

Pennsylvania Police Officer Defined

Title 234 Pa. Code Rule 103.

Definitions. LAW ENFORCEMENT OFFICER is any person who is by law given the power to enforce the law when acting within the scope of that person's employment.

POLICE OFFICER is any person who is by law given the power to arrest when acting within the scope of the person's employment.

Title 3 P.S. Agriculture § 459-102. "Police officer." Any 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.

DOG LAW Act of December 11, 1996, P.L. 943, No. 151 CL 03 Session of 1996 No. 1996-151

"Police officer." Any 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 [State constabulary] constables and dog, game, fish and forest wardens.

The Court of Appeals in *County of Allegheny v. Berg*, 219 F.3d 261 (3rd Circuit 2000), and *Abbott v. Latshaw*, 164 F.3d 141 (3rd Circuit 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 in conjunction with 1983 claims.