Organisation and activities of the criminal police in the interwar period. Selected aspects

Abstract

The interwar period was a difficult one for the Polish state authorities. In parallel with the reconstruction of the Polish state and national identity, the foundations of Polish law were being laid. In a short interval, many significant organisational changes were taking place, which also included the State Police. During this period, the administrative apparatus in Poland was considerably streamlined, and efforts were also made to build its own model of internal organisation of the state. Between 1919 and 1939, the structures of the State Police were reorganised several times. Social, religious and nationality problems or cultural differences in the newly established statehood were among the indirect causes of crime. Accordingly, among other things, a criminal police force was established to combat it. The purpose of this article is to discuss its organisation and activities in the interwar period and to give the most important legal changes that took place for this formation. The author formulated the following research hypothesis: the reorganisation of the structures of the State Police was fundamental in terms of the organisation and activities of the criminal police. In the analysis, the dogmatic-legal method was used and, due to the time scope, also the historical-legal method.

Keywords

State Police, criminal police, crime, Second Polish Republic.
In connection with Poland’s regaining of independence in 1918, the interwar period was specific and involved the reconstruction of the state and national identity. The foundations of Polish law were being laid at that time. In the social debate on it, the subject of crime was often raised. Throughout the interwar period, attempts were made to find answers to the questions: What is crime? What are its causes? Indirect causes included social, religious and nationality problems and cultural differences in the rebuilt country. After regaining independence, the Polish state sought to organise the study of crime and, in particular, to search for effective methods of combating it. The peculiarity of the formation that was the State Police (SP) in the interwar period allowed for the separation of several types of service. Due to the difficult situation prevailing in the country, the investigative division of the police, which was in charge of carrying out the statutory task of combating crime, deserved great recognition.

For the purpose of the considerations carried out, the author formulated the following research hypothesis: the reorganisation of SP structures was fundamental in terms of the organisation and activities of the criminal police, which was part of a specialised SP division. Therefore, in the author’s opinion, the criminal police in the interwar period deserves wider characterisation. In this work, the author has provided a closer look at its organisation, its activities, its methods of operation and the most important organisational and legal changes that encompassed this formation in the interwar period.

**Structure and foundations of the State Police**

The internal security of the Second Polish Republic had an enormous impact on its position on the international arena and on national security. Its level was not constant, as many significant organisational changes took place in short intervals, which also included the SP. In interwar Poland, the administrative apparatus was considerably improved, and there was also a consistent effort to build its own model of internal organisation of the state.

The State Police was established by the Act of 24 July 1919 (hereinafter: SP Act). It constituted the executive apparatus of the bodies of general administration,

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2. *Act of 24 July 1919 on the State Police.*
the minister of internal affairs, voivodes and starostes. The aforementioned bodies issued orders, service directives in matters related primarily to the protection of public safety and order. On the other hand, with regard to the investigation or prosecution of crimes committed, the police was subordinated to the judicial authorities (investigating judges and prosecutors)³.

The organisational structures of the SP corresponded to the applicable judicial division of the country. At the level of provinces there were district commands and at the level of counties there were county commands. A district command could territorially serve more than one county. The smallest organisational units were police stations, which covered whole towns or districts, and police stations operating in the area of a commune or several communes⁴.

According to the provisions of the Act, the SP constituted a state security service organisation whose primary task was to protect security, order, peace and public order. The newly-established formation was to perform the function of the executive bodies of state and local authorities, in turn, as stipulated in Article 13 of the Act, the prosecutor’s offices and judicial authorities were to issue direct orders to the police in accordance with the provisions on criminal proceedings. The Commander-in-Chief of the SP had authority over the organisation, administration, supply, arming and training of police officers. However, he could not influence the nature of the tasks performed by the officers subordinate to him, which significantly limited the activities of this formation and thus led to many competence problems and weakened the police corps⁵.

The SP Act introduced the operation of police units throughout the country. The police were subordinate, as stated in Article 4 of the SP Act, to the Minister of the Interior. Such an addition to the police apparatus has also occurred in other countries. A good example is France, where the National Police, subordinate to the Ministry of the Interior, was a complement to the National Gendarmerie.

During the partition period, crime in the Polish lands was fought by the police organs of the partitioning powers. By contrast, when the SP was established, the criminal police was a specialised division for combating crime⁶. In 1938 there

were 29,936 officers serving the country\textsuperscript{7}, while at the outbreak of the World War II their number was 30,812\textsuperscript{8}. The State Police was dissolved on 15 August 1944\textsuperscript{9}. It was replaced by the Citizens’ Militia, which began operating on 7 October 1944 as a legal–public formation of the Public Security service\textsuperscript{10}.

