

# The use of means of direct coercion in the light of complaint procedures, investigative actions and disciplinary proceedings conducted by the Municipal Police Headquarters in Kielce in 2018-2022

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## Abstract

*While carrying out statutory tasks in the form of patrol and intervention activities, convoying or investigation and operational activities, police officers encounter various types of crimes and manifestations of aggression. They are often subjected to pressure of various intensity, which in some cases contributes to improper performance of their duties and breaking the law.*

*The scale of this problem was decided to be analysed on the basis of the number of complaint proceedings, explanatory actions and disciplinary proceedings conducted in the Kielce Municipal Police Headquarters. Attention was paid to the manner in which they were concluded, the type of coercive measures used and the dynamics of violations of the law. An attempt was made to clarify the factors influencing non-compliance with the use of such measures and an area for further research was identified.*

*The basis for the analysis was statistical data from 2018 to 2022, obtained on the basis of the provisions on access to public information. The information was subjected to interpretation and conclusions were developed, indicating emerging trends. The results were supplemented with data from laws and source literature.*

## Introduction

The Polish Police is one of the services which, due to the nature of its operations, has been equipped with the power to use means of direct coercion. The use of such means of restraint involves interference with civil rights and liberties. While carrying out statutory tasks in the form of patrol and intervention activities, convoying or investigation and operational activities, police officers encounter various types of crimes and manifestations of aggression. They are often subjected to pressure of various intensity, which in some cases contributes to improper performance of their duties and breaking the law.

The scale of this problem was decided to be analysed on the basis of the number of complaint proceedings, explanatory actions and disciplinary proceedings conducted in the Kielce Municipal Police Headquarters. Attention was paid to the manner in which they were concluded, the type of coercive measures used and the dynamics of violations of the law. An attempt was made to clarify the factors influencing non-compliance with the use of such measures and an area for further research was identified.

The basis for the analysis was statistical data from 2018 to 2022, obtained on the basis of the provisions on access to public information. In order to achieve the intended purpose, tables were drawn up to organise them. The information was subjected to interpretation and conclusions were developed, indicating emerging trends. The results were supplemented with data from laws and source literature.

As a point of clarification, it should be added that, for the purposes of this study, 5 years of statistical information were analysed. It seems that, for the purposes of this study, this period sufficiently presents the scale of the problem studied

and the trends occurring. The criterion adopted in the preparation of the tables was the number of undertaken official activities during which measures of direct coercion were used.

## Characteristics of direct coercive measures

Performing their duties, police officers cannot afford to be lenient towards offenders or criminals, as Paweł Łabuz and Mariusz Michalski rightly point out. They should carry out their actions in a firm and cultured manner and make competent decisions based on sound knowledge [Łabuz, Michalski, 2011, p. 87]. Sometimes, however, they enter too much into the sphere of civil rights, liberties and duties, violating human dignity, freedom or intimacy. According to the authors of some studies, such situations occur especially during the incompetent use of direct coercive measures [Dzimińska-Mosio, 2012, p. 39; Dybla, et al., 2007, p. 11].

This chapter highlights those coercive measures, the incompetent use of which was the subject of cases conducted in the Municipal Police Headquarters in Kielce. The lack of detailed data on the actual charges verified in complaint proceedings, explanatory actions and disciplinary proceedings was supplemented by information on generally accepted principles of the use of coercive measures.

In the statistics received, physical strength comes to the fore. Doubts about the question of the use of this coercive measure were verified 43 times. They were the subject matter of cases 16 times in 2020, 8 times in 2018, 10 times in 2019, 5 times in 2021 and 4 times in 2022.

It is the primary means of direct coercion, which involves acting on a person's muscles. The Act distinguishes several techniques for the use [Journal of Laws of 2013, item 628, Article 4, point 6] of physical strength: transport, defence, attack and incapacitation. It also lists a number of cases in

which a police officer may use or make use of it [Journal of Laws of 2013, item 628, Article 4, point 9]. This coercive measure should generally be used in such a way as not to inflict blows, unless the authorised person is acting to repel an attack on his or her own life or health or on other people's life or health or on property, or when preventing escape [Journal of Laws of 2013, item 628, Article 12, 13 and 14; Pawlak, 2020, p. 111].

