

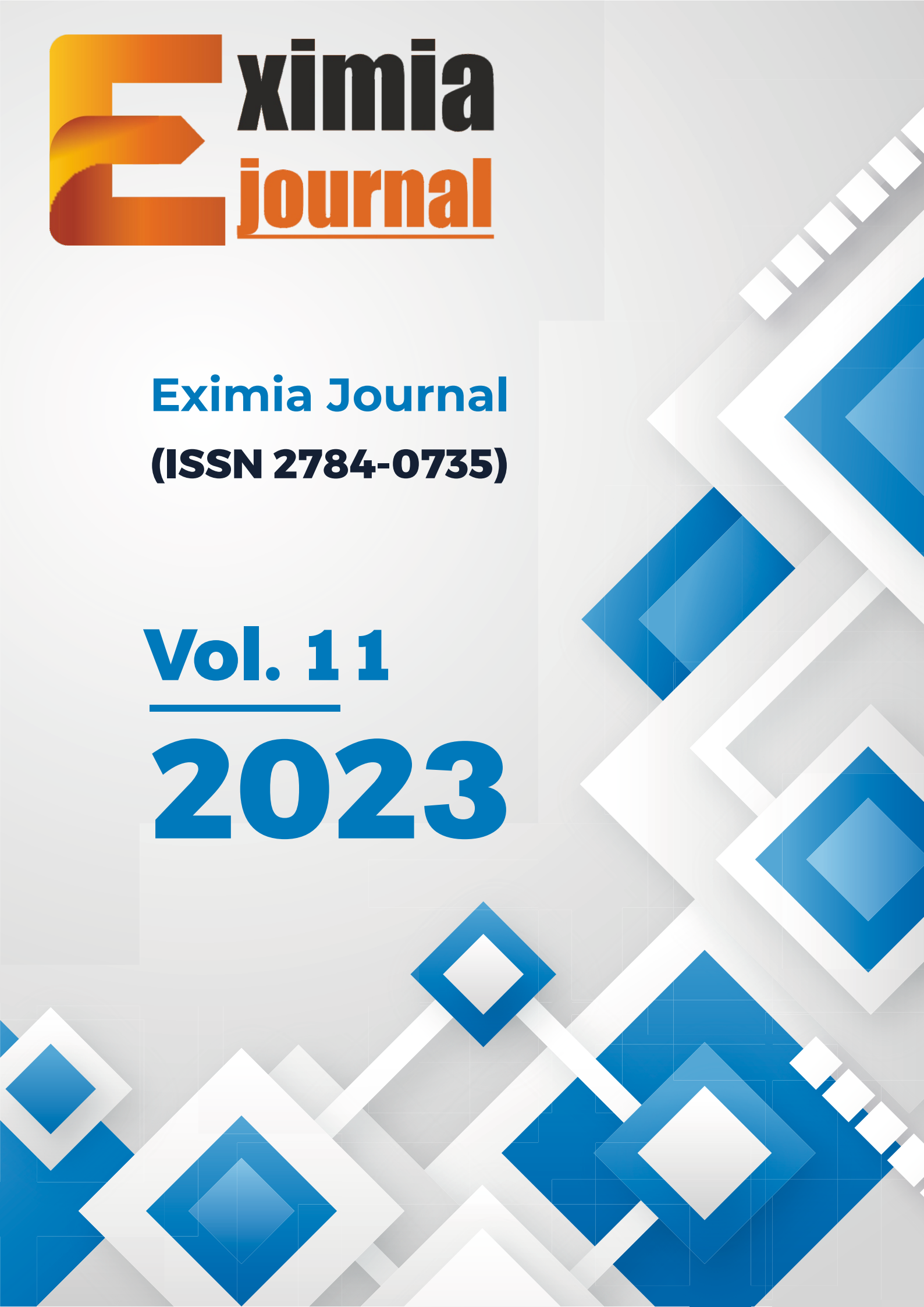


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## Leading people on foot to the police headquarters

