warrant Service:Warrant Service	\$303.75	\$11,056.31
Magisterial District Court 05-2-04	Warrant Service:Warrant Service	\$19.50	\$11,075.81
Magisterial District Court 05-2-04	Warrant Service:Warrant Service	\$133.40	\$11,209.21
Magisterial District Court 05-2-04	Warrant Service:Warrant Service	\$110.00	\$11,319.21
Magisterial District Court 05-2-04	Warrant Service:Warrant Service	\$334.96	\$11,654.17
Magisterial District Court 05-2-04	Warrant Service:Warrant Service	\$136.20	\$11,790.37
Magisterial District Court 05-2-04	Warrant Service:Warrant Service	\$137.50	\$11,927.87
Magisterial District Court 05-2-04	Warrant Service:Warrant Service	\$108.08	\$12,035.95
Magisterial District Court 05-2-04	Warrant Service:Warrant Service	\$33.75	\$12,069.70
Magisterial District Court 05-2-04	Warrant Service:Warrant Service	\$476.70	\$12,546.40
Magisterial District Court 05-2-04	Warrant Service:Warrant Service	\$239.04	\$12,785.44
Magisterial District Court 05-2-04	Warrant Service:Warrant Service	\$681.00	\$13,466.44
Magisterial District Court 05-2-04	Warrant Service:Warrant Service	\$55.00	\$13,521.44
Magisterial District Court 05-2-04	Warrant Service:Warrant Service	\$266.72	\$13,788.16
Magisterial District Court 05-2-04	Warrant Service:Warrant Service	\$408.60	\$14,196.76
Magisterial District Court 05-2-04	Warrant Service:Warrant Service	\$27.50	\$14,224.26
Magisterial District Court 05-2-04	Warrant Service:Warrant Service	\$70.60	\$14,294.86
Magisterial District Court 05-2-04	Warrant Service:Warrant Service	\$68.10	\$14,362.96
Magisterial District Court 05-2-04	Warrant Service:Warrant Service	\$27.50	\$14,390.46



Pennsylvania State Constabulary

Payment by Customer

All Dates

CUSTOMER	PRODUCT/SERVICE FULL NAME	AMOUNT	BALANCE
Magisterial District Court 05-2-04	Warrant Service:Warrant Service	\$49.32	\$14,439.78
Magisterial District Court 05-2-04	Warrant Service:Warrant Service	\$60.11	\$14,499.89
Magisterial District Court 05-2-04	Warrant Service:Warrant Service	\$162.58	\$14,662.47
Magisterial District Court 05-2-04	Warrant Service:Warrant Service	\$77.00	\$14,739.47
Magisterial District Court 05-2-04	Warrant Service:Warrant Service	--	\$14,739.47
Magisterial District Court 05-2-04	Warrant Service:Warrant Service	--	\$14,739.47
Magisterial District Court 05-2-04	Warrant Service:Warrant Service	--	\$14,739.47
Magisterial District Court 05-2-04	Warrant Service:Warrant Service	\$30.77	\$14,770.24
Magisterial District Court 05-2-04	Warrant Service:Warrant Service	\$51.04	\$14,821.28
Magisterial District Court 05-2-04	Warrant Service:Warrant Service	\$11.62	\$14,832.90
Magisterial District Court 05-2-04	Warrant Service:Warrant Service	\$11.17	\$14,844.07
Magisterial District Court 05-2-04	Warrant Service:Warrant Service	\$33.78	\$14,877.85
Magisterial District Court 05-2-04	Warrant Service:Warrant Service	\$34.00	\$14,911.85
Total for Magisterial District Court 05-2-04		\$14,911.85	
Pennsylvania Department of Labor & Industry			
Pennsylvania Department of Labor & Industry	Civil Process:Civil Process	\$150.00	\$150.00
Total for Pennsylvania Department of Labor & Industry		\$150.00	
Magisterial District Court 05-2-20			
Magisterial District Court 05-2-20	Warrant Service:Warrant Service	\$93.02	\$93.02



Pennsylvania State Constabulary

Payment by Customer

All Dates

CUSTOMER	PRODUCT/SERVICE FULL NAME	AMOUNT	BALANCE
Magisterial District Court 05-2-20	Warrant Service:Warrant Service	\$138.07	\$231.09
Magisterial District Court 05-2-20	Warrant Service:Warrant Service	\$165.03	\$396.12
Magisterial District Court 05-2-20	Warrant Service:Warrant Service	\$107.31	\$503.43
Magisterial District Court 05-2-20	Warrant Service:Warrant Service	\$148.05	\$651.48
Magisterial District Court 05-2-20	Warrant Service:Warrant Service	\$38.33	\$689.81
Magisterial District Court 05-2-20	Warrant Service:Warrant Service	\$61.55	\$751.36
Magisterial District Court 05-2-20	Warrant Service:Warrant Service	\$229.33	\$980.69
Magisterial District Court 05-2-20	Warrant Service:Warrant Service	\$127.04	\$1,107.73
Magisterial District Court 05-2-20	Warrant Service:Warrant Service	\$129.98	\$1,237.71
Magisterial District Court 05-2-20	Warrant Service:Warrant Service	\$72.46	\$1,310.17
Magisterial District Court 05-2-20	Warrant Service:Warrant Service	\$222.29	\$1,532.46
Magisterial District Court 05-2-20	Warrant Service:Warrant Service	\$174.22	\$1,706.68
Magisterial District Court 05-2-20	Warrant Service:Warrant Service	\$70.81	\$1,777.49
Magisterial District Court 05-2-20	Warrant Service:Warrant Service	\$89.20	\$1,866.69
Magisterial District Court 05-2-20	Warrant Service:Warrant Service	\$183.47	\$2,050.16
Total for Magisterial District Court 05-2-20		\$2,050.16	
Allegheny County Department of Human Services			
Allegheny County Department of Human Services	Civil Process:Civil Process	\$150.00	\$150.00
Allegheny County Department of Human Services	Civil Process:Civil Process	\$200.00	\$350.00



Pennsylvania State Constabulary

Payment by Customer

All Dates

CUSTOMER	PRODUCT/SERVICE FULL NAME	AMOUNT	BALANCE
Total for Allegheny County Department of Human Services		\$350.00	
		\$24,925.44	

April 25, 2022

PENNSYLVANIA STATE CONSTABULARY
PO BOX 22070
PITTSBURGH PA 15222

Dear Applicant:

Re: Sales Tax Exemption

Upon the basis of the information, which you have submitted, we are of the opinion that your organization qualifies as a **Political Subdivision** of the Commonwealth and is permitted to make tax-free purchases of tangible personal property or services used in conjunction with its related activities.

We wish to point out, however, that the exemption enjoyed by your Political Subdivision does not apply to the following transactions:

1. Charges subject to hotel or motel occupancy tax;
2. Purchases for use in an unrelated trade or business;
3. Purchases made by a construction contractor for use by the contractor in the performance of the construction, reconstruction, renovation, remodeling or repair of a real estate structure for a Political Subdivision are subject to the imposition of sales and use tax with the exception of "building machinery and equipment", as defined in statutory provision 72 P. S. 7201 (pp), that will be transferred to the instrumentality.

At the time of making tax-free purchases, the Political Subdivision should tender to its supplier a completed "Blanket Exemption Certificate," (REV – 1220), in lieu of payment of Pennsylvania sales tax. The exemption certificate is retained by the supplier and provides them with a basis for all subsequent transactions with the Political Subdivision within its exemption. The form REV-1220 can be found on the Department of Revenue's webpage at www.revenue.pa.gov.

The bureau does not issue exemption numbers to Political Subdivision. Should it be necessary for you to substantiate the exemption to which you are entitled, you may use this correspondence as your authority to make tax-free purchases with the use of an exemption certificate.

Sincerely,

Charity Daniels
Tax Examiner II
chadaniels@pa.gov
Bureau of Registration and Taxpayer Management

PENNSYLVANIA VEHICLE REGISTRATION

PennDOT is proud to provide you with your new registration credential.

PLEASE SIGN YOUR CREDENTIAL - To validate your credential, you need to sign your name in ink as indicated below. The registration must be available when the vehicle is in use.

DID YOU CHANGE YOUR ADDRESS? - It is important that we have your current address, and the law requires that any changes be reported to PennDOT within 15 days. Please notify PennDOT of any address change by writing to: PennDOT, Bureau of Motor Vehicles, Harrisburg, PA 17104-2516. Please include the following information with your change of address request: your full street address (including P.O. box number, rural delivery, route number or apartment number, if applicable), city, state and zip code. Please remember P.O. box numbers may be used in addition to the actual address, but cannot be used as the only address. You may also change your address online at Online Services Center at WWW.DMV.PA.GOV.

PENNSYLVANIA'S LITTERING LAWS - As a reminder, Pennsylvania has laws against littering on our roadways and on public and private property. Under law, PennDOT is required to include this statement on vehicle credentials to remind motorists of littering laws. By signing your registration credential, you acknowledge that you have received notice of this provision.

Section 3709 of the Pennsylvania Vehicle Code provides for a fine of up to \$300 for dropping, throwing or depositing, upon any highway, or upon any other public or private property without the consent of the owner thereof or into or on the waters of this Commonwealth from a vehicle, any waste paper, sweepings, ashes, household waste, glass, metal, refuse or rubbish or any dangerous or detrimental substance, or permitting any of the preceding without immediately removing such items or causing their removal.

For any violation of Section 3709, you may be subject to a fine of up to \$300 upon conviction, including any violation resulting from the conduct of any other persons operating, in possession of or present within the vehicle with your permission, if you do not with reasonable certainty identify the driver of the vehicle at the time the violation occurred.

PLEASE DRIVE SAFELY AND REMEMBER TO BUCKLE UP

COMMONWEALTH OF PENNSYLVANIA REGISTRATION CREDENTIAL

EXPIRY: PERMANENT VALID: 08/11/2022

PLATE: **MG3590N**
TITLE: **78865259002 PE**
VIN: **1FM5K8AR4JGB33960**
YR/MAKE: **2018 FORD**
TYPE: **SW**
WID: **22223 2620 044093**



SIGNATURE

I hereby acknowledge this day that I have received notice of the provisions of Section 3709 of the Vehicle Code.

EMISSIONS INSPECTION REQUIRED/DIESEL VEHICLES EXEMPT COUNTY: ALLEGHENY

PENNSYLVANIA STATE
CONSTABULARY
320 FORT DUQUESNE BLVD
STE 235 PO BOX 22070
PITTSBURGH PA 15222



PENNSYLVANIA VEHICLE REGISTRATION

PennDOT is proud to provide you with your new registration credential.

PLEASE SIGN YOUR CREDENTIAL - To validate your credential, you need to sign your name in ink as indicated below. The registration must be available when the vehicle is in use.

DID YOU CHANGE YOUR ADDRESS? - It is important that we have your current address, and the law requires that any changes be reported to PennDOT within 15 days. Please notify PennDOT of any address change by writing to: PennDOT, Bureau of Motor Vehicles, Harrisburg, PA 17104-2516. Please include the following information with your change of address request: your full street address (including P.O. box number, rural delivery, route number or apartment number, if applicable), city, state and zip code. Please remember P.O. box numbers may be used in addition to the actual address, but cannot be used as the only address. You may also change your address online at Online Services Center at WWW.DMV.PA.GOV.

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PLEASE DRIVE SAFELY AND REMEMBER TO BUCKLE UP

COMMONWEALTH OF PENNSYLVANIA REGISTRATION CREDENTIAL

EXPIRY: PERMANENT VALID: 08/11/2022

PLATE: **MG3590N**
TITLE: **78865259002 PE**
VIN: **1FM5K8AR4JGB33960**
YR/MAKE: **2018 FORD**
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EMISSIONS INSPECTION REQUIRED/DIESEL VEHICLES EXEMPT COUNTY: ALLEGHENY

PENNSYLVANIA STATE
CONSTABULARY
320 FORT DUQUESNE BLVD
STE 235 PO BOX 22070
PITTSBURGH PA 15222



W-2 Copies A & D (employer)

Send Copy A electronically to the Social Security Administration no lat
2022

Reminder: You do not need to file this form

- This document is an archived copy of a form we've already filed on your behalf.
- In some cases, we provide a summary worksheet of the form we filed, rather than the form itself.

QuickBooks Online Payroll

Phone: 1-800-4-INTUIT (1-800-446-8848)

Defendants
EXHIBIT
G

b Employer's Identification number		87-1809707		12a See instructions for Box 12		1 Wages, tips, other compensation		2 Federal income tax withheld					
c Employer's name, address, and ZIP code		PENNSYLVANIA STATE CONSTABULARY		12b		3 Social security wages		4 Social security tax withheld					
		320 FORT DUQUESNE BLVD STE 235		\$		2267.90		153.53					
		PITTSBURGH PA 15222		12c		5 Medicare wages and tips		6 Medicare tax withheld					
				\$		2267.90		32.88					
e Employee's first name and initial		Last name		12d		7 Social security tips		8 Allocated tips					
		16797231		\$									
f Employee's address and ZIP code		JASON C KNAPP				9		10 Dependent care benefits					
		320 FORT DUQUESNE BLVD APT 21E											
		PITTSBURGH PA 15222-1134				11 Nonqualified plans		13 Statutory employee Retirement plan Third-party sick pay					
								<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>					
				a Employee's soc. sec. no.		14 Other		1.36					
						PA SUI EE							
15 State		Employer's state I.D. No.		16 State wages, tips, etc.		17 State income tax		18 Local wages, tips, etc.		19 Local income tax		20 Locality name	
PA				2267.90		69.63		2267.90		68.05		99	

Form W-2 Wage and Tax Statement 2022 Department of the Treasury-Internal Revenue Service OMB # 1545-0008

b Employer's Identification number				12a See instructions for Box 12		1 Wages, tips, other compensation		2 Federal income tax withheld					
c Employer's name, address, and ZIP code				12b		3 Social security wages		4 Social security tax withheld					
				\$									
				12c		5 Medicare wages and tips		6 Medicare tax withheld					
				\$									
e Employee's first name and initial		Last name		12d		7 Social security tips		8 Allocated tips					
				\$									
f Employee's address and ZIP code						9		10 Dependent care benefits					
						11 Nonqualified plans		13 Statutory employee Retirement plan Third-party sick pay					
								<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>					
				a Employee's soc. sec. no.		14 Other							
15 State		Employer's state I.D. No.		16 State wages, tips, etc.		17 State income tax		18 Local wages, tips, etc.		19 Local income tax		20 Locality name	

Form W-2 Wage and Tax Statement Department of the Treasury-Internal Revenue Service OMB # 1545-0008

REV 12/20/22 OSP

b Employer's Identification number				12a See instructions for Box 12		1 Wages, tips, other compensation		2 Federal income tax withheld					
c Employer's name, address, and ZIP code				12b		3 Social security wages		4 Social security tax withheld					
				\$									
				12c		5 Medicare wages and tips		6 Medicare tax withheld					
				\$									
e Employee's first name and initial		Last name		12d		7 Social security tips		8 Allocated tips					
				\$									
f Employee's address and ZIP code						9		10 Dependent care benefits					
						11 Nonqualified plans		13 Statutory employee Retirement plan Third-party sick pay					
								<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>					
				a Employee's soc. sec. no.		14 Other							
15 State		Employer's state I.D. No.		16 State wages, tips, etc.		17 State income tax		18 Local wages, tips, etc.		19 Local income tax		20 Locality name	

Form W-2 Wage and Tax Statement Department of the Treasury-Internal Revenue Service OMB # 1545-0008

b Employer's Identification number				12a See instructions for Box 12		1 Wages, tips, other compensation		2 Federal income tax withheld					
c Employer's name, address, and ZIP code				12b		3 Social security wages		4 Social security tax withheld					
				\$									
				12c		5 Medicare wages and tips		6 Medicare tax withheld					
				\$									
e Employee's first name and initial		Last name		12d		7 Social security tips		8 Allocated tips					
				\$									
f Employee's address and ZIP code						9		10 Dependent care benefits					
						11 Nonqualified plans		13 Statutory employee Retirement plan Third-party sick pay					
								<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>					
				a Employee's soc. sec. no.		14 Other							
15 State		Employer's state I.D. No.		16 State wages, tips, etc.		17 State income tax		18 Local wages, tips, etc.		19 Local income tax		20 Locality name	

Form W-2 Wage and Tax Statement Department of the Treasury-Internal Revenue Service OMB # 1545-0008

W-2 Copies A & D (employer)

Send Copy A electronically to the Social Security Administration no later than 1/31/2023

Reminder: You do not need to file this form

- This document is an archived copy of a form we've already filed on your behalf.
- In some cases, we provide a summary worksheet of the form we filed, rather than the form itself.

