

Turin, a Policeman Beaten with Kicks and Hammer Blows, and the Italian Paradox: If He Had Shot, He Would Have Been Investigated

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What happened **yesterday in Turin**, during the clashes related to the march for **Askatasuna**, is a serious incident that goes beyond the news and calls into question a structural issue: **the legal protection of law enforcement officers**.

A policeman from the Mobile Unit was **surrounded and savagely beaten by protesters**. The assault occurred during the tensions that erupted during the demonstration in the Piedmontese capital.

The officer attacked is named **Alessandro Calista**, he serves in the **Mobile Unit of Padua**, is 29 years old, married, and father of a child. Originally from Pescara, he was hospitalized with **multiple contusions**.

A man in uniform, isolated, surrounded, hit by multiple people. **And what if that hammer or those blows had killed him?**

At this point, an inevitable consideration arises: **if he had used his service weapon to defend himself, today he would have been registered in the list of suspects**.

The Italian Paradox: Legitimate Defense on the Field, Judicial Investigation After

In Italy, the mechanism is known to those who work on the street. When an officer uses a firearm in a critical operational context that does not necessarily result in deaths, even just injuries, or even fires without hitting anyone, the consequence is automatic: **the opening of a judicial investigation.**

This happens even in the presence of an ongoing assault, clear numerical inferiority, or an immediate risk to the operator's safety. The officer is **registered in the list of suspects**, with heavy repercussions on a personal, professional, and psychological level.

The result is a system that, while claiming to be guarantor, ends up **placing all the risk burden on the man in uniform**, turning legitimate defense into a choice that is paid for afterward, often for months or even years.

In Europe, **Italy is one of the very few countries** where the legitimate use of force by a policeman exposes the operator to long periods of uncertainty.

Spain: Judicial Control Yes, Paralysis No

In Spain, the regulatory framework governing the actions of law enforcement is defined clearly and radically different from the Italian one regarding **the use of weapons and the consequent criminal responsibility**.

The **Ley Orgánica 1/1992 on the protection of public safety** establishes that the use of weapons by the police can occur **only when there is a serious risk to the life or physical integrity of others or when the action is necessary to protect public safety**. According to this discipline, lethal force is not absolutely prohibited but is bound by the principles of **adequacy, necessity, and proportionality**: the weapon can be used when the threat is real,

imminent, and cannot be neutralized with less harmful means.

An episode illustrating how the law is applied in practice is the anti-terrorism operation of November 2025 in the Madrid district of **Puente de Vallecas**, where the special units of the Policia Nacional opened fire, seriously injuring a young man considered a potential jihadist threat, with **activation of the anti-terrorism device**. The incident was treated as a potential terrorist act by investigative bodies from the outset.

In the Iberian country, the law and judicial practice highlight the concept of **“cumplimiento del deber”** (fulfillment of duty). This principle implies that if the officer's action falls within what is provided by law, i.e., in response to a concrete and proportionate threat, the judicial authority tends to **close the investigation quickly** (generally a few weeks), because the legitimacy of the action is presumed upfront when the conditions of necessity and proportionality were met.

In practice, if an officer shoots because they face a serious and immediate threat that cannot be avoided by other means, the **judicial review does not automatically translate into a long and traumatic criminal trial**: it is assessed whether the action was justified and, if it was, it often concludes with **closure and no significant charges**.

The difference with Italy is clear: in Spain, the State **does not preemptively suspend the operator's right to decide and react at the critical moment**, nor does it automatically expose them to the consequences of a choice made in seconds to protect lives, including their own and others'.

France: When the Threat is Immediate, Fire is Allowed

In France, the legal framework changed substantially after the 2015 attacks. Not to “loosen controls,” but to **explicitly clarify when the use of firearms by military and police forces is legitimate**.

The legal basis is the **Code de la sécurité intérieure**, modified to adapt the actions of the armed forces and police to contexts of high terrorist threat, particularly during internal security operations and within the **Vigipirate** framework.

The law states that **military and police officers can use weapons** when:

- a vehicle or person **refuses to stop** at a checkpoint or control
- the behavior creates an **immediate and serious risk** for operators or civilians
- the context is compatible with a **terrorist or violent threat**, even if only potential

In these cases, the use of lethal force **is not considered an exception**, but a possibility provided by the legal framework, based on the principle of **necessity and proportionality** evaluated at the moment of action, not retrospectively with hindsight.

For this reason, when soldiers of the **Sentinelle** operation or French police officers have opened fire on vehicles forcing checkpoints or attempting to run over blockades, **a criminal proceeding was not automatically opened against them**. A judicial review is initiated, yes, but **there is no automatic criminalization of the operator**.

The principle applied is clear and reiterated by French jurisprudence: if the threat is immediate, credible, and cannot be neutralized by other means, **the use of the weapon is legitimate upfront**, and the subsequent analysis serves to confirm or deny that legitimacy, not to presume its illegality.

It is a profound difference from the Italian model: in France, the State **does not suspend the operator's right to self-defense in the name of the procedure**, but recognizes that, in certain contexts, **deciding in a few seconds is an integral part of duty**.

Protecting Those Who Protect

In Spain and France, the State controls and verifies, but does not paralyze the operator while they are fighting for their life. **In Italy, however, the implicit message remains devastating: defend yourself, but be prepared to pay the price.**

And it is not just an Iberian or French issue. In **other European countries**, such as the **Netherlands** and **Denmark**, the use of force is subjected to rigorous analysis, but with a more functional and less punitive approach and with **high trust in the operator**. The officer is heard **as a qualified witness**, not as a default suspect. It is verified whether they have respected procedures, necessity, and proportionality, without automatically triggering a judicial path that ends up becoming, in fact, a second penalty.

Returning to Turin, the point is not to invoke a “license to shoot.” The point is much more serious and concerns the rule of law in its concrete form: **an officer surrounded and hit must be able to react without knowing that, if they survive, a long and exhausting judicial path will begin for them**.

Alessandro Calista is in the hospital today. **Those blows, that hammer, those kicks could have killed him**. Yet tomorrow he will return to service, like thousands of other men and women in uniform.

However, the question remains open, and it concerns everyone: **do we want operational law enforcement that protects and protects themselves or legally disarmed law enforcement?**

In the rest of Europe, this answer has already been given for a long time.

Image created from a video frame by Torino Oggi

News link: https://www.tgcom24.mediaset.it/2026/video/torino-poliziotto-circondato-dai-manifestanti-e-aggredito-con-un-martello_108504873-02k.shtml