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**Abstract.** Driving to the police headquarters is carried out when it is necessary for the detected person to be brought to the police headquarters for certain measures that must be taken to solve certain police procedures. Also, driving to the police headquarters is justified, as a decision to protect the person, when taking legal measures, on the spot, could create a danger for it or for public order. Since driving at the police headquarters affects individual freedom, the obligation of the police officer to report on the application of this measure is established. Police officers carry out driving at the police headquarters, by accompanying people, in order to take legal measures. The verification of the situation of these categories of persons and the taking of legal measures, as the case may be, is carried out in no more than 24 hours. If the policeman acts alone, he asks for the support of the citizens, whom he informs about what they have to do, so that this police measure can be successfully carried out. This procedure does not exclude or limit the obligation of the personnel involved in these activities to comply with and comply with the normative acts/provisions in force, as well as the provisions of the Organization and Operation Regulation and the Job Description.

**Keywords.** Police rules, material endowment, compliance with the law, preventive activities, notices

### **I. General considerations regarding the leading of people on foot at the police headquarters**

Driving people to the police headquarters is a coercive police measure, which consists in accompanying them from the place of their interception to the police headquarters in order to take legal measures. Among the categories of persons who are subject to this measure are listed "those whose actions endanger public order or other social values, those who are suspected of committing illegal acts, persons under investigation or those whose identity could not be established in the rules of the law <sup>1</sup>.

The police officer clarifies the situation of the persons to be taken to the police headquarters and takes legal measures. It may use force and means of immobilization against persons who oppose this measure.

Driving to the police headquarters can be done in two ways, depending on the surroundings, conditions and equipment:

- on foot;
- with vehicles."

Driving people on foot to the police headquarters is aimed at:

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<sup>1</sup>Gheorghe Buzescu, *Elements of public order*, Publishing House Pro Universitaria, Bucharest, 2016

- a) the establishment of a unitary set of rules for regulating the conduct, by the police, of people at the headquarters, under the conditions provided by law;
- b) establishing responsibilities regarding the preparation, endorsement and approval of documents related to these activities.

The person taken to the police headquarters has the following rights:

- to be informed about the reasons for driving (before the initiation of the measure) and about his rights (upon arrival at the police headquarters);
- to be assisted by a lawyer, according to the law, as well as not to give any statement without his presence, with the exception of the communication of identification data, or of some information necessary to eliminate a state of imminent danger to life, health or bodily integrity of a person;
- to request the information of a family member or another person designated by it regarding the measure taken;
- to request information from the diplomatic representatives of the state of origin, in the case of foreign citizens;
- to be consulted by a doctor, of his choice, at his own expense;
- to communicate through an interpreter or through a person with communication skills, in the situation where he does not speak or understand the Romanian language or cannot express himself.

#### I.1. General rules of the police tactics

General rules to be followed when driving to the policy office <sup>2</sup>:

- in case of non-compliance with the provisions given by the policeman, he is entitled to use force;
- the verification of the situation of these categories of persons and the taking of legal measures are carried out in the shortest possible time or if they have committed a criminal act they will be handed over to the nearest subunit of the Romanian Police;
- in the case of driving to the police headquarters in order to identify a suspicious person or those who disturb public order or endanger the lives of people, the police officer will draw up a report in which he will record the findings.

Driving people on foot to the police headquarters is carried out according to the observance of the following tactical rules:

- when the distance to the policy office is short;
- on the occasion of this police measure, the interception and identification of the person is carried out;
- before the start of the journey, the control of the person and the control of the luggage must be carried out;
- the person's attention is drawn to the manner of behavior during the journey;
- when acting in a team, the person being led is included;
- if the policeman acts alone, with maximum caution, moving a little behind the person, left or right;
- the person is permanently and carefully supervised during the journey;
- if several people are being driven, they will be grouped in relation to their number, height and degree of danger;
- the surroundings will be supervised;

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<sup>2</sup> Anane Ivan , *Management of criminal investigation bodies* , Pro Universitaria Publishing House, Bucharest, 2014

- if the police team is equipped with a service dog, it will always go with the handler behind;

- avoid dark, crowded places, with tall vegetation or those where the person is known;
- the traffic rules for pedestrians are respected.