QuickBooks Online Payroll

Phone: 1-800-4-INTUIT (1-800-446-8848)

b Employer's Identification number		87-1809707		12a See instructions for Box 12		1 Wages, tips, other compensation		2 Federal income tax withheld			
c Employer's name, address, and ZIP code				W \$ 5724.69		1526.60		77.82			
PENNSYLVANIA STATE CONSTABULARY				12b \$		3 Social security wages		4 Social security tax withheld			
320 FORT DUQUESNE BLVD STE 235				12c \$		1526.60		94.65			
PITTSBURGH PA 15222-1102				12d \$		5 Medicare wages and tips		6 Medicare tax withheld			
e Employee's first name and initial				12d \$		7 Social security tips		8 Allocated tips			
Last name						9		10 Dependent care benefits			
16797231						11 Nonqualified plans		13 Statutory employee Retirement plan Third-party sick pay			
JASON C KNAPP						14 Other		1.88			
320 FORT DUQUESNE BLVD APT 21E				a Employee's soc. sec. no							
PITTSBURGH PA 15222-1134											
f Employee's address and ZIP code											
15 State		Employer's state I.D. No.		16 State wages, tips, etc.		17 State income tax		18 Local wages, tips, etc.			
PA				1526.60		46.87		1526.60			
								19 Local income tax			
								45.80			
								20 Locality name			
								99			
Form W-2 Wage and Tax Statement 2023				Department of the Treasury-Internal Revenue Service				OMB # 1545-0008			

b Employer's Identification number				12a See instructions for Box 12		1 Wages, tips, other compensation		2 Federal income tax withheld			
c Employer's name, address, and ZIP code				\$		3 Social security wages		4 Social security tax withheld			
				12b \$		5 Medicare wages and tips		6 Medicare tax withheld			
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e Employee's first name and initial				12d \$		9		10 Dependent care benefits			
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15 State		Employer's state I.D. No.		16 State wages, tips, etc.		17 State income tax		18 Local wages, tips, etc.			
Form W-2 Wage and Tax Statement				Department of the Treasury-Internal Revenue Service				OMB # 1545-0008			

REV 12/24/23 OSP

b Employer's Identification number				12a See instructions for Box 12		1 Wages, tips, other compensation		2 Federal income tax withheld			
c Employer's name, address, and ZIP code				\$		3 Social security wages		4 Social security tax withheld			
				12b \$		5 Medicare wages and tips		6 Medicare tax withheld			
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Form W-2 Wage and Tax Statement				Department of the Treasury-Internal Revenue Service				OMB # 1545-0008			

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Form W-2 Wage and Tax Statement				Department of the Treasury-Internal Revenue Service				OMB # 1545-0008			

MINUTES AND RESOLUTIONS

FROM ACTION BY WRITTEN CONSENT OF THE BOARD OF COMMISSIONERS

PENNSYLVANIA STATE CONSTABULARY

January 1, 2022

The Board of Commissioners (“Board”) for the Pennsylvania State Constabulary, a domestic nonprofit corporation (the “Constabulary”), pursuant to the authority granted under its Amended and Restated Bylaws of January 1, 2022, has voted by majority vote as of the date first above written to approve, consent to, and adopt the following minutes and resolutions, without first duly convening a meeting:

WHEREAS, the Board intends to promulgate certain rules, regulations, policies, procedures, and standards to manage and administer the business, affairs, and law enforcement operations of the Constabulary, all of which taken together shall be known as the “Code of Regulations”;

WHEREAS, until such time that the Code of Regulations has been duly adopted by the Board, each rule, regulation, policy, procedure, and standard shall be adopted by resolution of the Board and entered into the Constabulary’s corporate record;

WHEREAS, the Board desires to adopt certain standards related to a constable’s knowledge, skills, and abilities to which any prospective member employee must reasonably accomplish or complete in order to be admitted and employed by the Constabulary;

WHEREAS, member employees must take steps to reasonably comply and maintain these standards in order to keep active status with the Constabulary; and

WHEREAS, the standards contemplated hereby are substantially those established by the Monroe County Constable Task Force & Accreditation Program is a collaborative effort between the Monroe County Office of the District Attorney, Monroe County Constable’s Association, and participating Pennsylvania State Constables; and

NOW, THEREFORE, the Board adopts the standards contemplated hereby.

RESOLVED, that those standards set forth in the attachment are adopted hereby; and

RESOLVED FURTHER, that the Constabulary’s Executive Director, in his capacity as the corporation’s chief executive, be, and is hereby, authorized and directed to undertake without delay all actions necessary to carry forth the resolutions above.

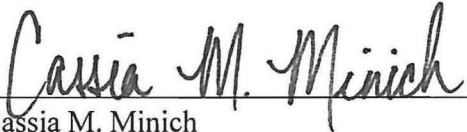
Defendants
EXHIBIT
H

The undersigned officer hereby certifies that she is the Secretary of the Constabulary and the primary custodian of its books and records, that the foregoing is a true and accurate record of the minutes and resolutions duly adopted as actions by written consent of the Board of Commissioners, without a meeting, and that such resolutions are now in full force and effect without modification or rescission.

AND NOW, I hereunto set my hand and affix the corporate seal on the date first above written.

(SEAL)





Cassia M. Minich
Secretary

B. Requirements of Constables to attain status as an Accredited Constable:

Constables seeking Accreditation must:

1. Meet and maintain all requirements found in Section III, subsection A of this manual.
2. Must attain and maintain certification under PA Act 235.
3. Must attain Act 139 Naloxone Training.
4. Must complete a course of training for traffic control:
Acceptable training courses are as follows:
 - a.) National Traffic Incident Management Responder Training (4 hrs). (Available online at: [National Traffic Incident Management Responder Training - Web-Based \(Course #FHWA-NHI-133126\)](#), OR;
 - b.) Pennsylvania Basic Fire Police Course (16 hrs) ****RECOMMENDED****
5. Must complete a Hazardous Materials Awareness Course (10 hrs).
(Available online at: [FEMA online Hazardous Materials Awareness-IS-5.a](#))
6. Must complete and provide certificates for the following additional courses:
 - a.) IS-700.A: National Incident Management System (NIMS) An Introduction
(Available online: <https://training.fema.gov/is/courseoverview.aspx?code=IS-700.a>)
 - b.) IS-100.LEB: Intro. to the Incident Command System (ICS 100) for LE
(Available online: <https://training.fema.gov/is/courseoverview.aspx?code=IS-100.LEb>)
7. Must complete and maintain certification for Mandated Reporter training in accordance with Title 23 Section 6311.
(Available online:)
https://www.reportabusepa.pitt.edu/webapps/portal/execute/tabs/tabAction?tab_group_id=2_1
8. Must attain and maintain certification for any less lethal or other weapons carried in performance of Constable Duties
9. Members of the task force must make Accreditation within 6 months of joining, or they will be removed from the task force and must re-apply.



pennsylvania
DEPARTMENT OF TRANSPORTATION

September 11, 2023

PENNSYLVANIA STATE
CONSTABULARY
320 FORT DUQUESNE BLVD
STE 235 PO BOX 22070
PITTSBURGH PA 15222

To Whom it May Concern:

This letter is regarding your Pennsylvania registration plate number MG3590N, which was issued in error as registration covering your 2018 Ford, title number 78865259.

Section 1373(b) of the Vehicle Code provides that:

The department may suspend a registration without providing an opportunity for a hearing in any of the following cases:

- (1) Upon the request or order of any court of record.
- (2) The required fees have not been paid.
- (3) An out-of-service order has been issued for the vehicle, the owner or the operator by the department or by the United States Department of Transportation.
- (4) The vehicle is being operated in violation of section 4704(b)(1) (relating to inspection by police or Commonwealth personnel).

More specifically, the above referenced registration was issued to your vehicle without payment of the required fees because Pennsylvania State Constabulary is not a government or quasi-government entity (i.e., political subdivision or municipal authority) and is not eligible for the exemption information that was claimed. You are not eligible for the Municipal Government (MG) registration plate.

Accordingly, the registration plate referenced above is suspended indefinitely as authorized by Section 1373(b)(2) of the Vehicle Code. The suspension is effective 15 days from the date of this letter.

This is an Official Notice of Suspension. You have a right to appeal this action to the Court of Common Pleas (Civil Division) within 30 days of the date of this letter. If you file an appeal in the Court of Common Pleas, the Court will give you a time stamped certified copy of the appeal. In order for your appeal to be valid, you must send the time stamped certified copy of the appeal by certified mail to:

Insert Name
Page 2
Insert Date

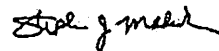
Pennsylvania Department of Transportation
Office of Chief Counsel
1101 South Front Street, Third Floor
Harrisburg, PA 17104-2516

Certified
MAIL

You are required to return registration plate number MG3590N to the Department. A self-addressed envelope is enclosed to assist you with the return of the registration plate. In addition, you must submit a new application using form MV-140, request for registration, and submit with the applicable fees. When the MG3590N registration plate and request for registration application with fees is received by the Department, you will receive a new standard issue registration for your vehicle.

For additional information, you must contact Joshua Kline of the Research and Support Operations Section at 717-705-0796.

Sincerely,



Stephen J. Madrak,
Director of Motor Vehicles



pennsylvania

COMMISSION ON CRIME
AND DELINQUENCY

CONSTABLES' EDUCATION AND TRAINING BOARD

Jason C. Knapp

B004643

July 27, 2021

has satisfactorily met the requirements for initial certification for Constables
in the Commonwealth of Pennsylvania mandated by Act 2009-49.

Charles H. Ramsey

Chairman of the Commission

Michael D. Pe

Executive D

Defendants

EXHIBIT

J

Suburban  *Academy*
of Law Enforcement, Inc.

Whereas the Suburban Academy of Law Enforcement, Inc. has been authorized by the Pennsylvania State Police Bureau of Training and Education (LW0015) to administer provisions of the Pennsylvania Lethal Weapons Act 235, it hereby acknowledges that a prescribed program of courses has been completed by:

JASON KNAPP

And awards this Certificate this

9

day of

DECEMBER

2020

Angela E Naccarato-Hunto
Director

Certificate of Completion

Jason C. Knapp

has successfully completed the

Naloxone Training

On-line Training Program instituted by



12/16/2021

Training Date

CERTIFICATE OF TRAINING



CCAC Public Safety Institute & Pennsylvania State Fire Academy

hereby congratulate

Jason C. Knapp

upon successfully completing **16** hours of approved instruction in the course

Basic Fire Police

Emmanuel Christ Church

Richard F. Wagner

September 19, 2021

Location

Lead Instructor

Completion Date

A handwritten signature in black ink, appearing to read "Quentin Bullock", written over a horizontal line.

Dr. Quintin B. Bullock

President, Community College of Allegheny County

A handwritten signature in black ink, appearing to read "Bruce Trego", written over a horizontal line.

Bruce Trego

State Fire Commissioner

Emergency Management Institute



FEMA

This Certificate of Achievement is to acknowledge that

JASON C KNAPP

has reaffirmed a dedication to serve in times of crisis through continued professional development and completion of the independent study course:

IS-00005.a

An Introduction to Hazardous Materials

Issued this 28th Day of June, 2021



A handwritten signature in black ink, appearing to read "J. Stern", written over a horizontal line.

Jeffrey D. Stern, Ph.D.
Superintendent
Emergency Management Institute
Federal Emergency Management Agency

Emergency Management Institute



FEMA

This Certificate of Achievement is to acknowledge that

JASON C KNAPP

has reaffirmed a dedication to serve in times of crisis through continued professional development and completion of the independent study course:

IS-00700.b

**An Introduction to the National Incident
Management System**

Issued this 19th Day of April, 2021



A handwritten signature in black ink, appearing to read "J. Stern".

Jeffrey D. Stern, Ph.D.
Superintendent
Emergency Management Institute
Federal Emergency Management Agency

Emergency Management Institute



FEMA

This Certificate of Achievement is to acknowledge that

JASON C KNAPP

has reaffirmed a dedication to serve in times of crisis through continued professional development and completion of the independent study course:

IS-00100.c

Introduction to Incident Command System, ICS-100

A handwritten signature in black ink, appearing to read "J. Stern", written over a horizontal line.

Issued this 25th Day of February, 2021



Jeffrey D. Stern, Ph.D.
Superintendent
Emergency Management Institute
Federal Emergency Management Agency

Certificate of Completion

Recognizing and Reporting Child Abuse: Mandated and Permissive Reporting in Pennsylvania

Meets ACT 31 of 2014 training requirements

Meets the Recognizing Child Abuse and Mandated Reporting components of
ACT 126 of 2013 training requirements

3 continuing education hours

Presenter:

University of Pittsburgh School of Social Work,
PA Child Welfare Resource Center
403 East Winding Hill Road, Mechanicsburg, PA 17055

Presented to:

Knapp, Jason
on the date:
06/28/2021



Provider Number:
CACE000004

CE Course Number:
PCW000001

Molly B. Allwein

Molly B. Allwein,
Director of Continuing Education
School of Social Work

Michael Byers

Michael Byers,
Director PA Child Welfare
Resource Center



PENNSYLVANIA DEPARTMENT OF AGING
LEARNING MANAGEMENT SYSTEM

Pennsylvania Department of Aging
Certificate of Completion

PS Mandatory Abuse Reporting Training Course

Jason Knapp

Successfully completed training on December 12, 2021



PENNSYLVANIA DEPARTMENT OF AGING

THIS CERTIFICATION IS HEREBY GRANTED TO

Jason Knapp

The above named is certified as an instructor for TASER Energy Weapons (including TASER X26P, TASER X2, and TASER 7) and may certify and train others under Axon's guidelines for TASER Energy Weapon Users.

TOTAL HOURS OF INSTRUCTION: 16 HOURS

In witness whereof, Axon Enterprise, Inc. has caused this certificate to be signed by its authorized representative.

VALID FOR 2 YEARS FROM THE DATE OF COMPLETION



Andy Wrenn
VP, Head of Training

04/28/2025

Expiration Date





***ALLEGHENY COUNTY
POLICE TRAINING ACADEMY***

**CERTIFICATE OF TRAINING
OLEORESIN CAPSICUM AEROSOL
Awarded to**

Jason C. Knapp

**For completion of requirements
For the OCAT BASIC COURSE FOR POLICE OFFICERS**

1 June 2021

Gary Wolverton
Deputy Gary Wolverton
Instructor

THIS CERTIFICATION IS HEREBY GRANTED TO

Jason Knapp

This certifies that the above named individual has completed the required online portion of training and has passed an online examination in the use of the Axon product below. The above named individual must also pass the Practical Training of this certification conducted by a certified TASER Energy Weapons instructor to be certified on the Axon product below.

TOTAL HOURS OF INSTRUCTION: 8 HOURS

COMPLETED ONLINE TRAINING FOR

TASER 7 Energy Weapon

In witness whereof, Axon Enterprise, Inc. has caused this certificate to be signed by its authorized representative.

VALID FOR ONE CALENDAR YEAR FROM THE DATE OF TRAINING COMPLETION

Example: if certified March 11 of 2019, recertification is required sometime in 2020, up to December 31, 2020




Andy Wrenn
VP, Head of Training

04/12/2025

Expiration Date





CERTIFICATE OF ATTAINMENT

OFFICE OF THE SHERIFF

This is to certify that Jason C. Knapp has successfully completed a prescribed basic police course conducted by the Sheriff's Reserve, Allegheny County and is hereby given this certificate as evidence of graduation.

Allegheny County Sheriff's Office - 436 Grant St. - Pittsburgh, PA 15219

on

June 23, 2021



WILLIAM MULLEN
SHERIFF
ALLEGHENY COUNTY

Daniel M. Horosko

DANIEL M. HOROSKO
COMMANDER
SHERIFF'S RESERVE

CERTIFICATE OF TRAINING



CCAC Public Safety Institute & Pennsylvania State Fire Academy

hereby congratulate

Jason C. Knapp

upon successfully completing **16** hours of approved instruction in the course

Advanced Fire Police

Hampton VFD

Location

Richard F. Wagner

Lead Instructor

April 18, 2021

Completion Date

A handwritten signature in black ink, appearing to read "Dr. Quintin B. Bullock".

Dr. Quintin B. Bullock

President, Community College of Allegheny County

A handwritten signature in black ink, appearing to read "Bruce Trego".

Bruce Trego

State Fire Commissioner

GLOCK CERTIFICATE

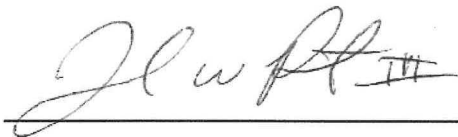
Armorer's Course - 8 Hrs



Jason C. Knapp

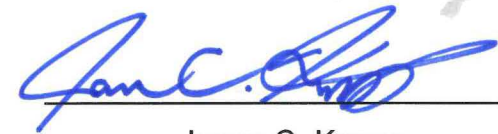
has participated and successfully completed the GLOCK Armorer's Course

12/13/2022



Joseph Parent III
Director of Training

Valid until 12/13/2025



Jason C. Knapp
GLOCK Certified Armorer

CERTIFICATE OF TRAINING



CCAC Public Safety Institute & Pennsylvania State Fire Academy
hereby congratulate

Jason C. Knapp

upon successfully completing **16** hours of approved instruction in the course
EVOT

Emergency Vehicle Competency Course Completed Using Squad

Undercliff VFC

Richard F. Wagner

February 28, 2021

Location

Lead Instructor

Completion Date

A handwritten signature in black ink, appearing to read "Dr. Quintin B. Bullock".

Dr. Quintin B. Bullock
President, Community College of Allegheny County

Center for Domestic Preparedness



FEMA

This is to certify that

Jason Christopher Knapp

successfully completed the

Hazardous Materials Awareness Distance Learning

(8.00 Contact Hours)

Issued this 28th day of June, 2021

A handwritten signature in black ink, appearing to read "Tony Russell".

