



THE IMPORTANCE OF TACTICS FOR DETAINING WANTED CRIMINALS

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Article history:	Abstract:
Received: 7 th January 2024 Accepted: 23 rd February 2024	The article provides a scientific analysis of the tactics of detaining wanted criminals, its significance as one of the practical directions and necessary means of criminology aimed at ensuring the principle of the inevitability of criminal liability for a crime and ensuring public safety and order in the country. The opinions of scientific criminologists on the content and essence of the tactics of detaining wanted criminals are presented, the features of the algorithm for the sequential implementation of tactics of detaining wanted criminals are analyzed, tactical methods of detention are considered depending on the conditions in which this type of procedural coercion is carried out. An algorithm for the actions of the authorities carrying out the search has been determined by observing the necessary conditions of the criminal procedural order and forensic tactics for detaining hiding criminals.

Keywords: detention, detention tactics, wanted criminal, security, tactical techniques, authorities carrying out the search, algorithm of detention, algorithm of actions of the authorities carrying out the detention

One of the necessary means of fighting crime is the timely detention of persons who have committed a socially dangerous act and are hiding from investigation and court. This tool is important in the implementation of the principle of criminal procedure on the inevitability of punishment of persons who have committed a crime.

It should be noted that scientific research on improving the search for persons who have committed crimes is carried out in leading scientific centers and higher educational institutions of the world. Similar studies are conducted in such scientific institutions as: National Institute of Justice (USA), Ecole nationale supérieure des officiers de police (France), National Research Institute of Police Science (Japan), National University Australia (Australia), University of Toronto (Canada), Peking University (China), Tel Aviv University (Israel), Moscow University of the Ministry of Internal Affairs of the Russian Federation (Russia), the Academy of the Ministry of Internal Affairs of the Republic of Belarus, the Academy of the Ministry of Internal Affairs of the Republic of Tajikistan, as well as the Academy of the Ministry of Internal Affairs of the Republic of Uzbekistan [1, p.32].

Statistical indicators of recent years show an increased number of wanted persons, which indicates the urgent need to improve tactical techniques for detaining wanted criminals, operational search support and international legal regulations for the search for perpetrators of crimes whose location is unknown.

From the point of view of forensic tactics, the detention of wanted criminals has great practical importance. The process of detention is carried out through an algorithm of sequential actions and application, the use of tactical techniques, knowledge of which guarantees the successful implementation of the goals of criminal prosecution [2, p.30]. Every law enforcement officer responsible for investigative activities and locating fugitive criminals on the wanted list should know and skillfully apply the tactics of detention.

The detention of wanted criminals can be represented as a complex technology that implements the algorithm of actions of employees searching for criminals. In legislative acts, it is used to designate the process of detention of wanted persons, depending on the types of search (state, interstate or international), each of which is specific in its legal nature, grounds and procedure for implementation [3, p.65].

Detention, according to O.I. Tsokolova, should be considered a measure of criminal procedural coercion, which most restricts the rights and freedoms of a person suspected or accused of committing crimes [4, p.3].

Certain aspects of the tactics of detaining wanted persons and the implementation algorithm are reflected in some studies by domestic and foreign authors. Thus, A.A. Matchanov, in his monographic study, touched upon the peculiarities of the detention of the accused who is wanted and considered the



direct tactics of the actions of the criminal investigation officers [5, p.36].

Among foreign scientists, fundamental research was conducted by S.V. Bazhanov. He noted that, as a general rule, only established (known) participants in the criminal process who have acquired the necessary procedural status (suspects, accused, defendants and convicts) can act as objects of search, and not abstractly persons who have disappeared from the bodies of inquiry, investigation and court [6, p.25].

N.V. Popkov, regarding the detention of a suspect and an accused as a type of state coercion, notes that the detention of an accused has special grounds, goals, motives and conditions. [7, p.4].

V.G. Petrovsky points out in his research about the organizational and tactical bases of conducting operational search measures and investigative actions during the detention of a suspect [8, p.26].

A.B. Smushkin expressed the opinion that it is also of great importance to systematically study the impact of the results of detention on the organization of the investigation – in particular, on the choice of tactics for conducting other investigative actions, on the one hand, and on the other, the impact of other actions on the organization and tactics of detention. [9, p.4].

Based on the above opinions of scientists, it can be concluded that the tactics of detaining wanted criminals is a separate complex institute of criminology that defines the tactical rules for detaining fugitive criminals. This is important for practitioners engaged in investigative activities, who should know and be able to apply tactical techniques for detaining wanted criminals.

The study of the opinions of practitioners engaged in investigative activities showed that only a part of the criminal investigation officers have knowledge and practical skills in tactics of detaining an accused person who is wanted. This indicates the relevance of conducting the necessary research in the field of improving tactical techniques for detaining wanted criminals.

According to Z.K. Zhabborov, the imperfection of the legal procedure for the detention of persons who have committed crimes is expressed in the incomplete equipment of law enforcement agencies with modern technical means and technologies that make it possible to identify and detain persons who have committed a crime [10, p. 27].

Also important is the legislative regulation of the grounds and procedure for detention, which directly affects the tactics of its conduct, which contributes to the effectiveness and ensures the safety of its participants [11, p. 7,8].

