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## **BASES OF LEGAL SUPPORT FOR THE USE OF SPECIAL MEANS BY POLICE OFFICERS**

One of the main issues of professional and technical training of police officers is the studying and understanding of the legal basis and requirements of the legal system during the usage of special equipment in the activities of the National Police. As we know, such usage can have a procedural, operational, organizational or preventive character.

Regardless of the direction of usage and the nature of the technical means used, this process is based on the norms of the law, as well as all other activities of law enforcement agencies. However, the variety of these types of activities, the specifics of using its results, determines the specifics of their normative regulation.

The legal basis for using special techniques - is a system of legal norms, by laws of regulatory legal acts and rules, that define the permissibility or regulations of the procedure and conditions for their usage [1].

When applying special means, police officers are guided by the requirements of such documents as:

- 1) the Constitution of Ukraine (Articles 3, 8, 17, 21, 28, 29, 30, 31, 32, 55);
- 2) The Law of Ukraine "on National Police" (articles 42, 43, 45) [1];
- 3) resolution of the Cabinet of Ministers of Ukraine No. 706 of 07.09.1993 [2].

The decision on the use of special means is made by the official, which is responsible for ensuring public safety and order in this locality, or by the head of a specific special operation. A police officer who acts individually makes a decision on the usage of special means independently in accordance with the requirements of the current legislation.

The type and intensity of usage of coercive measures are determined considering the specific situation, the nature of the crime and the individual characteristics of the person who committed the crime. In addition, the police officer is obliged to immediately

stop the use of a certain type of coercive measure at the time of reaching the expected result.

The police officer is obliged to warn the person about the use of special means and provide him with sufficient time to fulfill the legal requirements of the police officer, except in the case when the delay may cause a threat to the life and health of the person or and/or the police officer or other serious consequences, or in the situation that has occurred, such a warning is unjustified or impossible.

Police officers are obliged to provide urgent medical assistance to persons who got hurt as a result of usage coercive measures. About the usage of special means, as well as about any damage or death caused to a person as a result of the use of Police means, the police officer immediately brings in writing to the attention of the immediate chief for notification to the prosecutor [3].

The police officer is obliged to notify his supervisor in writing about the application of a special means to the person. If a police officer caused injuries or made the person disabled as a result of applying a special means, the manager of a police officer is obliged to immediately inform the responsible prosecutor .

Continuing the analysis of the current legislation, we can say that the list of special means used by the police includes the following:

1. means of individual protection: – helmets - steel army helmets, "sphere", protective plastic helmet; - shockproof vests; - armor shields. They are designed to protect vital human organs from possible cold arms and firearms.

2. means of active defense: - rubber batons; - plastic batons of the "Tonfa" type; - shackles; - electric shock devices; - cartridges and devices of domestic production for their shooting, equipped with rubber or analogous in their properties projectiles of non-lethal action; - hand gas grenades, as well as cartridges with gas grenades; - cans, cartridges, grenades and other special equipment with preparations of tear and irritant action based on natural capsaicinoids, morpholiduperalgonic acid (MPC), orthochlorobenzalmalononitrile (CS) and ALGOGEN substance.

Means of active defense protect citizens and employees of the police, actively influence offenders in order to stop their actions.

3. means of providing special operations: - satchel devices "Oblako"; - stun grenade "Zaria";-light and noise device "Plamia"; - cartridges with a rubber bullet "Volna-R"; - water cannon; -armored vehicles and other transport equipment; - devices for forced stop of road transport " Yezh-M", "Diana".

4. Devices for opening the rooms, which was captured by offenders: - small sized blast devices "Kliuch", "Impul's". Of these, there are special means of self-defense, which are a complex of special technical methods for special purposes. The first two groups of special means are specially designed to protect police personnel. The third and fourth stages are used during special operations related to the detention of armed

criminals, which will be stopped in accordance with the current legislation of mass disorder and other manifestations of public order violations.

Summing up the above, we note that the process of introducing special means into the activities of the National Police will undoubtedly continue to develop. The use of special means of the National Police in protecting public order and conducting special operations, despite its complexity and ambiguity, are the subject of administrative and legal regulation and implementation by the state authorities of the fundamental rights and freedoms of Ukrainian citizens [4].

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## **PECULIARITIES OF THE ACTIVITY OF THE NATIONAL POLICE IN WARTIME CONDITIONS**

The National Police is a central body of executive power that serves society by ensuring the protection of human rights and freedoms, countering crime, maintaining public order and public safety.

One of the main tasks of police officers is to ensure public order. For this purpose, Ukrainian legislation has given them a number of powers. At 05:30 on February 24, 2022, it was introduced in accordance with Art. 1 of the Law of Ukraine "On the Legal Regime of Martial Law", martial law is a special legal regime introduced in Ukraine or in some of its localities in the event of armed aggression or threat of attack. The decision was made in connection with the military aggression of the Russian Federation against Ukraine.

In accordance with the decision of the National Security and Defense Council of Ukraine, put into effect in accordance with the established procedure by the decree of the