Tony Russell
Superintendent
Center for Domestic Preparedness
Federal Emergency Management Agency
U.S. Department of Homeland Security

Emergency Management Institute



FEMA

This Certificate of Achievement is to acknowledge that

JASON C KNAPP

has reaffirmed a dedication to serve in times of crisis through continued professional development and completion of the independent study course:

IS-00200.c

Basic Incident Command System for Initial Response

A handwritten signature in black ink, appearing to read "J.D. Stern", written over a horizontal line.

Issued this 18th Day of April, 2021



Jeffrey D. Stern, Ph.D.

Superintendent

Emergency Management Institute

Federal Emergency Management Agency

Emergency Management Institute



FEMA

This Certificate of Achievement is to acknowledge that

JASON C KNAPP

has reaffirmed a dedication to serve in times of crisis through continued professional development and completion of the independent study course:

IS-00800.d

National Response Framework, An Introduction

A handwritten signature in black ink, appearing to read "J. Stern", written over a horizontal line.

Issued this 22nd Day of April, 2021



Jeffrey D. Stern, Ph.D.
Superintendent
Emergency Management Institute
Federal Emergency Management Agency



NATIONAL RIFLE ASSOCIATION OF AMERICA

CERTIFIES THAT

JASON KNAPP

**HAS MET THE REQUIREMENTS OF THE
NATIONAL RIFLE ASSOCIATION OF AMERICA
AND IS HEREWITH CERTIFIED AS A**

***Law Enforcement Firearms Instructor for
Patrol Rifle***

Issued this 5th day of July, 2022

A handwritten signature in black ink, appearing to read 'John C. Frazer', written over a horizontal line.

John Frazer, NRA Secretary



THIS CERTIFICATE ACKNOWLEDGES THAT

JASON KNAPP

HAS SUCCESSFULLY COMPLETED

LEO ARMED VEHICLE DEFENSE

MPOETC CLEE ID NO. CLE01102

HOSTED BY: WORCESTER COUNTY SHERIFF'S OFFICE

NEWARK MD | NOVEMBER 16TH - 17TH 2021

A handwritten signature in black ink, appearing to read "Phillip Groff", is written over a horizontal line.

PHILLIP GROFF | OWNER - LEAD INSTRUCTOR | VIGR TRAINING LLC.

Certificate

This is to certify that

Jason Knapp

has successfully completed the requirements of

Management of Aggressive Behavior for Public Safety Officers

Presented on

June 27th, 2021

Instructor

Robert Lembach



President

Michael T. O'Malley

Michael T. O'Malley



NATIONAL RIFLE ASSOCIATION OF AMERICA

certifies that

JASON C. KNAPP

has successfully completed the

BASICS OF PISTOL SHOOTING

Marksmanship Skill Level: Level 1

Firearm Type: Semi-Automatic Only

INSTRUCTOR SIGNATURE

SALVATORE TOMMARELLO

INSTRUCTOR PRINTED NAME

183594581

INSTRUCTOR I.D.

January 23, 2021

DATE

JOHN C. FRAZER, SECRETARY
NATIONAL RIFLE ASSOCIATION

SERIAL NUMBER: 439303

THE NATIONAL RIFLE ASSOCIATION
OF AMERICA

This is to certify that

Jason C. Knapp

of the

Allegheny County Sheriff's Reserve

*has attended and satisfactorily completed
the following Registered and Approved
NRA Law Enforcement Firearms Training
Course:*

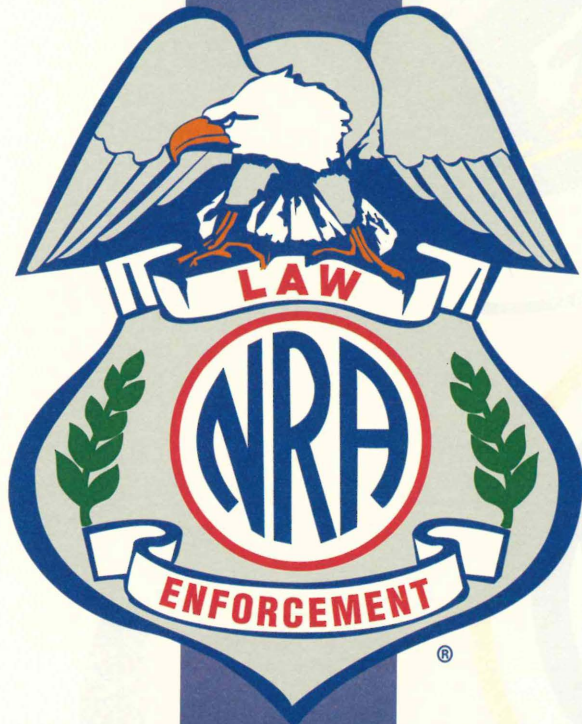
Basic Police Handgun

Issued this 18th day of June, 2021

Daniel M. Horosko

NRA Firearms Instructor

Edward J. [Signature]
Secretary



CERTIFICATE OF TRAINING

Jason Knapp

has participated in

NHI Course No. FHWA-NHI-133126A


National Traffic Incident Management Responder Training - Web-Based

Hosted by: **National Highway Institute**

Location: *Web-Based Course*

Hours of Instruction: *4.1 hours*

Date: *5/15/2021*



Thomas P. Harman
Acting Director | National Highway Instit



National TIM Responder Training Program Completion Certificate

This acknowledges that

Jason C. Knapp

has successfully completed the
National Traffic Incident Management

Responder Training Course

and earned 4 Professional Development Hours (PDHs).

Date: 12/07/2021

CERTIFICATE OF TRAINING

THE PENNSYLVANIA STATE FIRE ACADEMY

hereby congratulates

Jason C. Knapp

upon successfully completing 4 hours of approved instruction in the course

HAZARDOUS MATERIALS AWARENESS(HMAJB)



Location: Online

Date: 12/12/2021

Instructors: VIRTUAL

COMMONWEALTH OF PENNSYLVANIA

Tom Wolf, Governor

John Fetterman, Lt. Governor

PENNSYLVANIA STATE FIRE ACADEMY

Bruce Trego, State Fire Commissioner

Thomas G. Cook, Fire Training Administrator

THE NATIONAL RIFLE ASSOCIATION
OF AMERICA

This is to certify that

Jason C. Knapp

has successfully completed a

Patrol Rifle Instructor Development School

44 Contact Hours

sponsored by

Berks County Jail System

Issued this 17th day of June, 2022



NRA School Instructor



NRA Secretary



SAVE A LIFE

**AMERICAN COLLEGE OF SURGEONS
COMMITTEE ON TRAUMA**

Recognizes

Jason C. Knapp

For successful completion of the
STOP THE BLEED® Course

Presented on May 20th 2021, by

Allegheny County Police Training Academy

Allegheny County Sheriff's Department, Uniform, Reserve Division

STOP THE BLEED® is a registered trademark of the US Department of Defense.



THE
**COMMITTEE
ON TRAUMA**



100+years

AMERICAN COLLEGE OF SURGEONS

*Inspiring Quality:
Highest Standards, Better Outcomes*

THE OFFICE OF THE STATE FIRE COMMISSIONER PENNSYLVANIA STATE FIRE ACADEMY

Accredited under the National Board of Fire Service Professional Qualifications and
the International Fire Service Accreditation Congress Attest that

Jason C. Knapp

is certified in accordance with the requirements set forth by the
National Fire Protection Association Professional Qualifications Standards as

Traffic Incident Management Personnel NFPA 1091 - 2019 Edition

Issued on February 16, 2022



Certificate # 58

Handwritten signature of the Acting State Fire Commissioner.

Acting State Fire Commissioner

Handwritten signature of the Certification Program Manager.

Certification Program Manager



The Board of Regents of the University System of Maryland

University of Maryland

*In recognition of the successful completion of the
requisite course of study and on nomination of the Faculty of the*

College of Arts and Humanities

*by virtue of authority granted by charter of the State of Maryland
hereby confers upon*

Jason Christopher Knapp

the degree of

Bachelor of Arts

Philosophy

with all the honors, rights, and privileges thereunto appertaining.

*In witness whereof this Diploma, signed by the authorized officers
of the University and sealed with the corporate seal of the University, is granted.*

*Given at College Park, Maryland, on the twentieth day of
May in the year two thousand ten.*



Clifford Kendall
*Chairperson of the Board of Regents
of the University System of Maryland*
Smith
President

WE Kwan
Chancellor

James F. Hanis
Dean



PENNSYLVANIA STATE POLICE
GO# PA 2022-1072926

VFI OTHER

#2

Defendants
EXHIBIT
K

Table of Contents

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PENNSYLVANIA STATE POLICE

General Offense Report

GO# PA 2022-1072926

Operational Status: OPEN

Reported Date: Aug-22-2022
(Mon.)

Officer: 543228 - ACKLIN,D,08889

Approved by: 638786 - SMITH,H,10675

Date Occurred: Aug-22-2022 (Mon.)

Time: 1750

Latest Possible Date:

Time:

Location of Occurrence: 449 MCCORMICK RD , MOON TWP (ALLEGHENY) **District:** B03 **Zone:** B0399 **Grid:**

Study: Not Applicable

Domestic Violence: No

Offense: #1 VFI OTHER - COMPLETED

Total Stolen:

Total Damaged:

Total Recovered:

Clearance Information

Agency:

Date Cleared:

Cleared by:

Status:

IBR Cleared exceptionally status: Not Applicable



PENNSYLVANIA STATE POLICE

General Offense Report

GO# PA 2022-1072926

Operational Status: OPEN

Follow Up Report #4

Assigned to: 716312 - GORDON,T,12742

Assigned on: Jan-30-2023 (Mon.) 1153

Completed: Yes

Approved on: 01/31/2023

Approved by: SMITH,H,10675

Narrative Text #1

Document: 7-TEXT TEMPLATES

Related Date/Time: Jan-31-2023 (Tue.) 858

Subject: VFI - STATE AGENCY MISC INVESTIGATION

VFI - STATE AGENCY MISC INVESTIGATION
RMS Form Name: VFI STATE AGENCY MISC INVEST
Version: 06
Published: 11/11/2022

Confidential: Internal Use Only - Not For The Public

INVESTIGATING INFORMATION

Investigating PSP Station:
B Pittsburgh
County: ALLEGHENY
Reporting Officer: GORDON,T,12742
CAD/Case Year: 2022 CAD/Case #: 1072926
Date Submitted: Jan-31-2023

NATURE OF INVESTIGATION

One And The Same Driver No: 30814883
X Misuse Of Registration Plate No: MG3590N
Altered/Misuse Of Drivers License Driver No:
Special Hauling Permit Violation Permit No:
Title Violation Title No:
Dealer Investigation DIN:
Inspection Station Investigation Station:
Full Agent/Messenger Investigation DIN/ID #:
Misc Motor Vehicle Business Investigation DIN:
Odometer Tampering VIN:
Other (Specify)

INVESTIGATION DETAILS

Subject:
Name: KNAPP, JASON C (DOB: Aug-08-1986)
Complete Information Below For Blocks Not Listed On Entity Page
Address: 320 FORT DUQUESNE BLVD APT 21E
City: PITTSBURGH ST: PA Zip: 15222
Phone: 000-000-0000 DOB: Aug-08-1986
OLN: 30814883 State: PA Exp Date:

VEHICLE INFORMATION



PENNSYLVANIA STATE POLICE

General Offense Report

GO# PA 2022-1072926

Operational Status: OPEN

Vehicle:

Vehicle Info: 2018 FORD XPL VIN:1FM5K8AR4JGB33960 MG3590N PA LF SW AUTOMOBILE

Complete Information Below For Blocks Not Listed On Entity Page

Year: 2018

Make: FORD Model: EXPLORER

VIN: 1FM5K8AR4JGB33960 Title:

Reg. #: MG3590N Reg State: PA Reg Exp Date:

DETAILS OF INVESTIGATION

Remarks:

On 09/12/22, Troopers were contacted by Shaler PD in reference to possible misuse of a Municipal Government registration plate by a local Constable, Jason KNAPP. KNAPP applied for tax exemption with the Department of Revenue under the self-created LLC "Pennsylvania State Constabulary" under the belief that he was a political subdivision. KNAPP was wrongfully granted the exemption which he later used to purchase a retired police vehicle and did not pay taxes due to the exemption. On the MV-4ST form, KNAPP filled in the exemption block (1A) with "18" stating that he was a municipal authority. KNAPP also used the newly granted title to file for a municipal government plate under the belief that he was in fact a municipal authority. All of this was wrong for KNAPP due to the court rulings in "Commonwealth vs Ward" and "Commonwealth vs Metzgar," which specifically addresses these issues with constables.

Constables are not allowed to have Municipal Government plates. Constables are also NOT considered to be affiliated with any municipality, magistrate, or political subdivision. Therefore, constables are not entitled to any tax exemption.

I am requesting that KNAPP's registration be suspended, and a document pickup be issued for PA registration MG3590N.

I am also requesting that the tax exemption for "Pennsylvania State Constabulary" LLC be rescinded, and KNAPP be made responsible for the missing tax money on the vehicle purchase.

I will also be reaching out to the Pennsylvania Commission on Crime and Delinquency in order to educate them on this matter as it seems to be a trend with PA State Constables.

Additional Remarks:

Violation(s) Indicated:

MISUSE OF REGISTRATION



PENNSYLVANIA STATE POLICE

General Offense Report

GO# PA 2022-1072926

Operational Status: OPEN

REPORT TRANSFERRED TO

Troop:

Station:

Date:

*** End Of Template ***



PENNSYLVANIA STATE POLICE

General Offense Report

GO# PA 2022-1072926

Operational Status: OPEN

Follow Up Report #5

Assigned to: 716312 - GORDON,T,12742

Assigned on: Jan-31-2023 (Tue.) 923

Completed: Yes

Approved on: 03/27/2023

Approved by: SMITH,H,10675

Narrative Text #1

Document: 3 - OFFICER NARRATIVE

Related Date/Time: Mar-27-2023 (Mon.) 735

Subject: SUPPY

Supplemental Information: PennDOT has yet to suspend the registration of the the SUSPECT. I will be contacting PennDOT in order to get this handled.

Report remains open pending suspension.

PENNSYLVANIA
FINANCIAL RESPONSIBILITY IDENTIFICATION CARD

COMPANY CODE AND NAME

20087 National Indemnity Company

Name and Address of Insured

Pennsylvania State Constabular
PO Box 22070
PITTSBURGH PA 15222

POLICY NUMBER
7CA2R408247
EFFECTIVE DATE
07/22/2022

NOT VALID MORE THAN 1
YEAR FROM EFFECTIVE DATE

Description of Vehicle

18 FORD Explorer 1FM5K8AR4JGB33960

Year	Make/Model	Vehicle Identification Number

SEE IMPORTANT MESSAGE ON REVERSE SIDE

R 1413e (8-98) UNIFORM INFORMATION SERVICES, INC

FOLD ALONG THIS LINE

R 1413e (back)

**THIS CARD MUST BE CARRIED FOR PRODUCTION UPON DEMAND.
IT IS SUGGESTED THAT YOU CARRY THIS CARD IN THE INSURED
VEHICLE.**

WARNING: Any owner or registrant of a motor vehicle who drives or permits a motor vehicle to be driven in this State without the required financial responsibility may have his registration suspended or revoked.

NOTE: THIS CARD IS REQUIRED WHEN:

- (1) You are involved in an auto accident.
- (2) You are convicted of a traffic offense, other than a parking offense, that requires a court appearance.
- (3) You are stopped for violating any provision of 75 Pa. C.S. (relating to the Vehicle Code) and requested to produce it by a police officer.

You must provide a copy of this card to the Department of Transportation when you request restoration of your operating privilege and/or registration privilege which has been previously suspended or revoked.

CUT ALONG THIS LINE

IMPORTANT NOTICE Regarding Your Financial Responsibility Insurance Identification Card.

This Insurance Company is required by Pennsylvania law to send you an I. D. card. The card shows that an insurance policy has been issued for the vehicle(s) described satisfying the financial responsibility requirements of the law.

If you lose the card, contact your insurance company or agent for a replacement.

The I. D. card information may be used for vehicle registration and replacing license plates. If your liability insurance policy is not in effect, the I. D. card is no longer valid.

You are required to maintain financial responsibility on your vehicle. It is against Pennsylvania law to use the I. D. card fraudulently such as using the card as proof of financial responsibility after the insurance policy is terminated.



Pennsylvania
www.penn.gov

DRIVER'S LICENSE



4a DLN: 30 814 883 DUPL: 00
3 DOB: 08/08/1988
4b EXP: 08/09/2023 VISS: 02/28/2020
1 IDNAPP
2 JASON CHRISTOPHER
3 330 FORT DUGUESNE BLVD
4 PITTSBURGH, PA 15222
15 SEX: M 18 EYES: BLU
16 HGT: 5'-01"
9 CLASS: C
9a END: NONE
12 RESTR: NONE

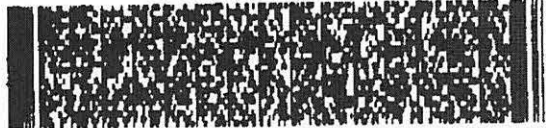
Knapp

DD 202001033491
50000000371



08/08/1988
Rev 08/07/2016

21

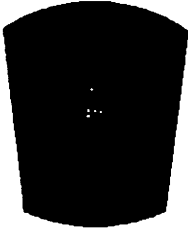


CLASS: C-Single/Comb - 26.001
END: None
RESTR: None

Notify PennDOT if you move within 15 days. Visit us at www.dmv.pa.gov
or call us at 717-412-6300. TTY callers - Please dial 711 to reach us.