It is not recommended to drive to police headquarters using:

- public transportation;
- bicycles;
- boats;
- scooters or motorcycles;
- vehicle owned by the person.

In the case of the minor or the person lacking legal capacity, the police officer will have the obligation:

- to inform, regarding the measure taken, its legal representative or the guardianship authority, if the legal representative cannot be contacted or does not appear;
- not to take statements from her or not to ask her to sign documents, in the absence of the persons who represent her, with the exception of communication of identification data.

If the person brought to the police headquarters shows visible symptoms that require emergency medical assistance, the police officer requests the specialized services to provide this assistance as soon as possible.

The verification of the situation of the person taken to the police headquarters and the taking of legal measures are carried out in no more than 24 hours, as an administrative measure<sup>3</sup>.

## I.2. Interception and legal noticing of persons

Interception is a preventive police measure that involves the request addressed to a person to stop an activity in progress, in order to clarify a situation<sup>4</sup>.

This measure is short-lived, always precedes other tactical measures and is carried out only for the purpose of fulfilling specific duties.

Situations in which the measure of interception is ordered:

- against persons who violate the legal provisions;
- against suspicious persons;
- to persons who can provide clarifications in relation to facts or other matters of interest;
- the face of people who are reported by citizens to have committed antisocial acts;
- towards beggars, mentally ill, unsupervised minors;
- against persons whose presence, at a certain time or in a certain place, creates suspicion.

Tactical rules to be followed when intercepting people:

- asks the person from a convenient distance, in a firm, persuasive tone, to stop using the formula *Please stop!* ; greets, introduces himself and, if necessary, identifies himself, keeping a distance that allows him to act;
- act firmly, but tactfully, explaining to the person the reason for the stop, further indicating the activity that they are going to carry out (presentation of identity document, luggage for control, etc.);

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<sup>3</sup> Anane Ivan , *The investigation of criminal investigation bodies* , Pro Universitaria Publishing House, Bucharest, 2014

<sup>4</sup>Gheorghe Buzescu, *Rules of police theory and practice* , Pro Universitaria Publishing House, Bucharest, 2016

- during the discussions, the policeman will watch the person carefully, being prepared to act in self-defense or to catch him;

- if the activity is carried out in a team, the partner will position himself in a lateral position, slightly behind the intercepted person, being ready to intervene (his position will also be conditioned by the existence or non-existence of natural obstacles in the immediate vicinity of the stopped person: buildings, high walls or fences, etc., in which case he will stand on the opposite side of such obstacles);

- interception of the person on the carriageway side of the road arteries will be avoided, as much as possible (if this cannot be avoided, the person will be immediately removed from it), in dark or bumpy places, in areas with heavy traffic of people or in the middle of groups (crowds, gatherings), and in case of absolute necessity, the person will be led immediately to a safer place, suitable for carrying out the next activity.

Once the person has been identified, the policeman has the obligation to allow him to leave the police headquarters; upon completion of the 24-hour period, the person has the right to leave the police headquarters, even if his identity could not be established. Exceptions will be situations in which detention or preventive arrest is ordered, or in which the person is subject to a legal measure that justifies his detention (when the rules of criminal procedure become relevant).

The verbal notice is a police measure that immediately precedes the intervention in order to:

- thwarting the start of committing an illegal act;
- the interruption of ongoing antisocial acts;
- the interruption of some acts of disturbance of public order and safety;
- stopping or detaining (in the police sense) suspicious persons;
- removing people from a hidden place;
- preventing the escape, entry or exit of certain persons without right, in or from certain objectives or visibly delimited perimeters;
- the elimination of manifestations of resistance by people who prevent the execution of the legal activities of law enforcement<sup>5</sup>.

Both the legal provisions, the number, the behavior of the persons, as well as the committed deed, the execution phase, the time available to the policeman, as well as the measure to be taken after the verbal notice, determine the number of verbal notices, as well as their content.

