

Criminological Support of Operational-search Activity on Counteraction of Criminal Leaders in Places of Deprivation of Liberty

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Abstract: Correctional institutions have a well-functioning organizational and management structure, the main goals of the activity of which are the relaxation of the rules in the regime of serving the sentence, committing crimes on the territory of correctional institutions, as well as ensuring control over the collective of convicts and maintaining the influence of the criminal subculture on them. These structures are headed by the so-called criminal leaders, with whom the employees of penitentiary institutions are fighting, where the main role in countering them is assigned to the operational units. The research carried out within the framework of the article was carried out in order to substantiate the possibility and necessity of using criminological information in the activities of operational officers of places of deprivation of liberty for more effective work to counter the illegal activities of criminal leaders. To achieve this goal, there were solved the following tasks, demonstrating, among other things, the close relationship of such sciences as criminology and operational-search activity. The specificity of the projection of these branches of science in relation to each other provides new opportunities, methods, tools, tactical devices that allow fighting against organized crime more effective. The article presents the conclusions about the possible results contributing the more effective work based on criminological support of operational-search activities in the fight against criminal leaders. The methodological basis of the research is the dialectical method of studying social processes and phenomena. In the course of the research, we used such methods of collecting and analyzing information as statistical; analysis and synthesis; specifically sociological, method of modeling.


1 INTRODUCTION


Today, one of the effective problems that affect the functioning of institutions of the penal system of the Russian Federation is the suppression of the activities of representatives of organized crime in places of deprivation of liberty.

The problems of increased public danger of criminal leaders have been raised at the state and departmental level for a long time. It is relevant today for the leadership of the Federal Penitentiary Service to take measures against this category of persons in order to suppress their illegal activities in places of deprivation of liberty, as well as to neutralize the influence on the bulk of convicts, suspects and the

accused. Describing the current state of the illegal activities of criminal leaders in places of deprivation of liberty, one should note not only their ever-increasing activity but also the desire to create organized groups in correctional institutions with non-public power. Leaders cooperatively with negative group members extol immediate criminal goals, based on the conditions conducive to the intended acts and the circumstances of the functioning of places of deprivation of liberty.

When implementing operational-search measures aimed at combating criminal leaders in penitentiary institutions, operational officers use a criminological system of preventive activity, which is aimed at achieving common goals and objectives, demonstrating, among other things, the close

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relationship of such sciences as criminology and operational-search activity. The specificity of the projection of these branches of science in relation to each other provides new opportunities, methods, tools, tactical devices that allow fighting against organized crime more effective.

2 METHODS

The methodological basis of the research is the dialectical method of studying social processes and phenomena. In the course of the research, we used such methods of collecting and analyzing information as: statistical (in the study of quantitative data); analysis and synthesis; specifically sociological (when questioning and interviewing), modeling (when drawing up a criminological portrait of a criminal leader).

3 RESULTS AND DISCUSSION

Criminal leaders are the so-called fundamental central element of the penitentiary crime since we are talking about the category of persons who are the most stubbornly opposing themselves to the norms and rules, the rule of law established by the legislation of the Russian Federation, the values of society and involving, persuading new persons into organized crime (Burlakov, 2019). Most convicts, suspects and the accused in correctional institutions are negatively influenced by criminal leaders and the members of negative groups, including attempts to make correctional institutions a base for recruiting and training new members of extremist and terrorist groups. Not insignificant is the fact that the criminal activities of criminal leaders in Russia have their own specifics, which are constantly changing and adapting to the developing economic, political and socio-legal spheres of the state (Sokolov, 2004). The main task of law enforcement agencies in modern conditions is to understand and explain crime, predict its level, in order to influence it with the help of effective institutional solutions (Smith, 2017). Recently, an effective toolkit has been created for searching and processing various information data, including information about criminal leaders (Sukhodolov, Ivantsov, Molchanova, 2018).

