

INFORMATION FOR NEW CONSTABLES  
AND DEPUTY CONSTABLES



**pennsylvania**  
COMMISSION ON CRIME  
AND DELINQUENCY

Constables' Education and Training Board

Revised April 2020

# INFORMATION FOR NEW CONSTABLES AND DEPUTY CONSTABLES



The Constables' Education and Training Board ("Board") of the Pennsylvania Commission on Crime and Delinquency ("PCCD") has prepared this guide to provide newly elected or appointed constables and deputy constables with a summary of the training and certification programs and requirements established under the provisions of Act 2009-49. In addition, as a courtesy to the State Ethics Commission, this guide also contains a brief description of the financial disclosure responsibilities of constables and deputy constables as public officials (see page 15).

For more information, please visit PCCD's website at [www.pccd.pa.gov](http://www.pccd.pa.gov) or telephone the PCCD at 717-265-8551, 717-265-8552 or 717-265-8554.

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## REQUIREMENTS FOR CERTIFICATION

Act 1994-44, the Constables' Education and Training Act established the Constables' Education and Training Board (Board), to train and certify Pennsylvania Constables and Deputy Constables. In October 2009, Act 1994-44 was amended by Act 2009-49 and is known as Title 44 Pa.C.S. Act 49, which outlines the training and certification processes of the Board.

The Board operates with the oversight and staff support of the PCCD. The constables' training certification programs are continuously improved and modified to keep step with the changing constables' needs and their role in the criminal justice system. The training is provided by various regional contractors. PCCD's Bureau of Training Services supervises and coordinates these activities, which ensures proper curriculum development and delivery, as well as timely and accurate constable certification and recertification.

### TRAINING REQUIREMENTS:

Training programs administered by the Board include basic training, which is at the core of initial certification of constables, and annual continuing education, which provides for the re-certification of constables. Training and certification are awarded only to individuals who hold the office of constable or deputy constable. Attendance and successful completion of these programs are required for a constable to be certified to perform and to be paid for performing judicial duties.

*Title 49 Pa.C.S.A. §7142(a). Certification.* provides that:

“No constable or deputy constable shall perform any judicial duties nor demand or receive any fee, surcharge or mileage provided by this subchapter unless he has been certified under this subchapter.”

*Title 49 Pa.C.S.A. §7142(b). Liability insurance.* also requires that:

“Every constable and deputy constable must file with the county clerk of courts proof that he has, currently in force, a policy of professional liability insurance covering each individual in the performance of his judicial duties with a minimum coverage of \$250,000 per incident and a minimum aggregate of \$500,000 per year.”

*Title 49 Pa.C.S.A. §7142(c). Loss of certification.* further states:

“Any constable or deputy constable who fails, neglects or refuses to maintain a current insurance policy as required by subsection (b) or to file proof thereof with the clerk of courts shall cease automatically to be certified to perform judicial duties upon the expiration of the policy of which proof has been filed with the clerk of courts.”

## **REGISTERING WITH THE PROGRAM**

Registration is the first step in obtaining certification and allows constables to receive training bulletins, training schedules, and other PCCD communications regarding training and certification.

Registration can be initiated via telephone by calling or emailing Program Staff at 717-265-8551, 717-265-8552 or 717-265-8554, or email at [nihartman@pa.gov](mailto:nihartman@pa.gov); [trabeaver@pa.gov](mailto:trabeaver@pa.gov) or [sleffler@pa.gov](mailto:sleffler@pa.gov). Leave your full name and telephone number, including area code. Program Staff will return your call or email and provide registration information. Registrants are asked to provide the following information: name, mailing address, email address, telephone number, social security number, date of birth, term of office dates, and appointing constable information for deputy constables. The registration process takes less than five minutes and requires the submission of documentation of your status as a constable or deputy constable in the form of an election certificate or an appointment order signed by the President Judge of the county Court of Common Pleas.

To enroll into training classes online, you must be a registered user in the Constables' Certification, Education and Training System (CCETS).

The registration process can also be started by returning the completed Constable/Deputy Constable Registration Form (**Attachment 2**) by mail to: Pennsylvania Commission on Crime and Delinquency, Constables' Program, P.O. Box 1167, Harrisburg, Pennsylvania 17108-1167. The form can also be faxed to the PCCD at 717-783-7140 or emailed to: [nihartman@pa.gov](mailto:nihartman@pa.gov); [trabeaver@pa.gov](mailto:trabeaver@pa.gov) or [sleffler@pa.gov](mailto:sleffler@pa.gov). Program Staff will contact you directly if any other information is needed.

Please be advised that constables and deputy constables are not employed by the PCCD, the BOARD or the Training Program, per Supreme Court Decision, In Re: Act 147 of 1990, which ruled that constables and deputy constables are "independent contractors for the minor judiciary". Neither the PCCD, the Board nor Program Staff will sign off as an employing agency for a constable or deputy constable.

### **Constables' Certification, Education and Training System (CCETS)**

All users must register in CCETS prior to a user account being assigned. The registration process is very easy, and Program Staff have provided a "walk through" of the registration process. Please go to the PCCD website at [www.pccd.pa.gov](http://www.pccd.pa.gov), click on the "Training" link and then the "Constables' Education and Training Board" link, this will take you to the full constable training webpage. The link to register is on the right side of the page for: "Register/Login to CCETS".

