

## CeaseFire Pennsylvania Candidate Questionnaire – Supreme Court of Pennsylvania

**CANDIDATE NAME:** Judge David Wecht

**OFFICE SOUGHT:** Justice of the Supreme Court of Pennsylvania

**PARTY:** Democrat

**DATE:** 10/15/15

**CAMPAIGN TELEPHONE:** (412) 281-9090

**CAMPAIGN ADDRESS:** P.O. Box 2221, Pittsburgh, PA 15230

1. Why are you qualified to serve on the Pennsylvania Supreme Court?

I am dedicated to judging all of the matters that come before me with a fair and open mind. I am the only candidate for the Pennsylvania Supreme Court who has proposed a comprehensive ethics & transparency plan to address the issues plaguing Pennsylvania courts. I believe that I have the intellect, temperament, and experience to render effective service on the Supreme Court of Pennsylvania. I have nine years of experience on the trial bench, three and a half years of experience on the appellate bench, and I have adjudicated thousands of cases across a variety of topics. I am the only candidate that is both “Highly Recommended” by the Pennsylvania Bar Association and endorsed by the Pennsylvania Democratic Party. The specific strengths that I bring to bear include a love of jurisprudence, intellectual curiosity, diligence, a strong work ethic, patience and proper demeanor with all litigants, an unfailing sense of judicial decorum, and strong writing ability. I subscribe to a philosophy of judicial restraint, and I am inclined to resist easy certainties. I wish to offer a steady hand, an energetic spirit, an able mind, and a commitment to collegiality, collaboration, and integrity to the Supreme Court.

2. Please describe your judicial philosophy on whether regulation of firearms is consistent with the Second Amendment to the United States Constitution and Article I, Section 21 of the Pennsylvania Constitution. Please explain how *District of Columbia v. Heller*, 554 U.S. 570 (2008) and *McDonald v. Chicago*, 561 U.S. 742 (2010) affect your analysis.

As a candidate for the Supreme Court of Pennsylvania, it would be improper for me to comment on my specific views regarding the explicit meaning of the Pennsylvania Constitution. The Pennsylvania Constitution certainly affords its citizens the “right . . . to bear arms in defense of themselves and the State” but that right is not absolute. For instance, 18 Pa.C.S. § 6105 sets forth an entire class of persons (convicted felons, to be specific) that may not legally possess, use, manufacture, control, sell, or transfer firearms. *Heller* and *McDonald* are the law of the land, and if called upon to adjudicate controversies that implicate the U.S. Constitution, I am bound to uphold the U.S. Supreme Court’s interpretation of the Second Amendment to the U.S. Constitution.

3. Please describe your philosophy regarding the separation of powers between the courts and the legislature, specifically as it applies to creation or amendment of courts’ jurisdiction, causes of action, and remedies available in various causes of action.

I am a firm believer in the concepts of checks & balances — the judiciary of the Commonwealth are not legislators, and should not seek to influence the legislative process, beyond the very limited power of judicial review. That being said, it is the duty of the Supreme Court of Pennsylvania to interpret the laws of the Commonwealth and ensure the constitutionality of all enactments by the General Assembly. Unconstitutional laws, such as brazen attempts to curtail the authority of the courts, are subject to reversal.

4. What have been the community, charitable, religious, educational, civic, professional or political organizations to which you have contributed, for which you have provided *pro bono* work, and/or of which you are a member?

- Parent Education & Advocacy Leadership (PEAL) Center, Pittsburgh, PA (Board Of Directors, 2013 - Present) (non-profit organization serving families of children with disabilities and special health care needs).
- The Pennsylvania Society (Member, 2013 - Present).
- Jewish Relief Agency, Pittsburgh, PA (Volunteer, 2013 - Present).
- Fox Chapel Center For Jewish Life (Member, 2006 - Present).
- Adat Shalom Congregation, Pittsburgh, PA (Member, 2004 - Present).
- Volunteer Coach, Pittsburgh Youth Lacrosse (2006 - 2011).
- Volunteer Coach, Fox Chapel Area Youth Soccer, Inc. (2006 - 2010).
- Public Safety Advisory Committee, Pennsylvania Commission On Crime And Delinquency (Member, 2003 - 2005).
- American Jewish Committee, Pittsburgh Chapter (Board Of Directors, June 2003 - June 2004; Member, January 2009 - Present).
- Criminal Justice Advisory Committee, Community College Of Allegheny County (Member, 2002 - 2006).
- The Amen Corner, Pittsburgh, PA (Board Of Governors; 2002 - 2005; Advisory Board, 2001 - 2002).
- Jewish National Fund, Pittsburgh Region, Board Of Directors (Member, 2002 - 2004).
- Beth Shalom Congregation, Pittsburgh, PA (Member, 2001 - 2005).
- Regional Development Funding Corporation, Pittsburgh, PA (non-profit SBA lending agency) (Board Of Directors, 1999 - 2003).
- Audubon Society Of Western Pennsylvania, Pittsburgh, PA (Board Of Directors, June 1999 - June 2002).
- National Young Leadership Cabinet, United Jewish Appeal (Member, 1997 - 1999).
- Holocaust Center Of Greater Pittsburgh (Board Member, 1996 - 2000).
  - Yom Hashoah Community-Wide Observance (Chair, 1998).
- Steering Committee, Legal Division, State Of Israel Bonds, Tri-State