#3a

334001
JUL 26 2022



PENNSYLVANIA STATE CONSTABULARY

POST OFFICE BOX 22070
320 FORT DUQUESNE BOULEVARD, SUITE 235
PITTSBURGH, PENNSYLVANIA USA 15222

July 20, 2022

Armstrong Notary & More LLC
132 N McKean St
Kittanning, PA 16201

RE: Letter of Authorization

Dear Sir or Madam:

This letter is to confirm that **Jason C. Knapp** is the Chief Constable for the Pennsylvania State Constabulary and, in his capacity, is authorized to sign on behalf of our organization in all matters including to transfer title and register the following vehicle:

2018 Ford Interceptor Police SUV Black (VIN 1FM5K8AR4JGB33960)

If you have any questions, please feel free to contact the undersigned.

Very truly yours,

PENNSYLVANIA STATE CONSTABULARY

Cassia M. Minich
Corporate Secretary

#3b

PHONE: (412) 930-0370 | EMAIL: agency@stateconstablepa.us | FAX: (412) 709-6620

JUL 26 2022
334001

BOROUGH OF FOX CHAPEL

401 Fox Chapel Road • Pittsburgh, PA 15238
412/963-1100 • FAX 412/963-1819
www.fox-chapel.pa.us

July 21, 2022

Armstrong Notary & More LLC
132 N. McKean Street
Kittanning, PA 16201

RE: 2018 Ford Interceptor Police SUV (VIN- 1FM5K8AR4JGB33960)

Dear Sir or Madam,

This letter confirms that Gary J. Koehler is the Borough Manager for the Borough of Fox Chapel and, in his capacity, is authorized to sign on behalf of the Borough in all matters including the transfer of title for the above referenced vehicle.

If you have any questions, please feel free to contact the undersigned.

Sincerely,

FOX CHAPEL BOROUGH



SHAWN M. PETERSON
Borough Secretary

GJK/smp

#3c

Phone: 412-850-5020

Email: speterson@fox-chapel.pa.us

334001

JUL 26 2022

BILL OF SALE

KNOW ALL PERSONS BY THESE PRESENTS, that **Fox Chapel Borough, Allegheny County, Pennsylvania**, a Pennsylvania municipality, whose mailing address is 401 Fox Chapel Road, Pittsburgh, Pennsylvania, 15238 (the "Seller"), for and in consideration of **FOURTEEN THOUSAND EIGHT HUNDRED DOLLARS AND NO/100 (\$14,800.00)**, by means of cashier's check, the receipt and sufficiency of which are hereby acknowledged and confirmed, does hereby sell, assign, and transfer to the **Pennsylvania State Constabulary**, a Pennsylvania nonprofit corporation, whose mailing address is P.O. Box 22070, Pittsburgh, Pennsylvania, 15222 (the "Buyer"), the following described property (collectively, the "Property"):

Item	Purchase/Sale Price
2018 Ford Interceptor Police SUV – Black VIN IFM5K8AR4JGB33960	\$14,800.00
Total:	\$14,800.00

UNDER AND SUBJECT to the terms and conditions set forth in that certain auction on Municibid.com with a listing number 45274831 and a copy of the resulting invoice is attached hereto.

UNDER AND SUBJECT FURTHER to approval of Seller through its Borough Council to sell the Property, which was given at a duly convened meeting on July 18, 2022.

AND NOW, this Bill of Sale is accepted by the parties hereto with the intent to legally bound and effective for all purposes as of July 20, 2022.

Attest:

Shawn Marie Peterson
Shawn Marie Peterson
Borough Secretary

Attest:

Cassia M. Minich
Cassia M. Minich
Corporate Secretary

Seller:
**Fox Chapel Borough, Allegheny County,
Pennsylvania**

By: Gary J. Koehler
Gary J. Koehler
Borough Manager

Buyer:
Pennsylvania State Constabulary

By: Jason C. Knapp
Jason C. Knapp
Chief Constable

[Remainder of this page intentionally left blank.]



PENNSYLVANIA EXEMPTION CERTIFICATE

- STATE AND LOCAL SALES AND USE TAX
- STATE 6% AND LOCAL 1% HOTEL OCCUPANCY TAX
- PUBLIC TRANSPORTATION ASSISTANCE TAXES AND FEES (PTA)
- VEHICLE RENTAL TAX (VRT)
- ADDITIONAL LOCAL, CITY, COUNTY HOTEL TAX *

This form cannot be used to obtain a Sales Tax Account ID, PTA Account ID or Exempt Status.

(Please Print or Type)
**Read Instructions
On Reverse Carefully**

THIS FORM MAY BE PHOTOCOPIED – VOID UNLESS COMPLETE INFORMATION IS SUPPLIED

- CHECK ONE:**
- PENNSYLVANIA TAX UNIT EXEMPTION CERTIFICATE (USE FOR ONE TRANSACTION)
 - PENNSYLVANIA TAX BLANKET EXEMPTION CERTIFICATE (USE FOR MULTIPLE TRANSACTIONS)

Name of Seller, Vendor or Lessor
Armstrong Notary & More LLC

Street 132 N McKean St	City Kittanning	State PA	ZIP Code 16201
---------------------------	--------------------	-------------	-------------------

NOTE: Do not use this form for claiming an exemption on the registration of a vehicle. To claim an exemption from tax for a motor vehicle, trailer, semi-trailer or tractor with the PA Department of Transportation, Bureau of Motor Vehicles, use one of the following forms:

- FORM MV-1, Application for Certificate of Title (first-time registrations)**
- FORM MV-4ST, Vehicle Sales and Use Tax Return/Application for Registration (other registrations)**

Property and services purchased or leased using this certificate are exempt from tax because: (Select the appropriate paragraph from the back of this form, check the corresponding block below and insert information requested).

1. Property or services will be used directly and predominately by purchaser in performing purchaser's operation of: _____
- 2. Purchaser is a/an: Political Subdivision holding Sales Tax Exemption Number _____
3. Property will be resold under Account ID _____ (If purchaser does not have a PA Sales Tax Account ID, include a statement under Number 8 explaining why a number is not required).
4. Property or services will be used directly and predominately by purchaser performing a public utility service.
PA Public Utility Commission PUC Number _____ and/or U.S. Department of Transportation MC/MX _____
5. Exempt wrapping supplies, Account ID _____ (If purchaser does not have a PA Sales Tax Account ID, include a statement under Number 8 explaining why a number is not required).
6. Canned computer software purchased by a financial institution subject to the Bank and Trust Company Shares Tax (Article VII) or the Mutual Thrift Institutions Tax (Article XV).
7. Canned computer software licenses that are billed to a PA address but used outside of PA. The total number of software licenses purchased for invoice # _____ is _____. The total number of users accessing and using the software outside PA is _____
8. Other _____
(Explain in detail. Additional space on reverse side).

I am authorized to execute this certificate and claim this exemption. Misuse of this certificate by seller, lessor, buyer, lessee or their representative is punishable by fine and imprisonment.

Name of Purchaser or Lessee Pennsylvania State Constabulary	Signature 	EIN 87-1809707	Date 07/20/2022
Street 320 Fort Duquesne Blvd Ste 235	City Pittsburgh	State PA	ZIP Code 15222

1. ACCEPTANCE AND VALIDITY:

For this certificate to be valid, the seller/lessor shall exercise good faith in accepting this certificate, which includes: (1) the certificate shall be completed properly; (2) the certificate shall be in the seller/lessor's possession within 60 days from the date of sale/lease; (3) the certificate does not contain information which is knowingly false; and (4) the property or service is consistent with the exemption to which the customer is entitled. For more information, refer to Exemption Certificates, Title 61 PA Code §32.2. An invalid certificate may subject the seller/lessor to the tax.

2. REPRODUCTION OF FORM:

This form may be reproduced but shall contain the same information as appears on this form.

3. RETENTION:

The seller or lessor must retain this certificate for at least four years from the date of the exempt sale to which the certificate applies.

▲ IMPORTANT: DO NOT RETURN THIS FORM TO THE PA DEPARTMENT OF REVENUE.

4. NONPROFIT EXEMPT ORGANIZATIONS:

This form may be used in conjunction with form REV-1715, Exempt Organization Declaration of Sales Tax Exemption, when a purchase of \$200 or more is made by an organization which is registered with the PA Department of Revenue as an exempt organization. These organizations are assigned an exemption number, beginning with the two digits 75 (example: 75000000).

COMMONWEALTH OF PENNSYLVANIA

CERTIFICATE OF TITLE FOR A VEHICLE

193

FUEL TYPE: GASOLINE

181150054001903-001

LFM5K8AR4JG833960

2018 FORD

78865259001 B0

SW

0

SEAT CAP

PRIOR TITLE STATE

4/27/18

000005

0

BODY TYPE

DUR

SEAT CAP

PRIOR TITLE STATE

ODOM PROG DATE

ODOM MILES

ODOM STATUS

4/27/18

4/27/18

UNLADEN WEIGHT

GVWR

GCWR

TITLE BRANDS

REGISTERED OWNER(S):

BOROUGH OF FOX CHAPEL
401 FOX CHAPEL RD
PITTSBURGH PA 15238

Table with 2 columns: ODOMETER STATUS (0-4) and TITLE BRANDS (A-X) with their respective descriptions.

FIRST LIEN FAVOR OF

SECOND LIEN FAVOR OF

FIRST LIEN RELEASED DATE BY AUTHORIZED REPRESENTATIVE

SECOND LIEN RELEASED DATE BY AUTHORIZED REPRESENTATIVE

MAILING ADDRESS

031007
BOROUGH OF FOX CHAPEL
401 FOX CHAPEL RD
PITTSBURGH PA 15238



LESLIE S. RICHARDS
Secretary of Transportation

I certify as of the date of issue, the official records of the Pennsylvania Department of Transportation reflect that the person or company named herein is the lawful owner of the said vehicle.

D. APPLICATION FOR TITLE AND LIEN INFORMATION

SUBSCRIBED AND SWORN TO BEFORE ME: 07 22 DAY 2022
Cassia M. Minich

Commonwealth of Pennsylvania - Notary Seal
Cassia M. Minich, Notary Public
Jefferson County
My Commission Expires August 16, 2023
Commission Number 1355649

SIGNATURE OF CLERK, COUNTY TITLE OR AUTHORIZED SIGNER

TO BE COMPLETED BY PURCHASER WHEN VEHICLE IS SOLD AND THE APPROPRIATE SECTIONS ON THE REVERSE SIDE OF THIS DOCUMENT ARE COMPLETED.
If a co-purchaser other than your spouse is listed and you want the title to be listed as "Joint Tenants With Right of Survivorship" (on death of one owner, title goes to surviving owner) CHECK HERE [X]. Otherwise, the title will be issued as "Tenants in Common" (on death of one owner, interest of deceased owner goes to his/her heirs or estate).
IF NO LIEN CHECK [X] IS THIS AN ELT? (IF YES FIN REQUIRED) YES [] NO [X]
1ST LIENHOLDER FINANCIAL INSTITUTION NUMBER
1ST LIENHOLDER NAME
STREET
CITY STATE ZIP
IF NO 2ND LIEN CHECK [X] IS THIS AN ELT? (IF YES FIN REQUIRED) YES [] NO [X]
2ND LIENHOLDER FINANCIAL INSTITUTION NUMBER
2ND LIENHOLDER NAME
STREET
CITY STATE ZIP

70666946

STORE IN A SAFE PLACE - IF LOST APPLY FOR A DUPLICATE - ANY ALTERATION OR ERASURE VOIDS THIS TITLE

F (TYPE OR PRINT) Certificate of Title must be submitted within 20 days, unless the purchaser is a registered dealer holding the vehicle for resale.

An employee of an issuing agent licensed as a vehicle dealer by the Pennsylvania State Board of Vehicle Manufacturers, Dealers and Salespersons may verify a person's signature in lieu of notarization.

WARNING - FEDERAL AND STATE LAWS REQUIRE THAT YOU STATE THE MILEAGE IN CONNECTION WITH THE TRANSFER OF OWNERSHIP. FAILURE TO COMPLETE OR PROVIDING A FALSE STATEMENT MAY RESULT IN FINES OR IMPRISONMENT

A. ASSIGNMENT OF TITLE - Registered motor vehicle model years 1974 or later as required by law. If purchaser is NOT a registered dealer, Section D on the front of this form must be completed.

LAST FIRST MIDDLE NAME
 PURCHASER OR FULL BUSINESS NAME **Pennsylvania State Constabulary**
 CO-PURCHASER

STREET ADDRESS **320 Fort Duquesne Blvd Ste 235**
 CITY **Pittsburgh PA 15222-1102**
 STATE Z.P. PURCHASE PRICE OR DIN **814,800**

WE certify, to the best of my/our knowledge that the odometer reading is **75,659** ^{TENTHS} miles and reflects the actual mileage of the vehicle unless one of the following boxes is checked
 Reflects the amount of mileage in excess of its mechanical limits is NOT the actual mileage. **WARNING: Odometer discrepancy.**
 I/We further certify that the vehicle is free of any encumbrance and that the ownership is hereby transferred to the person(s) or the dealer listed.

SUBSCRIBED AND SWORN TO BEFORE ME: **07** MO **22** DAY **2022** YEAR
 SIGNATURE OF PERSON ADMINISTERING OATH **Tom C. [Signature]**

STAMP OR SEAL

Commonwealth of Pennsylvania - Notary Seal
Cassia M. Minich, Notary Public
Jefferson County
My Commission Expires August 18, 2023
Commission Number 1355649

PURCHASER AND/OR CO-PURCHASER MUST HANDPRINT NAME HERE **Jason G. Knapp**
 SIGNATURE OF SELLER **[Signature]**
 SIGNATURE OF CO-SELLER **Gary J. Koehler**

SELLER AND/OR CO-SELLER MUST HANDPRINT NAME HERE **Gary J. Koehler**

B. RE-ASSIGNMENT OF TITLE BY REGISTERED DEALER If purchaser listed in Block A is NOT a registered dealer Section D on the front of this form must be completed.

LAST FIRST MIDDLE NAME
 PURCHASER OR FULL BUSINESS NAME
 CO-PURCHASER

STREET ADDRESS
 CITY
 STATE ZIP PURCHASE PRICE OR DIN

WE certify, to the best of my/our knowledge that the odometer reading is _____ ^{TENTHS} miles and reflects the actual mileage of the vehicle unless one of the following boxes is checked
 Reflects the amount of mileage in excess of its mechanical limits is NOT the actual mileage. **WARNING: Odometer discrepancy.**
 I/We further certify that the vehicle is free of any encumbrance and that the ownership is hereby transferred to the person(s) or the dealer listed.

SUBSCRIBED AND SWORN TO BEFORE ME: _____ MO _____ DAY _____ YEAR

SIGNATURE OF PERSON ADMINISTERING OATH

STAMP OR SEAL

PURCHASER SIGNATURE
 CO-PURCHASER SIGNATURE
 PURCHASER AND/OR CO-PURCHASER MUST HANDPRINT NAME HERE
 SIGNATURE OF SELLER
 SELLER MUST HANDPRINT NAME HERE

RE-ASSIGNMENT OF TITLE BY REGISTERED DEALER If purchaser is NOT a registered dealer Section D on the front of this form must be completed.

LAST FIRST MIDDLE NAME
 PURCHASER OR FULL BUSINESS NAME
 CO-PURCHASER

STREET ADDRESS
 CITY
 STATE ZIP PURCHASE PRICE OR DIN

WE certify, to the best of my/our knowledge that the odometer reading is _____ ^{TENTHS} miles and reflects the actual mileage of the vehicle unless one of the following boxes is checked
 Reflects the amount of mileage in excess of its mechanical limits is NOT the actual mileage. **WARNING: Odometer discrepancy.**
 I/We further certify that the vehicle is free of any encumbrance and that the ownership is hereby transferred to the person(s) or the dealer listed.

SUBSCRIBED AND SWORN TO BEFORE ME: _____ MO _____ DAY _____ YEAR

SIGNATURE OF PERSON ADMINISTERING OATH

STAMP OR SEAL

PURCHASER SIGNATURE
 CO-PURCHASER SIGNATURE
 PURCHASER AND/OR CO-PURCHASER MUST HANDPRINT NAME HERE
 SIGNATURE OF SELLER
 SELLER MUST HANDPRINT NAME HERE

RE-ASSIGNMENT OF TITLE BY REGISTERED DEALER If purchaser is NOT a registered dealer Section D on the front of this form must be completed.