The circumstances of the use of handcuffs were dealt with at the Kielce Municipal Police Station 23 times in the 5 years analysed. They were investigated 5 times in 2018, 2019 and 2020 and 4 times in 2021 and 2022.

The possibilities for violations of the rules on the use of handcuffs derive from the *Law on Direct Coercive Measures and Firearms*. They may be used in certain cases and upon the order of the public prosecutor or court, against aggressive persons, persons detained in connection with the commission of an offence with firearms, explosives or another dangerous instrument or offence and persons deprived of liberty. Provision is also made for the preventive use of handcuffs or when, in the opinion of the authorised person, the likelihood of attempted escape, active resistance or behaviour likely to endanger life, health or property is negligible [Journal of Laws of 2013, item 628, Article 15; Dyduch, 2016, pp. 78-81].

The coercive measure in the form of a hand-held incapacitating substance thrower ranks next in terms of the number of cases conducted. In the case of the Kielce Municipal Police Station, this issue is as follows in particular years: 5 times in 2020, 3 times in 2019 and also once in 2018 and 2021, making a total of 10 cases.

Violation of the rules for the use of chemical incapacitating agents may occur in the case of the following actions: enforcing a legally required behaviour in accordance with an order issued by an entitled person, repelling a direct, unlawful attack on the life, health or freedom of an entitled person or another person, counteracting activities aimed directly at an attack on the life, health or freedom of an entitled person or another person, counteracting a breach of public order or security, counteracting a direct attack on areas protected by an entitled person, facilities or equipment, to protect order or security in the areas or facilities protected by the authorised person, to prevent an attack on the inviolability of a state border, to prevent the destruction of property, to ensure the security of an escort or lead, to apprehend a person, to prevent his/her escape or pursuit, to detain a person, to prevent his/her escape or pursuit, and to overcome passive and active resistance [Journal of Laws of 2013, item 628, Article 11, point 1-13; Kobus, 2021, p. 65; Przybytniowski, 2013, pp. 170-186].

The use of an object designed to incapacitate persons by means of electrical energy, also known as a taser, should be discussed further. The circumstances of the use of the said coercive measure were examined twice in 2020 and once in 2021. According to the Act, this type of measure may be used or made use of in the event of the need to repel a direct,

unlawful attack on the life, health or freedom of an authorised person or another person and to counteract such actions, to counteract a direct attack on protected areas, facilities or equipment, to counteract an attack on the inviolability of a state border, to detain a person, to thwart his or her escape or pursuit of that person and to overcome active resistance [Journal of Laws of 2013, item 628, Article 11, point 2,3,5,7-11 and 13].

Another problem relates to investigations that looked into the use and application of a safety helmet. There were 3 cases between 2018 and 2020. It can be assumed that there was a violation of one of the rules for the use mentioned in the law, i.e. the helmet can be used or made use of when it is necessary to counteract actions aiming at self-aggression that a person undertakes. In addition to this, it is used to prevent self-injury to the head, having first put on a one-piece incapacitating belt or a straitjacket or handcuffs on the hands held behind [Journal of Laws of 2013, item 628, Article 11, point 14 and Article 17].

The straitjacket is another means of direct coercion that was investigated. A total of 2 cases have been reported. One took place in 2018 and the other one in 2019. The potential breaches in this matter arise from Articles 11 and 16 of the *Direct Coercive Measures and Firearms Act*. The legislator indicates that a straitjacket shall be used if the use of other means of restraint is either impossible or likely to be ineffective. The ineffectiveness of other means of restraint concerns the following cases:

- counteracting actions aiming directly at an attack on life, health or freedom of the entitled person or another person,
- counteracting the violation of public order or security,
- protecting order or security in the areas or facilities protected by the entitled person,
- apprehending a person, thwarting his/her escape or pursuit of such a person,
- detaining a person, thwarting his/her escape or pursuit of such a person,
- overcoming active resistance,
- counteracting actions aiming at self-aggression.