Region (Member, ca. 1995 - 2003).

- United Jewish Federation Of Pittsburgh, Mission To Israel (Co-Chair, 1994).
- Tree Of Life Congregation, Pittsburgh, PA (Member, 1993 - 2004) (Board Of Directors, 1998 - 2003) (Personnel Committee, 1997 - 2003).
- Zionist Organization Of America (Pittsburgh District) (Board Member, 1993 - 2003).
- Yale University Alumni Schools Committee (Pittsburgh, PA Chapter) (Volunteer, 1993 - 1997).
- National New Leadership Board, State Of Israel Bonds (Member, 1993 - 1996).
- B'nai B'rith Hillel Foundation, American University, Washington, D.C. (Mentor, 1993).
- Advisory Council, The College Admissions Institute Of America (Member, 1992 - 1996).
- Jewish Institute For National Security Affairs (Member, 1992 - 1995).
- American Israel Public Affairs Committee (1984 - 2000).

5. Have you ever cast a public vote as a legislator or member of a political or other community organization relating to regulation of firearms? If so, please provide pertinent details.

No.

6. Have you ever been a part of any public controversy/incident in which regulation of firearms was or became an issue — either as an attorney, judge, party, witness, or supporter/opponent? If the controversy involved a lawsuit, state the name of the case, its resolution, and the nature of your participation. If the controversy did not result in a lawsuit, please provide pertinent details.

In my capacity as both a trial judge and an appellate judge, I have overseen trials and appeals that have revolved around crimes committed with firearms. The total list of cases that qualify under such a description is exhaustive, and not easily reproduced. Of my past cases, the one that stands out most in my memory is a case from my time as a trial judge in the Allegheny Co. Court of Common Pleas that involved a Port Authority fare collector who was terminated for bringing a gun to work. The fare collector was terminated by the Port Authority because he violated the authority's explicit rule prohibiting firearms in the workplace. An arbitrator reinstated the employee notwithstanding the violation. I reversed the arbitrator and reinstated the Port Authority's termination of the employee. On appeal, the Commonwealth Court of Pennsylvania affirmed my decision.

7. Please provide an up-to-date/current list of endorsements your campaign has solicited, has received and/or is using promotional materials.

- Pennsylvania Democratic Party
- Pennsylvania Bar Association: “**Highly Recommended**”
- Allegheny Co. Bar Association: “**Highly Recommended**”
- U.S. Sen. Bob Casey, Jr.
- Gov. Ed Rendell
- Keystone Progress PAC
- Pennsylvania Medical Political Action Committee (PAMPAC)
- Philadelphia Labor Council (AFLCIO)
- Pennsylvania AFLCIO
- PA State Building and Construction Trades Council Allegheny County Labor Council
- United Mine Workers of America (UMWA)
- AFSCME State Council 13
- AFSCME District Councils 33, 47
- United Food and Commercial Workers (UFCW) Local 1776
- Pennsylvania Carpenters
- Pennsylvania Building Trades
- Allegheny County Labor Council
- SEIU PA State Council
- Steel City Stonewall Democrats
- Equality Pennsylvania
- Liberty City LGBT Democratic Club
- Gertrude Stein Political Club of Greater Pittsburgh
- National Organization of Women (NOW)
- Pittsburgh , Philadelphia, and Pennsylvania Professional Firefighters

## Associations

- Fraternal Order of Police, Lodges 1 (Pittsburgh), 91 (Allegheny County), 5 (Philadelphia)
- PA State Fraternal Order of Police
- Pittsburgh Post-Gazette
- Pittsburgh Tribune Review
- Clean Water Action
- The Sierra Club
- Pennsylvania State Education Association (PSEA)
- American Federation of Teachers, Pennsylvania (AFTPA)
- Association of Pennsylvania State College and University Faculties (APSCUF)
- PA Sheet Metal Workers