

**ВЗАИМНОЕ СОТРУДНИЧЕСТВО ОПЕРАТИВНИКОВ И
СЛЕДОВАТЕЛЬ В БОРЬБЕ С ОРГАНИЗОВАННОЙ ПРЕСТУПНОСТЬЮ.**

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Аннотация. В данной статье освещены важные аспекты следственных действий при расследовании преступлений, совершенных организованными группами. Выражено взаимодействие следователя с органами и работниками, осуществляющими оперативно-розыскную деятельность, порядок совершения процессуальных действий, таких как осуществление предварительного следствия. Объясняется такой криминологический признак не только доказуемостью при расследовании преступлений, но и сведениями о характеристике необходимых признаков преступной деятельности, а также сведениями об элементах, которые используются для доказывания преступления. Утверждается, что следователи и оперативники будут выявлять криминалистическую природу организованной преступной деятельности и сопоставлять ее с типичными криминалистическими данными, характерными для соответствующего конкретного вида. Также выражено использование криминалистических методов и средств, помогающих своевременно и эффективно решать задачи оперативного розыска, следствия и экспертизы на начальной стадии расследования деятельности преступной группы. Выделены криминалистические особенности следственно-оперативного персонала при определении следственных ситуаций при допросе организованной преступной группы. Важную роль в правильном определении способа и механизма совершения преступления организованной группой при раскрытии совершенных преступлений играет следственная тактика следователей.

Ключевые слова: Организованная преступная группа, уголовный розыск, оперативно-розыскная деятельность, контрольно-ревизионные органы, следственные материалы, агенты, получение информации.

**MUTUAL COOPERATION OF OPERATIVES AND DETECTIVES IN
THE FIGHT AGAINST ORGANIZED CRIME.**

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Abstract. This article highlights important aspects of investigative actions in the investigation of crimes committed by organized groups. The interaction of the investigator with the bodies and employees carrying out operational-search activities, the procedure for performing procedural actions, such as the implementation of a preliminary investigation, are expressed. Such a criminological feature is explained not only by provability in the investigation of crimes, but also by information about the characteristics of the necessary signs of criminal activity, as well as information about the elements that are used to prove a crime. It is argued that investigators and operatives will identify the forensic nature of organized criminal activity and compare it with typical forensic data specific to the respective specific type. Also expressed is the use of forensic methods and tools that help to timely and effectively solve the problems of operational search, investigation and examination at the initial stage of investigating the activities of a criminal group. The forensic features of the investigative and operational personnel are singled out when determining investigative situations during the interrogation of an organized criminal group. An important role in the correct determination of the method and mechanism of committing a crime by an organized group in the disclosure of committed crimes is played by the investigative tactics of investigators.

Keywords: Organized criminal group, criminal investigation, operational-investigative activities, control and audit bodies, investigative materials, agents, obtaining information.

Introduction

In the investigation of crimes committed by organized criminal groups, interaction between the investigator and the bodies carrying out operational-search activities is carried out in two main directions: filling the existing information gap and ensuring the investigator's investigative and other procedural actions. Moreover, these two directions are interrelated, since resolving the problem of information shortage makes

it possible to eliminate difficulties in proper planning and conducting relevant investigative actions. Ensuring the implementation of such investigative actions includes obtaining information about opposition aimed at depriving the investigator of access to necessary data.

The specificity of investigating criminal cases related to organized criminal activity is manifested not only in the peculiarities of investigative methods, the extensive use of operational-search results in proof, and the need to apply scientific and technical means, but also in procedural matters.

Previously, investigative and judicial bodies did not maintain separate records of indicators characterizing organized crime, since the only unified and reliable source of information consisted of operational records compiled and analyzed by units combating organized crime.

Organized crime can be countered only through an effective, professional, well-trained, and technically equipped system of agencies. This system should include specialized operational units for combating organized crime, investigative units responsible for investigating organized criminal activity, separate divisions of the prosecutor's office supervising operational-search activities, and bodies responsible for verifying and maintaining public prosecution in criminal cases. Ultimately, this reflects the comprehensive nature of law enforcement actions aimed at detecting and eliminating organized criminal activity, initiating criminal cases against members of organized criminal groups, and conducting preliminary investigations—that is, creating a professional mechanism for combating organized crime.

Initial information serves as the basis for advancing investigative and operational-search hypotheses. If the initial information is obtained solely through an inspection of the crime scene and there are no persons related to or knowledgeable about the investigated case, then in such a complex situation hypotheses are based on the location of the scene relative to certain landmarks; the number of persons present there and their physical capabilities; directions of movement; traces left behind; objects brought by participants and their traces; the results of the actions of persons present, namely traces left, corpses and their location, parts of objects and items, scattered substances, pools, as well as the presence of damaged, displaced, or dispersed objects.

