



UNIVERSITY OF RZESZOW



# PROCEDURE PRIOR AND FOLLOWING THE USE OF FIREARMS

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# Principle of Last Resort

Firearms may be used or deployed only when:



**other means of direct coercion  
have proved insufficient**



**their use is impossible due to  
the circumstances**

The use of firearms constitutes a measure of last resort



# Principle of Minimal Harm

Firearms shall be used or deployed only in a manner causing the least possible harm to human life and health.



**A police officer is obliged to:**

- assess the situation continuously,
- select such a method of action that limits the risk of injury or death,
- avoid unnecessary escalation of force.



The use or deployment of firearms shall be immediately discontinued once the objective of such use or deployment has been achieved.

Every decision to use a firearm requires particular caution and individual assessment of circumstances.



# Persons Subject to Special Protection



**persons whose appearance indicates an age of 13 years or younger**



**visibly pregnant women**



**persons with a visible disability**

As a general rule, with regard to such persons, a police officer may use only physical force in the form of restraining techniques.

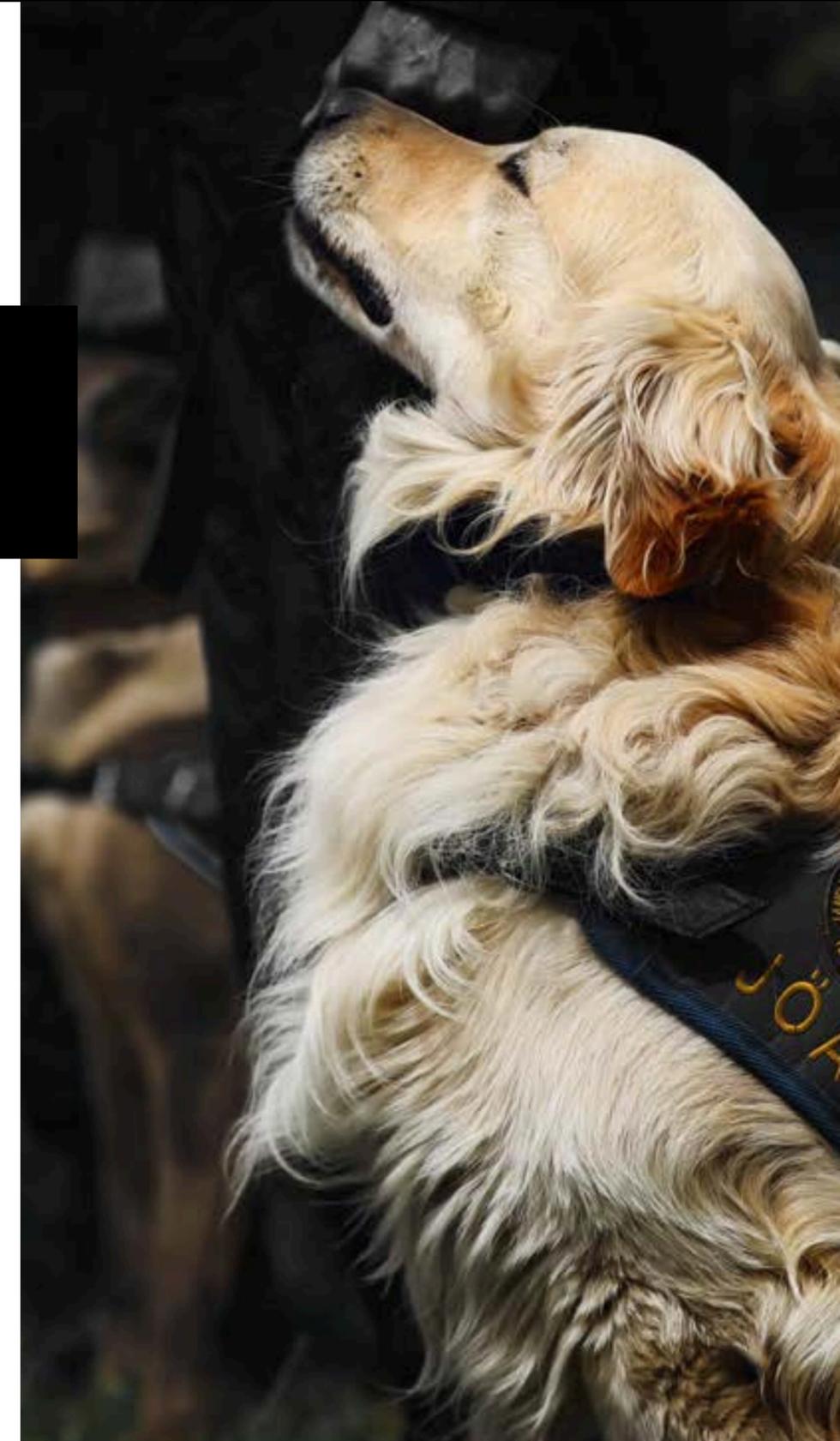
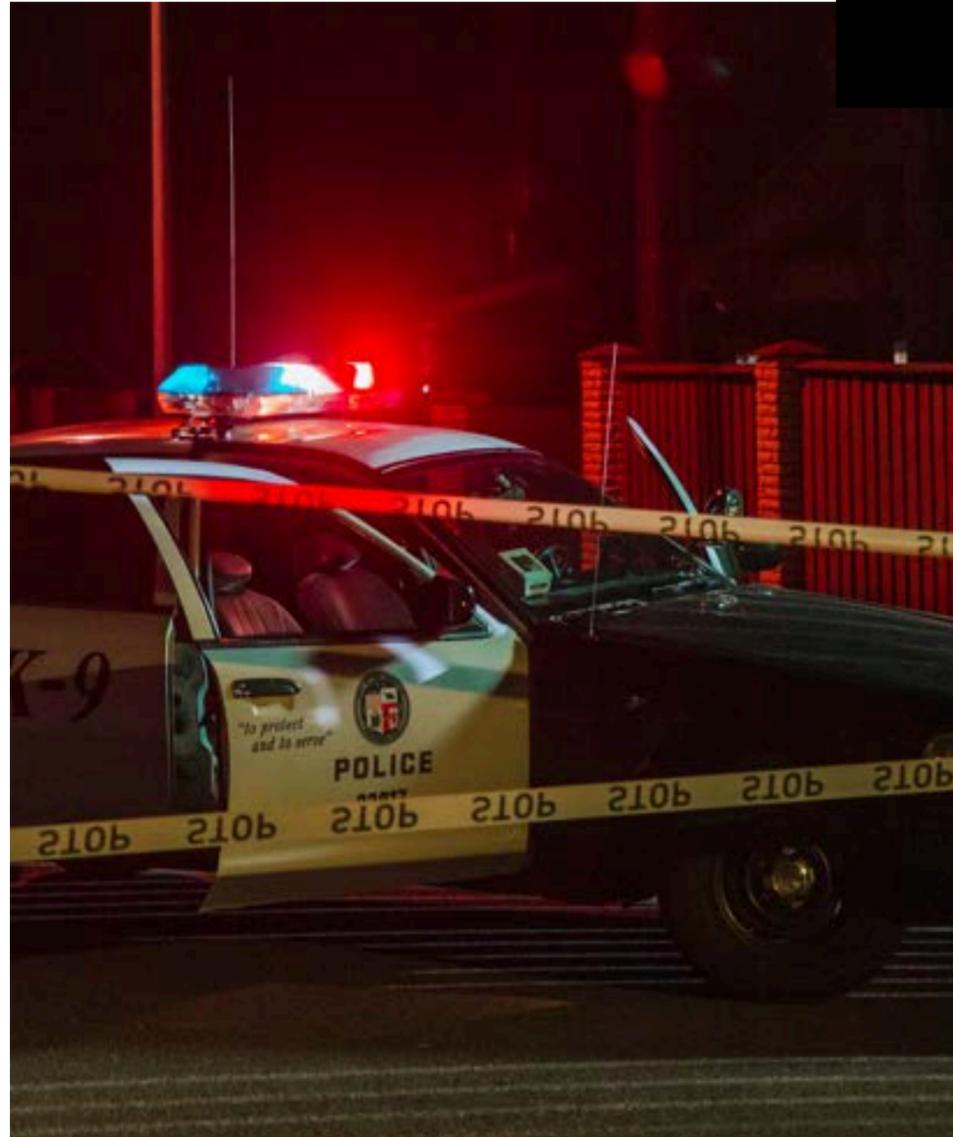