Legal notices are specific depending on the equipment used:

- when using the baton the formula is used *Stop, we will use force!* ;
  - when using the sprayer with irritant-tear substances, grenades or tear gas cartridges and grenades with an acoustic or light effect *Stop, we will (we) use tear gas!* ;
  - when using service dogs the formula is used *Stop, disperse, we will use service dogs!*
- ;
- when using other means provided, such as protective shields, helmets with a visor, devices with irritant-tear-forming substances, batons with electrostatic energy, rubber weapons, and other means of immobilization that do not endanger life and do not produce a serious bodily injury, in the possession of the police or other law enforcement, the formula will be used *Stop, we (will) use .....!*, and in the case of using rubber bullet ammunition *Stop, I'm shooting!* .

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<sup>5</sup>Anane Ivan, *Elements of theory and tactics of criminal investigation bodies*, Pro Universitaria Publishing House, Bucharest, 2014

In the situation where the necessary time is missing, they can also be used without a summons.

In the case of restoring public order, in small-scale cases, actions are taken after prior warning and allowing the necessary time to stop the actions and leave the area.

The weapon can be used without a verbal notice, in case of necessity or in case of self-defense (surprise attack on the policeman or another person, as well as to apprehend criminals who retaliate with blunt objects, sharp-edged objects or weapons of fire), if there is no material time required for the summons <sup>6</sup>.

Tactical rules used to execute the legal notices:

- this is carried out loudly, short words pronounced energetically in an authoritative tone, from an appropriate distance from the one who is verbally notified, which guarantees the security of the policeman;

- the two phases of the legal notice will be taken into account. The first phase of the legal notice is preventive. *Stop, police!*, and the second phase has a coercive character and consists in repeating the policeman's request, but this time being followed by the action that he is going to perform. *Wait, I'm shooting! We will use the rubber stick!*

- the reaction of the subpoenaed person will be taken into account after he is given a short time interval between the phases of the subpoena and moving to the next phase, and the actual intervention being carried out only in case of disobedience;

- in order for the policeman to be able to anticipate the movements of the person legally notified and to be able to intervene in case of need, he must be constantly supervised and observed;

- the legal notice will be executed in a place where the policeman can be protected if it is assumed that the person notified has weapons on him;

- at night, the light source will be kept away from the body in order not to reveal the policeman's position, in order to ensure his security;

- immobilization of the person legally notified or other police measures will be taken only after he has stopped the action, and the policeman can approach with caution;

- if two or more police officers participate in the action, they will act in different directions; the one in charge of protection will provide lighting from a covered place, which will ensure his protection, and the other will intervene in order to legally notify and immobilize the suspect; under no circumstances will police officers act in opposite directions;

- every time, the policeman will decline his competence, after taking the first measures in certain situations.

When executing police measures, the following are taken into account:

- the constitutional rights of individuals and the law;

- the principle of presumption of innocence;

- the principle of non-surprise;

- the principle of the effectiveness of the application of measures and of permanent collaboration with citizens;

- the principle of operativeness and non-discrimination;

- the legal justification of all actions;

- in the intervention of the principles of proportionality and gradualness;

- establishing the mode of action and assessing the need for forces before the intervention;

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<sup>6</sup>Sandu Florin, *Police theory and tactics*, Trei Publishing House, Bucharest, 2001

- the preparation and provision in time of the weapons and the other means of the endowment;
- early research of the surroundings of the place where the action is taken;
- assessment of the degree of dangerousness of the person against whom measures are to be taken;
- permanent surveillance of suspicious persons;
- presenting the service ID card;
- setting tasks when working in a team;
- drawing the attention of the person who manifests himself violently or shows nervousness to submit to the measures that will be taken and the presentation of the consequences;
- providing first aid and requesting the intervention of the specialized medical service on the person who suffered as a result of the intervention by force.

The verbal notice is a measure that precedes intervention.

### I.3. Establishing the identity of persons

The „ Stop and Search” of a person, represents the police measure, with a preventive nature, which consists in requesting and verifying the identity document or other documents, in order to establish his identity <sup>7</sup>.