LAST FIRST MIDDLE NAME
 PURCHASER OR FULL BUSINESS NAME
 CO-PURCHASER

STREET ADDRESS
 CITY
 STATE ZIP PURCHASE PRICE OR DIN

WE certify, to the best of my/our knowledge that the odometer reading is _____ ^{TENTHS} miles and reflects the actual mileage of the vehicle unless one of the following boxes is checked
 Reflects the amount of mileage in excess of its mechanical limits is NOT the actual mileage. **WARNING: Odometer discrepancy.**
 I/We further certify that the vehicle is free of any encumbrance and that the ownership is hereby transferred to the person(s) or the dealer listed.

SUBSCRIBED AND SWORN TO BEFORE ME: _____ MO _____ DAY _____ YEAR

SIGNATURE OF PERSON ADMINISTERING OATH

STAMP OR SEAL

PURCHASER SIGNATURE
 CO-PURCHASER SIGNATURE
 PURCHASER AND/OR CO-PURCHASER MUST HANDPRINT NAME HERE
 SIGNATURE OF SELLER
 SELLER MUST HANDPRINT NAME HERE

C. CHECK HERE IF APPLYING FOR A DEALER TITLE AND COMPLETE SECTION D, TITLING FEES \$ _____

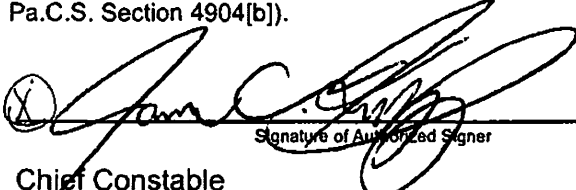
MV-4 (12-2015)



**APPLICATION FOR MUNICIPAL
GOVERNMENT REGISTRATION PLATE**

For Department Use Only
Bureau of Motor Vehicles • P.O. Box 68593 • Harrisburg, PA 17106-8593

When applying for issuance or transfer of a Municipal Government registration plate, complete this supplemental application in its entirety and attach to either Form MV-1, MV-4ST, MV-120, MV-140, or Summary Applicant Statement.

A Vehicle and Applicant Information			
Title Number 78865259001	Vehicle Identification Number 1FM5K8AR4JGB33960	Telephone Number () 412 930 0370	
Owner Name PENNSYLVANIA STATE CONSTABULARY			Bus. ID#
Street Address 320 Fort Duquesne Blvd, Suite 235	City Pittsburgh	State PA	Zip Code 15222
B Vehicle Use			
This vehicle will be registered to a governmental or quasi-governmental entity as listed below:			
<input checked="" type="checkbox"/> Political Subdivisions - Any county, city, borough, incorporated town, township, school district, vocational school district and county institution district.			
<input type="checkbox"/> Municipal Authorities (i.e. municipal water authority) - A municipal authority that was created by one or more political subdivisions.			
C Certification			
I certify under penalty of law that information contained herein is TRUE and CORRECT. WARNING: Falsification to authorities is a misdemeanor of the third degree punishable by a fine of up to \$2,500 and/or imprisonment up to 1 year (18 Pa.C.S. Section 4904[b]).			
 Signature of Authorized Signer		Jason Christopher Knapp Printed Name of Authorized Signer	
Chief Constable Title of Authorized Signer		July 23, 2022 Date	

INSTRUCTIONS

Section A

Complete all owner and vehicle information as it appears on the title application or the certificate of title if the vehicle is already titled in the owner's name. **NOTE:** Businesses should list their Business ID# (Bus. ID#) where indicated (i.e. E.I.N.).

Section B

Please indicate the type of authority that the Municipal Government registration plate is being requested for by checking the Political Subdivisions or Municipal Authorities block.

Section C

The application must be signed and dated by an authorized individual. Please include the authorized individual's title.

NOTE: The Municipal Government registration plate must be returned to PennDOT upon completion of use.

Return the registration plate to: Bureau of Motor Vehicles
Return Tag Unit
P.O. Box 68597
Harrisburg, PA 17106-8597

#3g

334001
JUL 26 2022



pennsylvania
DEPARTMENT OF TRANSPORTATION
www.dmv.pa.gov

**VEHICLE SALES AND USE TAX RETURN/
APPLICATION FOR REGISTRATION**

Attach PA Title - Type or Print - Make check payable to Commonwealth of PA

Bureau of Motor Vehicles ♦ P.O. Box 68593 ♦ Harrisburg, PA 17106-8593

No. H5145849

MV-4ST (1-19)

H. TAX FEES

1ST ASSIGNMENT

2ND ASSIGNMENT

A. VEHICLE PURCHASED	PA Title Number (as Shown on Attached Title) 78865259001	Make of Vehicle FORD	Model Year 2018	Purchase Price (See Note on Reverse.)			
	Vehicle Identification Number 1FM5K8AR4JGB33960	Condition <input type="checkbox"/> GOOD <input checked="" type="checkbox"/> FAIR <input type="checkbox"/> POOR		Less Trade-In			
B. SELLER	Last Name (or Full Business Name) Borough of Fox Chapel			Taxable Amount			
	Co-Seller			1. Sales Tax Due X 6% (.06), X 7% (.07) OR X 8% (.08) * (See Note on Reverse.)			
C. 1ST ASSIGNMENT	Last Name (or Full Business Name) Pennsylvania State Constabulary			1A. Exemption Reason Code (Must Be a Number From 1 To 23 Or 0) 18			
	Co-Purchaser Last Name			1B. First Assignment Exemption No.		1B. Second Assignment Exemption No.	
	Street 320 FORT DUQUESNE BLVD STE 235		COUNTY CODE 012	2. Title Fee 0			
	City Pittsburgh PA 15222	State PA	Zip Code 15222	3. Lien Fee			
D. 2ND ASSIGNMENT	Last Name (or Full Business Name)			4. Registration or Processing Fee			
	Co-Purchaser Last Name			Fee Exempt No. as Assigned by the Department			
	Street		COUNTY CODE	5. County Fee ♦ (See Note on Reverse.)			
	City	State	Zip Code	6. Duplicate Reg. Fee No. of Dup. Reg. Cards			
E. VEHICLE TRADED	Make of Vehicle	Vehicle Identification Number		6. Increase Fee			
	Model Year	Body Type (CP, TK, etc.)	Condition	9. Replacement Fee			
F. APPLICATION FOR REGISTRATION	<input checked="" type="checkbox"/> Registration plate to be issued by Department (Proof of insurance must be attached.)		<input type="checkbox"/> Transfer of Previously Issued Registration Plate				
	<input type="checkbox"/> Exchange registration plate to be issued by Department		<input type="checkbox"/> Transfer & Renewal of Registration Plate				
	<input type="checkbox"/> Temporary registration plate issued by Full Agent (NOTE: This registration plate will expire 90 days from date of issuance.)		<input type="checkbox"/> Transfer & Replacement of Registration Plate				
	Registration Plate No.		Reason for Replacement				
	Expires Month Year		<input type="checkbox"/> LOST <input type="checkbox"/> DEFACED <input type="checkbox"/> STOLEN <input type="checkbox"/> NEVER RECEIVED (Lost in Mail)				
	Transferred from Title No.		VIN				
Temp. Registration Plate No.		Signature of person from whom registration plate is being transferred (if other than applicant)		Relationship To Applicant			
Vehicle Purchased Weight Information (If Applicable)		GVWR	Unladen Weight	Reg. Reg. Gross Wt. including Load	Reg. Reg. Gross Comb. Wt. (If Applicable)		
National Indemnity		Policy No. (or Month/Year)		Policy Effective Date			
ISSUING AGENT INFORMATION		I certify that on month JULY day 23 year 22 , I have checked to determine that the vehicle is insured and issued temporary registration to the above applicant, in compliance with all applicable provisions of the Vehicle Code and department regulations.		Issuing Agent (Print Name) Armstrong Notary & More			
		Issuing Agent Signature Yvonne W. Wright		Agent No. 780021316			
				Telephone No. 724-793-7103			
G. ADDITIONAL TITLE INFORMATION	NOTE: If a co-purchaser other than your spouse is listed and you want the title to be listed as "Joint Tenants with Rights of Survivorship" (on death of one owner, title goes to surviving owner.) CHECK HERE <input type="checkbox"/>						
	NOTE: If the vehicle is to be used as a daily rental or leased vehicle. CHECK HERE <input type="checkbox"/> . If block is checked, complete and attach Form MV-1L						
I. CERTIFICATION	I/We certify that I/we have examined and signed this application after its completion. I/We further certify that all statements herein are TRUE and CORRECT and make application for certificate of title for the vehicle described in Section A. If any exemption is claimed, the purchaser further certifies that they are authorized to claim this exemption. I/We acknowledge that I/we may lose my/our operating privilege(s) or vehicle registration for failure to maintain financial responsibility on the currently registered vehicle for the period of registration. I/We acknowledge that I/we may be subject to a fine not exceeding \$5,000 and imprisonment of not more than two years for any false statement that I/we make on this application.						
	1st ASSIGNMENT	Signature of First Purchaser or Authorized Signer				Telephone No.	
	2nd ASSIGNMENT	Signature of Second Purchaser or Authorized Signer				Telephone No.	

* Municipal plate *

JUL 26 2022

MESSENGER NO.

334001



PENNSYLVANIA STATE POLICE
TROOP B, PITTSBURGH
449 McCormick Rd.
Moon Township, PA 15108
PHONE: (724) 299-1645
FAX: (724) 299-1611



November 29, 2022

To whom it may concern,

On 09/12/22, Troopers were contacted by Shaler PD in reference to possible misuse of a Municipal Government registration plate by a local Constable, Jason KNAPP. KNAPP applied for tax exemption with the Department of Revenue under the self-created LLC "Pennsylvania State Constabulary" under the belief that he was a political subdivision. KNAPP was wrongfully granted the exemption which he later used to purchase a retired police vehicle and did not pay taxes due to the exemption. On the MV-4ST form, KNAPP filled in the exemption block (1A) with "18" stating that he was a municipal authority. KNAPP also used the newly granted title to file for a municipal government plate under the belief that he was in fact a municipal authority. All of this was wrong for KNAPP due to the court rulings in "Commonwealth vs Ward" and "Commonwealth vs Metzgar," which specifically addresses these issues with constables.

Constables are not allowed to have Municipal Government plates. Constables are also NOT considered to be affiliated with any municipality, magistrate, or political subdivision. Therefore, constables are not entitled to any tax exemption.

I am requesting that KNAPP's registration be suspended, and a document pickup be issued for PA registration MG3590N.

I am also requesting that the tax exemption for "Pennsylvania State Constabulary" LLC be rescinded, and KNAPP be made responsible for the missing tax money on the vehicle purchase.

I will also be reaching out to the Pennsylvania Commission on Crime and Delinquency in order to educate them on this matter as it seems to be a trend with PA State Constables.

Please feel free to contact me if you have any questions pertaining to this matter. Thank you in advance for your cooperation.

Sincerely,

Tpr. Timothy Gordon

Trooper Timothy GORDON
Vehicle Fraud Unit
Pennsylvania State Police - Pittsburgh Barracks

MINUTES AND RESOLUTIONS

FROM ACTION BY WRITTEN CONSENT OF THE BOARD OF COMMISSIONERS

PENNSYLVANIA STATE CONSTABULARY

July 1, 2022

The Board of Commissioners (“Board”) for the Pennsylvania State Constabulary, a domestic nonprofit corporation (the “Constabulary”), pursuant to the authority granted under its Amended and Restated Bylaws of January 1, 2022, has voted by majority vote as of the date first above written to approve, consent to, and adopt the following minutes and resolutions, without first duly convening a meeting:

WHEREAS, the Board desires to purchase and own a certain 2018 Ford Police Interceptor currently listed for sale on Municibid.com as listing number 45274831, a copy of the listing is attached hereto and made a part hereof;

WHEREAS, the vehicle will be exclusively used and driven by member employee Constable Jason C. Knapp (“Constable Knapp”) unless otherwise approved in writing by the Board;

WHEREAS, the Constabulary’s highest bid to purchase the vehicle shall not exceed \$20,000.00;

WHEREAS, the vehicle shall be owned by Constabulary and used by Constable Knapp in the performance of his official duties for Constabulary, consistent with his powers and duties of elective office under Pennsylvania law;

WHEREAS, the Constabulary shall cause the vehicle to be titled, registered, insured, inspected, upfitted, and maintained in accordance with all applicable laws and rules; and

WHEREAS, the Constabulary shall have the rights, but not the obligations, to subject Constable Knapp to general or special assessments in order to offset all costs related to the vehicle resulting from his membership and employment with Constabulary.

NOW, THEREFORE, the Board adopts the following resolutions.

RESOLVED, that the Constabulary place one or more bids in accordance with the conditions set forth above for the vehicle identified in the attached listing; and

RESOLVED FURTHER, that the Constabulary’s Executive Director, in his capacity as the corporation’s chief executive, be, and is hereby, authorized and directed to undertake without delay all actions necessary to carry forth the resolutions above.

Defendants
EXHIBIT
N

The undersigned officer hereby certifies that she is the Secretary of the Constabulary and the primary custodian of its books and records, that the foregoing is a true and accurate record of the minutes and resolutions duly adopted as actions by written consent of the Board of Commissioners, without a meeting, and that such resolutions are now in full force and effect without modification or rescission.

AND NOW, I hereunto set my hand and affix the corporate seal on the date first above written.

(SEAL)

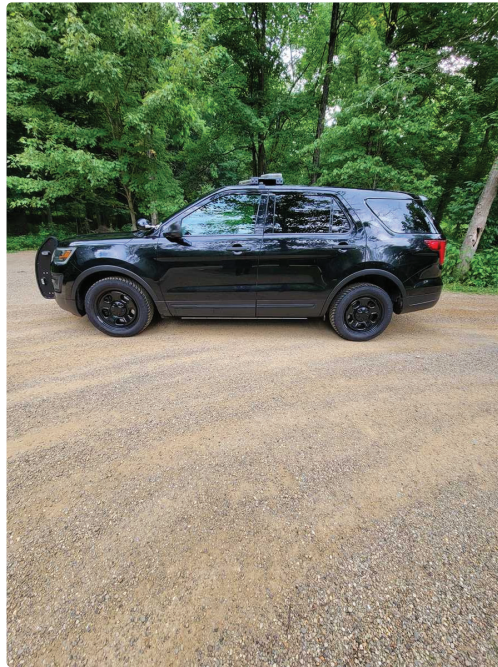


A handwritten signature in cursive script that reads "Cassia M. Minich". The signature is written over a horizontal line.

Cassia M. Minich
Secretary

2018 FORD INTERCEPTOR POLICE SUV ☆

Listing Number: 45274831 | 📍 Pittsburgh, PA US | [Fox Chapel Borough 0](#)



+ ADDITIONAL INFORMATION ON THIS AUCTION

Will Item results be voted on	Yes
Date of voting	Monday, July 18, 2022
Will you ship this item	No. Pickup only.
In person item inspection information	Please contact Craig Sorg at 412-963-7220
Pickup Location Details	401 Fox Chapel Borough Pittsburgh, PA 15238
Does it start	Yes
Is it drivable off the lot	Yes
Is it currently inspected	Yes
Vehicle has a transferable title	Yes
Miles	75,835
VIN	1FM5K8AR4JGB33960
Year	2018
Make	Ford
Model	Explorer- Interceptor
Trim Level	Police 4WD
Body Style	SPORT UTILITY 4-DR
Engine Type	3.7L V6 DOHC 24V
Transmission_short	6A
Transmission_long	6-Speed Automatic
Driveline	4WD
Fuel Economy_city	No data
Fuel Economy_highway	No data

COMMONWEALTH OF PENNSYLVANIA

CERTIFICATE OF TITLE FOR A VEHICLE

FUEL TYPE: GASOLINE

114

222080065000061-002

1FM5K8AR4JGB33960
VEHICLE IDENTIFICATION NUMBER

2018
YEAR

FORD
MAKE OF VEHICLE

78865257002 PE
TITLE NUMBER

SW
BODY TYPE

0
DUP

SEAT CAP

PRIOR TITLE STATE

7/29/22
ODOM. PROCD. DATE

075659
ODOM. MILES

0
ODOM. STATUS

4/27/18
DATE PA TITLED

7/29/22
DATE OF ISSUE

UNLADEN WEIGHT

GVWR

GVWR

TITLE BRANDS

ODOMETER STATUS	
0	ACTUAL MILEAGE
1	MILEAGE EXCEEDS THE MECHANICAL LIMITS
2	NOT THE ACTUAL MILEAGE
3	NOT THE ACTUAL MILEAGE-ODOMETER TAMPERING VERIFIED
4	EXEMPT FROM ODOMETER DISCLOSURE
TITLE BRANDS	
A	ANTIQUE VEHICLE
C	CLASSIC VEHICLE
D	COLLECTIBLE VEHICLE
F	OUT OF COUNTRY
G	ORIGINALLY MFGD. FOR NON-U.S. DISTRIBUTION
H	AGRICULTURAL VEHICLE
L	LOGGING VEHICLE
P	IS/WAS A POLICE VEHICLE
R	RECONSTRUCTED
S	STREET ROD
T	RECOVERED THEFT VEHICLE
V	VEHICLE CONTAINS REISSUED VIN
W	FLOOD VEHICLE
X	IS/WAS A TAXI

REGISTERED OWNER(S)

PENNSYLVANIA STATE
CONSTABULARY
320 FORT DUQUESNE BLVD
STE 235 PO BOX 22070
PITTSBURGH PA 15222

FIRST LIEN FAVOR OF:

SECOND LIEN FAVOR OF:

FIRST LIEN RELEASED _____ DATE _____
BY _____ AUTHORIZED REPRESENTATIVE

If a second lienholder is listed upon satisfaction of the first lien, the first lienholder must forward this Certificate of Title to the Bureau of Motor Vehicles with the appropriate form and fee.