The development of forensic science and its role in the work of police officers in interwar Poland - a brief overview

After the Polish state regained its independence and the law enforcement apparatus was organised, one of the most important tasks that the police had to face was the introduction of an appropriate system for identifying offenders. The State Police began to use, for example, dactyloscopy in detection work. As early as 24 December 1919, the Commander-in-Chief of the SP approved and then implemented the Polish dactyloscopic instruction\textsuperscript{11}. Among those subject to dactyloscopy were arrestees and suspects who belonged to the category of criminals subject to police surveillance, criminals from different countries and vagrants, expelled from the country by court judgements or administrative rulings. An important role in the development of dactyloscopy was played by the then Prime Minister Ignacy Jan Paderewski. He invited an English police mission to Poland, which worked in Poland until October 1920. Its duties included helping to organise Polish law enforcement agencies or providing training. The Polish police began its international activities as early as 1923. At that time, its representatives participated in the founding congress of the International Criminal Police Commission held in Vienna. At that time, the Polish police also joined Interpol (International Criminal Police Organisation). In order to increase the detectability of crimes committed, Division IV of the Polish Police Headquarters (SP HQ) set up a special single-finger registry, the so-called


\textsuperscript{9} Decree of the Polish Committee for National Liberation of 15 August 1944 on the dissolution of the state police (so-called navy blue police).

\textsuperscript{10} Decree of the Polish Committee for National Liberation of 7 October 1944 on Citizens’ Militia.

\textsuperscript{11} D. Buras, Wykorzystanie daktyloskopii przez Policję Państwową w Drugiej Rzeczypospolitej (Eng. Use of dactyloscopy by the State Police in the Second Polish Republic), “Problemy Kryminalistyki” 2004, no. 246, p. 56.
monodactyloscopy, in 1926. Its primary purpose was to discover a person’s identity by the traces he left at the scene of an incident¹².

The foundations for the development of forensic science in the inter-war period were largely laid by forensic medics, as they were the ones who dealt with forensic issues at that time¹³. The establishment of training facilities was also becoming important. As Grażyna Kędzierska rightly observed, the SP was the most important recipient of forensic knowledge, and therefore service establishments were created primarily by this institution. In parallel, they were created in the Ministry of Justice and the armed forces¹⁴.

The experience of forensic service providers has shown numerous deficiencies in the knowledge of police officers conducting the inspection of crime scenes and securing evidence. The outcome of many cases was determined by mistakes made already in the initial phase of the investigation¹⁵. For this reason, swift action was taken leading to the development of police education and raising the level of competence of officers. Police schools began to be established in the country¹⁶.

In 1929, the Institute of Forensic Research was established in Warsaw. The legal basis for its establishment was a decree of the Minister of Justice of 25 November 1929¹⁷. The institute had already started a few years earlier; the regulation merely sanctioned its existence. In 1927, the then Minister of Justice entrusted the appellate investigating judge Józef Skorżyński with the task of establishing an “institute for scientific and judicial research”. Skorżyński was also appointed head of this institute by subsequent rescripts: of 25 May 1929 and of 10 January 1930. In May 1929, Department I of Physical and Chemical Research began operating at the institute, followed a few months later by Department II of Chemical and Toxicological Research and Department III of Biological Research¹⁸. An important period for

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¹⁶ G. Kędzierska, Polska kryminalistyka…, pp. 251–252.

¹⁷ Ordinance of the Minister of Justice of 25 November 1929 amending the regulations on the establishment of official titles of prosecutors and deputy prosecutors of the Supreme Court.

¹⁸ G. Kędzierska, Polska kryminalistyka…, p. 254–255.
the development of forensic science and police officers in the inter-war period was also the time of the preparation of the new Criminal Code introduced in 193219.

The work of police officers began to make use of the latest scientific and technical achievements, which enabled more effective detection of crimes and had a significant impact on the development of Polish forensic science. A major contribution to this work was made, as already mentioned, by forensic scientists who had already done titanic work before the Polish state regained its independence. Among those who rendered meritorious service in this field were Leon Wachholz and Jan Olbrycht, who often carried out forensic examinations for the security organs and the judiciary20.