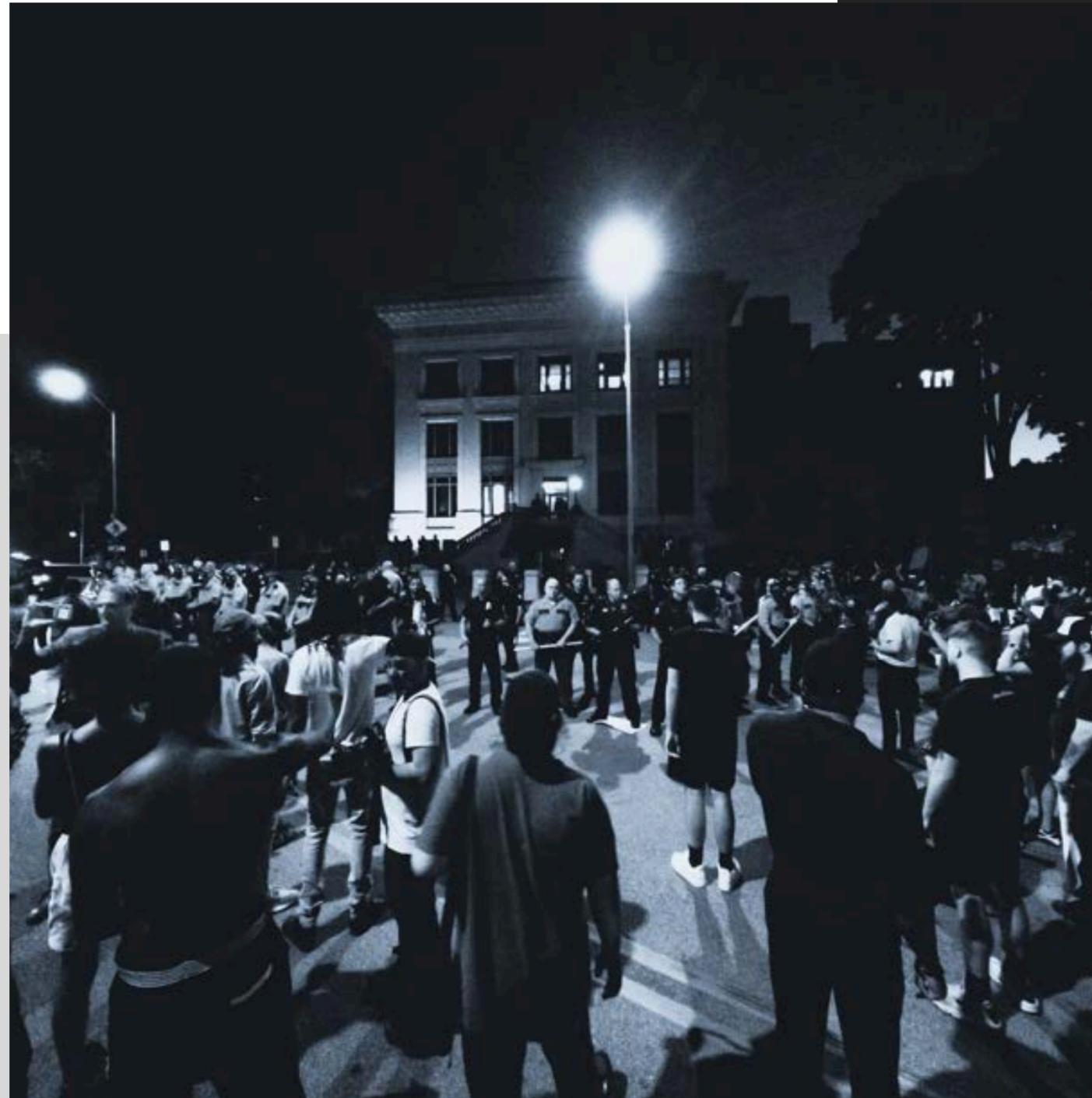


# Exceptions to Special Protection

In such cases, a police officer may use other means of direct coercion, or a firearm, provided that the use of physical force alone is insufficient or impossible to repel the threat.