SECOND LIEN RELEASED _____ DATE _____
BY _____ AUTHORIZED REPRESENTATIVE

MAILING ADDRESS

334001
PENNSYLVANIA STATE
CONSTABULARY
320 FORT DUQUESNE BLVD
STE 235 PO BOX 22070
PITTSBURGH PA 15222

BY _____ AUTHORIZED REPRESENTATIVE



YASSMIN GRAMIAN P.E.

Secretary of Transportation

I certify as of the date of issue, the official records of the Pennsylvania Department of Transportation reflect that the person(s) or company named herein is the lawful owner of the said vehicle.

D. APPLICATION FOR TITLE AND LIEN INFORMATION

TO BE COMPLETED BY PURCHASER WHEN VEHICLE IS SOLD AND THE APPROPRIATE SECTIONS ON THE REVERSE SIDE OF THIS DOCUMENT ARE COMPLETED.

SUBSCRIBED AND SWORN TO BEFORE ME:

MO. DAY YEAR

If a co-purchaser other than your spouse is listed and you want the title to be listed as "Joint Tenants With Right of Survivorship" (on death of one owner, title goes to surviving owner) CHECK HERE . Otherwise, the title will be issued as "Tenants in Common" (on death of one owner, interest of deceased owner goes to his/her heirs or estate).

IF NO LIEN, CHECK IS THIS AN ELT? (IF YES, FIN REQUIRED) YES NO

SIGNATURE OF PERSON ADMINISTERING OATH

SIGN IN PRESENCE OF A NOTARY

1ST LIENHOLDER FINANCIAL INSTITUTION NUMBER:

1ST LIENHOLDER NAME

STREET

CITY

STATE

ZIP

IF NO 2ND LIEN, CHECK IS THIS AN ELT? (IF YES, FIN REQUIRED) YES NO

2ND LIENHOLDER FINANCIAL INSTITUTION NUMBER:

2ND LIENHOLDER NAME

STREET

CITY

STATE

This undersigned hereby makes application for Certificate of Title to the vehicle described above, subject to the encumbrances and other legal claims set forth here.

SIGNATURE OF APPLICANT OR AUTHORIZED SIGNER

SIGNATURE OF CO-APPLICANT/TITLE OF AUTHORIZED SIGNER

STORE IN A SAFE PLACE - IF LOST APPLY FOR A DUPLICATE - ANY ALTERATION OR ERASURE VOIDS THIS TITLE

DO NOT ACCEPT DOCUMENT WITHOUT VERIFYING THE PRESENCE OF THE LIBERTY BELL WATERMARK

85470281

Defendants
EXHIBIT
O

(TYPE OR PRINT) Certificate of Title must be submitted within 20 days, unless the purchaser is a registered dealer holding the vehicle for resale.

WARNING - FEDERAL AND STATE LAWS REQUIRE THAT YOU STATE THE MILEAGE IN CONNECTION WITH THE TRANSFER OF OWNERSHIP. FAILURE TO COMPLETE OR PROVIDING A FALSE STATEMENT MAY RESULT IN FINES OR IMPRISONMENT.

An employee of an issuing agent licensed as a vehicle dealer by the Pennsylvania State Board of Vehicle Manufacturers, Dealers and Salespersons may verify a person's signature in lieu of notarization.

<p>A. ASSIGNMENT OF TITLE - Registered dealers must complete Forms MV-27A or MV-27B as required by law. If purchaser is NOT a registered dealer, Section D on the front of this form must be completed.</p>		<p>LAST FIRST MIDDLE NAME</p>
<p>I/We certify, to the best of my/our knowledge that the odometer reading is _____ TENTHS <input checked="" type="checkbox"/> miles and reflects the actual mileage of the vehicle,</p> <p>unless one of the following boxes is checked: <input type="checkbox"/> Reflects the amount of mileage in excess of its mechanical limits <input type="checkbox"/> Is NOT the actual mileage WARNING: Odometer discrepancy I/We further certify that the vehicle is free of any encumbrance and that the ownership is hereby transferred to the person(s) or the dealer listed.</p>		<p>PURCHASER OR FULL BUSINESS NAME _____</p> <p>CO-PURCHASER _____</p> <p>STREET ADDRESS _____</p> <p>CITY _____</p> <p>STATE _____ ZIP _____ PURCHASE PRICE OR DIN _____</p>
<p>SUBSCRIBED AND SWORN TO BEFORE ME: MO. DAY YEAR</p>		<p>PURCHASER SIGNATURE _____</p>
<p>STAMP OR SEAL</p>	<p>SIGNATURE OF PERSON ADMINISTERING OATH _____</p>	<p>CO-PURCHASER SIGNATURE _____</p>
	<p>PURCHASER AND/OR CO-PURCHASER MUST HANDPRINT NAME HERE _____</p>	
	<p>SIGNATURE OF SELLER _____</p>	
	<p>SIGNATURE OF CO-SELLER _____</p>	
<p>SELLER AND/OR CO-SELLER MUST HANDPRINT NAME HERE _____</p>		
<p>B. RE-ASSIGNMENT OF TITLE BY REGISTERED DEALER If purchaser listed in Block A is <u>NOT</u> a registered dealer Section D on the front of this form must be completed.</p>		
<p>I/We certify, to the best of my/our knowledge that the odometer reading is _____ TENTHS <input checked="" type="checkbox"/> miles and reflects the actual mileage of the vehicle,</p> <p>unless one of the following boxes is checked: <input type="checkbox"/> Reflects the amount of mileage in excess of its mechanical limits <input type="checkbox"/> Is NOT the actual mileage WARNING: Odometer discrepancy I/We further certify that the vehicle is free of any encumbrance and that the ownership is hereby transferred to the person(s) or the dealer listed.</p>		<p>LAST FIRST MIDDLE NAME</p>
<p>SUBSCRIBED AND SWORN TO BEFORE ME: MO. DAY YEAR</p>		<p>PURCHASER SIGNATURE _____</p>
<p>STAMP OR SEAL</p>	<p>SIGNATURE OF PERSON ADMINISTERING OATH _____</p>	<p>CO-PURCHASER SIGNATURE _____</p>
	<p>PURCHASER AND/OR CO-PURCHASER MUST HANDPRINT NAME HERE _____</p>	
	<p>SIGNATURE OF SELLER _____</p>	
	<p>SELLER MUST HANDPRINT NAME HERE _____</p>	
<p>B. RE-ASSIGNMENT OF TITLE BY REGISTERED DEALER If purchaser is <u>NOT</u> a registered dealer Section D on the front of this form must be completed.</p>		
<p>I/We certify, to the best of my/our knowledge that the odometer reading is _____ TENTHS <input checked="" type="checkbox"/> miles and reflects the actual mileage of the vehicle,</p> <p>unless one of the following boxes is checked: <input type="checkbox"/> Reflects the amount of mileage in excess of its mechanical limits <input type="checkbox"/> Is NOT the actual mileage WARNING: Odometer discrepancy I/We further certify that the vehicle is free of any encumbrance and that the ownership is hereby transferred to the person(s) or the dealer listed.</p>		<p>LAST FIRST MIDDLE NAME</p>
<p>SUBSCRIBED AND SWORN TO BEFORE ME: MO. DAY YEAR</p>		<p>PURCHASER SIGNATURE _____</p>
<p>STAMP OR SEAL</p>	<p>SIGNATURE OF PERSON ADMINISTERING OATH _____</p>	<p>CO-PURCHASER SIGNATURE _____</p>
	<p>PURCHASER AND/OR CO-PURCHASER MUST HANDPRINT NAME HERE _____</p>	
	<p>SIGNATURE OF SELLER _____</p>	
	<p>SELLER MUST HANDPRINT NAME HERE _____</p>	
<p>B. RE-ASSIGNMENT OF TITLE BY REGISTERED DEALER If purchaser is <u>NOT</u> a registered dealer Section D on the front of this form must be completed.</p>		
<p>I/We certify, to the best of my/our knowledge that the odometer reading is _____ TENTHS <input checked="" type="checkbox"/> miles and reflects the actual mileage of the vehicle,</p> <p>unless one of the following boxes is checked: <input type="checkbox"/> Reflects the amount of mileage in excess of its mechanical limits <input type="checkbox"/> Is NOT the actual mileage WARNING: Odometer discrepancy I/We further certify that the vehicle is free of any encumbrance and that the ownership is hereby transferred to the person(s) or the dealer listed.</p>		<p>LAST FIRST MIDDLE NAME</p>
<p>SUBSCRIBED AND SWORN TO BEFORE ME: MO. DAY YEAR</p>		<p>PURCHASER SIGNATURE _____</p>
<p>STAMP OR SEAL</p>	<p>SIGNATURE OF PERSON ADMINISTERING OATH _____</p>	<p>CO-PURCHASER SIGNATURE _____</p>
	<p>PURCHASER AND/OR CO-PURCHASER MUST HANDPRINT NAME HERE _____</p>	
	<p>SIGNATURE OF SELLER _____</p>	
	<p>SELLER MUST HANDPRINT NAME HERE _____</p>	
<p>C. <input type="checkbox"/> CHECK HERE IF APPLYING FOR A DEALER TITLE AND COMPLETE SECTION D. TITLING FEES \$ _____ . _____</p>		

AMENDED AND RESTATED BYLAWS
OF THE
PENNSYLVANIA STATE CONSTABULARY

Dated: January 01, 2022

Defendants
EXHIBIT
P

ARTICLE ONE – INTRODUCTION

- 1.1 Articles of Incorporation. The Articles of Incorporation filed on December 3, 2021 with the Commonwealth of Pennsylvania through its Department of State, Bureau of Corporations and Charitable Organizations as Entity Number 7353204 constitutes the incorporation of the Pennsylvania State Constabulary (the “Agency”) as a domestic nonprofit corporation under to the Nonprofit Corporations Law of 1988 (15 Pa.C.S.A. § 5101 *et seq*).
- 1.2 Bylaws. These Amended and Restated Bylaws (“Bylaws”) constitute the bylaws of this Agency adopted for the management of its affairs. In the event a conflict between these Bylaws and the Membership and Employment Agreement or Code of Regulations, these Bylaws shall prevail and control.
- 1.3 Mission Statement. The mission statement of this Agency is as follows:
- To honorably serve the diverse stakeholders of this Commonwealth as an independent, public law enforcement agency charged with conserving the peace, enforcing prescribed state and local laws, carrying out certain judicial and county-related business, and performing other contract law enforcement services, while promoting the safety and general welfare, and upholding the rights and dignity of all Pennsylvanians, through the efforts of the agency’s member constables and deputies, with the agency striving to ensure every member is supported, trained, evaluated, equipped, compensated, and compliant with, among other things, the standards and regulations that are codified by the agency’s board of commissioners and administered by its executive staff and supervisory system.*
- 1.4 Purposes and Powers.
- (a) This Agency shall have all the powers granted by the Nonprofit Corporation Law of 1988 (15 Pa.C.S.A. § 5101 *et seq*), as amended, and any other laws, including, without limiting the generality of the foregoing, under Title 13 Pennsylvania Statute (Constables), Title 44, Chapter 71 Consolidated Statute (Constables), other Pennsylvania Statutes and Consolidated Statutes, common law, and administrative law, as may be amended from time to time (collectively, the “Applicable Laws”).
- (b) The primary purpose of this Agency is set forth in the mission statement above.

ARTICLE TWO
OFFICES AND AGENCY

- 2.1. Headquarters. The Agency's headquarters and registered office are located at Gateway Towes, Suite 235, 320 Fort Duquesne Boulevard, Pittsburgh, Pennsylvania 15222-1102. The Agency may maintain other offices within the Commonwealth of Pennsylvania as its needs change.
- 2.2. Regions. This Agency shall be segmented into regions as follows:
- (a) Northwest. The Counties of Butler, Clarion, Crawford, Erie, Forest, Jefferson, Lawrence, Mercer, Venango, and Warren comprise the Agency's northwest region.
 - (b) Southwest. The Counties of Allegheny, Armstrong, Beaver, Cambria, Fayette, Greene, Indiana, Somerset, Washington, and Westmoreland comprise the Agency's southwest region.
 - (c) Northcentral. The Counties of Cameron, Centre, Clearfield, Clinton, Elk, Lycoming, McKean, Potter, Tioga, Snyder, and Union comprise the Agency's northcentral region.
 - (d) Southcentral. The Counties of Adams, Bedford, Blair, Cumberland, Franklin, Fulton, Huntingdon, Juniata, Mifflin, Perry, and York comprise the Agency's southcentral region.
 - (e) Northeast. The Counties of Bradford, Carbon, Columbia, Lackawanna, Luzerne, Monroe, Montour, Northumberland, Pike, Sullivan, Susquehanna, Wayne, and Wyoming comprise the Agency's northeast region.
 - (f) Southeast. The Counties of Berks, Bucks, Chester, Dauphin, Delaware, Lancaster, Lebanon, Lehigh, Montgomery, Northampton, Philadelphia, and Schuylkill comprise the Agency's southeast region.

ARTICLE THREE
MEMBERSHIP

- 3.1 Membership. The Members of this Agency are those persons having membership rights in accordance with the provisions of these Bylaws.
- 3.2 Qualifications of Members. This Agency shall have two (2) classes of Members: Class C and Class D. Membership interests in the Agency shall not be certificated. The name and contact information for each Member shall be maintained in the books and records of the Agency.
- (a) Voting class: Class C Members must be duly elected or appointed constables and satisfy the qualifications and requirements of the Applicable Laws and any additional requirements reasonably imposed by the Agency's Board of

Commissioners from time to time. Class C Members shall be entitled to one vote per Class C Member.

- (b) Non-voting class: Class D Members are the duly appointed deputy constables of each Class C Member and must satisfy the qualifications and requirements set forth in the Applicable Laws and any additional requirements reasonably imposed by the Agency's Board of Commissioners from time to time. Class D Members shall be non-voting members of the Agency.

3.3 Statuses of Members. Each member shall have one of the following membership statuses:

- (a) Active. A Member who is certified by PCCD and in good standing this Agency.
- (b) Restricted. A Member who is not certified by PCCD but is in good standing with this Agency.
- (c) Inactive. A Member who is certified by PCCD but is not in good standing with this Agency.
- (d) Restricted/Inactive. A Member who meets the definitions of (b) and (c) in this Section.
- (e) Suspended. A Member whose membership has been temporarily suspended as the result of a disciplinary matter.
- (f) Revoked. A Member whose membership has been revoked but with the possibility of becoming a Member again in the future.
- (g) Barred. A Member whose membership has been permanently revoked without any possibility of becoming a Member ever again.
- (h) Retired. A Member who has met the requirements for retirement and remains in good standing with this Agency.

3.4 Membership and Employment Agreement. Each Member shall enter into a legally binding Membership and Employment Agreement to be admitted as Members of this Agency.

- (a) Office. The Membership and Employment Agreement shall be entered into by the constable and binding upon his or her entire elective office. Any current or prospective deputy must sign a joinder to the Membership and Employment Agreement of their respective Class C Member.
- (b) Employment. The Membership and Employment Agreement shall include the terms and conditions of employment with this Agency. Members shall be direct employees of this Agency with the duration of employment commensurate with their six (6) year terms of office.

3.5 Members' Dues. [Reserved].

- 3.6 Assessments. Class C Members and Class D Members will be subject to assessments based upon the costs incurred by the Members in each of their respective classes of membership interests.
- 3.7 Place of Members' Meetings. Members' meetings will be held at no predetermined geographic location but rather by means of the Internet or other electronic communications technology at the time and using the technology as determined by the Board of Commissioners. The Board of Commissioners may choose, at its sole discretion, to contemporaneously hold a Members' meeting at a physical location.
- 3.8 Annual Members' Meetings. The annual meeting of the Members will be held at 3:00 p.m. prevailing Eastern Time on the last Friday of January each calendar year.
- 3.9 Special Members' Meetings. Special meetings of the Members may be called by any of the following:
- (a) The Board of Commissioners;
 - (b) The Executive Director; or
 - (c) Class C Members having at least twenty-five (25%) percent of the votes that all Members are entitled to cast at such meeting.
- 3.10 Notice of Members' Meetings. Notice in record form, stating the place, day, and hour of the meeting and, in the case of a special meeting, the purpose or purposes for which the meeting is called, must be delivered not less than five days before the date of the members' meeting by sending a copy of the notice by first class mail or express mail, postage prepaid, or courier service, charges prepaid, to the postal address of the member appearing on the books of the Agency. Notice given in this manner will be deemed to have been given when deposited in the United States mail or with a courier service for delivery to that person. Alternatively, notice may also be given by facsimile transmission, e-mail or other electronic communication to the person's facsimile number or address for e-mail or other electronic communications supplied by the person to the Agency for the purpose of notice. Notice given in this manner will be deemed to have been given when sent. The attendance of a member at the meeting shall constitute waiver of any claimed deficiency in the content, manner, method, or timing of notice for the meeting.
- 3.11 Voting Rights of Members. Each Class C Member shall serve as his or her office's voting representative and will be entitled to one vote on each matter submitted to a vote of Members. A Class C Member may vote either in-person or electronically. In the event of any tie in the voting of the Class C Members, the Executive Director shall cast the deciding vote.
- 3.12 Cumulative Voting Rights. In all elections for Commissioners, each Class C Member entitled to vote will have the right to cumulate the vote and to give one candidate a number of votes equal to the vote multiplied by the number of Commissioners to be elected, or to distribute the multiple votes on the same principle among as many candidates as the Class C Member may think fit.