As a result, they acquire antisocial characteristics, and measures of educational influence, regime restrictions and operational-preventive activities do not produce the desired effect on them, the goals of

punishment are not achieved. The environment of the penitentiary community, where criminal leaders play a key role, contributes to the quickest acquisition and assimilation of criminal skills and experience by convicts, negatively affects the process of correction and their return to society. As a result of the negative influence of criminal leaders, the convicts' thinking changes (being in a group, there is a feeling of security, therefore the convicts respect the majority opinion or the leader) (Guseva, 2020).

It should be noted that, according to many domestic and foreign scientists, the illegal activities of the leaders of the criminal environment in modern Russia are implemented both at the local and state levels (Shelley, 1994), having a negative impact on all spheres of social life and the state (Waller, 1994).

Based on the performance indicators of the penal system of the Federal Penitentiary Service, published annually by the department, the number of persons registered as leaders and active members of negative groups in penitentiary institutions in 2015 was 1,398 people, in 2016 - 1,398 people - 1,380 people, in 2017 - 1,463 people, in 2018 - 1,299 people, in 2019 - 1,608 people, in 2020 - 1,642 people. The presented statistics data show that the number of this category of persons is increasing despite the fact that the total number of people serving sentences in places of deprivation of liberty has decreased in recent years.

It should be noted that the increase or decrease in a crime depends on purposeful work with criminal leaders, both in penitentiary institutions and in the country as a whole. To substantiate and support the adoption of managerial decisions to counter criminal leaders and prevent the criminalization of society, law enforcement agencies need to take into account the opinion of both specialists in the field of science and representatives of public organizations (Sukhodolov, Marenko, Bychkova, Lozhnikov, 2020).

Of course, the questions of creating a unified policy to counter their illegal activities in penitentiary institutions require deep scientific understanding, as well as improving the activities of departments and services of correctional institutions, where the main work on prevention and counteraction should be carried out by operational units.

A number of scientists who are the founders of the theory of operational-search activity (A. I. Alekseev, D. V. Grebelsky, A. G. Lekar, V. A. Lukashov, S. S. Ovchinsky, G. K. Sinilov and others), in their first fundamental works in the 1970s, noted the need for the widest use of criminological knowledge in the development of the theory and practice of operational-search activity (Isichenko, 2001).

Let us consider the influence and interrelation of these branches of science in countering criminal leaders in prisons, paying attention to the criminological support of an operational-search activity, which is carried out by operational devices in penitentiary institutions.

In the work on countering criminal leaders in correctional institutions, operational units solve the following tasks:

- carry out the collection and analysis of information to identify the leaders of the criminal environment and, if necessary, put them on a preventive record;
- implement measures aimed at neutralizing the negative influence of criminal leaders and active members of negative groups on other convicts;
- take measures to prevent the spread of criminal ideology among the bulk of convicts;
- reveal the true intentions of the convicts upon arrival at the correctional institution and report this information to the chiefs of the detachment in order to provide the most complete picture of the convicted defendant's correction.

The implementation of these tasks is impossible without the analysis of criminological information, which has its actual embodiment in the operational service of such criminogenic objects as penitentiary institutions.

When assessing the operational situation, operational officers must analyze the totality of criminological indicators:

- the state, structure and dynamics of criminal acts of this category of persons, which characterize organized crime in general;
- mechanisms for committing illegal acts, allowing to identify the dynamics and functions of the activities of criminal leaders in places of deprivation of liberty;
- characteristics of the personality of criminal leaders, including a combination of factors (economic, social, demographic, ethnographic, geographic, etc.).

Analysis of the state, structure and dynamics of criminal acts of this category of persons makes it possible to determine and predict the likely manifestations of organized crime in a correctional institution, which will make it possible to make a choice of deployment options at certain facilities that require operational protection. This is contributed, among other things, by statistical information that shows tendencies in the manifestation of certain illegal acts related to the activities of criminal leaders and should be used as a tool for anticipating probable

processes in a correctional institution. Holding the necessary criminological information, operational officers can use it in a predictive sense to form an approximate model of the manifestation of illegal activities of criminal leaders in prisons.