Even in these situations, the officer remains bound by the principle of necessity, proportionality, minimal harm.





# Procedure Prior to the Use of Firearms

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Before using a firearm, a police officer shall, as a rule:

- clearly identify their service by shouting "POLICE!", making their authority unmistakable.
- issue lawful orders aimed at restoring compliance, in particular ordering the person to:
  - immediately abandon a weapon or dangerous object,
  - cease fleeing,
  - desist from acts of violence or resistance.

These actions are intended to prevent the need to use firearms; give the person an opportunity to comply voluntarily.



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# Warning Prior to the Use of Firearms

## **If the person fails to comply with lawful orders, the police officer**

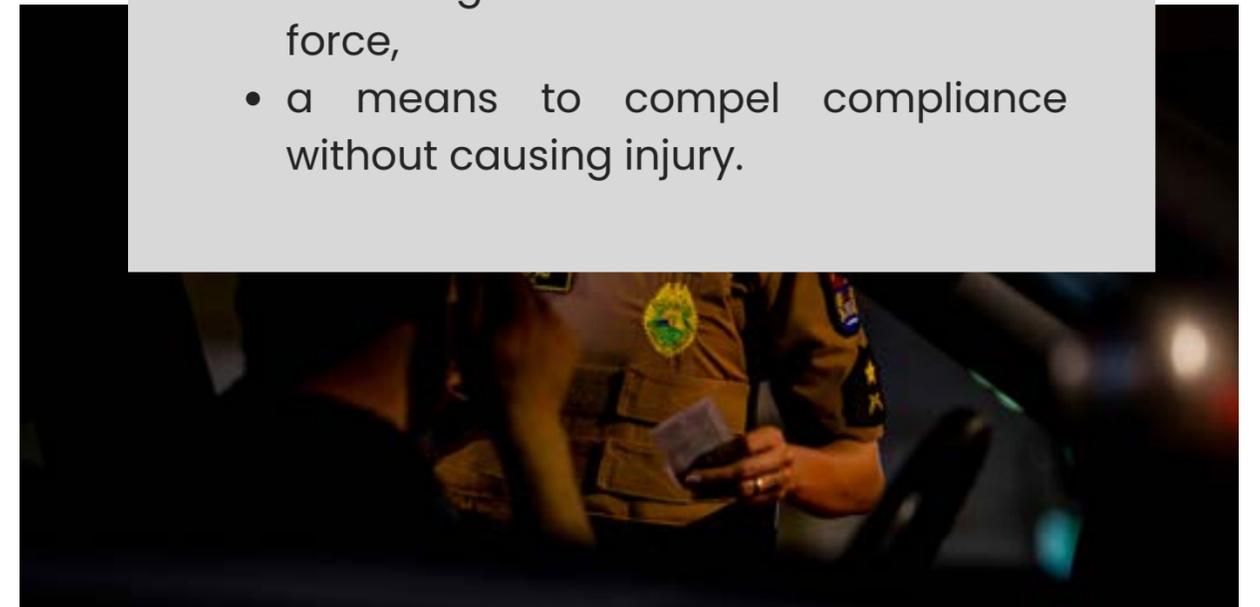
warns of the use of a firearm by shouting "Stop, or I will shoot!".

## **If the warning proves ineffective**

the officer may fire a warning shot in a safe direction.

## **The warning shot serves as**

- a final signal of imminent use of lethal force,
- a means to compel compliance without causing injury.





# Abbreviated Procedure

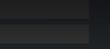
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The full procedure prior to the use of firearms, or individual elements thereof, may be omitted if carrying them out would pose a direct threat to the life, health, or freedom of a police officer or another person.