- 3.13 Members' Proxy Voting. A Class C Member may vote by proxy executed or authenticated by the Class C Member or by the Member's duly authorized attorney-in-fact. No proxy will be recognized as valid after eleven months from the date of its execution unless expressly provided otherwise in the proxy. A Class C Member or the Member's duly authorized attorney-in-fact may execute or authenticate a writing or transmit an electronic message authorizing another person to act for the member by proxy. A telegram, telex, cablegram, datagram, e-mail, Internet communication or other means of electronic transmission from a Class C Member or attorney-in-fact, or a photographic, facsimile or similar reproduction of a writing executed by a Class C Member or attorney-in-fact may be treated as properly executed.
- 3.14 Quorum of Members. The number or percentage of votes cast that constitutes a quorum at a meeting of Members will be Members holding one-tenth of the votes entitled to be cast. The vote of a majority of the votes entitled to be cast by the Members present or represented by proxy at a meeting at which a quorum is present is necessary for the adoption of any matter voted on by the Members, unless a greater proportion is required by the Nonprofit Corporation Law of 1988, the Articles of Incorporation of this Agency, or any provision of these Bylaws.
- 3.15 Transferability of Membership. Membership in this Agency is nontransferable and nonassignable.
- 3.16 Termination of Membership. Membership will terminate in this Agency on any of the following events, and for no other reason:
- (a) Receipt by the Board of Commissioners of the written resignation of a Member, executed by the Member or the Member's duly authorized attorney-in-fact.
 - (b) The death of a Member.
 - (c) For cause, including action or inaction inconsistent with membership, as determined in the sole discretion of the Board of Commissioners after notice and an opportunity to be heard.

A Member terminating membership status for reasons set forth in (a) may be completely and automatically reinstated if the Member withdraws the resignation in writing before record of the termination is recorded in the books and records of the Agency.

ARTICLE FOUR
COMMISSIONERS

- 4.1 Board of Commissioners. The Board of Commissioners is the governing body of this Agency. The Board of Commissions shall be elected by its voting Members.
- 4.2 Number of Commissioners. The number of Commissioners of this Agency shall be seven (7) and consist of six (6) regional Commissioners and one (1) additional Commissioner who shall also be the executive director. The initial Commissioner of this Agency is:

*Constable Jason C. Knapp
City of Pittsburgh, 2nd Ward
County of Allegheny, Southwest Region*

*320 Fort Duquesne Blvd, Apt 21E
Pittsburgh, Pennsylvania 15222-1134*

- 4.3 Qualifications of Commissioners. The qualifications for becoming and remaining a Commissioner of this Agency are as follows:
- (a) Commissioners must be citizens of the Commonwealth of Pennsylvania;
 - (b) Commissioners may, but are not required to, be Members of this Agency;
 - (c) Commissioners shall be at least twenty-five (25) years of age and possess the knowledge, skills, and abilities as established by resolution of this Agency; and
 - (d) Commissioners must be *bona fide* residents of their respective regions during their nominations and terms, except for any Commissioner at-large.
- 4.4 Nominations of Commissioners. Applications from anyone seeking nomination as a Commissioner shall be submitted by March 30th in the year of their election. Nominations for commissioners' candidacies shall occur by June 30th. Elections shall occur on September 30th.
- 4.5 Election of Commissioners. Members shall nominate one Commissioner of their region and one Commissioner at-large by in the year the expiration of the respective Commissioner's term. shall be elected by a majority of the Members of the
- 4.6 Terms of Commissioners. The initial Commissioner constituting the first Board of Commissioners as named herein will hold office until such time as the first election of Commissioners. Thereafter, Commissioners will be elected for a term of six (6) years. A Commissioner may be appointed for a lesser term of years in order to stagger the terms of the Commissioners serving on the Board. Each Commissioner will hold office for the term for which the Commissioner was elected and until a successor has been selected and qualified.
- 4.7 Vacancies on the Board. Any vacancy occurring on the Board of Commissioners, and any Commissionership to be filled by reason of an increase in the number of Commissioners, will be filled by appointment by a majority of the remaining Board of Commissioners or

the Executive Director until such time as an election by the Members at a special meeting is held to elect the Commissioner(s).

- 4.8 Location of Commissioners' Meetings. Meetings of the Board of Commissioners, regular or special, will be held at such place or places as the Board of Commissioners designates in writing and by means of the Internet or other electronic communications technology at the time and using the technology as determined by the Board of Commissioners.
- 4.9 Regular Commissioners' Meetings. Regular meetings of the Board of Commissioners will be held at least quarterly at 3:00 p.m. prevailing Eastern Time on the second Friday of the month commencing with January, or at such other date(s) and time(s) as the Board in its discretion selects. This provision of the Bylaws constitutes notice to all Commissioners of all regular meetings, and no further notice shall be required, although further notice may be given.
- 4.10 Notice of Special Commissioners' Meetings. Notice in record form stating the place, day, and hours of any special meeting of the Board of Commissioners will be delivered to each Commissioner not less than two (2) days before the date of the meeting by sending a copy of the notice by first class mail or express mail, postage prepaid, or courier service, charges prepaid, to the postal address of the member appearing on the books of the Agency. Notice given in this manner will be deemed to have been given when deposited in the United States mail or with a courier service for delivery to that person. Alternatively, notice may also be given by facsimile transmission, e-mail or other electronic communication to the person's facsimile number or address for e-mail or other electronic communications supplied by the person to the Agency for the purpose of notice. Notice given in this manner will be deemed to have been given when sent. The notice need not state the business to be transacted at, nor the purpose of, the meeting.
- 4.11 Call of Special Board Meetings. A special meeting of the Board of Commissioners may be called by either:
- (a) The Executive Director; or
 - (b) A majority of the Board of Commissioners.
- 4.12 Waiver of Notice. Attendance of a Commissioner at any meeting of the Board of Commissioners will constitute a waiver of notice of that meeting except when the Commissioner attends a meeting for the express purpose of objecting, at the beginning of the meeting, to the transaction of any business because the meeting is not lawfully called or convened.
- 4.13 Quorum of Commissioners. A majority of Commissioners then in office will constitute a quorum; provided, that in no event will a quorum consist of less than one-third of the whole Board. The act of a majority of the Commissioners present at a meeting at which a quorum is present will be the act of the Board of Commissioners unless a greater number is required under the provisions of the Nonprofit Corporation Law of 1988, the Articles of Incorporation of this Agency, or any provision of these Bylaws. In the event of deadlock among the Board of Commissioners, the Chairperson shall cast the deciding vote.

4.14 Limitation of Personal Liability of Commissioners. A Commissioner of the Agency shall not be personally liable for monetary damages as such for any action taken, or any failure to take any action, unless:

- (a) the Commissioner has breached or failed to perform the duties of his or her office; and
- (b) the breach or failure to perform constitutes self-dealing, willful misconduct or recklessness.

The provisions of this Section shall not apply to (a) the responsibility or liability of a Commissioner pursuant to any criminal statute; or (b) the liability of a Commissioner for the payment of taxes pursuant to local, state or federal law.

4.15 Standard of Care and Justifiable Reliance.

- (a) A Commissioner of the Agency shall stand in a fiduciary relationship to the Agency, and shall perform his or her duties as a Commissioner, including his or her duties as a member of any committee of the Board upon which he or she may serve, in good faith, in a manner he or she reasonably believes to be in the best interests of the Agency, and with such care, including reasonable inquiry, skill and diligence, as a person of ordinary prudence would use under similar circumstances. In performing his or her duties, a Commissioner shall be entitled to rely in good faith on information, opinions, reports or statements, including financial statements and other financial data, in each case prepared or presented by any of the following:
 - (i) One or more officers or employees of the Agency whom the Commissioner reasonably believes to be reliable and competent in the matters presented;
 - (ii) Counsel, public accountants or other persons as to matters which the Commissioner reasonably believes to be within the professional or expert competence of such person; or
 - (iii) A committee of the Board upon which he or she does not serve, duly designated in accordance with law, as to matters within its designated authority, which committee the Commissioner reasonably believes to merit confidence.

A Commissioner shall not be considered to be acting in good faith if he or she has knowledge concerning the matter in question that would cause his or her reliance to be unwarranted.

- (b) In discharging the duties of their respective positions, the Board, committees of the board and individual Commissioner may, in considering the best interests of the Agency, consider the effects of any action upon employees, upon persons with whom the Agency has business and other relations and upon communities in which the offices or other establishments of or related to the Agency are located, and all

other pertinent factors. The consideration of those factors shall not constitute a violation of subsection (a) of this Section.

- (c) Absent breach of fiduciary duty, lack of good faith or self-dealing, actions taken as a Commissioner or any failure to take any action shall be presumed to be in the best interests of the Agency.
- (d) A Commissioner shall disclose to the Board of Commissioners any financial interest the Commissioner or an anyone affiliated with the Commissioner may have in a matter or transaction being considered by the Board and the Agency and shall recuse him or herself from voting on any matter or transaction in which the Commissioner or any affiliate of the Commissioner has a material financial interest. In the event of an inadvertent, non-disclosure of a financial interest, the disinterested Commissioners on the Board may ratify such matter or transaction if such disinterested Commissioners determine ratification is in the best interest of the Agency.

4.16 Indemnification in Third Party Proceedings. The Agency shall indemnify any person who was or is a party or is threatened to be made a party to any threatened, pending or completed action, suit or proceeding, whether civil, criminal, administrative or investigative (other than an action by or in the right of the Agency) by reason of the fact that he or she is or was a representative of the Agency, or is or was serving at the request of the Agency as a representative of another Agency, partnership, joint venture, trust or other enterprise, against expenses (including attorneys' fees), judgments, fines and amounts paid in settlement actually and reasonably incurred by him or her in connection with such action, suit or proceeding if s/he acted in good faith and in a manner reasonably believed to be in, or not opposed to, the best interests of the Agency, and, with respect to any criminal action or proceeding, had no reasonable cause to believe his or her conduct was unlawful. The termination of any action, suit or proceeding by judgment, order, settlement, conviction, or upon a plea of nolo contendere or its equivalent, shall not of itself create a presumption that the person did not act in good faith and in a manner which he or she reasonably believed to be in, or not opposed to, the best interests of the Agency, and, with respect to any criminal action or proceeding, had reasonable cause to believe that his or her conduct was unlawful of the judicial district embracing the county in which the registered office of the Agency is located.

4.17 Determination of Entitlement to Indemnification. Unless ordered by a court, any indemnification under Section 4.14 shall be made by the Agency only as authorized in the specific case upon determination that indemnification of the representative is proper in the circumstances because he or she has met the applicable standard of conduct set forth in such paragraph. Such determination shall be made:

- (a) by the Board by a majority vote of a quorum consisting of Commissioners who were not parties to such action, suit or proceeding; or
- (b) if such a quorum is not obtainable, by independent legal counsel in a written opinion.

- 4.18 Advancing Expenses. Expenses incurred in defending a civil or criminal action, suit or proceeding may be paid by the Agency in advance of the final disposition of such action, suit or proceeding as authorized by the Board in a specific case upon receipt of an undertaking by or on behalf of the representative to repay such amount unless it shall ultimately be determined that he is entitled to be indemnified by the Agency as authorized above.
- 4.19 Indemnification of Former Representatives. Each such indemnity may continue as to a person who has ceased to be a representative of the Agency and may inure to the benefit of the heirs, executors and administrators of such person.
- 4.20 Insurance. The Agency shall have the power to purchase and maintain insurance on behalf of any person who is or was a Commissioner, officer, employee or agent of the Agency or is or was serving at the request of the Agency as a Commissioner, officer, employee or agent of another agency, corporation, partnership, joint venture, trust or other enterprise against any liability asserted against such person and incurred by such person in any capacity or arising out of such person's status as such, whether or not the Agency would otherwise have the power to indemnify such person against such liability.
- 4.21 Reliance on Provisions. Each person who shall act as an authorized representative of the Agency shall be deemed to be doing so in reliance upon the rights of indemnification provided by this Article.

ARTICLE FIVE OFFICERS

- 5.1 Executive Staff. The Executive Staff of this Agency will consist of the following officers:
- (a) Executive Director (also known as the Chief Constable);
 - (b) Chief Deputy Director (also known as the Chief Deputy Constable);
 - (c) Secretary;
 - (d) Treasurer; and
 - (e) Solicitor (Chief Counsel).
- 5.2 Selection of Officers. Each of the officers of the executive staff will be appointed by resolution adopted by the Board of Commissioners and shall serve until a successor to the office has been selected and qualified. The Board of Commissioners may appoint a single person to more than one office simultaneously.
- 5.3 Executive Director. The Executive Director is the chief executive of this Agency and will, subject to the control of the Board of Commissioners or any Committees, supervise and control the affairs of the Agency. The Executive Director will perform all duties incident to the office and any other duties that may be required by these Bylaws or prescribed by the Board of Commissioners. The Executive Director shall serve as the Chairperson of the Board of Commissioners and as ex officio to all Committees.

- 5.4 Chief Deputy Director. The Chief Deputy Director is the chief deputy executive of this Agency and will perform all duties and exercise all powers of the Executive Director when the Executive Director is absent or is otherwise unable to act or delegated with the prescribed authority by the Executive Director from time to time. The Chief Deputy Director will perform any other duties that may be prescribed by the Board of Commissioners.
- 5.5 Secretary. The Secretary is the principal custodian of the Agency's books and records and will keep minutes of all meetings of Members and of the Board of Commissioners, be the custodian of the corporate records, give all notices as are required by law or by these Bylaws, and generally, perform all duties incident to the office of Secretary and any other duties as may be required by law, by the Articles of Incorporation, or by these Bylaws, or that may be assigned by the Board of Commissioners.
- 5.6 Treasurer. The Treasurer is the principal financial officer and will have charge and custody of all funds of this Agency and will deposit the funds as required by the Board of Commissioners, keep and maintain adequate and correct accounts of the Agency's properties and business transactions, render reports and accountings to the Commissioners and to the Members as required by the Board of Commissioners or by Members or by law. The Treasurer will perform in general all duties incident to the office of Treasurer and any other duties as may be required by law, by the Articles of Incorporation, or by these Bylaws, or that may be assigned by the Board of Commissioners.
- 5.7 Solicitor. The Solicitor is the principal legal officer, shall provide general legal counsel for the Agency, and shall be responsible for providing direction, education, and advice to the Commissioners and Officers of the Agency on legal matters.
- 5.8 Removal of Officers. Any officer of the executive staff may be removed by the persons authorized under these Bylaws to elect or appoint Officers whenever in their judgment the best interests of this Agency will be served. However, any removal will be without prejudice to any contract rights of the Officer so removed.

ARTICLE SIX INFORMAL ACTION

- 6.1 Waiver of Notice. Whenever any notice is required to be given under the provisions of the Nonprofit Corporation Law of 1988, the Articles of Incorporation of this Agency, or these Bylaws, a waiver of the notice that is filed with the secretary of the Agency in record form, signed by the person or persons entitled to notice, whether before or after the time stated in the waiver, will be deemed equivalent to the giving of the notice.
- 6.2 Action by Consent. Any action required by law or under the Articles of Incorporation of this Agency or these Bylaws, or any action that otherwise may be taken at a meeting of either the Members or Board of Commissioners, may be taken without a meeting if a consent or consents to the action in record form, setting forth the action taken, are signed by all the persons entitled to vote with regard to the subject matter of the consent, or by all

Commissioners in office, and filed with the minutes of the proceedings of the board of Commissioners.

ARTICLE SEVEN COMMITTEES

- 7.1 Appointment of Committees. The Board of Commissioners may, by resolution adopted by a majority of the Commissioners- in office, establish one or more committees, each committee to consist of one or more of the Commissioners of the Agency. Committees shall have at least one Commissioner serve as a liaison to the Board, a chairperson, and the Executive Director and Deputy Director will be members of each Committee, ex officio. Committees may be formed either as standing or on an *ad hoc* basis. Committee members may consist of Members and non-members as determined by the Board of Commissioners. Committees shall serve in an advisory capacity, only, making recommendations to the Board of Commissioners. Committees may coordinate when issues and subject matter overlap.
- 7.2 Standing Committees. The Agency will have the Standing Committees listed below, each of which will be chaired by a Commissioner or Officer designated by the Board of Commissioners and may consist of any other Members or personnel of the Agency appointed by the Chairperson. Each such Standing Committee shall have a charter adopted by the Board of Commissioners and subject to periodic review by the Board of Commissioners.
- (a) Bylaws Committee
 - (b) Code of Regulations Committee
 - (c) Training and Evaluation Committee
 - (d) Legislative Committee
 - (e) Finance Committee
 - (f) Membership Committee
 - (g) Procurement Committee
 - (h) Services Committee
 - (i) Inter-Agency Cooperation Committee.
- 7.3 Committee Rules. Unless the Board of Commissioners provides otherwise by resolution each committee shall conduct its business and take action in the same manner as the Board conducts its business pursuant to the Articles of Incorporation of the Agency and these Bylaws.