Please reference the following screen shots on how to register as a new user for CCETS.



**Step 1 – select the link for  
“Not Registered? Register  
as a new Keystone Login  
User”**

**System Announcements:**

Welcome to CCETS

Enter your Keystone Login credentials to log in to Constables' Certification Education and Training System (User Acceptance Test)



If you have an existing CWOPA or MUSER account, you can continue to sign in using that account information.  
If you have already signed up for Keystone Login through another state agency's data-system, please use your Keystone Login information to sign in below.

All other CCETS\_UAT users who do not have a Keystone Login account should click the Register link below.

Keystone Login  
UserName

Keystone Login  
Password

Log In

[Forgot Password?](#)

[Forgot UserName?](#)

[Not Registered? Register as a new Keystone Login user](#)



Are you an existing CCETS user?

Yes, I am already a user

No, I am not yet a user

**Step 2: All new CCETS Users should select the link for “No, I am not yet a user”**


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Pennsylvania Commission on Crime and Delinquency



### Register

**REMEMBER YOUR KEYSTONE LOGIN USERNAME, PASSWORD AND SECURITY QUESTIONS**

**Step 3: Enter all of the requested information below and select the "Register" button.**

**Users will receive a message "Please wait while we migrate your account." Please be patient as this may take a few minutes to migrate.**

**IMPORTANT NOTE: DO NOT USE THE # SIGN IN YOUR USERNAME!!!**

The password must pass these rules:

- Must be between 12 to 128 characters in length.
- Do not include any of your user name, your first name, or your last name.
- The password must pass 3 out of 4 of these rules:
  - One uppercase letter
  - One lowercase letter
  - One numeric number
  - One non-character (such as !, @, %, etc)

Password Strength: Invalid

**Note:** Each Security Question must have a different answer entered. The answers cannot be the same for each question.

**Note:** Users must select the checkbox for "I'm not a robot" and then perform the verification, see example on next slide. If the verification is not done correctly, you will be prompted to do it again until it is correct.

I'm not a robot

**Step 4: Follow the instructions on the screen by selecting the images with the requested object. If you fail to verify the images, the User may need to go through this several times until the images are verified correctly.**

Select all images with a **bus**



## Step 5: The User will be guided through a series of questions to determine the type of User.

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Constables' Certification Education and Training System

Do not use your browser's back button during registration. Use the provided buttons to navigate to the next or previous page.

Step 1: Registration Information      Step 2: Personal Information      Step 3: Terms Of Use Signoff

Next >>    Cancel

Please answer the following questions:

Are you registering as a current Constable or Deputy Constable? \*       Yes     No

Do you have a valid term of office as a Constable or Deputy Constable?       Yes     No

Do you have an assigned Certification Number? \*       Yes     No

Are you interested in attending the Constables' Program's 88-hour Basic Training course? \*       Yes     No

**Constable/Deputy Constable Information**

Home County:       Date Of Birth:

Gender:  Male     Female      SSN:

Preferred Correspondence Method:       Certification Number:

Next >>    Cancel

- Select Yes if you are currently an elected or appointed Constable or Deputy Constable.
- Select No if you are not currently an elected or appointed Constable or Deputy Constable.
- Select Yes if you have a valid term of office through and election or appointment by the Courts. A valid term of office would include a term that begins in January of the following year.
- Select No if you do not have a valid term of office through and election or appointment by the Courts.
- Select Yes if you currently have a Certification Number issued by the program. The Certification Number is a seven digit number that begins with a 'B' or 'W'.
- Select No if you have a previously issued Temporary Access Number. These numbers are no longer identifiable by the program. Contact Program Staff at (717) 785-3600.
- Select Yes if you are interested in attending the 88-hour Basic Training Course
- Select No if you are not interested in attending the 88-hour Basic Training Course

## Step 6: New Users must complete the mandatory information and select the "Next" button to proceed to the next step.

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Constables' Certification Education and Training System

Do not use your browser's back button during registration. Use the provided buttons to navigate to the next or previous page.

Step 1: Registration Information      Step 2: Personal Information      Step 3: Terms Of Use Signoff

<< Previous    Next >>    Cancel

**Personal Information**

Title:

First Name:

Middle Name:

Last Name:

Suffix:

**Mailing Address**

Address Line 1:

Address Line 2:

City:

State: Pennsylvania

Zipcode:

**Business Address**

Address Line 1:

Address Line 2:

City:

State: Pennsylvania

Zipcode:

**Contact Information**

Primary Phone Number:

Phone Type: Work

Phone Number:

Extension:

[Add a Phone Number](#)

Primary Email Address:

Email Type: Work

Email Address:

[Remove](#)      [Add an Email Address](#)

<< Previous    Next >>    Cancel

Step 7: All Users must then agree to the Terms of Use Policy in order to complete registration. Select the checkbox next to "I have read and agree with the terms of use policy provided above." and select the "Submit Registration" button.