A well-functioning organizational and management structure has developed in penitentiary institutions, the main purpose of which is easing of some requirements of serving sentences and committing crimes on the territory of institutions, as well as ensuring control over the collective of convicts and maintaining the influence of the criminal subculture on them. The main place in the self-determination of penitentiary crime is belonging to criminal ideology, which they present as an example of universal human moral values (honesty, justice, mutual respect, mutual support, etc.).

In modern Russia, there is a fairly large group of people of operational and preventive interest (Bykov, Zenin, Kudryashov, 2018). The most important and relevant element of organizing the activities of operational units is, first of all, an assessment of the operational situation, which is formed and based on criminological knowledge (Gaikov, Galkina, 2013). It should be noted that the possession of up-to-date information characterizing the operational situation should not be limited to the penitentiary institution. It is necessary to pay attention to the fact that correctional institutions are not isolated from the outside world. Finding the necessary information in relation to criminal leaders and their closest associates makes it possible to assess the operational situation not only in a particular correctional colony or pre-trial detention center, but also in the area where they are geographically located. Criminal leaders who are at large provide tremendous assistance in obtaining material assets obtained by criminal means, including replenishing the so-called mutual assistance fund for representatives of the criminal world ("common fund") (Agildin, 2019). Within the participation in such actions, a criminal ideology is formed among those sentenced to imprisonment, a stable picture of the world is acquired with a priority in favor of criminal values. In this regard, according to their capabilities, levels of competence, operational units should have information about the state of the operational situation not only in the institutions of the penal system, but in the direction of the work of other law enforcement agencies carrying out operational-search activities in relation to criminal leaders.

Operational officers use criminological techniques in their activities that help to understand the mechanisms of committing crimes; to form an approximate portrait of the face; to realize the degree

of criminality of the studied space, objects of operational service; explore illegal behavior as a process that takes place in spatial and temporal dimensions; understand the preceding determinants, phenomena that affect the unlawful behavior of a person or a group of persons (Shkabin, 2020). Criminological knowledge helps in the formation of forecasts and construction of strategies of behavior according to the assumed versions in relation to the considered category of persons ((Eminov, 2020).).

Criminological data on a criminal leader personality in places of deprivation of liberty make it possible to assess the object of operational service, understanding the mechanisms of his committing illegal acts (Simonenko, 2013). Personality characteristics include a set of information of a socio-demographic, criminal-legal, criminological, psychological, penal and other nature, the registration of which will allow operational employees to most effectively use measures in the prevention and suppression of illegal activities of this category of persons (Antonyan, Kudryavtsev, Eminov, 2004).

According to the research results, by questioning convicts, employees of the penal system, we established an approximate criminological portrait of a criminal leader in places of deprivation of liberty, which was formed from the following data: persons aged 27-42 years - 71.3%, persons aged 22- 27 years old - 12.1%, persons aged 42 years and older - 16.6%; lived in cities - 69.1%, in villages - 28.4%, without a place of residence - 2.5%); educational and cultural level of leaders among convicts is above average - 71%. It should be noted that among these persons, before conviction, 69.5% were not officially employed, 2% were employed and 27.5% were engaged in shady business. Most of them have sentences ranging from 5 to 10 years, 82% of criminal leaders in correctional institutions are repeated criminals. The majority of persons in this category do not have any incentives during their stay in correctional facilities - 95%; the absolute majority of them adhere to the norms and traditions of the criminal (prison) subculture - 98%; 60% of them have been convicted of violent crimes. Among the types of sentences imposed by the courts, imprisonment prevails in the absolute majority - 95.5%; most of the respondents are not married and have no children - 67%.

Summarizing the personal qualities of a criminal leader, it should be assumed that this is, first of all, a man aged 25 to 39 years, has a high educational level, is not married, has no children, and is not employed. A person has been convicted two or more times, most often for violent and economic crimes. The motive for

crimes is self-interest. They are powerful, purposeful, daring, enterprising, decisive, cruel people, they have a strong-willed character, the ability to subordinate other people to their will. They are distinguished by a pronounced legal nihilism, a persistent antisocial attitude without any internal self-condemnation, a high degree of criminogenic infection of personal characteristics.