In addition, a straitjacket is used to immobilise the hands in such a way that breathing is not impeded and blood circulation is not obstructed [Journal of Laws of 2013, item 628, Article 11, point 3,4,6,10,11,13 and 14 and Article 16; Jurgilewicz, 2015, pp. 25-26].

The final issue is the make use of firearms [see: Journal of Laws of 2013, item 628, Article 4, point 7 and 10]<sup>1</sup> by police officers. The issue of the use of firearms was omitted because it did not occur among the officers of the Municipal Police Station. The law allows its make use only when the use of direct coercive measures has proven insufficient to achieve the objectives or is not possible due to the circumstances of the incident. Besides, the weapon is make used in such a way as to cause as little harm as possible. It must be remembered that it is a measure of last resort. In order to

<sup>1</sup> Make use of firearms - firing a shot using penetrating ammunition towards an animal, object or in another direction that does not pose a threat

to a person, use of a firearm - firing a shot towards a person using penetrating ammunition.

make use a firearm, at least one of the following activities must occur:

- stopping a vehicle if its operation endangers the life or health of an entitled person or another person or poses a threat to important objects, equipment or areas;
- overcoming an obstacle;
- preventing or hindering the apprehension of a person or saving the life or health of an entitled person, another person or saving property,
- in the event of a violation of public order or security by a person deprived of liberty, detained or placed in a guarded centre or detention centre for the purpose of expulsion,
- alerting or summoning help;
- neutralisation of objects or devices which may pose a danger of explosion, causing at the same time a direct threat to the life or health of an authorised person or another person;
- neutralisation of an animal whose behaviour poses a direct threat to the life or health of an authorised person or another person;
- firing a warning shot;
- destruction or immobilisation of an unmanned aerial craft [Journal of Laws of 2013, item 628, Article 45].

A brief description of the rules for the application of certain means of direct coercion shows the area in which possible violations of the regulations by officers of the Kielce Municipal Police Headquarters may have occurred. It also gives an idea of the extent of theoretical knowledge and practical skills that police officers must have. The lack of these can ultimately lead to violations of the law and cause consequences in the official relationship. This problem directs us to another issue related to complaint and disciplinary proceedings.

### **Complaint proceedings, investigations, disciplinary proceedings**

Before proceeding with the presentation of the research, it is necessary to give an overview of selected issues related to the complaint procedure, investigative actions and disciplinary proceedings. They are intended to organise a certain body of knowledge and provide the background for further considerations.

One means of protecting persons at risk of abuse by police officers is the system of disciplinary penalties, which operates independently of criminal and civil liability. Remaining closely linked to the officers' service, its purpose is to prevent further abuse of powers. Circumstances in which abuses occur are verified on the basis of complaints against police officers that are received by units or during investigations. In both cases, the results of the findings may result in disciplinary proceedings being initiated and information or material being sent to the public prosecutor's office [Kubaneck, 2019, p. 119; Pożaroszczyk, 2017, <https://repozytorium.uwb.edu.pl> update: 25.05.2025].

There are several legal grounds for filing a complaint about a violation of the law by officers. The most important one is Article 63 of the *Constitution of the Republic of Poland*, giving the right to submit petitions, motions and complaints. Another basis is Article 231 § 1 of the *Criminal Code*, which concerns the abuse of powers by a public official. This

issue is also regulated by Article 134i, section 1, item 2 of the Act of 6th April 1990, *on the Police*, allowing the possibility to initiate disciplinary proceedings at the request of the wronged party. Article 221 of the *Code of Administrative Procedure* and the Ordinance of the Council of Ministers regulating matters related to the organisation and consideration of complaints and motions cannot be overlooked [Journal of Laws. 1997 No. 78 item 483; Journal of Laws. 1997 No. 88 item 553; Journal of Laws. 1990 No. 30 item 179; Journal of Laws 1960, No 5 item 46].