The screenshot shows the registration process for the Constables' Certification Education and Training System. The page is titled "Step 3: Terms Of Use Signoff" and includes a navigation bar with "Step 1: Registration Information", "Step 2: Personal Information", and "Step 3: Terms Of Use Signoff". A warning message states: "Do not use your browser's back button during registration. Use the provided buttons to navigate to the next or previous page." Below this, there are three buttons: "<< Previous", "Submit Registration", and "Cancel". The main content area is titled "Terms of Use" and contains the following text: "Through your User ID and password you will be granted access to certain constable and deputy constables' certification, education and training information. The User ID and password are only for your use. You should not disclose your User ID and/or password to anyone. The Pennsylvania Commission on Crime and Delinquency (PCCD) or any Commonwealth agency will never ask you for your User ID and password in an unsolicited phone call or email. Sharing of User ID and password is NOT permitted. Each individual who wishes to use the site must properly register and obtain a unique User ID and password. It is the responsibility of each individual user to secure and protect their User ID and password." Below this text is a checkbox labeled "I have read and agree with the terms of use policy provided above." and another set of navigation buttons: "<< Previous", "Submit Registration", and "Cancel".

Step 8: Once a User has successfully completed the CCETS registration, you will see the page below. The User will receive an email stating the CCETS registration was completed. Once PCCD staff approves the registration, the User will receive a second email stating the registration was approved. Please ensure that the CCETS Resource Account email address, [RA-CD-CCETS@pa.gov](mailto:RA-CD-CCETS@pa.gov), is removed from the User's "spam" account. This will ensure that the system generated emails will reach the User and not get lost in the User's "spam" account.

The screenshot shows the registration process for the Constables' Certification Education and Training System. The page is titled "Constables' Certification Education and Training System" and includes a navigation bar with "Step 1: Registration Information", "Step 2: Personal Information", and "Step 3: Terms Of Use Signoff". A message box at the top states: "Welcome to the Constables' Certification, Education and Training System! Your registration has been forwarded to PCCD staff for approval." Below this message, there is a "Home" button. On the left side, there is a "Username" field with a "Logout" link below it. The page also includes the Pennsylvania Commission on Crime and Delinquency logo and the date "Today is: Tuesday, December 17, 2019".

## TRAINING

Currently, the Constables' Education and Training Program mandated by Act 2009-49 provides four types of training: 80-Hour Basic Training; 40-Hour Basic Firearms Training; 12-Hour Continuing Education Training; and 4-Hour Annual Firearms Qualification Course. Two regional training delivery contractors offer the training from January through October of each year at various locations throughout the state. Class enrollment is required prior to attending any constable training class.

The Constables' Training Schedule lists contact information for the two regional training delivery contractors. Although it is suggested that an individual attend training in his or her "home" region, a constable or deputy constable may attend training offered anywhere in the state. Training is on a first-come, first-served basis. Class space is limited due to the availability of training facilities, and to provide a proper training environment. To enroll into the 80-Hour Basic Training Course, a completed Standard Registration Form must be mailed or faxed directly to PCCD Staff along with a signed Statement of Understanding and the required payment amount in the form of a check, money order, or certified check. The check or money order should be made payable to PCCD in the amount of \$1,125 and sent to: PCCD-Constables' Program, PO Box 1167, Harrisburg, PA 17108-1167.

A constable or deputy constable must successfully complete the 40-Hour Basic Firearms Training to obtain initial certification to carry a firearm in the performance of constable duties. Following initial firearms certification, successful completion of the 4-Hour Annual Firearms Qualification Course every year is required to maintain firearms certification.

### **80-HOUR BASIC TRAINING:**

All newly elected constables or appointed deputy constables are required, under Act 49-2009 §7142(a) to attend and successfully complete basic training to perform judicial duties and be paid. Constables or appointed deputy constables must be registered with PCCD. To register, please call the Constables' Training Program at 717-265-8551, 717-265-8552, or 717-265-8554 or by email at: [nihartman@pa.gov](mailto:nihartman@pa.gov), [trabeaver@pa.gov](mailto:trabeaver@pa.gov) or [sleffler@pa.gov](mailto:sleffler@pa.gov), when leaving a message, include full name and telephone number, including area code.

At the February 14, 2019 Constables Education and Training Board (Board) Meeting, the Board voted a constable or deputy constable who is elected or appointed must pay for the expense of the basic training course and the basic firearms training course starting January 1, 2020. The cost of a basic training course and basic firearms training course will be determined by Program Staff and published yearly. For 2020, the cost of basic training is \$1,125.00 and the cost of basic firearms is \$1,485.00. The Pennsylvania Commission on Crime and Delinquency (PCCD) approved this change at its September 11, 2019 meeting. These payment(s) must be received by Program Staff prior to enrollment into these classes.

Refer to Title 37 Law, Chapter 431, for Regulations relating to the certification of constables and deputy constables. To successfully complete basic training, an individual must attend and participate in all training as scheduled, achieve a passing score of at least 70% on each written examination administered during the course, and successfully demonstrate practical skills during each proficiency examination. There are 14 subjects covered in basic training. Constables and deputy constables are tested on each of the 14 subjects. An individual who receives less than 70%

on any written exam will have only one opportunity to re-test in that subject. If an individual fails the re-test, that individual has failed the basic training course and will not be certified by the Board.

Basic training will consist of instruction in the following subjects: role of the constable in the justice system, professional development, civil law and process, criminal law and process, use of force, mechanics of arrest, defensive tactics, prisoner transport and custody, court security, crisis intervention, management of aggressive behavior (MOAB), expandable baton (MEB), and oleoresin capsicum (OCAT).

