

THE LOCAL POLICE

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ABSTRACT

The Local Police is an "organ" in the "service" of society and not a "force" used in society. Its actions and approaches are carried out under the strict monitoring of the community. By what it does, it must be very transparent and predictable. The defining constant of the qualitative evolution of work is the training in progress. The basic quality of a local police officer is communication.

KEYWORDS: *Local, Police, service, society.*

INTRODUCTION

The consequences of European integration on the Romanian legal system are as strong as in other areas and in what the Local Police means, seen through organization, legal basis, action, personal recruitment, personal training, transparency and predictability in terms of what executes and undertakes, internal cooperation.

Starting from the idea that the aim of the Council of Europe is to achieve a closer union between its members and aware that one of the objectives of the Council of Europe is both to promote the rule of law, which is the basis of a true democracy, considers that the justice system plays a decisive role in protecting the rule of law and that the Local Police has an essential role in this system, we can show, without fear of error, that an important pillar that made possible access to and maintenance in the European Union is also defined by rethinking and functioning of the Local Public Administration and within it the Local Police service versus what it means to increase local autonomy.

The trust of the population (community) in the Local Police is rigorously linked to the attitude and behavior of the police towards the community and in particular to the rule of law, respect for human dignity, freedoms and fundamental rights of the person, which are enshrined in the Convention. European Convention on Human Rights.¹

1. DEFINING KEY TERMS

SERVICE, services, s. N. 1. The action, the act of serving; form of work performed for the benefit or interest of someone. Expr. To be (or put oneself) in the service of someone. (or something) = to serve a person or a purpose, an idea, etc. (In construction with the verbs "to do", "to bring") Deed, action that serves, benefits someone, duty, obligation.²

ORGAN, organ, s.n. 1. Group of people who perform a political, social, administrative, etc. function; political, social, administrative institution, etc. represented by these persons.³

FORCE s. F. 1. Power, strength, vigor⁴

SOCIETY, societies, s. F. 1. The totality of people who live together, being connected to each other by certain economic relations. Unitary ensemble, organized system of historically determined relations between people, based on economic and exchange relations⁵

¹ Comitetul Miniștrilor Consiliului European, Codul european de etică al poliției, Recomandarea (2001) 10, p. 3

² Dicționar explicativ online, <https://dexonline.ro/>

³ *Ibidem.*

⁴ *Ibidem.*

2. THE LOCAL POLICE AN "ORGAN" IN THE "SERVICE" OF SOCIETY

"The police in the service of community" is an idea that originated in the United Kingdom, where it was about involving the whole community, in particular, to prevent crime, but also to detect it. This model has been adopted by many European countries and has gained the widest possible values and benefits for citizens.⁵

The "assistance" (support) of the population (community) is the main mission of the Local Police. The inclusion of the function of "service" among the objectives of the local police is slightly different from what we knew until now, in the sense that it changes the role of the police, which, ceasing to be a "force" used in society, then becomes a "body" in the service. the latter.⁶

In recent years, there has been a clear trend in Europe to integrate the police into civil society and bring it closer to the population.

This goal is achieved through the development of the Local Police in several Member States. One of the main means used is to confer the status of a "body" of "public service" and not a mere "body" in charge of law enforcement. If this transformation is not to be purely linguistic, it is necessary to introduce categories of "services" into the actions of the local police, among the objectives of a moderate democratic police. The assistance provided by the local police generally concerns concrete situations in which they intervene.⁷

To help people who are in danger, through direct action or combined with other structures with responsibilities in the field.

We list below some of the concrete situations in which the citizen can directly request the support of the Local Police personnel, as follows:

- Detection of discovered canal mouths and covering them with the help of those from Regie Apa, Canal;
- Elimination of outbreaks of infections, epidemics, episodes, zoonoses, etc. ;
- Ensuring disinsectization and rodent control of buildings with the support of institutions authorized to carry out these operations.
- Lifting community dogs from the public domain, so as not to be bitten or attacked by citizens, or forcing dog owners to walk them with a leash or muzzle;
- Field inspection, inventory and isolation of the area where there are walls, roofs and disused buildings that can collapse over passers-by;
- Checking the sanitation of watercourses and preventing their pollution.
- Proper disposal of cigarette butts;
- Following the way in which the grooming and cutting of trees is performed on the public domain;
- Ensuring the sanitation of streets, access roads, green areas, gutters, snow and ice removal from access roads;
- Participation together with the road administrator to remove the effects of natural phenomena, such as: heavy snow, blizzard, strong wind, torrential rain, hail, ice and other such phenomena, on public roads.
- Providing assistance in case of massive water leaks, floods or fires in homes, inhabited areas, etc. until the arrival of special intervention crews;
- Isolation of the area where high voltage wires dropped on the ground are detected and call on the spot of a qualified personnel to remedy the problem;
- Tracking the repair of potholes in the roadway
- Evacuation of people in case of natural disasters
- Prohibition of walking dogs in parks and playgrounds specially designed for children;

⁵ Comitetul Miniștrilor Consiliului European, *Op. cit.*, p. 31

⁶ Comitetul Miniștrilor Consiliului European, *Op. cit.*, p. 24.

⁷ *Ibidem.*

– Checking the means of road signs and correcting irregularities regarding the operation of traffic lights, the status of signs and road markings.

Basically, the Local Police solves the daily problems of the citizens, the daily ones, which affect them directly or indirectly.

Relationship of persons with other authorities, institutions, through:

- Guiding people and providing assistance
- Leading the persons to the component institutions in solving the claimed problems;
- Informing citizens
- Relationship through the Local Police with other structures (Technical Directorate within the mayor's office, Institution of the Chief Architect, etc.)
- Relationship with the authorized provider from the Local Public Administration, for street and household sanitation.
- Information on legislative developments, using several levers (notifications, press releases, interviews, leaflets, etc.)
- Arbitration service
- Providing a close link with educational institutions
- Collaboration with market administrators in order to ensure public order and safety in their premises and perimeter;
- Removal of persons who resort to public mercy and their management to the areas where they have their domicile together with ASCO;
- Lifting homeless people from the public domain and accompanying them to the night shelter;
- Guarding the accident sites until the arrival of the intervention teams (Traffic Police, Firefighters, etc.);
- Maintaining the emergency environment, land and green spaces;

The Local Police is constituted in a lever to extend the “eye” of the mayor's office in the field and through a lever through which the citizen can relate directly to the mayor.

3. LEGAL BASES OF THE LOCAL POLICE

The Local Police is a public body. Local Police operations must always be carried out in accordance with domestic law and international norms accepted by countries.

The legislation for organizing the Local Police must be accessible to citizens and sufficiently clear and precise; in the case of a contract, it must be supplemented by regulations also accessible to citizens.

The staff of the Local Police is subject to the same legislation as ordinary citizens, the only exceptions to this principle can only be justified, in order to ensure the proper conduct of police duties in a democratic society.⁸

4. Organization chart of the Local Police

The organization of the Local Police is made in such a way as to respond to its mission: defending the fundamental rights and freedoms of the person, private and public property, prevention and detection of contraventions in the following areas: public order and peace, and security of goods, traffic on public roads, discipline in constructions and street display, environmental protection, commercial activity, personal records, other areas established by law.⁹

⁸ Comitetul Miniștrilor Consiliului European, *Op. cit.*, p. 5.

⁹ Extras din Legea Poliției Locale 155/2010, art. 1, 2.
<http://legislatie.just.ro/Public/DetaliiDocument/120615>

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The Local Police operates on the principles of legality, trust, predictability, proximity and proportionality, openness and transparency, efficiency and effectiveness, accountability and responsibility, impartiality and non-discrimination.¹⁰

The number of local police officers in a structure takes into account the European Standard which provides for one police officer per 1000 inhabitants.

The lucrative entities are constituted according to the priorities of the city, which they serve and to its particular and specific elements.

The organization chart is not immutable, it can be reconfigured whenever needed according to the requirements of the operational situation in the field.

The following will be taken into account in the organization of the Local Police structures:

- Its members enjoy the respect of the population, both as law enforcement professionals and as service providers;¹¹
- To have a comprehensive mutual understanding between the population and the police;
- Success is validated by the population;
- Community police services must be adapted to the requirements of the community;
- To provide citizens with objective information about their activity;
- Transparency in what it undertakes.