ARTICLE EIGHT
OPERATIONS

- 8.1 Code of Regulations. The Board of Commissioners, on the advice and counsel of its executive staff, shall promulgate and amend a Code of Regulations as the policies, procedures, and standards of this Agency.
- 8.2 Corporate Seal. The Agency may have a corporate seal which shall have inscribed thereon the name of the Agency, the year of organization, and the words “Corporate Seal - Pennsylvania” or such inscription as the Board of Commissioners may determine. The seal may be used by causing it or a facsimile thereof to be impressed or affixed, or in any manner reproduced
- 8.3 Fiscal Year. The fiscal year of this Agency will be the calendar year.
- 8.4 Financial Matters.
- (a) Budget. The Treasurer, in consultation with the Finance Committee, shall propose a budget for approval by the Board of Commissioners on or before October 1st of each calendar year for the following fiscal year.
- (b) Financial Statements. On or before the 15th day following the end of each calendar month, or as soon thereafter as is reasonably practicable, the Treasurer shall cause to be prepared monthly financial statements to be reviewed by the Board of Trustees and subject to review and/or audit by the Finance Committee. The financial statements shall consist of a balance sheet, budget to actuals, and a profit and loss statement. Annual compiled financial statements shall be delivered to the Board of Commissioners, prepared by an independent accountant acceptable to Board of Commissioners, dated as of December 31st and due not later than February 28 of the following year, which financial statements shall include a balance sheet and statement of income and expenses.
- (c) Tax Exempt Status. The Agency is exempt from federal income tax under Internal Revenue Code (IRC) Section 501(c)(3) as public charity pursuant to IRC Section 509(a)(2). No provision in these Bylaws shall be construed or implemented in a manner that would cause the Agency to fail to qualify as a tax-exempt entity under the IRC or any applicable state law tax exemptions. The Treasurer, in consultation with the Finance Committee, shall undertake timely all reporting obligations required to maintain such tax-exempt status with the IRS and the Commonwealth of Pennsylvania.
- 8.5 Execution of Documents. Except as otherwise provided by law or resolution of the Board of Commissioners, checks, drafts, promissory notes, orders for the payment of money, and other evidence of indebtedness of this Agency may be signed by the Treasurer or by the Executive Director. Contracts, leases, or other instruments executed in the name of and on behalf of the Agency will be signed by the Executive Director.
- 8.6 Books and Records. This Agency will keep correct and complete books and records of account and will also keep minutes of the proceedings of its Members and Board of

Commissioners. The Agency will keep electronically or at its principal place of business a membership register giving the names, addresses, classes, and other details of the membership of each member, and the original or a copy of its Bylaws including amendments to date certified by the Secretary of the Agency.

- 8.7 Inspection of Books and Records. All books and records of this Agency may be inspected by any Member, or the Member's agent or attorney, for any proper purpose at any reasonable time on written demand under oath stating the purpose of the inspection.
- 8.8 Nonprofit Operations. This Agency will not have or issue shares of stock. No dividend will be paid, and no part of the income of this Agency will be distributed to its Members, Commissioners, or Officers. However, the Agency may pay compensation in a reasonable amount to Members, Officers, or Commissioners for services rendered.
- 8.9 Loans to Management. This Agency will make no loans to any of its Commissioners or Officers or to any of its key management or other personnel.

ARTICLE NINE
AMENDMENT

- 9.1 Modification of Bylaws. The power to alter, amend, or repeal these Bylaws, or to adopt new Bylaws, to the extent allowed by law, is vested in the Board of Commissioners. Any change in the Bylaws shall take effect when adopted unless otherwise provided in the resolution effecting the change.

AND NOW, as of this 1st day of January, 2022, the undersigned has hereunto set his hand and caused these Amended and Restated Bylaws to be executed in accordance with a duly adopted resolution of the Board of Commissioners.

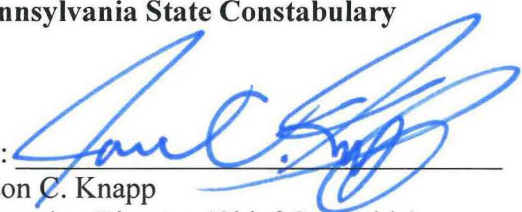
Attest:

Pennsylvania State Constabulary



Cassia M. Minich
Secretary

By:


Jason C. Knapp
Executive Director (Chief Constable)

[SEAL]



MEMBERSHIP AND EMPLOYMENT AGREEMENT

THIS MEMBERSHIP AND EMPLOYMENT AGREEMENT with the **Pennsylvania State Constabulary** (the “Agency”) is made and entered into by:

Constable Jason C. Knapp, acting in his official capacity as the constable duly elected in and for the office of constable of that certain municipal and election district situate in the **Second (2nd) Ward of the City of Pittsburgh**, County of **Allegheny**, and Commonwealth of Pennsylvania (the “Member Employee”).

RECITALS:

WHEREAS, Agency is a law enforcement agency organized for the purpose of employing constables and their deputies subject to and accordance with the provisions of this Agreement;

WHEREAS, Member Employee is the duly elected or appointed constable who represents the office and district, which are located within the county and region, set forth on the signature page below;

WHEREAS, upon an Application for Membership and Employment with the Pennsylvania State Constabulary made by the foregoing constable to Agency requesting admission;

WHEREAS, Agency has reviewed and accepted the foregoing application, which has been approved by the governing body;

WHEREAS, Agency is admitting as a Member Employee and hiring for employment the foregoing constable subject to the and accordance with the provisions of this Agreement; and

NOW, THEREFORE, in consideration of the foregoing recitals, the mutual covenants, promises, and agreements hereinafter set forth, the mutual benefits to be gained by the performance thereof, and for other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged and accepted, the parties hereto intend to be legally bound by the provisions of this Agreement.

ARTICLE 1 – DEFINITIONS

The following terms shall have the definitions unless the context otherwise requires:

Defendants
EXHIBIT
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“Admission Date” means the date on which a Candidate becomes a Member Employee.

“Agency” means the Pennsylvania State Constabulary.

“Agreement” or “Membership and Employment Agreement” has the meaning set forth in the introductory paragraph.

“Assessments” means Costs and Disbursements, whether general or special in nature, for which Agency shall be entitled to recover, charge back, deduct, or set off against a Member Employee’s earnings at the earliest payroll period available.

“Bylaws” means the Bylaws of the Pennsylvania State Constabulary, as amended.

“Candidate” means a prospective Member Employee and the period prior to his or her Admission Date.

“Code of Regulations” means the Code of Regulations of the Pennsylvania State Constabulary, as amended.

“Effective Date” has the meaning set forth on the signature page.

“Governing body” has the meaning set forth in the Bylaws.

“Governing Documents” means the Articles of Incorporation, Bylaws, and Code of Regulations, as amended.

“Joinder” means the instrument by which a Member Employee’s deputy must execute in order to be admitted as a Member Employee to this Agency.

“Member Employee” means a constable who has been admitted to this Agency by entering into a Membership and Employment Agreement.

“We”, “us”, or “you” means the Agency.

“You” or “your” means the Member Employee.

ARTICLE 2 – MEMBERSHIP AND EMPLOYMENT

Membership. You are now a Member Employee who is conferred with all the rights and privileges thereunto appertaining.

Voting. You are entitled to cast one (1) vote in every matter wherein you may vote as a voting Member. In accordance with Bylaws, a deputy who joins as a Member Employee is not entitled to cast a vote.

Employment. You are hired as a constable and now an employee of the Agency.

Restrictions. Except as otherwise provided in the Governing Documents, this Agreement, or the Board of Commissioners, you are not subject to any employment restrictions.

Outside Business Activities. Unless restricted by a board resolution, you are free to engage in outside business activities including secondary employment. However, you agree to promptly disclose to the Agency any outside business activities.

Scope of Authority. You do not have the right to legally bind the Agency in any transaction, which includes, but is not limited to, making written or verbal agreements with any user, vendor, or third party. All such acts must be approved and consented to by the Agency's governing body.

No Duty to Solicit or Accept Unsolicited Requests. You have no obligation to solicit requests for service. You also have the right to decline unsolicited requests for service. However, if you receive unsolicited requests for service, you agree to use reasonable efforts to take the requestor's information and share with Agency in order to allow other members the opportunity to perform. Also, if you do accept work, you agree to complete such work.

No Paid Time Off. Since you set your own schedule, accept or decline work at your discretion, and are a fee-based employee, you are not entitled to vacation time, holiday time, sick time, or any other paid time off.

Insurance. You are required by law to obtain a bond to serve during your term of office. In some judicial districts, you are required to have insurance in the performance of court services. You agree to maintain insurance, whether required by law or the Agency.

Limited Power of Attorney. You appoint us to be your attorney-in-fact for the limited purpose of filing tax returns on your behalf and completing Right-to-Know Law requests you have requested we complete on your behalf.

ARTICLE 3 – FINANCIAL MATTERS

Compensation. You are a fee-based employee and entitled to remuneration for the approved services you provide. You are not entitled to receive a salary or other remuneration.

Payroll. You will be paid through payroll net of taxes, assessments, and all other amounts required to be deducted.

Assignment of Income. You hereby assign all income earned under this Agreement. You agree to promptly transfer to the Agency any income earned in connection with your employment with this Agency.

Assessments. All Members shall be legally obligated to pay any amount assessed by the Agency. The Agency shall have the right to deduct assessments from Member Employee's earnings in the earliest payroll period available.

General Assessments. You are responsible to offset your share of the Agency's Costs according to the Budget.

Special Assessments. You are responsible to offset those Costs specifically incurred from your employment.

Tax Efficiency. We will use our best efforts to ensure assessments and other permitted deductions are given the most favorable tax treatment allowed by law.

Tax Reporting. We will file the necessary tax forms to report your earnings. You will receive records to report your earnings for tax purposes, as required by law.

ARTICLE 4 – TERM; TERMINATION

Term. The term of this Agreement shall commence on the Effective Date and terminate upon the earlier to occur of (a) the expiration of your elected or appointed term of office, or (b) termination of or resignation from your elected or appointed office. For the avoidance of doubt, for each subsequent term of office you may serve, either through election or appointment, your membership and employment with the Agency under this Agreement will continue without interruption.

Termination. This Agreement may be terminated upon (i) written notice of either party; or (ii) a material breach by any party to this Agreement.

Survival. Your duties and obligations to the Agency, including repayment of assessments, shall survive termination.

ARTICLE 5 – DISPUTE RESOLUTION

Dispute Resolution. Any dispute, claim, or controversy arising out of or relating to this Agreement or the breach, termination, enforcement, interpretation, or validity thereof, including the determination of the scope or applicability of this agreement to arbitrate, shall

be determined by arbitration in Pittsburgh, Pennsylvania. The parties agree that JAMS Alternative Dispute Resolution shall promptly appoint a single arbitrator with at least 20 years of experience. Any such arbitration shall be conducted as follows:

- (a) The arbitrator shall, within two days of appointment, conduct a conference call or meeting with the parties and/or their counsel to establish a schedule for receipt of simultaneous letter briefs not to exceed five single-spaced pages;
- (b) The parties may submit reply letter briefs, not to exceed two single-spaced pages, before close of business on the day preceding an expedited hearing;
- (c) The arbitrator shall, within eight days of appointment, conduct an expedited hearing and receive argument on the letter briefing; and
- (d) The arbitrator shall issue a written final decision, including reasoning, within 48 hours of such hearing, which shall be sent to and binding on the parties.

Service of any notice, including for service of process in any subsequent enforcement of the arbitration award in court may occur via electronic mail. The parties agree to submit to the personal jurisdiction of the Commonwealth of Pennsylvania for the purposes of such arbitration, and judgment upon any award rendered in such arbitration will be binding and may be entered in any court having jurisdiction thereof. In any such dispute, each party shall bear its own attorney's fees and other costs.

ARTICLE 6 – MISCELLANEOUS

Successors and Assigns. Neither of us has the right to, in whole or in part, assign our interests in or obligations under this Agreement to anyone else. However, if the Agency were to become an independent administrative agency of the Commonwealth, the assignment of this Agreement to such a successor is a permitted assignment.

Governing Law. This Agreement shall be governed by the internal laws of the Commonwealth of Pennsylvania without respect to any rules regarding choice of law.

Counterparts. This Agreement may be executed in counterparts, each of which shall be deemed an original, but all of which together shall constitute one and the same instrument. Counterparts may be delivered by electronic mail.

Notices. All notices and other communications hereunder shall be sent by electronic mail and deemed effectively given (i) when sent, if sent during normal business hours of the recipient or (ii) if not sent during normal business hours, then on the recipient's next business

day. All communications shall be sent to the parties at the respective email addresses set forth on the signature page (or as subsequently modified by written notice given in accordance with this section).

Advice on this Agreement. Each party represents to the other parties that it (a) has read this Agreement; (b) has been represented in the preparation, negotiation, and execution of this Agreement by legal counsel of the party's own choice or has voluntarily declined to seek such counsel; (c) understands the terms and consequences of this Agreement; and (d) is fully aware of the legal and binding effect of this Agreement.

Amendments and Waivers. Any provision of this Agreement may be amended, terminated, or waived only with the written consent of the parties.

Severability. The invalidity or unenforceability of any provision hereof shall in no way affect the validity or enforceability of any other provision. If any provision of this Agreement is determined to be invalid or unenforceable under applicable law and regulations by a court of competent jurisdiction, that provision shall be limited or eliminated to the minimum extent necessary, so that this Agreement shall otherwise remain in full force and effect and be enforceable.

Cumulative Remedies. No failure by any party to exercise any right under this Agreement shall operate as a waiver of such right; nor shall any single or partial exercise of any right preclude any other or further exercise of the right or the exercise of any other right. The rights and remedies hereunder of each party are cumulative to, and not exclusive of, any rights or remedies which such party would otherwise have.

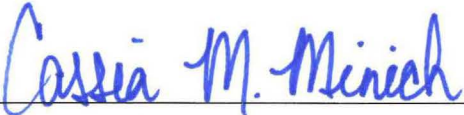
Delays or Omissions. No delay or omission to exercise any right, power, or remedy accruing to any party under this Agreement, upon any breach or default of any other party under this Agreement, shall impair any such right, power, or remedy of such non-breaching or non-defaulting party nor shall it be construed to be a waiver of any such breach or default, or an acquiescence therein, or of or in any similar breach or default thereafter occurring; nor shall any waiver of any single breach or default be deemed a waiver of any other breach or default theretofore or thereafter occurring. Any waiver, permit, consent, or approval of any kind or character on the part of any party of any breach or default under this Agreement, or any waiver on the part of any party of any provisions or conditions of this Agreement must be in writing and shall be effective only to the extent specifically set forth in such writing.

Force Majeure. If any party fails or is unable to perform any obligation under this Agreement due to any cause beyond its reasonable control, such party shall give the other parties prompt notice of such cause and use its reasonable best efforts to promptly correct such failure or delay in performance.

Entire Agreement. This Agreement (including any exhibits or schedules hereto), together with all side agreements of equal date, constitutes the full and entire understanding and agreement between the parties with respect to the subject matter hereof, and any other written or oral agreements relating to the subject matter hereof existing between the parties are expressly canceled. This Agreement shall be binding upon your office of constable for the municipal and election district your office represents.

AND NOW, the parties have set their hands and hereunto caused this Agreement to be duly executed, with the intent to be legally bound, as of the 1st day of January 2022 (the “Effective Date”).

Attest:




Cassia M. Minich
Secretary

AGENCY:
Pennsylvania State Constabulary

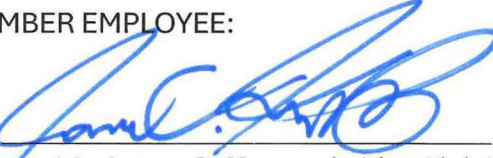
By: 

Jason C. Knapp
Executive Director (Chief Constable)

Witness:



Cassia M. Minich

MEMBER EMPLOYEE:
By: 

Constable Jason C. Knapp, in his official capacity as constable in and for the:
City of Pittsburgh, 2nd Ward
County of Allegheny
Commonwealth of Pennsylvania

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing **Brief in Support of Petition for Appeal** has been served on counsel of record, listed below, by hand delivery on this 13th day of August, 2024:

Meron Eshete Murphy, Esquire
PENNSYLVANIA DEPARTMENT OF TRANSPORTATION
Office of Chief Counsel
301 Fifth Avenue, Suite 210
Pittsburgh, PA 15222
meshetemur@pa.gov
*Counsel for Commonwealth of Pennsylvania,
Department of Transportation*

/s/ Roy E. Leonard
Roy E. Leonard, Esquire

*Counsel for Defendant
Pennsylvania State Constabulary*