### **12-HOUR CONTINUING EDUCATION TRAINING:**

Constables and deputy constables are required to attend and successfully complete continuing education every year to renew their certifications for the following calendar year. For example, successful completion of the 8-Hour Continuing Education course and 4-Hour Online Module in the current year will serve as the basis for the renewal of a constable's certification for the next year. To successfully complete continuing education, an individual must attend and participate in all training as scheduled, achieve a passing score of at least 70% on each written examination administered during the course, and successfully demonstrate practical skills during each proficiency examination. Based upon successful completion of continuing education by October, constables and deputy constables will be issued new certification cards in December, which will indicate certification for the following year.

### **FIREARMS TRAINING:**

Firearms training is optional, in that constables are not required to carry a firearm in the performance of their judicial duties. That choice is left to the discretion of each constable or deputy constable. However, the Pennsylvania Unified Judicial System, Constable Policies, Procedures and Standards of Conduct dated May 2013, states under IV. Security and Transports, subsection B. Weapons. "No constable shall carry a firearm in the performance of judicial duties unless he or she has received firearm certification pursuant to 44 Pa.C.S.A. §7144 and complied with all regulations established by the Constables' Education and Training Board."

Act 49 mandates firearms training and certification for any constable or deputy constable who intends to carry a firearm during the performance of his or her constable duties. Board Regulation states that constables and deputy constables must be at least twenty-one years of age before attending firearms training.

A constable or deputy constable must successfully complete basic firearms training one time to obtain initial certification to carry a firearm in the performance of constable duties. Following initial firearms certification, successful completion of annual firearms training every year is required to maintain firearms certification.

### **40-HOUR BASIC FIREARMS:**

The Basic Firearms Training has been designed to provide essential grounding in acceptable law enforcement techniques for any constable who is not certified to carry a firearm by the PCCD. It consists of 40 hours of basic firearms training and qualification. While the training is not mandatory, it is available to any constable who has completed the 80-Hour Basic Training course, has acquired a certification number, and is at least twenty-one years of age.

The 40-Hour Basic Firearms course consists of a series of lectures, laboratory activities, and practical exercises that provide a basic understanding of the safe manipulation of a revolver or semi-automatic pistol. It starts with the presumption that the participant has little or no formal training. The course stresses safe handling techniques, proper cleaning, correct weapons handling skills, and marksmanship.

The constable will be exposed to firing in reduced light and to interactive judgmental shooting scenarios. Successful course completion will require passing all practical exercises and written tests, and demonstrating proficient, safe weapons handling skills. The constable qualification course (CQC) is divided into two stages. A shooter must qualify on each phase with a score of at least a 75%. The shooter who fails to pass one of the phases will be permitted to repeat the phase on which he or she did not meet the 75% threshold. Scoring will only take place at the end of each phase and there will be no remedial training if a constable fails a phase of the CQC. This course includes a written exam which includes a satisfactory course completion score of 75%.

#### **4-HOUR ANNUAL FIREARMS QUALIFICATION COURSE:**

At the July 9, 2018 Constables Education and Training Board (Board) meeting, the Board voted to eliminate the 20-Hour Annual and Advanced Firearms Training Courses and replace it with a 4-Hour Annual Firearms Qualification Course. The Pennsylvania Commission on Crime and Delinquency (PCCD) approved this change at its September 12, 2018 meeting. Constables will sign up for a 4-Hour Annual Firearms Qualification Course through the Constables Certification, Education and Training System (CCETS), as they would for any other training.

The 2020 4-Hour Annual Firearms Qualification Course will consist of a written test, administrative procedures, safety brief and firing the Constable Qualification Course (CQC) of fire. **There will be no practice of the CQC.** A Student Firearms Study Guide will be available in CCETS; constables must review and study this Guide prior to attending a 4-Hour Annual Firearms Qualification Course. The written test will be on the material in the Student Firearms Study Guide at the start of the 4-Hour Annual Firearms Qualification Course. Satisfactory course completion requires a passing score (75%) on the written examination. In addition, the constable must achieve a qualification standard of 75% (45 points) or better on each phase of the CQC using their duty weapon.

Constables are strongly encouraged to practice the CQC, **for time**, prior to signing up for a 4-Hour Annual Firearms Qualification Course. The CQC can be found on the PCCD website at: <http://www.pccd.pa.gov/training/Documents/Constable%20Education%20and%20Training/Constable%20Forms/Constables'%20Qualification%20Course%20of%20Fire.pdf>.

Scoring will only take place at the end of each Phase. Constables are strongly encouraged to practice prior to attending a 4-Hour Annual Firearms Qualification Course. Constables should assess their strengths and weaknesses when shooting the CQC and focus their practice on what sections of the CQC they need to improve upon. Constables are encouraged to practice together and see if their local association will conduct a range day to practice the CQC or find a local firearms instructor for shooting assistance.

## **FIREARMS FAILURES:**

At the August 9, 2018 Board meeting, the Board approved the attached Policy regarding firearms failures during the CQC. This Policy was also approved by the PCCD at its September 12, 2018 meeting. The policy states:

### **2. Firearms qualification.**

- a. A constable who fails either phase of the qualification course of fire on their first attempt, will not be provided any remediation training by the firearms instructors.
- b. The firearms certification of a constable who fails to attain a passing score in a retest of a written examination or practical skill proficiency examination shall cease immediately on the date of the failure. The constable will not be firearms certified until that constable attends a second firearms qualification course in its entirety and completes it successfully to obtain a firearms qualification. The constable shall bear financial responsibility for the second firearms qualification course.