Activities and organisational changes of the criminal police from 1919 to 1926

In the period 1919-1939, the structures of the SP were reorganised several times. From the very beginning of the functioning of this specialised security organ, the criminal police were active alongside the uniform police21. The Investigation Service (codename IV-D) started in 1922 within the organisational structures of the SP. The overriding task of this service was to detect and combat crimes of a political nature against the security of the state and disrupting its order. In the field of combating political crime, special cells were separated from the Investigation Service (since August 1920 bearing the names of investigation divisions IV-D), which carried out their tasks within the SP and were directly subordinated to Division IV-D. One of these was the Inspectorate of Political Defence, which was of great importance for combating crime of a political nature. It constituted an independent unit of the SP HQ and was subordinate to the Commander-in-Chief, while in matters of subject matter it was subordinate to the head of the Public Security and Press Section of the Ministry of the Interior. However, it did not have a network of field bodies subordinate to it. Therefore, there were many misunderstandings about the fact that the duties of carrying out political police’s activities until the second half of 1920 rested on the shoulders of the staff of the Investigation Service in the investigating offices and expatriates. It was not until the establishment of the new Division IV-D

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(replacing the former Inspectorate of Political Defence) that significant changes took place\textsuperscript{22}.

In the SP Act, specifically in Article 7, the establishment of a criminal police force is mentioned. However, it should be borne in mind that during the period in question, the term “criminal investigation service” did not have a fixed meaning. Its role and scope of powers depended on the prevailing social situation in the country and the organisational conditions. Therefore, in the interwar period, one can see a great dynamic of change for this formation. As soon as these specialised police organs were formed as part of the state-wide security service, numerous controversies and disputes over competences arose around them\textsuperscript{23}.

The Minister of the Interior, by virtue of Articles 5, 7 and 9 of the SP Act, issued implementing regulations for the establishment of the criminal police. Paragraph 2 of these regulations provided that the Tasks of the police-investigation offices were to prevent and uncover crime. Crime fighting was primarily dealt with by the criminal police, operating at each district headquarters of the SP (in the form of a police-investigation office)\textsuperscript{24}.

The numerous tasks on the shoulders of officers meant that the working model could not be contained within an eight-hour system. The duties assigned to officers often forced police officers to be constantly observant of community life, regardless of whether the officer was on or off duty. In his work, Robert Litwiński gives examples of instances where police officers intervened during a family holiday. Their concern for ensuring security and public peace fostered the image of a police officer who is on duty for the state and society\textsuperscript{25}.

During the interwar period, factors such as the economic crisis and rising unemployment had a negative impact on public sentiment throughout the country. As a result, many riots and demonstrations were recorded. In 1925, for example, the Silesian Voivodeship Office reminded starostes and police directors to be prepared for possible public disorder and not to be taken by surprise. Police officers,


\textsuperscript{23} A. Misiuk, \textit{Historia policji od X wieku do współczesności} (Eng. History of the police from the 10th century to the present day), Warszawa 2008, p. 136.


using preventive measures, were first to combat agitation, which was usually the start of a collective demonstration\textsuperscript{26}.

During the first years of Polish independence, the number of homicides in the country increased. In 1921, 1943 cases were recorded, while in 1925 the number dropped to 995. In the mid-1930s there was an increase to 1672 cases in 1935 and to 1830 the following year. The number of robberies and burglaries also increased. In 1921, their number was 2946. A year later, 2585 cases were recorded, and in 1923, 992. The lowest number of robberies and burglaries in the interwar period was recorded in 1927, with 182 cases. By contrast, at the end of 1937, 2228 cases were recorded\textsuperscript{27}. The SP’s own crime statistics began to be carried out as early as 1919 and were developed in subsequent approaches\textsuperscript{28}.

In October 1919, regulations were issued on the organisation of police-investigation offices. A Police-Investigation Office was established at the district level. In the districts, however, the first-, second-, third- and fourth-level expositories were subordinate to it. In the police districts, expositories of the appropriate category, depending on local crime conditions, were created. These were expositories\textsuperscript{29}:

\begin{itemize}
  \item I level (not less than 50 officers),
  \item II level (25 to 50 officers),
  \item III level (10 to 25 officers),
  \item IV level (3 to 10 officers).
\end{itemize}

Significant changes for the criminal police came with a decree of 4 January 1922\textsuperscript{30}, by virtue of which an investigation office was created at each district police headquarters, while expository investigation offices were created in towns where district courts were located and, where necessary, in other towns. These were part of the local commands and were subordinate to the local police chiefs. At the same time, the chiefs of the district police headquarters acted as the heads of the investigative expositories operating in the area under their authority\textsuperscript{31}.


\textsuperscript{28} S. Kozdrowski, \textit{Metody i zakres gromadzenia danych…}, pp. 77–88.

\textsuperscript{29} Ibid, p. 78.