Considering that interaction between the investigator and bodies authorized to carry out investigative actions constitutes part of the investigation, the specific features of such cooperation also depend on the characteristics of the committed crime. Therefore, during the investigation of crimes committed by organized criminal groups, interaction should take into account the specific features of these crimes. Moreover, such interaction can be highly effective only when the characteristics of the committed crime are considered. At the same time, it is evident that not all of these characteristics equally affect the organization and conduct of the investigation.

Crimes differ from one another in the complexity of their underlying mechanisms. In some cases, this mechanism is very simple, while in others it is extremely complex. Accordingly, investigations may be simple or complex. When an investigation is simple, it can be successfully conducted using stereotypes based on the investigator's personal experience or shared experience with colleagues in investigating similar crimes. Such stereotypes are formed, for example, when investigating murders and other crimes against the person committed in domestic settings.

When investigations are complex and such stereotypes are insufficient for effectively investigating a particular crime, complex investigations include those related to organized crime and a number of other offenses.

In such cases, investigations are based on the systematic generalization of practice and the development of specific systems carried out when appropriate specialized investigative methods are formed. The need for certain investigative actions arises, in particular, due to a specific information deficit at the initial stage and may also be observed at later stages in relation to particular circumstances of the committed crime.

At the same time, the lack of information is mainly determined by the specific features of the relevant crime.

If the receipt of operational materials begins with catching suspects in the act, the recommendations derived from such materials provide significant assistance in determining the following circumstances: whom, where, and under what conditions to apprehend; in what sequence detainees should be searched; what actions are necessary to distract group participants whose apprehension is not expedient at the current stage

of the investigation; as well as how to seize or preserve money and valuables obtained by criminal means prior to their confiscation or arrest.

In addition, a characteristic feature of crimes committed by organized criminal groups—namely a high level of consolidation and cohesion among group members—requires a lower degree of consolidation and consistency in the investigator's interaction with officials of operational-search bodies. This affects the nature of interaction between the investigator and operational-search bodies during the investigation of such crimes.

Research Results

Consistency and consolidation in interaction mean that the investigator's investigative and procedural actions are supported by operational-search activities and, conversely, certain operational-search measures are ensured by specific investigative and procedural actions. The need to strengthen operational-search measures through investigative actions arises in some cases due to the necessity of obtaining precise information from the investigation.

Many other types of crimes committed by organized criminal groups should also influence the nature of assistance between the investigator and bodies carrying out operational-search activities. The features that must be considered in such interaction should include the specific characteristics of this type of crime, which may later be implemented in the form of crime prevention during the investigation.

One of the most important institutions in investigating criminal cases related to organized criminal activity is the institution of ensuring justice in relation to persons brought to criminal liability, as well as, in certain cases, the institution of applying preventive measures to persons suspected of committing crimes.

Preventive measures are state coercive measures provided for by criminal procedure law that temporarily restrict the rights of the accused (suspect) when there are sufficient grounds to believe that the accused (suspect) may evade investigation or trial, obstruct the establishment of the truth in the case, continue criminal activity, or hinder the enforcement of a sentence. The application of preventive measures is aimed at ensuring

the interests of justice through coercion, and information about the accused's improper behavior serves as the basis for compulsory influence.

The application of measures to prevent the continuation of criminal activity is of particular importance in the investigation of criminal cases related to organized crime. On the one hand, when investigating the activities of a gang or criminal organization, multiple episodes of criminal conduct are often identified, which alone indicates the necessity of applying preventive measures, including the strictest ones. Moreover, in investigating this category of cases, the continuation of criminal activity by members of organized groups may take the form of concealing previously unidentified crimes, or even physically eliminating persons suspected of possessing information about criminal activity or cooperating with law enforcement agencies.

The results of operational-search activities may be presented in the form of a generalized official report (information memorandum) or original copies of relevant operational-service documents. The submitted materials should be accompanied by information on the time, place, and circumstances of seizure of objects and documents during operational-search activities, as well as video and audio recordings, film and photographic materials, copies, and information on covert acquisition. In addition, a description of the individual characteristics of the specified objects and documents should be provided.

Conclusion

Thus, we have examined that in the investigation of crimes committed by organized criminal groups, interaction between the investigator and bodies carrying out operational-search activities is carried out in two directions: filling the existing information gap and ensuring the investigator's investigative and other procedural actions. Interaction between investigators and operational officers plays a crucial role in exposing criminal groups and terminating their activities. The exchange of important information about the activities of organized criminal groups based on cooperation between law enforcement agencies plays a decisive role in ensuring the effectiveness of investigative actions. Moreover, these two directions are interrelated, since resolving the problem of information shortage helps to properly plan the investigation and conduct appropriate investigative actions. In addition, the wide application of the experience of developed countries—namely, unrestricted use of databases and

material-technical resources (modern high-tech equipment)—elevates interaction between investigators and operational-search personnel to a higher level and enables law enforcement agencies to stay one step ahead of organized criminal groups.

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