

LOCAL POLICE

REPUBBLICA ITALIANA

ACTIVITY REPORT 2018

CSA Dipartimento Polizia Locale – O.S.Po.L.



Bruxelles 22 gennaio 2019



HEARING
PETITION 0696/2016
TRADE UNION
CSA
DIPARTIMENTO DI POLIZIA LOCALE

OSPOL – SIAPOL – FILPM – SNAVU – FIADEL

ASSOCIATIONS

UNICO - NATIONAL UNION COMMANDERS
P.L. - NATIONAL POLICE LOCAL ASSOCIATION



BRUXELLES 22/01/2019



The Constitutional Law n. 3/2001 amends to the title V of the Constitution of the Italian State, as regards of legislative competence of the Regions and State.

In the Constitution Local Police is governed by some basic principles:

- **Regions have exclusive legislative competence of "Local Administrative Police"– art. 117, comma 2, lett. h;**
- **The State has exclusive competence on "Public Order and Security";**
- **With Ordinary Law, the Local Police function is regulated as an essential function of Local Authorities (in particular the Municipalities).**



Currently (pending the Reform Law) the main national laws regulating the powers of the local police are:

- **Law 7 March 1986 n. 65, "Framework law on the organization of the Local Police";**
- **Codice di Procedura Penale, artt. 55-57, «Powers and Functions», artt. 337-357 cpp, "Activities on the initiative of the judicial police and delegated by the judiciary"**
- **Codice della Strada, D.lgs. 30 aprile 1992, n. 285;**
- **D.lgs. 31 marzo 1998 n. 112 «Conferral of functions and administrative tasks of the State to Regions and Local Authorities»;**
- **T.U.L.P.S. (Public Security Code) - T.U.A. (Environment Code)**



ANCI - NATIONAL ASSOCIATION OF ITALIAN MUNICIPALITIES - 2018 annual report detects the local police activities in 4 areas:

- 1) Administrative Police;**
- 2) Security Police;**
- 3) Traffic Police;**
- 4) Judicial Police.**

Local Police agents/officers have 3 qualifications:

- PUBLIC SECURITY AGENT**
- AGENT / OFFICER OF JUDICIAL POLICE**
- TRAFFIC POLICE AGENT**



The report examined 157 Italian great cities and shows how Local Police gained over time a very high professionalism.

Local Police actually represents a real garrison of legality, throughout the national territory, in able to improve:

- **The quality of life of citizens;**
- **Urban and integrated population security;**
- **The dignity of public spaces;**
- **The livability of neighborhoods and cities.**



Local Police is organized in Specialized Units. The ANCI Report reveals as areas of strategic specialization :

- **In 146 municipalities (93% of the sample) the foundation of Specialized Judicial Police Units;**
- **In 149 municipalities (94,9 % of the sample) the foundation of Specialized Traffic Police Units;**
- **In 139 municipalities (88.5% of the sample) the foundation of Specialized Environmental Police Units;**
- **In 66 municipalities (42,1% of the sample) the foundation of Specialized Antiviolence Units and Tax Evasion Units.**



ANALYSIS OF THE LOCAL POLICE ACTIVITIES

Among the actions of Administrative Police and Judicial Police, countless operations have been made to protect the quality of life of citizens, given the many cases of counterfeiting of patents and brands: in 2017 2.164 complaints and 14.094 confiscations.

The Scam phenomenon, through deception of popular credulity, was countered with joint interventions of Local Police and State Police, eliminating a lot of illegal trade in products. As stated by OLAF this illegal trade is strictly connected to incomes for organized crime and it causes a lot of honest business defaults.



Further activities typical of Local Police are those of Environmental Police. They have administrative and judicial nature and are carried out to protect the dignity of public spaces, the livability of the city's neighborhoods.

Particular controls are aimed to protect waters from pollution and illegal landfills.