5. STAFF RECRUITMENT

Staff recruitment should be based on personal competence and experience, mainly from young people who have graduated from a higher education university, who refer to communication, sociological, linguistic, psychological and relationship knowledge. outside the character, medical, legal aspects and the family and professional background.

6. STAFF TRAINING

The general training of local police personnel should be as open as possible to society. This must be done according to the objectives of the police and as much as possible based on the concrete reality or who will act. It must fully integrate the need to combat racism and xenophobia.¹²

Continuous active and practically applied training, at regular intervals, is another urgent need for the staff of the Local Police structures.¹³

7. LOCAL POLICE ACTION

The Local Police in all its actions must respect the right to life of any person.

It must not apply inhuman or degrading treatment.

It can only use force if absolutely necessary.

It must systematically verify the legality of the operations it undertakes and must be impartial and non-discriminatory.

It must guard the spirit of the fundamental rights of everyone, as well as the freedom of thought, conscience, religion, expression, pacifist assembly, movement and the right to one's property.¹⁴

8. Responsibility and control of the Local Police

The Local Police must be accountable to the State, its citizens and their representatives. It must be subject to external and effective control.¹⁵

¹⁰ *Ibidem.*

¹¹ *Ibidem.*, p. 29.

¹² *Ibidem.*, p. 8.

¹³ *Ibidem.*, p. 36.

¹⁴ *Ibidem.*, p. 43.

¹⁵ *Ibidem.*, p. 50

In an open democratic society, the control exercised by the state over the local police must be complemented by the responsibility of the police for its actions in front of the population, ie in front of the citizens and their representatives.¹⁶

The responsibility of the local police towards the public is of paramount importance for the relationship between the police and the population.

In a general way, the openness and transparency of the police are indispensable conditions for the efficiency of any accountability / control system.

In order for the local police to carry out control as effectively as possible, it must be accountable to the various independent powers in the democratic state, ie the legislative, executive and judicial powers.¹⁷

The public authorities must apply effective and impartial appeal procedures against the police¹⁸. Police complaints must be the subject of an impartial investigation.

"Police investigating the police" is an operation that generally casts doubt on its impartiality. The state must apply systems that are not only impartial, but also visible, able to gain the trust of the population.¹⁹

The creation of mechanisms to determine the responsibility of the local police and based on mutual communication and understanding between the population and the police should be encouraged.²⁰

Transparency and public control in these situations, such as public access to police stations, is an example of beneficial measures, both for the population and for the police, in that it allows the population to exercise some supervision and to help combat the charges unfounded brought to the police.²¹

9. INTERNATIONAL COOPERATION

International cooperation between European police must be encouraged, both at the level of states and international organizations.²²

Thanks to its expertise and experience in democratic values, ethics, human rights and the rule of law, the Council of Europe can facilitate such cooperation.²³

CONCLUSIONS

The "service" should not be confused with certain administrative tasks entrusted to the local police (eg issuing identity cards). In general, the function of the local police as a public service body is related to its role of rescuing, supporting, helping the population and the determination of the police is one of the fundamental and important aspects in this regard. The "service" function of the local police is much more related to the state of mind of the latter, in relation to the population, than to the fact that it is entrusted with duties, in addition to the usual tasks. It is clear that the local police cannot assume too difficult responsibilities in terms of services provided to the population.²⁴

Most European police services, in addition to enforcing the law, play a social role and provide a number of services in society. The activities of the Local Police are undertaken mainly in close relationship with the population (community), and their effectiveness depends on the support of the latter.

BIBLIOGRAPHY

Comitetul Miniștrilor Consiliului European, *Codul european de etică al poliției*, R (2001) 10.

¹⁶ *Ibidem.*

¹⁷ *Ibidem.*, p. 50.

¹⁸ *Ibidem.*, p. 51.

¹⁹ *Ibidem.*

²⁰ *Ibidem.*

²¹ *Ibidem.*, p. 52.

²² *Ibidem.*

²³ *Ibidem.*, p. 53.

²⁴ *Ibidem.*

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Dicționar explicativ online, <https://dexonline.ro/>

Legea Poliției Locale 155/2010, <http://legislatie.just.ro/Public/DetaliiDocument/120615>