The policeman takes the measure, identification when:

- a) persons violate the legal provisions;
- b) there are indications that the persons are preparing or have committed an illegal act; people are suspicious based on their behavior, luggage, clothing, where they are;
- c) the person requests entry, in a legally restricted perimeter;
- d) people can give clarifications in connection with facts or aspects that are of interest for the policemen to solve their duties.

#### HOW THE POLICE OFFICER PROCEEDS:

If the person presents the identity document <sup>8</sup>:

It is addressed to the respective person, using the formula: "GOOD DAY/EVENING! I AM THE POLICE AGENT... FROM THE POLICE..., PLEASE PRESENT ME YOUR IDENTITY DOCUMENT" <sup>9</sup>.

If the policeman does not find any irregularities, he will hand over the document, thank him and continue his service.

In the situation where the person does not present the identity document, the policeman performs the physical control of the person and, depending on the result, proceeds to:

- penalizing the person for contravention (if the policeman finds that the person refused to show identification, but had the document on him);
- driving to the police headquarters (in case the identity document is not found during the physical control) for checking in the database.

## **II. Means of equipment used while driving people on foot to police headquarters**

The means of equipment used during the driving of people on foot to the police headquarters are used in compliance with the following principles:

<sup>7</sup>Ion Sultănescu , *Police tactics*, All Neck Publishing House, Bucharest, 2002

<sup>8</sup> Anane Ivan , *Elements of computerized records of the person* , Pro Universitaria Publishing House, Bucharest, 2015

<sup>9</sup>Eugen Neata, Mihai Pruteanu , *Elements of Police Tactics and operational procedures regarding the intervention of public order and safety structures*, Hamangiu Publishing House, Bucharest, 2013

- benefit of the doubt;
- limitation and proportionality of the use of force;
- the impartiality of the police officer and equal protection for all persons;
- the gradualness of the use of methods and means of action;
- non-surprise;
- legality and legitimacy;
- the minimum risk principle;
- the principle of the defense of the human being <sup>10</sup>.

Regardless of the situation in which the means of the endowment are used, it is done gradually and must not exceed the real needs for preventing or neutralizing aggressive actions."

#### II.1. Baton

The baton can be used as a means of defense, as a means of attack or as a means of intimidation.

As a means of defense, it is used to defend the aggressor's blows by grabbing both ends with both hands (or by the handle) and holding it in the direction from which the blows come. By applying the first blows to the more violent individuals, followed by determining the cessation of action and discouraging the other aggressive elements, their withdrawal and scattering is used as a means of intimidating the turbulent and angry elements <sup>11</sup>.

The cane is used as a means of attack, by applying blows to the aggressor in order to force him to release the victim, to leave the object used in the attack or to stop the action. In the case of several aggressors, the first blows will be applied to the most dangerous one.

Tactical rules to be followed when using the baton:

- the person is verbally noticed to stop the violent action and submit to the ordered measures, using the formula *Stop, we will use force!*, the blows being applied only if the person did not comply and continues the violent action;
- the blows must be quick, followed by the immediate retreat, and will be applied over the shoulder blades, forearms, seat (if the person is on their back), lower or upper limbs, to defend the blows or to make the person let go of objects used for attack;
- to have the desired effect, the blows must be applied by surprise;
- the force of the blows applied must be consistent with the degree of resistance of the person;
- the rubber baton is used as much as necessary, the application of blows ceasing as soon as the aggressor has given up the violent action and complied with the policeman's orders;
- during the application of blows with the cane, it is recommended that, as far as possible, not to make large movements or to raise it above the head, as this movement gives the person against whom it is used the opportunity to notice the intervention and defend himself by parrying the blows;
- avoid hitting the head, ears, neck, eyes with the rubber baton on other vital or sensitive parts of the body, as it could cause bodily harm or even death to the person;
- it is forbidden to use the baton in the police headquarters, except when violent or group actions take place, which endanger the lives of policemen or other people or there is a danger of destroying goods belonging to this institution;

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<sup>10</sup>The Romanian Constitution

<sup>11</sup>Manual of police tactics, Publishing House of the Royal Foundation for Literature and Art, Bucharest, 2011

- in the situation where, as a result of the blows applied with the rubber baton, the person is physically injured, the policeman is obliged to give first aid, possibly to transport the person to a medical institution, for the provision of care and to report the event hierarchically, urgently.