Having given an idea of the legal grounds for filing a complaint, it is necessary to look at the issue of investigative actions. Where there is a reasonable suspicion that a police officer has committed a disciplinary offence, the disciplinary superior may initiate disciplinary proceedings. He or she may do so, for example, on his or her own initiative, at the request of the police officer's immediate superior, at the request of the court or the public prosecutor or at the request of the victim. However, if there are doubts as to whether a disciplinary offence has been committed, its legal qualification or the identity of the perpetrator, the disciplinary superior orders explanatory activities to be carried out before initiating disciplinary proceedings [Journal of Laws of 2013, Article 134i, paragraph 1 and 2, item 2 and paragraph 4].

Investigations and complaint proceedings are designed to address concerns. The findings may result in a decision to declare the complaint unfounded or not to initiate disciplinary proceedings. However, if the police organisational unit finds the subject of the aggrieved party's complaint credible or it is established in the course of the investigation that there is a high probability that a disciplinary offence has been committed, disciplinary proceedings are initiated, which may result in the imposition of one of the following penalties [Kubaneck, 2019, p. 137; Przybytniowski, 2007, pp. 39-47]:

- warning;
- reprimand;
- warning of incomplete suitability for service in the position occupied;
- designation to a lower official position;
- reduction in rank;
- warning of incomplete fitness for service;
- expulsion from service.

Continuing the issue, it should be noted that the *Police Act* states that a police officer is liable to disciplinary action for committing a disciplinary offence which consists of a breach of official discipline or a failure to observe the rules of professional ethics. In turn, a breach of official discipline constitutes an act of a police officer consisting, among other things, in culpable exceeding of powers or failure to perform duties under the law. The Act also lists a number of behaviours that involve disciplinary liability, some of which clearly correspond to the problem of improper use of means of direct coercion. These are: performing an official action in an improper manner and exceeding the powers prescribed by law [Journal of Laws of 2013, Article 132 and 134].

### Kielce Municipal Police Station - means of direct coercion and firearms in the light of complaint proceedings, investigations and disciplinary proceedings

Before proceeding with the presentation of statistical data, a few details related to the structure of the Kielce Municipal Police Station and the demography of the Kielce district should be provided. This information is necessary in order to grasp the scale of the studied problem.

According to available data, about 771 police officers were deployed in the Kielce district and the city of Kielce. They were organised in 4 police stations located in the city and in 7 police stations located in the municipalities: Bodzentyn, Chęciny, Chmielnik, Daleszyce, Morawica, Raków and Strawczyn. It should be noted that the Kielce district comprises 19 municipalities: Bieliny, Bodzentyn, Chęciny, Chmielnik, Daleszyce, Górnio, Łagów, Łopuszno, Masłów, Miedziana Góra, Mniów, Morawica, Nowa Słupia, Nowiny, Piekoszów, Pierzchnica, Raków, Strawczyn and Zagnańsk.

Statistics show that the aforementioned few hundred of officers were watching over the safety of 395,779 people living in a district with an area of 2,246 square kilometres and the city of Kielce with an area of 110 square kilometres [<https://demografia.stat.gov.pl>, update: 25.05.2025; *Raport o stanie powiatu kieleckiego za rok 2021*, Kielce 2022 (Report on the State of the Kielce County for 2021, Kielce), pp. 3 and 59-60]. It is worth bearing these values in mind when looking at the figures showing the scale of potential breaches of regulations by police officers when using coercive measures.

In the period from 2018 to 2022, there was 1 disciplinary investigation, which concerned a violation of the rules on the use of firearms. More extensive material for analysis are the complaints received against officers regarding allegations in the use of direct coercive measures.