This Policy change states that the firearms certification would end the day of the firearms failure. A constable will not be firearms certified until they pay to attend a second 4-Hour Annual Firearms Qualification Course and successfully complete the second Course.

To recap, there will be **no remedial training** if a constable fails a Phase of the CQC. Constables will be allowed a second attempt at passing the failed Phase.; Also, constables should bring 120 rounds of qualification ammunition, in case of failure. No training ammunition will be provided at the 4-Hour Annual Firearms Qualification Course. If a constable fails the 4-Hour Annual Firearms Qualification Course after two attempts, the constable will have failed the Course and will have to pay prior to enrolling in another 4-Hour Annual Firearms Qualification Course.

## **TRAINING QUALIFICATION WITH AN ADDITIONAL WEAPON**

Qualification with two weapons is permitted, subject to time constraints and range conditions. The constable must provide enough ammunition for that additional weapon. Constables must qualify with Weapon 1 before they will be permitted to attempt to qualify with Weapon 2.

If a constable fails to achieve the required score during a Weapon 1 qualification attempt and re-shoots the portion of the course failed but still fails to qualify with Weapon 1, that constable will not be permitted to attempt qualification with Weapon 2.

## **WEAPON-MOUNTED LIGHTS or LASERS:**

There are no restrictions on weapon-mounted lights or lasers unless the light or laser becomes a distraction to the user, impedes their ability to clear a malfunction, or creates a safety issue at which time an instructor can have the constable remove or stop using the device on the weapon

## **FITNESS AND FIREARM REMINDERS:**

It is important to be fit on the firearms range, both physically and mentally. If a constable is feeling under the weather due to a cold/flu or some other medical condition, and has an upcoming firearms training class scheduled, they may want to reschedule to a class later in the year. Constables who currently wear glasses or contacts should have their eyes checked before attending an annual firearms qualification course. This will help to alleviate any potential qualification or firearms safety issues that may arise on the range due to these conditions.

## **ATTENDANCE POLICIES**

Please see the attendance policies outlined in Board Regulation below. All calls should be made “to the director of the school or a designee” directly.

§431.25(a), §431.35(a) and §431.47(a). Attendance policies.

States in part . . . A notification shall be deemed timely if it is delivered to the director of the school or a designee no later than 7 calendars prior to the start of classes.

**Constables and deputy constables should not call or inform the class instructors as to the non-attendance of themselves or others.**

**All attendance calls should be made directly “to the director of the school or a designee”.**

**If you have an emergency prior to, or on any of the scheduled class dates, contact the training delivery contractor as soon as possible.**

**PLEASE DO NOT CONTACT PROGRAM STAFF TO ENROLL, WITHDRAW OR TRANSFER TRAINING CLASSES.**

## **WAIVERS OF TRAINING FOR LAW ENFORCEMENT**

### **BASIC TRAINING WAIVERS:**

Applications for waivers of constables’ basic training are allowed for those constables and deputy constables who have completed legislatively mandated basic training and are certified as municipal police officers under Act 120 by the Municipal Police Officers’ Education and Training Commission, or as deputy sheriffs under Act 2 by the Sheriffs’ and Deputy Sheriffs’ Education and Training Board. A constable or deputy constable who is currently employed as a municipal police officer or a deputy sheriff may apply for a waiver of constables’ basic training, provided that his or her training and certification is current, in-force, and up-to-date upon application for waiver of constables’ basic training.

In addition, a constable or deputy constable who was formerly employed as a Pennsylvania State Trooper, a municipal police officer, or a deputy sheriff is eligible to apply for a waiver of constables' basic training within two years of terminating such employment. Constables and deputy constables who terminated their law enforcement employment within the last two years must have evidence that the appropriate training and certification, applicable to the level of law enforcement employment, was current, in-force, and up-to-date upon termination of that employment.

A basic training law enforcement waiver application may be obtained by calling 717-265-8551, 717-265-8552 or 717-265-8554. Include name, mailing address and telephone number with area code when leaving a message. The Basic Training Waiver Application for Law Enforcement Officers is also available in the Constables' Training Program section of the PCCD website at [www.pccd.pa.gov](http://www.pccd.pa.gov).

# **FINANCIAL DISCLOSURE REQUIREMENTS OF THE STATE ETHICS COMMISSION**

## **FINANCIAL INTEREST STATEMENTS: WHAT YOU NEED TO KNOW**

Each year, thousands of public officials and public employees across Pennsylvania are confronted with a task that is almost as enjoyable as filing tax returns - filing their yearly Statements of Financial Interests. The filing of a Statement of Financial Interests may not be enjoyable, it is a yearly obligation for those public officials and public employees who meet the criteria established by the Public Official and Employee Ethics Act, commonly referred to as the Ethics Act, including constables, and deputy constables. In addition to mandating the filing of the forms, the Ethics Act also designates the State Ethics Commission as the agency responsible for the administration of the process.