## II.2. handcuffs

Handcuffing is a police, precautionary and safety measure that consists in applying handcuffs to a person's wrist, in order to limit their physical mobility <sup>12</sup>.

There are several categories of people for whom handcuffing is required, these being:

- deserters, escapees, recidivists;
- prosecuted, detained, convicted, remanded in custody;
- perpetrators of crimes against the person's life or other serious crimes;
- people who are aggressive, violent or oppose police measures, and their resistance could not be defeated in any other way;
- persons who, due to their mental state, pose a danger;
- who are to be taken to the police headquarters and are aggressive;
- persons who, following a body and baggage or vehicle check, were found to be in possession of property that did not meet the legal conditions or that resulted from the committing of a crime.

Holding people in unnatural positions after immobilization or exposing them with handcuffs on in public places is strictly prohibited <sup>13</sup>.

Tactical rules regarding handcuffing people while leading them on foot to police headquarters:

- it is executed quickly and energetically;
- the handcuffs are applied to the hands positioned behind the back;
- handcuffing is usually done from a standing position, the person being seated in such a way that they cannot attack the police. If several people have to be immobilized, or when they behave violently, they will be placed on their knees or lying on their stomachs, with their hands on the back of their head;
- if the person resists, he will be forcibly handcuffed;
- after handcuffing, the persons will be checked mandatorily;
- if the handcuffed person continues to show violence, his legs can also be immobilized;
- the application of handcuffs must be carried out in such a way that it does not lead to injury or damage to the bodily integrity of the immobilized person;
- the handcuffs can only be removed if the person is seriously ill, so that he can go to the toilet, while the meal is being served, as well as when he is deposited in the places of detention, without neglecting careful supervision during this time;
- it is forbidden to keep people handcuffed in unnatural positions (kneeling, lying down, etc.) after immobilization;
- it is forbidden to expose people wearing handcuffs in public places or in police headquarters for photography (filming) by media representatives <sup>14</sup>.

## II.3. The sprayer with irritant-lacrimogenic substances

The hand sprayer with irritant-tear-forming substances, is made in the form of a cylindrical container, made of aluminum, equipped with an actuation-spraying button, and with

<sup>12</sup> Buzescu Gheorghe, *The place and role of the civil servant in the state apparatus*, Sitech Publishing House, Craiova, 2017

<sup>13</sup> Manual of good intervention practices for public order police, Annex I to IGPR Provision No. 643 of 5.12.2005

<sup>14</sup> Law no. 218/2002 on the organization and operation of the Romanian Police

a protective cover. It contains an alcoholic solution and a freon-type propellant. This substance has irritating effects on the eyes and olfactory organs (produces the feeling of a foreign body in the eye, stinging, difficulty breathing, sneezing, etc.). The effect persists for 15-30 minutes, after leaving the contaminated area (this is the disappearance of the effects on the human body against which the sprayer was used) <sup>15</sup>.

It is intended to immobilize recalcitrant persons, to disperse groups of aggressors or to evacuate them from rooms and hiding places, without causing bodily harm.

Tactical rules to be followed when using the sprayer:

- the use of this means of immobilization will be done after the verbal notices *Stop, we will use tear gas!* And it will stop once the aggressor abandons his action. A verbal notice is not required if there is no material time required;

- the sprayer with irritant-tear-forming substances is used from a maximum distance of 3 (three) meters, in the same direction as the wind. It is forbidden to use the sprayer in the direction of flames or incandescent objects;

- when it is used in closed spaces, the policemen participating in the action will obligatorily wear the anti-gas mask, to ensure their protection.