**Table 1. Number of complaint proceedings conducted at the Municipal Police Station in Kielce between 2018 and 2022**

Types of coercive measures (used in combination during official activities)	Year				
	2018	2019	2020	2021	2022
Physical strength	0	0	2	0	0
Physical strength and hand-held incapacitating substance thrower	0	2	1	0	0
Physical strength, hand-held incapacitating substance thrower and handcuffs	2	1	0	0	0
Physical strength and handcuffs	0	1	6	0	0
Summary	2	4	9	0	0

Number of all complaint proceedings conducted in particular years	120	150	151	167	165
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Source: own compilation based on statistical data.

In 2018, the Kielce Municipal Police Station received 120 complaints. Two of them, i.e. 1.6%, concerned the circumstances of the use of direct coercive measures. In one case, after verification of the information contained in the complaint, the case was forwarded for investigation. In the other case, in connection with a possibility of abusing power by a police officer [Journal of Laws 1997 No. 78 Article 231, paragraph 1]<sup>2</sup>, the case was sent to the public prosecutor's office and was resolved in court.

The year 2019 saw an increase in the number of complaints. In three cases, on the basis of Article 240 of the *Administrative Procedure Code* [Journal of Laws 1960 No. 5 Article 240]<sup>3</sup>, they were sent to the public prosecutor's office without examination. In one case, verification of the allegation proved impossible. The 4 complaint proceedings concerning the use of direct coercive measures accounted for 2.6% of the total number of cases.

In 2020, the Kielce Municipal Police Station received a total of 151 complaints. 9 of them, i.e. 5.9%, concerned complaints about the use of means of direct coercion. 8 complaints were sent without recognition to the Public Prosecutor's Office, while 1 was dealt with otherwise.

The statistics illustrate a systematic increase in the number of complaints related to the use of direct coercive measures between 2018 and 2020. In 2019, there was an increase by 100% compared to 2018, while 2020 shows a 125% increase in complaints compared to 2019. No complaints were received in the following years 2021 and 2022.

Table no. 2 shows that there were 15 complaint proceedings over a five-year period. In all of them, the use of the direct coercive measure of physical strength was examined. The use of handcuffs was examined in 10 cases and the use of an incapacitating substance thrower in 6.

**Table 2: Number of investigations carried out at the Kielce Municipal Police Station between 2018 and 2022**

Means of direct coercion (to be used jointly during official activities)	Year				
	2018	2019	2020	2021	2022
Physical strength	3	3	1	0	1
Handcuffs	1	0	0	0	1
Taser	0	0	1	0	0
Safety helmet	0	0	1	0	0
Physical strength and handcuffs	1	3	2	3	3
Physical strength and taser	0	0	0	1	0

<sup>2</sup>A public official who, exceeding his powers or failing to fulfil his duties, acts to the detriment of public or private interest, shall be subject to the penalty of imprisonment for up to 3 years.

<sup>3</sup> If the complaint concerns a case that is not subject to consideration under the provisions of the Code (Article 3, Sections 1 and 2) or does not fall

within the competence of public administration bodies, the provisions of Articles 233-239 shall apply accordingly, with the proviso that the provisions of the procedure appropriate to the given case shall apply instead of the remaining provisions of the Code.

<i>Physical strength and hand-held incapacitating substance thrower</i>	0	0	1	0	0
<i>Physical force, handcuffs and a hand-held incapacitating substance thrower</i>	1	0	2	1	0
<i>Physical force, handcuffs, taser and a hand-held incapacitating substance thrower</i>	0	0	1	0	0
<i>Physical strength, straitjacket and safety helmet</i>	1	0	0	0	0
<i>Safety harness and safety helmet</i>	0	1	0	0	0
Number of investigations	7	7	9	5	5
Number of persons affected	7	8	17	6	5
Total number of investigations carried out in particular years.	76	118	76	64	52

Source: own compilation based on statistical data.

As the 2018 statistics indicate, on seven occasions investigations were carried out in order to dispel doubts related to the legitimacy of the use of direct coercive measures by police officers. In two cases, the materials were sent to the prosecutor's office. One of these cases was resolved in the district court, which was indicated when discussing the complaint proceedings. It should be added that cases involving the use of coercive measures accounted for approximately 9% of all investigations conducted in 2018.