According to ANCI report, 40% of the aforementioned controls face a high level of environmental degradation. As stated by «Environmental Crimes» (law n. 68/2015), Local Police operates both on its own initiative and on Judicial Authority proxy.



Actually the primary activity achieved by the Local Police, together with the other law enforcements, is carried out through the defense of Public Safety and Urban Security .

(Salvini Decree law n. 113/2018 and of the Minniti Decree law n. 14/2017).



According to ANCI 2018 Report, there are about 280.000 Local Police operations in the field of Urban Security and Public Safety: 48% of the total activities carried out by the Local Police.

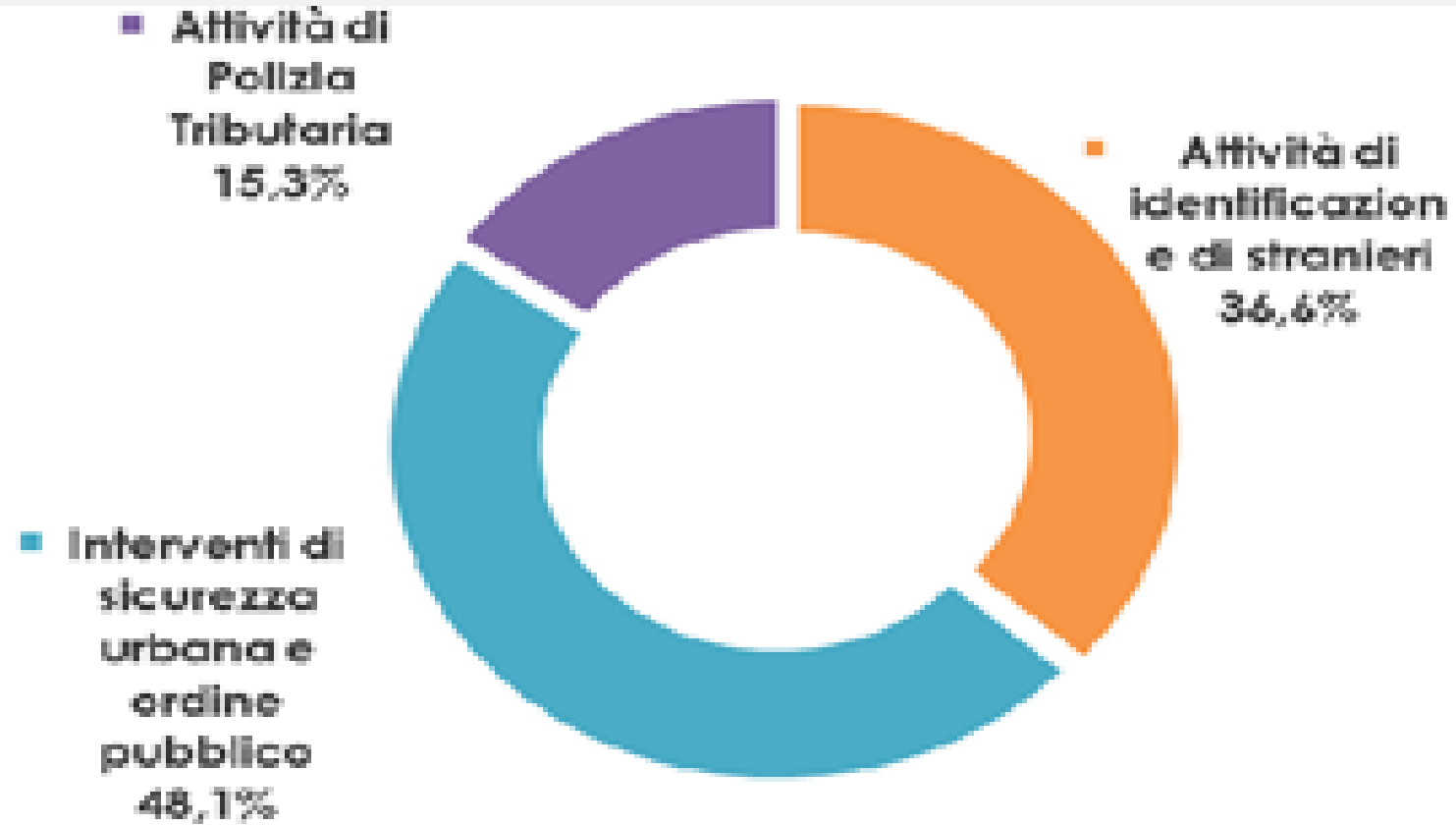


In the area of Public Safety, Local Police operates also with respect to the legislation for the protection of asylum seekers, refugee and unaccompanied children.

Local Police carried out 102.480 arrest for foreigners' identification, in 15.3% they caused the referral to the Judicial Authority, so monitoring the illegal immigration.



The security police



15,3% Tax Police – 36,6% foreigners' identification – 48,1% Urban Security and public order

The activities of the Local Police bring out once again the complementarity between State and Local Police operations, particularly in the field of Public Safety due to the irregular immigration question.

A close cooperation is evidenced also by the local Police using state police equipment, as for the photodactyloscopic remarks made in the Police headquarters, in application of the security policies.

In 2017 the Local Police operations in the field of Urban Security and Security Police, were 35.900 and led to 1.584.577 lawbreaking assessments and 9.932 confiscations.



PUBLIC SECURITY ACTIVITIES

Sports events (f.e.:cycling races, running ...)	Public events (f.e.: processions, meetings...)	TOT.
18.614	20.523	39.137
47,6%	52,4%	13,9% of Security Police activities



In the sample examined by ANCI report there were 8.374 complaints related to road accidents involving traffic police combined with Judicial Police.

There are 4.659 activities related to drunk driving, 1.047 activities related to driving under the influence of drugs and 2.307 activities about negligence in road accidents.