Because of that requirement, the State Ethics Commission, each year, handles numerous questions about how to complete the forms. The following article is offered by the State Ethics Commission to address frequently encountered questions and problems.

Constables and deputy constables have been required to file Statements of Financial Interests since 1993 with the issuance of Opinion 92-008 by the State Ethics Commission.

As required by the Ethics Act, all elected, and most appointed public officials must file a Statement of Financial Interests by May 1 of each year. The same holds true for constables/deputy constables. Constables are required by law to file their Statements of Financial Interests directly with the State Ethics Commission. Statement of Financial Interests forms are available from the State Ethics Commission at [www.ethics.pa.gov](http://www.ethics.pa.gov), the PCCD at [www.pccd.pa.gov](http://www.pccd.pa.gov), County Boards of Elections and managers of townships and boroughs throughout the Commonwealth.

## **WHO IS REQUIRED TO FILE A FINANCIAL INTEREST STATEMENT?**

All elected and most appointed public officials, including constables and deputy constables, are required to file an annual Statement of Financial Interests. In addition, many public employees are also subject to the annual Statement of Financial Interests filing requirement. Constables and deputy constables are required to file Statements of Financial Interests as well even if they do not work as a constable and even if they do not earn money as a constable. Further, constables and deputy constables must file even if they are not certified through required class work to perform the role of constable/deputy constable. The key standard is whether the constable/deputy constable has taken the oath of office. If so, then the constable/deputy constable must file a Statement of Financial Interests. These rules apply whether the constable/deputy constable is elected or appointed to fill a vacancy.

Second, other public employees who are not elected, but meet the criteria set forth in the Ethics Act, also must file a Statement of Financial Interests. The entire criteria are too lengthy to be repeated herein, but may be found in the language of the Ethics Act itself, as well as the accompanying regulations, which are listed at 51 Pa. Code, at Sections 11, 15, 17 and 19. In general, though, some of the considerations that will determine whether someone is required to file include whether the person has supervisory authority over other employees, the scope of decision making authority of the person, the ability to expend funds on a discretionary basis, and

responsibility for carrying out laws or regulations. Also, part-time and full-time municipal solicitors are required to file a Statement of Financial Interests.

Candidates or nominees for office must file a Statement of Financial Interests as well. Candidates for the position of constable must file a Statement of Financial Interests on or before the last day for filing a petition to appear on the ballot for election. Candidates who do not file may be disqualified from appearing on the election ballot. Regarding nominees, they must file a Statement of Financial Interests at least ten days before their nomination is scheduled to be reviewed for approval or rejection.

The public is thus given access to the financial interest information of its public servants, who are in positions of decision-making authority. In this way, the needs of the public are assured that financial interests of its public officials do not conflict with their public duties is fulfilled.

### **FAILURE TO COMPLY WITH STATEMENT OF FINANCIAL INTERESTS FILING REQUIREMENTS**

With these suggestions in mind, a person may wonder what happens if they either fail to file a Statement of Financial Interests form or file a deficient Statement of Financial Interests form for a particular year.

Each year, the State Ethics Commission conducts numerous random audits of the Statement of Financial Interests on file at the state, county and local levels. These audits often reveal either forms not being filed by individuals who are required to file, or deficient forms. Since the forms are required to be available to the public, members of communities across the Commonwealth often contact the Commission with what they believe are problems with the Statement of Financial Interests form filed by their government officials. This information enables the Commission to monitor whether each governmental body is following the law regarding the Statement of Financial Interests filing requirements.

Once the Commission determines that there was a non-filing or a deficient filing, an enforcement process begins. Public officials, including constables who are delinquent or deficient in their filings, are given the opportunity by the Ethics Commission to either file or amend the forms as directed. This process involves filing a Statement of Financial Interests form and addressing problem areas that may have been identified. If the individual complies with the notices of non-compliance and files a complete and accurate Statement of Financial Interests, no further action is taken.

If the constable/public official refuses to comply with the filing provisions of the law, or files another deficient form, a formal legal process then begins. Individuals are then subject to a process that can involve an order from the Ethics Commission imposing a fine and directing them to comply with their Statement of Financial Interests requirements, and those orders can be enforced in the Commonwealth Court of Pennsylvania. Failure to comply with those orders can lead to fines, contempt of court citations, and even imprisonment. Each year, across Pennsylvania, government officials spend additional time, effort and expense due to their failure to properly comply with the filing of the Statement of Financial Interests form.

The Ethics Commission wants to avoid this process whenever possible. It is much preferable to have public officials correctly follow the process of filing the forms, rather than resorting to a legal

process to compel filings. It is the State Ethics Commission's belief that the more information that is made available about the process, the easier it will be to comply with, which is to everyone's benefit.

## CONCLUSION

The Statement of Financial Interests process is designed to allow the public to be informed about the financial interests of its government officials. In this way, citizens can be aware if their government officials have any outside interests that may impact upon their decision-making. That kind of information helps all of us achieve good government.