In correctional institutions, criminal leaders carry out the so-called informational, organizational, strategic, disciplinary and regulatory functions. The implementation of these functions should be suppressed by the operational staff of the institution. This activity will be most effective if the operational staff have criminological information about the identity of the criminal leader.

Data on the motivation of illegal behavior of criminal leaders are of particular importance in the study of their personality, which helps in the development of tactical directions of operational-search activities in relation to a specific person. Having data on the intentions and responsibilities of specific criminal leaders and members of the criminal environment, it is possible to organize a special transparent control over the activities of these persons, excluding their implementation.

To build a strategy for combating criminal leaders, criminological information can be obtained by operational officers from the following sources:

- materials of criminal and personal files of criminal leaders;
- materials of service checks;
- complaints and statements of convicts and their relatives, other persons; employee reports;
- information contained in the media, the Internet, social networks;
- statements by victims and witnesses;
- the results of using special technical means;
- information obtained as a result of operational-search measures from persons from among the secret apparatus, etc.

A special place in the above list of sources of information rightfully belongs to persons providing secret assistance, therefore there is always an acute question of the availability and selection of a qualified agent apparatus by operational employees.

The received and studied criminological information will allow operatives to:

- identify the motives and designs of criminal leaders;

- to identify the personal properties of a criminal leader, details of the biography for the possible obtaining the information of compromising nature,

which may undermine the informal leading status in front of convicts, suspects and the accused;

determine the degree of influence and danger of the criminal leader for the functioning of the institution;

register the identified criminal leaders;

on the basis of compromising information, it is more efficient to recruit criminal leaders and active members of negative groups into the secret apparatus;

to carry out purposeful work on the formation of a secret apparatus capable of providing information in relation to this category of persons;

use criminal leaders as agents of influence;

in the presence of reliable data on the illegal activities of criminal leaders, aimed at organizing active opposition to the administration of the correctional institution, the pre-trial detention center, crimes and violations of the regime, operational units carry out a set of operational-search measures within the framework of operational development.

Criminological support of operational-search activities in relation to criminal leaders in places of deprivation of liberty will allow:

take into account certain aspects when improving federal and departmental legislation in the framework of countering criminal leaders in places of deprivation of liberty;

to develop and use effective criteria for assessing the effectiveness in the fight against criminal leaders in places of deprivation of liberty;

to increase the level of training and knowledge of operational officers of the Federal Service for the Execution of Punishments in their tasks and capabilities in operational-search prevention against criminal leaders;

to interact with the operational units of the Federal Service for the Execution of Punishments with other law enforcement agencies in the fight against the illegal activities of criminal leaders in prisons.

The system of criminological prevention and operational-investigative counteraction to criminal threats from criminal leaders is complex and requires deep scientific understanding, as well as the development of measures to improve the efficiency of operational and service activities of operational and security facilities of correctional institutions and pre-trial detention centers (Goryainov, 2010). Consequently, the use, interaction of such scientific areas as criminology and operational-search activity in the work of operational employees will allow to more effectively carry out the fight against organized crime in places of deprivation of liberty.

4 CONCLUSIONS

The criminological indicators distinguished above, representing the totality of information, methods studied by the science of criminology, made it possible to clearly show how operational-search activity relies on the knowledge presented by this science, which helps in the fight against illegal acts of criminal leaders in places of deprivation of liberty. Of course, the criminological support of operational-search activity is not one-sided. In turn, the latter allows criminology to study the mechanisms of committing a crime from the inside, relying on hidden processes that can occur and be known to an absolutely limited circle in the face of operational employees. And this interaction of two fairly young scientific directions makes it possible to most effectively fight against crime and, in particular, with criminal leaders, who affect the crime situation not only in places of detention, but also in the state as a whole and beyond.

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