A similar number of investigations (7) was conducted in 2019. It represented 8.47% of the 118 cases. There is a difference in the number of victims. The data obtained shows that in one case in which physical force and handcuffs were used there were two victims. In all cases, the activities ended with sending the materials to the district prosecutors' offices.

The year 2020 saw an increase in the number of investigations into the use of coercive measures. There were 9 of them, which accounted for 11.8% of the total number of cases conducted. There was a significant increase in the number of victims. Compared to 2019, it increased from 8 to 17 i.e. by 112%. The source material shows that during one of the interventions, during which physical strength, handcuffs and a hand-held incapacitating substance thrower were used, as many as 5 persons felt injured. In 8 cases, the cases were sent to the prosecutors' offices for further investigation.

In 2021, there was a decrease both in the area of investigations carried out and possible victims. There were 5 cases, i.e. 4 fewer than in 2020. Against the total number of actions carried out, i.e. 64, this represented 7.8%. During one intervention with the use of physical strength and handcuffs, 2 persons were injured. All cases were sent to the district prosecutors' offices.

A similar number of investigations concerning violations of the rules on the use of means of direct coercion were carried out in 2022. The 5 cases in relation to the total of 52 conducted represented 9.6%. There was a 16.6% decrease in the area of affected persons compared to 2021. In connection with 4 cases, the materials were forwarded to the prosecutors' offices.

The statistics obtained can be put in a different way. Taking the criterion of the use of individual means of direct coercion, we note that in the period from 2018 to 2022, there were 28 cases in which the circumstances of the use of physical force were examined. In the second place - 19 investigative actions - was the use of handcuffs. In 6 cases, the investigative action was to check the circumstances of the use of a hand-held incapacitating substance thrower. The use of a safety helmet was investigated on three occasions and the use of a taser and a straitjacket on two occasions.

It should be noted that the values given in the next table 3 row 4 relating to firearms have been included in the total number of investigations for each year, which is presented in table number 2 row 15. The full number of investigations for the use of means of direct coercion and firearms is obtained by combining the data in table number 2 row 13 with the data in table number 3 row 4. In this situation, the number of investigations for each year is as follows: 2018 - 8, 2019 - 10, 2020 - 10, 2021 - 6, 2022 - 5.

**Table 3. Number of investigations and disciplinary proceedings conducted in the Kielce Municipal Police Station concerning the use of firearms between 2018 and 2022**

Direct coercive measure in the form of firearms	Year				
	2018	2019	2020	2021	2022
<i>Use of firearms</i>	1	2	1	1	0
<i>Violation of the rules on the use of firearms</i>	0	1	0	0	0
Number of investigations carried out	1	3	1	1	0
Number of disciplinary proceedings carried out	0	1	0	0	0

Source: own compilation based on statistical data.

A separate table presents data relating to infringements involving the use of firearms. For these cases, there is no information on the persons affected.

As far as firearms are concerned, investigations have been conducted six times over a period of 4 years. In one case (Table 3 row 3), as mentioned at the beginning of this chapter, i.e. in 2019, the findings of the investigations contributed to the initiation of 1 disciplinary action, which was terminated at this stage. It concerned a violation of the rules on the use of firearms and was related to the handling of weapons. In the course of the remaining investigative actions, the circumstances of the use of firearms were verified. The largest number of such actions was carried out in 2019. The remaining cases occurred individually in 2018, 2020 and 2021. All 5 cases involving the use of firearms were investigated by the district prosecutors' offices as they related to the circumstances of the incidents in a broader context, e.g. the arrest of a person.

### Summary

The example of the Kielce Municipal Police Station shows that the number of complaint proceedings concerning violations of the regulations on the use of means of direct coercion increased from 2018 to 2020, while in the following

two years there were no such proceedings. In the case of the number of investigations involving the use of coercive measures excluding firearms, the upward trend also continued until 2020. From 2021 onwards, there is a decrease in the number of cases. There was also a similar trend in the number of potential victims.