There are two ways to file the legally mandated Statement of Financial Interests. First, the State Ethics Commission has devised paper forms that have been made more user-friendly, so those officials that are required to file them can do so as easily as possible. In addition to the paper form, the State Ethics Commission also has available an online form which can be found at [www.ethics.pa.gov](http://www.ethics.pa.gov). Click on the link entitled "Online Filing" and following the instructions. An email confirmation with a PDF copy of your filing is also provided upon completion. To make that process as efficient as possible, the State Ethics Commission wants to make as much information available as it can. We encourage questions or comments about this process, to be directed to the Commission at their toll-free telephone number, (800) 932-0936, or their outside number, (717) 783-1610, between 8:00 a.m. and 5:00 p.m. Monday through Friday, or by e-mail at [ethics@pa.gov](mailto:ethics@pa.gov). In addition, the State Ethics Commission has a website, which can be found at [www.ethics.pa.gov](http://www.ethics.pa.gov). This website has substantial information regarding the workings of the State Ethics Commission, as well as updates in the Ethics Law, and a complete listing of the law and regulations of the State Ethics Commission. We feel this is an excellent source of information and we encourage individuals to take advantage of it.

The State Ethics Commission pledges to make the Statement of Financial Interests process as efficient and effective as possible, so that government officials can more easily get to the business of governing. We look forward to working with constables and other officials from across Pennsylvania to achieve this goal.

## **PA CONSTABLES' CLASSROOM CODE OF CONDUCT**

All newly elected or appointed constables and deputy constables must sign off on the PA Constables' Classroom Code of Conduct prior to enrolling into any constable training classes. (See **Attachment 1**)

## Attachment 1



# PA Constables' Training Code of Conduct

## Constables' Training Code of Conduct:

### I. Testing

A. Mandatory tests and proficiency examinations will be given for each major section of the curriculum. To complete the course and receive certification or recertification, a trainee must pass all mandatory tests and proficiency examinations.

B. Mandatory tests and proficiency examinations will be scheduled and announced to the class in advance.

C. All mandatory test and proficiency examination material must be returned to the instructor supervising each test at the end of the examination period.

D. It is the responsibility of each individual user to secure and protect their User ID and password for any computer systems utilized by the Program. Sharing of or providing the User ID and password, allowing someone else to take your online training or mandatory tests and proficiency examinations, or sharing or receiving mandatory test and proficiency examination questions/answers will be considered cheating.

E. Cheating on examinations will be grounds for discipline by the training provider. Cheating includes, but is not limited to, copying from another person's examination, utilizing references or notes without the instructor or proctor's approval, theft of test and/or examination materials, removal of test and/or examination materials from the classroom, using test and/or examination materials stolen by another or providing answers to, receiving answers from, or giving assistance to another person during any phase of a testing and/or examination session.

### II. Attendance

A. A constable or deputy constable who registers for the Basic Training, Continuing Education or Firearms Qualification Course may withdraw from the course without penalty upon timely notification to the director of the school conducting said course. A notification shall be deemed timely if it is delivered to the director of the school or his or her designee no later than seven calendar days prior to the start of the course. The school may assess a failing grade for all or part of the Basic Training, Continuing Education or Firearms Qualification Course if the constable or deputy constable fails to provide timely notification or to show good cause.



B. A constable or deputy constable must attend and complete all hours of the training course to receive credit for the course. Constables and deputy constables are required to be on time for all training courses and to remain until the completion of the training as determined by the instructor.

### III. Unprofessional Conduct:

A. Unprofessional conduct is defined as conduct that reflects poorly upon the image of the Constables' Education and Training Board (Board) and the Constables of the Commonwealth.

B. Unprofessional conduct is grounds for sanction and the imposition of appropriate disciplinary action.

C. Examples of unprofessional conduct include, but are not limited to: disruptive talking in the classroom; disrespect to instructors; sleeping, eating, or smoking in class; disrupting other activities occurring on the training site; false fire alarm; vandalism; illegal parking; lying to training delivery or Board staff or any other person; refusal to cooperate with staff investigations; and other criminal offenses committed at the training site. Cell phone usage during training classes would be deemed disruptive and disrespectful to the instructors and other students. Utilizing any other electronic device could also be disruptive and disrespectful to the classroom environment.

D. Attendance at training sessions while under the influence of alcohol or illegal drugs is prohibited and is grounds for immediate dismissal from training. Immediate dismissal from a training class while under the influence of alcohol or illegal drugs will constitute a class failure and the constable or deputy constable shall bear financial responsibility for the cost of attending an additional training course.

E. Harassment or discrimination against an individual or group by reason of race, color, familial status, religious creed, ancestry, age, sex, national origin, handicap or disability will not be tolerated and is grounds for dismissal from the course.

1. Physical Harassment/Abuse: This includes, but is not limited to, unwanted physical contact to include touching, fondling, patting, pinching, kissing and all legal classifications of assault.
2. Verbal Harassment/Abuse: This includes, but is not limited to, name calling, innuendoes, insults, threats, requests or demands for sexual favors, propositions, questions about a person's sexual practices, lewd comments, "wolf whistles," racial, religious, ethnic, or explicit sexual jokes.



3. Visual Harassment/Abuse: This includes, but is not limited to, obscene, explicit or insulting gestures, leering or displays, pictures, objects, materials or crude cartoons.

F. Sexual Harassment: Includes, but is not limited to, unwanted sexual advances, requests for sexual favors and other verbal or physical conduct such as that described above when it is of a sexual nature and when such conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile or offensive working environment.