This may include omission of verbal identification, verbal warning, firing a warning shot.

The abbreviated procedure is justified only by urgency of the threat, necessity of immediate reaction.

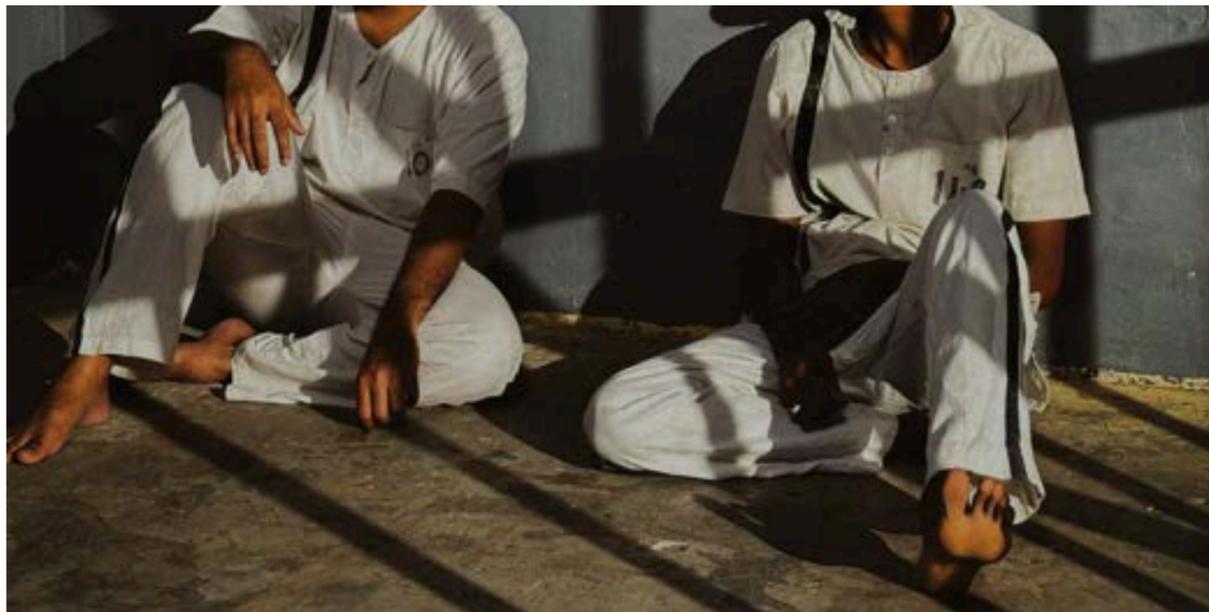




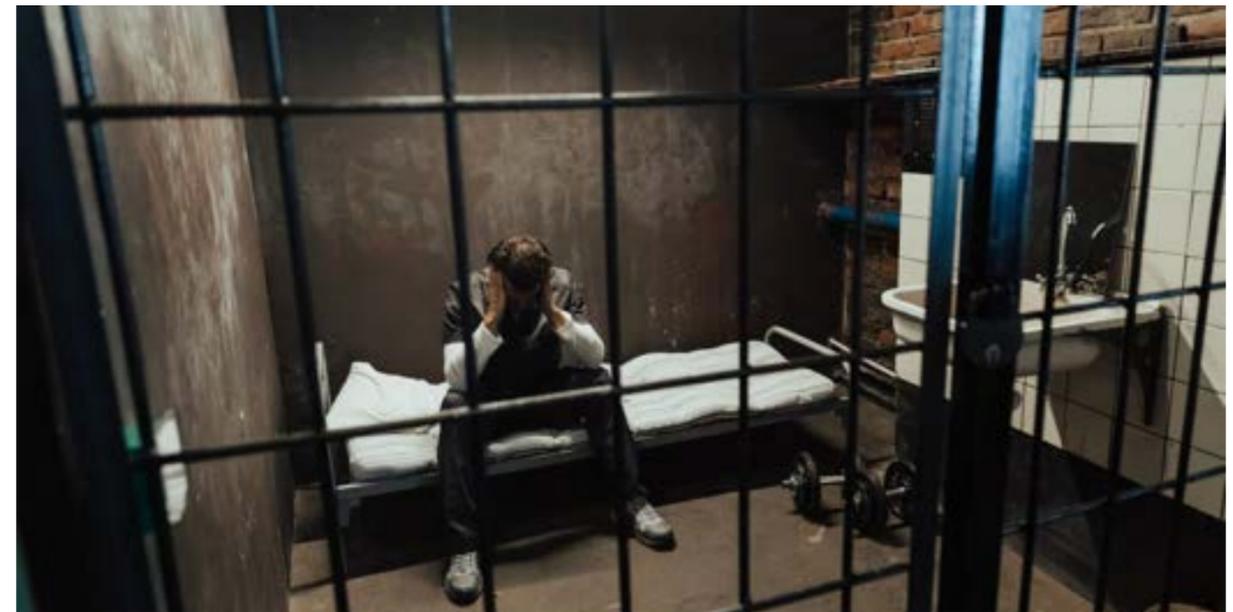
# Firearms and Persons Deprived of Liberty