#### II.4. Firearms

Firearm - the weapon whose principle of operation is based on the directed expansion force of gases originating from the detonation of a staple or by burning a charge; are assimilated to firearms and assemblies, sub-assemblies and devices that can constitute and function as firearms <sup>16</sup>.

Firearms from a constructive point of view are classified as follows:

- short firearms - firearms whose barrel does not exceed 30 cm or whose total length does not exceed 60 cm;

- long firearms - firearms whose barrel length or total length exceeds the dimensions of short firearms;

- automatic firearms-firearms that, after each cartridge fired, automatically reload and fire a series of several cartridges by continuously pressing the trigger;

- semi-automatic firearms - firearms that, after each fired cartridge, reload automatically, but cannot fire a series of several cartridges by continuously pressing the trigger;

- repeating firearms - firearms that, after each shot, are reloaded manually, by inserting a cartridge taken from the loader through a mechanism into the barrel;

- single-shot firearms - the firearm without a magazine, which is loaded after each shot by manually inserting the cartridge into the loading chamber or in a special place provided at the entrance to the barrel.

In the use of firearms it is necessary to take into account the existence of the right to life of every human being.

When the use of other means of immobilization or coercion have not yielded results, the local policeman may use a weapon in the performance of his duties.

The use of a weapon is the firing of a lethal weapon in defense and guarding of persons, animals or property.

The use of the weapons is done only after the execution of the legal notices in compliance with the following rules:

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<sup>15</sup>Eugen Neață, Mihai Pruteanu, *Elements of Police Tactics and operational procedures regarding the intervention of public order and safety structures*, Hamangiu Publishing House, Bucharest, 2013

<sup>16</sup>Criminal Procedure Code

- the verbal notice is executed loudly, with short words pronounced energetically, in an authoritative tone, from an appropriate distance from the person verbally noticed to guarantee the security of the policeman;

- the two phases of the verbal notice will be respected:

The first phase: - has a preventive nature and the person is requested to perform a certain action presenting the authority on whose behalf the summons is made, *FREEZE, POLICE*, followed by indications regarding the action to be followed;

Second phase: - if the person did not obey in the first phase, the request to perform a certain action will be repeated, also presenting the action of the policeman in case of disobedience, *FREEZE, I'M SHOOTING!*

- a short period of time will be left between the phases of the summons, in order to observe the reaction of the person legal notice and to allow him the time necessary to execute the policeman's instructions, move to the next phase and use the weapon itself, only in case of disobedience;

- the noticed person will be permanently supervised and observed in order to be able to anticipate his movements and if intervention is needed;

- if it is assumed that the noticed person has weapons, the notice is executed as far as possible from a place that ensures the protection of the policeman;

- if the person has stopped the action, the policeman asks him in the same tone with which he executed the verbal notice to throw the objects from his hand, to move away from them, to raise his hands in sight, then he will approach him with caution and move on to immobilization or carrying out other police measures;

- if two or more policemen participate in the action, they will act in different directions. The one in charge of the protection will ensure, as far as possible, lighting from a covered place, and the other will intervene to immobilize the person;

- if after making the notices, by voice, the person in question does not obey this time either, the firearm is fired vertically upwards;

- if, after the execution of all legal notices, the person does not obey, a weapon can be used against the person, shooting at the feet as much as possible.

#### II.5. Other equipment

Service dogs (accompaniment) are given to the policemen, after they follow a course, for initiation in the breeding and training of dogs.

At any outing in the field, it is equipped with a muzzle and put on a leash, being used by the policeman who has it.

Can be used:

- with a muzzle and without a leash: when guarding the crime scene and suspicious persons or during the investigation and search of covered areas or hard-to-reach places;

- muzzled and on a leash: when a group must be dispersed, violent opposition to legal measures must be removed, it is necessary to ensure the protection of the person during forced driving or to restore order in parks or other open places;

- without a muzzle and without a leash: for signaling and discovering hidden people, removing attacks that endanger life or bodily integrity or preventing possible attacks, catching suspicious people who do not obey the notices or catching escapees, deserters or people who evade prosecution or execution of sentences.