\textsuperscript{30} Ordinance of the Minister of Internal Affairs of 4 January 1922 on the organisation of investigative offices.

\textsuperscript{31} Z. Siemak, \textit{Policja kryminalna w II Rzeczypospolitej…}, p. 187.
Investigation offices were dependent on the judicial authorities for their activities. The task of the investigative offices and their expatriates was to prevent crimes, uncover and prosecute the perpetrators. On the other hand, at the central level, within the organisational structure of the SP HQ, there was still, for example, Division IV, which dealt with, among other things, the keeping of crime statistics, the state-wide registration of criminals or pursuits. It should be emphasised that this department supervised the activities of the criminal police throughout the state32.

On 20 May 1922, the Commander-in-Chief of the SP issued a service instruction, according to which the district investigation offices were intended to investigate complex and high-profile cases, instruct and control the criminal police and prepare monthly crime statistical lists and quarterly reports33. Investigative expositories deployed in the field performed crime detection and suppression tasks. Observation, patrol service and cooperation with a network of informants were used. The instruction signalled the need for close cooperation between uniformed police and criminal police officers. The division of investigative powers was of a two-tier nature. Police offices of the first instance, i.e. police stations, police stations and district headquarters, directly carried out the tasks of protecting public security and order. On the other hand, authorities of the second instance, i.e. district commands and investigative offices, were to perform administrative and inspection functions34. An important legal regulation was the invigilation instruction. It contained such important elements as, for example, an explanation of the concept of surveillance the method of its conduct, in addition, the instruction defined the rules of record keeping.

As mentioned, in 1923 the SP joined Interpol. The Commander-in-Chief of the SP issued Order No. 299 on the international information service. Through this act, among other things, a register of international criminals was implemented. Separate files were also kept (depending on the category of registered persons). The records were supervised by Division IV of the SP HQ. The role of the International Criminal Police Commission was to publish submitted reports in the police magazine “International Public Security”35.

Further organisational changes in the operation of the criminal police took place in 1924. The district investigation offices were replaced by criminal investigation

34 S. Kozdrowski, *Organizacja i wyszkolenie Policji Śledczej...*, p. 86.
offices at all district commands. However, a fundamental change in the functioning of the investigative organs did not occur until 1926 with the abolition of the Political Police and the assumption by the investigative offices of a considerable part of its competences 36.

Activities and organisational changes of the criminal police from 1926 to 1939

On 21 July 1926, an ordinance was issued by the Minister of the Interior reorganising the criminal police 37. The police reform covered the entire country. By virtue of this legal act, activities were consequently carried out with a view to dissolving the existing bodies and, at the same time, establishing the so-called unified investigative offices functioning at provincial, district and city police headquarters, at police stations and other executive units of the SP. As stipulated in § 3 of the ordinance issued, (...)

investigative offices are subordinate to the general police units under which they exist; the relationship of investigative offices to other general police units and the mutual relationship of investigative offices will be determined by an instruction issued by the Commander-in-Chief of the State Police.

With the abolition of the Political Police, major changes took place whereby the most distinguished and experienced officers of this division took up important positions in the criminal police. The concern for staffing levels probably stemmed from the need to have experienced personnel for repressive actions of a political nature. For fear of weakening the effectiveness of operations in combating the subversive movement, the division was given the competences of the political police.

The creation and liquidation of investigative offices was the responsibility of the head of the Ministry of the Interior. Initially, the intention was to subordinate the investigation offices to the general police units under which they operated, while as far as investigative activities were concerned, they were subordinated directly to the judicial authorities. However, fundamental changes took place on 7 August 1926, when the Ministry of the Interior issued an order to abolish the previous district investigation offices. At the same time, such offices were ordered to be established in 23 cities. It is difficult not to agree with Andrzej Misiuk, who regarded the implemented changes as half-hearted and inconsistent. The criminal police needed comprehensive solutions. Major changes for this formation had already taken place in the new political conditions, after the takeover of power by

37 Ordinance of the Minister of Internal Affairs of 21 July 1926 on the organisation of investigative offices.
the Sanation. One can speak of stability for the criminal police from 1927 onwards. It is worth emphasising that it functioned in exactly this form until the outbreak of war in 1939.

An important influence on the development of the criminal police was an ordinance issued by the Ministry of the Interior on 8 April 1927. It announced, depending on the needs, the creation of separate investigation departments at some district and town commands, and investigation offices at SP voivodeship commands. Investigation departments became part of the respective command and were subject to their management. Investigation offices, in turn, were subordinate to the voivodeship headquarters at which they were organised and covered the same region of operation. However, the biggest changes involved Division IV of the SP HQ, which changed its name to Central Investigation Service (CIS).