BUT NOT ONLY.....

In the legislative evolution, local police takes a central policing role maintaining law and order in cities/neighborhoods. Local police operating fields are increasingly extending in such areas as:

- **Offenses related to drugs**
- **Property crimes**
- **Crimes against people**
- **Protection of Minors**
- **Offenses against public administration**
- **Fight against illegal trade**
- **Protection of public assets.**
- **Public security.**
- **Anti Terrorism**
- **Environmental crime.**



CONCLUSIONS

Local Police, besides its copious institutional tasks, has skills in Public Safety and Urban Security, as it emerges from the multiple police activities to protect citizens.

All this without safety tools, legal and contractual safeguards for the local police which indeed are guaranteed to others law enforcements.

This is a manifest violation of the local police workers' rights.



The regulations introduced with Minniti decree before, and Salvini Decree then, led the Local Police to additional efforts and skills to protect Public Safety and Urban Security given the extra duties related to integrated security, yield executive by the Local Police.

Integrated security is performed with widespread coverage controls, acts to ensure security levels suitable to monitor the migration phenomenon.



OFFICIAL JOURNAL OF THE EUROPEAN UNION
OPINION OF THE COMMITTEE OF THE REGIONS ON THE COMMUNICATION
FROM THE COMMISSION TO THE COUNCIL, TO THE EUROPEAN PARLIAMENT
PREVENTING CRIME IN THE EUROPEAN UNION
(2005 / C 43/04)

“Recommendation 1531 (2001) of the Parliamentary Assembly of the Council of Europe on security and crime prevention in cities: setting up a European observatory, and Resolution 180 (2004) of the Congress of Local and Regional Authorities of the Council of Europe on Local Policing in Europe”



The 0696/2016 petition of the CSA Local Police Department aims to sensitize the EU Commission to motivate the Italian Government to restore the right of the 60.000 agents and officers of Local Police to return to the Police Contract in the "public law sector", in the same way as the civil State police.



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