The protective shield is made from a lightweight polycarbonate plate that is impact resistant.

It is equipped with a steel handle covered in rubber that ensures a perfect hand fixation, and for the attachment on the forearm it is provided with an elastic fixation strap that allows a flexible handling of the shield and a quick extraction of the forearm.

This shield is usually and mostly used by the Rapid Intervention Police Service, which is a flexible, complex police structure that acts as a complementary force in support of other sub-units.

Devices with irritant-lacrimogenic substances

The gas is used either as an aerosol (for self-defense) or in grenades (usually by the police, for crowd dispersal).

The effects of the gas are accentuated in conditions of heat and high humidity. Subjects under the influence of alcohol or drugs are less sensitive due to increased resistance to pain.

Effects include:

- irritation of the tear ducts and eyes;
- irritation of the respiratory tract;
- respiratory problems;
- nausea, vomiting;
- spasms;
- chest pains;
- dermatitis, allergies.

The effects of large doses of gas are:

- pulmonary edema;
- internal bleeding;
- necrosis of respiratory tract tissues;

### **III. Immobilizing people while driving them on foot to police headquarters**

#### **III.1. Unarmed domination of the opponent**

The role of physical education and self-defense in personal activity:

- Fundamental characteristics: physiological, pedagogical, biological, social;
- Objectives: maintaining an optimal state of health, favoring growth and development processes, developing basic motor qualities (speed, strength, resistance, skill), developing some intellectual, moral volitional aesthetic, civil and technical-professional traits and qualities;
- Functions: improving physical development, improving general motor skills, hygienic, recreational, emulation, educational <sup>17</sup>.

The principles underlying the unarmed dominance of the opponent are:

- The principle of necessity;
- The principle of gradualness – gradual intervention (coercive actions without the use of physical force, actions with the use of physical force, actions with the use of the means provided);
- The principle of proportionality.

Safety rules for the preparation of coercive measures and their selection according to the degree of threat and danger:

- Immobilization;
- Use of physical force (call *STOP, POLICE!* );
- Using the pepper spray;
- Using the baton;
- Use of handcuffs.

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<sup>17</sup>Handbook of good intervention practices for public order police, Annex I to IGPR Provision no. 643 of 5.12.2005

The adaptation of the equipment and means of the endowment according to the degree of opposition and dangerousness is done so that the specific weaponry does not cause death, to create physical incapacitation and to allow the gradual use of force, and the means of self-defense to protect the policeman (shield, helmet, vest) <sup>18</sup>.

### III.2. Dominating the opponent with the weapon

In order to dominate the opponent with a weapon, a preparation consisting of the following aspects is necessary:

- any weapon must be considered and handled as if it were loaded;
- do not point the weapon at anyone, only if it presents a degree of danger for the police officer or other persons;
- the weapon is aimed at the opponent only after he has been correctly identified and well isolated from innocent third parties;
- the index finger is kept along the trigger guard until the decision to fire is made;
- any manipulation of the armament will be carried out in a non-dangerous direction.

#### CODE YELLOW:

- the position and condition of the weapon: in the holster, the weapon is fed, secured;
- the threat: does not exist;
- stress: does not exist;
- mental state: conscious alert.

#### CODE ORANGE:

- the position and condition of the weapon: the weapon secured, slightly removed from the holster or placed behind the calf of the leg;
- the threat: it exists, but it is unidentified;
- stress: easily perceptible;
- mental state: conscious tense.

#### CODE RED:

- position and condition of the weapon: contact position, weapon below horizontal;
- the threat: is identified;
- stress: it is installed;
- mental state: focused on the threat.

#### CODE RED FIRE:

- the position and condition of the weapon: it is in contact position at eye level and the finger on the trigger;
- the threat: turns into aggression (attack);
- stress: at maximum;
- mental state: focused on aggression (attack).

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<sup>18</sup> Buzescu Gheorghe, *Police Law - university course*, Sitech Publishing House, Craiova, 2019

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