The tasks of the CIS included supervising the activities of the police formation in the field of the investigation service, collaborating in the professional training of officers, maintaining the central fingerprint registration, collecting information on crime throughout the country, issuing opinions and conclusions on criminal police personnel matters and managing the pursuit. In certain circumstances, the CIS undertook investigative investigations directly. In addition, the internal structure of the central criminal police body changed. Previously, Division IV of the SP HQ consisted of a general department and a registration and pursuit department (which dealt with important issues such as dactyloscopy, photography, general and foreign surveillance, various expert opinions). When the Political Police was disbanded, it was the criminal headquarters that underwent the greatest reorganisation. Its tasks were carried out by three cells, i.e. general, political and dactyloscopic-intelligence.

In 1939, the CIS was formed by eight autonomous departments, i.e. criminal, reconnaissance, registration and pursuit, investigative technique, general, women's police, special affairs, breeding and training of service dogs. On the other hand, so-called ‘unified investigation offices’ were established at SP voivodeship headquarters, which carried out the tasks of the investigation authority of the second instance. They were headed by their chiefs (who also performed the duties of deputy chiefs of the voivodeship police in criminal matters). A specific novelty of the criminal police were investigation departments, which were organised at some district police headquarters and city headquarters (separated as their constituent parts). Investigation departments acted as the first instance of the executive power of the investigation division.

38 A. Misiuk, Historia policji od X wieku..., p. 137.
39 Ordinance of the Minister of Internal Affairs of 8 April 1927 on investigative departments and offices.
Until 1927, as already mentioned, the criminal police were frequently reorganised\(^\text{41}\). On the other hand, from 1928 onwards, one notices a gradual process of integrating the uniformed police into the fulfilment of the tasks of investigative and political service, which ended in the same year. It should be noted that at almost all stages of the process of organisational transformation of the criminal police, problems concerning the effectiveness of the detection and evidential work of the formation in question emerged\(^\text{42}\).

In 1928, the police leadership, in line with Józef Piłsudski’s recommendations, carried out a process of so-called ‘tracking’ of the police, the primary aim of which was to improve efficiency in combating crime, including illegal political activity\(^\text{43}\). At the time, all divisions of the SP were treated equally. Criminal police cadres were more often posted as station commanders and heads of police stations, while uniformed officers were sent on investigative training courses\(^\text{44}\). It is worth noting that after the May Coup of 1926 no fundamental changes were recorded for this formation. As Wojciech Śleszyński states, the Sanation authorities believed that it was not so much frequent structural reconstructions that would increase the effectiveness of police bodies, but rather the improvement of the already functioning model\(^\text{45}\). Significant changes took place only in the period between 1926 and 1939. At that time, one can notice greater effectiveness of the activities of, among others, the political police, because, as Andrzej Pepłoński rightly pointed out, the participation of the remaining services - the General Police and the Criminal (Investigation) Police - in the observation of illegal and legal political activity increased\(^\text{46}\).

It is worth emphasising that the interaction of state institutions is key, while it affects the proper implementation of tasks within the functioning of the state


\(^{42}\) Ibid, p. 88.


\(^{45}\) Ibid.

security system. Any permeation of assigned competences to a specific uniformed formation may positively influence the functioning of state structures.

As a result of the aforementioned process of tracking, a significant part of the tasks of the political police, numbering about 1,200 officers, were taken over by the entire police apparatus, which at that time numbered about 30,000 police officers. It should also be noted that the intensive training of general police and criminal police officers as well as the improvement of the system of exchanging information of political significance led to an improvement in the quality of the reconnaissance of the situation in the country after the May Coup of 1926. In addition, the effectiveness in combating espionage and diversion increased and cooperation with the military security organs became much closer.

The outbreak of World War II meant that the service of police officers was terminated.

Summary

Having analysed the activities and organisation of the criminal police in the interwar period, it should be emphasised that this formation underwent a major organisational evolution. Changes, especially political and legal ones, also extended to the SP. As shown in this article, its supreme authorities attached great importance to proper training and raising the competence of officers, especially in the field of forensic science, which was a new and developing science at the time of the reconstruction of the Polish state. Its development helped officers to fight crime effectively. The role of the criminal police, in the author’s opinion, clearly became more important only after the liquidation of the political police.

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Konrad Żurek
Graduate of a doctoral seminar in legal sciences. His research interests include: internal security, public law, legal history, relations between the state and the Catholic Church.