G. All trainees are expected to respect the rights of their fellow classmates.

#### IV. Disciplinary Action

A. Violations of this Code of Conduct may subject a trainee to disciplinary action.

B. Disciplinary action may include but is not limited to:

1. An oral reprimand;
2. A written warning;
3. Restitution for damages;
4. Dismissal from the training delivery provider for the course of instruction;
5. Permanent bar from the training delivery provider's training sites.

C. Imposition of disciplinary action by a training delivery provider's director does not waive the training delivery provider's or the Board's right to impose additional or more severe disciplinary action against a trainee when the circumstances require such action. Imposition of disciplinary action by a training delivery provider's director also does not waive the training delivery provider's or the Board's right to impose no or less severe disciplinary action against a trainee.

D. An Act 49 Constable Training Grievance Form can be used by a constable to file a formal grievance with the Board for any disciplinary action taken against a constable. A copy of this Grievance Form can be found on the PCCD website or by writing to PCCD Bureau of Training Services, PO Box 1167, Harrisburg PA 17108-1167.



## **Statement of Understanding**

I, \_\_\_\_\_, have read and understand the PA Constables' Training Code of Conduct and agree to abide by its provisions. Refusal to sign off on this PA Constables' Training Code of Conduct will prohibit the constable or deputy constable from attending Act 49 Constable Training.

\_\_\_\_\_  
Print Name

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

**Attachment 2**  
**CONSTABLE/DEPUTY CONSTABLE REGISTRATION FORM**

Please complete and mail or FAX this form to the address below.

**BUREAU OF TRAINING SERVICES-CONSTABLES' PROGRAM**  
**PENNSYLVANIA COMMISSION ON CRIME AND DELINQUENCY**  
**P.O. BOX 1167**  
**HARRISBURG, PENNSYLVANIA 17108-1167**  
**FAX: (717) 783-7140**

**IMPORTANT:** YOU MUST INCLUDE PROOF OF YOUR STATUS AS A CONSTABLE OR DEPUTY CONSTABLE IN THE FORM OF AN ELECTION CERTIFICATE OR AN APPOINTMENT ORDER SIGNED BY THE PRESIDENT JUDGE OF YOUR COUNTY COURT OF COMMON PLEAS. FAILURE TO PROVIDE THIS ESSENTIAL DOCUMENTATION WILL DELAY COMPLETION OF YOUR PCCD REGISTRATION. YOU WILL NOT BE ABLE TO ENROLL IN ANY ACT 2009-49 CONSTABLE TRAINING CLASS UNTIL PCCD REGISTRATION HAS BEEN COMPLETED. PROSPECTIVE ACT 49 STUDENTS MUST PROVE THEY HOLD THE OFFICE OF CONSTABLE OR DEPUTY CONSTABLE BEFORE THEY ARE PERMITTED TO ENROLL IN CONSTABLE TRAINING.

**NAME:** \_\_\_\_\_  
Last First MI

**SOCIAL SECURITY NUMBER:** \_\_\_\_\_ **DATE OF BIRTH:** \_\_\_\_\_

**MAILING ADDRESS:** \_\_\_\_\_  
**PLEASE INCLUDE 4-DIGIT ZIP CODE SUFFIX** \_\_\_\_\_

**COUNTY:** \_\_\_\_\_

**BUSINESS TELEPHONE NUMBER:** \_\_\_\_\_

**ALTERNATIVE TELEPHONE NUMBER:** \_\_\_\_\_

**E-MAIL ADDRESS:** \_\_\_\_\_

<b>I AM A</b>	<input type="checkbox"/> <b>CONSTABLE</b>	<input type="checkbox"/> <b>DEPUTY CONSTABLE</b>
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**FOR CONSTABLES AND DEPUTY CONSTABLES:**

**DATE YOU BEGAN CURRENT TERM OF OFFICE:** \_\_\_\_\_

**EXPIRATION DATE OF YOUR CURRENT TERM:** \_\_\_\_\_

**FOR DEPUTY CONSTABLES:**

**NAME OF CONSTABLE WHO APPOINTED YOU:**

\_\_\_\_\_ Last First MI

**APPOINTING CONSTABLE'S CERTIFICATION** \_\_\_\_\_

The Program will require the Appointing Constable's election or appointment paperwork if not currently on file.

**Attachment 3**

PENNSYLVANIA COMMISSION ON CRIME AND DELINQUENCY  
CONSTABLES' EDUCATION AND TRAINING BOARD



**Training Enrollment Form  
80-HOUR BASIC TRAINING**

**PLEASE NOTE: Print completed form, sign and date it, and FAX or MAIL DIRECTLY TO PCCD.  
80-HOUR BASIC TRAINING (BT)**

FIRST CHOICE CLASS ID NUMBER:

S	C	0	1	B	T	2	1
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LOCATION: \_\_\_\_\_

NAME:

LAST	FIRST	MI
------	-------	----

MAILING  
ADDRESS:

\_\_\_\_\_

COUNTY:

DATE OF BIRTH:

\_\_\_\_\_

BUSINESS TELEPHONE:

\_\_\_\_\_

BUSINESS FAX  
NUMBER:

\_\_\_\_\_

EMAIL ADDRESS:

\_\_\_\_\_

***APPLICANT'S UNDERSTANDING AND SIGNATURE***

*By signing my name below, I am stating that the information given on this enrollment form is true and correct to the best of my knowledge.*

**Signature of Applicant**

**Date**