Before escorting or transferring a person deprived of liberty, a police officer shall warn such person that a firearm may be used if necessary.

This applies in particular where:



escape would pose a threat to the life or health of a police officer or another person, or there is a justified suspicion that the person may use a firearm, explosives, or similarly dangerous objects,



the deprivation of liberty is connected with serious offences, including terrorism, homicide, rape, robbery, or hostage-taking



# Use and Deployment of Firearms

A firearm may be deployed in order to:

- stop a vehicle whose operation poses a threat to life or important facilities,
- overcome obstacles preventing lawful police actions,
- raise an alarm or call for assistance,
- neutralise dangerous objects or devices posing a risk of explosion,
- incapacitate an animal directly threatening life or health,
- fire a warning shot.

**“Use (deployment) of a firearm” includes firing penetrating ammunition in the direction of an animal, object, or in another safe direction.**

**Deployment does not always involve direct use against a person.**



# Procedure Following the Use of Firearms

If a person has been injured or shows visible signs of threat to life or health, a police officer shall:

- immediately provide first aid,
- ensure that emergency medical services are called if necessary.

A police officer may refrain from providing first aid only if:

- it would endanger the life or safety of the officer or others,
- it would require abandoning essential protective duties,
- first aid has already been ensured by other authorised persons.

Emergency medical services must always be ensured for a pregnant woman.



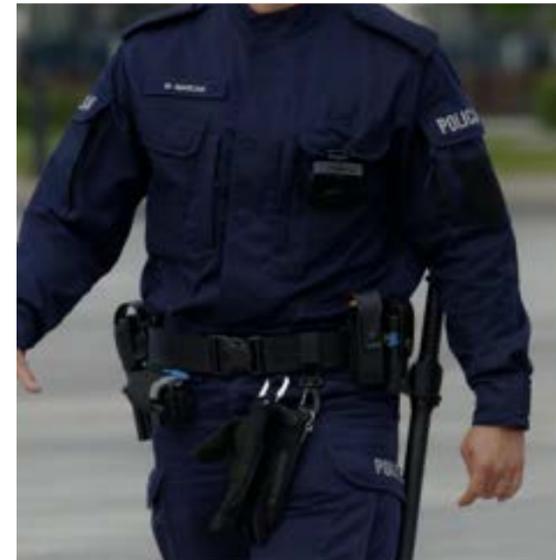
# Post-Incident Duties and Notifications



secure the scene against access by unauthorised persons



identify witnesses



immediately notify the competent superior or officer on duty

In cases involving:

- injury or death of a person,
- death of an animal,
- damage to property of significant value,
- additional duties include:
- securing evidence and traces,
- notifying the public prosecutor.

Every use or deployment of a firearm must be formally reported and assessed for lawfulness.

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# Bibliography

**ACT  
of 24 May 2013  
on means of direct coercion and firearms**

**Journal of Laws 2013 item 628**





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# THANK YOU

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