

IN THE SUPERIOR COURT OF PENNSYLVANIA

COMMONWEALTH OF PENNSYLVANIA

v.

WIGGS,

Appellant.

**AMICUS CURIAE BRIEF OF A CITIZEN OF THE COMMUNITY
IN SUPPORT OF EMERGENCY LIGHT USE BY CONSTABLES**

TABLE OF AUTHORITIES

GALLUZE v. MILLER Civil Action No. 10-836

Title 234 Pa. Code Rule 103

Title 18 § 501

36 Pa. Stat. § 2391.9

The Vehicle Code 1959

Title 75, § 102 – Definitions

Title 75, § 3102

Title 35, Section 75A01

Title 44, Chapter 71, § 7151

Title 44, Chapter 71, § 7158

STATEMENT OF INTEREST

I am a citizen of Sewickley Township, and I submit this brief as a concerned member of the public whose safety, family, and constitutional rights are directly affected by the outcome of this case. I am not a party to the case but have a vested interest in ensuring that the elected constable I voted for is able to perform the duties of the office effectively, lawfully, and safely.

ARGUMENT

1. Emergency Lighting Is a Public Safety Tool, Not a Privilege

The use of emergency lights by constables is critical to public safety. When I see these lights, it alerts me that there may be danger ahead and to use caution. It also affirms to me that a real, legitimate law enforcement officer may be approaching my residence or location. As a lawful gun owner, such a signal is essential to prevent a tragic misunderstanding when someone unexpected approaches my property. Without such visible identifiers, both the constable and I are at greater risk.

2. Elected Officials Must Have the Tools to Serve Effectively

I elected my constable to keep the community safe for me and my family. That duty sometimes requires timely response, and in rare but necessary situations, the use of emergency lights to arrive safely and quickly. Restricting constables from using the same basic safety tools available to other law enforcement agencies is discriminatory against elected officials and undermines the will of the people who put them in office. Such restrictions verge on official oppression by denying them the means to fulfill their duties.

3. Training Restrictions Are Not a Valid Justification

The argument that constables should be restricted due to lack of formal emergency vehicle operations training is inconsistent and unfounded. Coroners (a role that constables can perform in certain cases), medical examiners, private (Act 501) police, and other entities use emergency lights without mandated training. Many constables voluntarily pay for and take additional training outside of the limited curriculum offered by the Pennsylvania Commission on Crime and Delinquency (PCCD). If training is a genuine concern, the fault lies with PCCD for not providing comprehensive training to all elected constables, not with the constables themselves. Limiting training and tools appears designed to keep constables restricted rather than empowering them to fulfill their elected role.

4. Constables Are Highly Accountable to the Public

It is argued that constables lack accountability. This is false. They are directly accountable to the people who elect them and can be removed from office or have complaints filed against them if they fail to meet ethical and legal standards. Taking accountability out of the hands of the people and placing it with outside agencies is unconstitutional. Constables work for us—the people—not for another branch of government.

5. Unequal Enforcement and Double Standards

Members of the public have observed police officers using emergency lights for non-emergency purposes, such as bypassing traffic signals, with little to no consequence. Yet there is no widespread record of constables abusing emergency lights inappropriately. It is unjust to hold constables to a higher standard of restriction when the evidence of misuse is far less prevalent.

6. Community Safety and Constitutional Rights Are at Stake

The safety of my family, my community, and my constable is of utmost importance. The ability to clearly identify a constable through the use of emergency lighting is essential for public trust, officer safety, and lawful performance of duties. Limiting these tools undermines the authority of the office, weakens public safety, and infringes upon my constitutional rights as a voter to have my elected official serve fully and effectively.

CONCLUSION

I urge the Court to recognize that restricting constables from using emergency lights is not merely an administrative or training issue—it is a matter of public safety, constitutional rights, and the democratic authority of the people to empower the officials they elect. The public has spoken through the ballot box. We must not allow unjust restrictions to silence that voice.

Respectfully submitted,

/s/ Janalyn Budzik
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Citizen of Sewickley Township

7/22/2025

CERTIFICATE OF COMPLIANCE

I hereby certify that this brief complies with the word count and formatting requirements set forth in the Pennsylvania Rules of Appellate Procedure. The text of this document is double-spaced, uses a 14-point font, and contains fewer than the maximum number of words permitted by the applicable rule.

/s/ Janalyn Budzik
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