Among the reasons for this is undoubtedly the Covid-19 pandemic. The coronavirus, which reached Poland in March 2020, caused, among other things, forced confinement to the home. Long-term isolation involved the need to develop new habits and ways of life. Combined with the fear of losing their health and source of income, it also contributed to the deterioration of many people's mental state, which in turn gave rise to conflicts. The problem was recognised in 2020 by the Police Headquarters, the Ombudsman and psychologists [Kłosiński, 2020, <https://miralo.pl>; update: 25.05.2025; Derda, <https://bip.brpo.gov.pl>; update: 25.05.2025; Pajdała, 1997, <https://gazeta.policja.pl>; update: 25.05.2025; Dragan, Gajewski, Lotzin, 2022, pp. 75-78, <https://liberilibri.pl>; update: 25.05.2025<sup>1</sup>].

Both the number of complaint proceedings and explanatory actions in which violations of the provisions on the use of means of direct coercion by police officers were dealt with were at a low level in comparison with the number of cases conducted in a given year. This is illustrated by the percentage calculations, according to which complaint proceedings ranged from 1.6% to 5.9%, while explanatory actions closed between 8.4% and 13% of all cases.

The statistics presented can be interpreted in various ways. First and foremost, it is important to be aware that reports made by people on police officers may be due to looking out for their interests, out of malice or lack of knowledge of the rules on the use of coercive measures. The number of cases sent to prosecutors' offices by the police organisational unit may also indicate a lack of knowledge on the part of the aggrieved persons that the allegations cannot be dealt with under the provisions of the Code of Administrative Procedure but under the criminal procedure, as pointed out by some researchers [Dybka, et al, 2007, pp. 22-23 nd 63].

The statistically small number of complaints and investigations related to the use of means of direct coercion is certainly due to the policy of the Police Headquarters to systematically improve the professional skills of police officers, both intellectually and physically. On the other hand,

however, it can be said that there is still something to be improved in the training system. This was pointed out in one of its reports by the Supreme Chamber of Control when examining this issue on a national scale. In its assessment, the inappropriate results of police interventions were due, among other things, to the failure of officers to comply with the rules on the use of such measures [Wiewiór, 2015, p. 88, <https://isp.policja.pl>; <https://www.pap.pl>; Dybka, et al, 2007, p. 62<sup>1</sup>].

In the period from 2018 to 2021, the circumstances of firearms violations were investigated only 5 times and all of them were eventually investigated in the district prosecutors' offices. In this case, it should be emphasised that the officers of the Kielce Municipal Police Station used the ultimate means of direct coercion with particular caution and prudence. Another positive aspect is that these incidents did not involve the use of firearms but rather making use of them.

With regard to investigations involving the use of coercive measures, investigations were conducted 33 times between 2018 and 2022. 27 of these were sent to prosecutors' offices with findings indicating the possibility of an offence under Art. 231 par. 1 of the Criminal Code, of which one was resolved in court. In connection with 6 cases, the police officers were not found to have exceeded their powers.

Of the 15 complaint proceedings conducted between 2018 and 2020, 13 were sent to district prosecutors' offices based on Article 240 of the *Code of Administrative Procedure*, of which 1 case was resolved in court. In 2 cases, the police organisational unit determined that the subject matter of the complaint was impossible to resolve and that resolution was achieved by other means.

The conclusions which have been formulated on the basis of the analysis may, of course, be subject to verification. This is because information obtained from the Kielce Municipal Police Headquarters indicates that 5 cases referred to prosecutors' offices ended with refusal to initiate proceedings and another 5 cases ended with discontinuance of criminal proceedings. However, this data is incomplete and requires verification by obtaining information from prosecutors' offices and courts. These findings point to another area for research. Analysis of individual complaint proceedings and investigations may also yield interesting results<sup>4</sup>.

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<sup>4</sup> The statistical data used in this study have not been published before and may be of interest to those dealing with this issue.

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