A.V. Pavlov notes that the grounds for the detention of the wanted accused are based not on the assumption of his involvement in the commission of a crime, but on factual data equal in legal force to the totality of evidence sufficient to initiate a petition for detention before the court[12, p.8]

In essence, the features of the detention of a wanted criminal, from a forensic point of view, is a system of scientifically based recommendations on the most rational way of acting in the implementation of the actual detention. These recommendations are important for the algorithm of the activities of the bodies directly involved in the detention of wanted persons through certain tactical techniques.

According to A.B. Smushkin, the circle of persons and bodies involved in the detention of criminals is determined by the current investigative situation [13, p.9]. At the same time, the detention algorithm is implemented in the sequential conduct of the following tactical actions: preliminary preparation for detention (drawing up a plan, alignment of forces, provision of technical means, listening to the negotiations of the wanted person conducted from telephones and other telecommunication devices, removal of information transmitted through them, their analysis and processing); direct, physical execution of the arrest of the wanted person (conducting a tactical combination or capture operation); delivery to the duty station of a law enforcement agency and registration of a protocol on detention.

The immediate process of the algorithm itself includes preparation for detention, namely, studying the identity of the detainee, studying the place of detention, determining the time of detention, drawing up a detention plan, selecting and distributing the duties of employees involved in detention, their preliminary instruction, equipping with technical means.

The direct detention of a wanted person is carried out using forensic and operational search records and through interaction, during the detention of wanted persons, other structural divisions of law enforcement agencies, public authorities and citizens.

The choice of the place of detention of the wanted and its preliminary study are carried out to reduce the tactical risk for the criminal investigation officers of the internal affairs bodies who are assigned the tasks of detention. The place of detention should be as safe as possible for the arresting officers and others. Conditions must be created to ensure the possibility of using special and technical means during the operation to detain wanted criminals.



Preparatory activities begin with a preliminary study of the alleged place of detention of the wanted criminal in order to optimally organize the detention. This is aimed at the possibility of free orientation on the spot, planning the placement of participants in detention, determining points of preliminary observation and developing routes and locations of employees and vehicles.

Some organizational and tactical measures may be carried out at the place of detention of wanted criminals. So, in order to block possible escape routes for wanted criminals, it is possible to start false repair and restoration work on some roads under the guise of representatives of various public services, place criminal investigation officers near the place of detention, covertly place cars with operational staff who, at a conditional signal, block the driveway.

The detention of wanted persons should be carried out in conditions that are as unfavorable for them as possible and the most favorable for detaining criminal investigation officers.

The time of detention is chosen taking into account the possibility of ensuring the safety of participants in the seizure and outsiders, the suddenness of detention for criminals, the possibility of capture with minimal resistance of detainees.

Group members are formed taking into account the number of criminals, their degree of danger, armament and the expected development of the situation during detention. In any case, the capture group should have a numerical advantage. The number of members of the capture group is recruited at the rate of 2-3 criminal investigation officers per wanted criminal. It is advisable to separate the functional roles of the members of the detention group.

The tactics of direct detention of the wanted person are based on the actions of the officers carrying out the detention. They should get as close as possible to the wanted person and, using precautionary measures, carry out the arrest. This is possible through an operationally carried out action that restricts the freedom of action of the detainee, attempts to resist are suppressed.

It is a significant difficulty to detain a wanted criminal in any room. The organizational moment includes actions for unnoticed entry into the room. If this cannot be done and the wanted criminal refuses to open the door, then, given his mental stress and the possibility of impulsive actions up to the use of firearms, you should enter into negotiations with him, convince him to voluntarily surrender. If the goal is not

achieved, special means provided for by the relevant departmental regulations may be applied.

When several wanted persons are detained in different places, it is important to clearly coordinate the actions of the detention groups. In case of unforeseen situations, this must be reported to the body or person coordinating the detention. This is necessary to make timely adjustments to the actions of other groups.

This is most typical for the tactics of detaining the wanted person, as well as the actions associated with it – the seizure of weapons, incriminating objects and documents and the escort of a person to an office space, as well as, in part, fixing the circumstances of the arrest of the wanted person. In relation to these actions, the tactics of detaining a wanted criminal suitable for a certain situation are being developed.

According to O.A. Ageev, the content of criminalistic support for detention, its normative basis is a description of the elements of criminalistic characteristics, the concept of a criminalistic operation to detain suspects and investigative situations that determine the tactics of detention [15, p.56]

T.A. Tkachuk determines that as a basis for detaining a wanted person, there may be a request (formal notification) about his wanted list, received through the urgent communication channels of Interpol or the General Secretariat [16, p.18].

Based on the above, the theoretical and practical aspects of the detention of wanted criminals depend on the knowledge and skillful use of the legal and applied foundations of the tactics of their detention and the implementation of the algorithm of criminal procedural actions, forensic support, and a developed detention plan. The tactics of detention presupposes the readiness of the forces and means involved in the detention of law enforcement agencies and officials, their ability to tactically competently apply the available tactics of detention, including armed criminals, to implement the tasks set, to organize effective interaction. In order to optimize the tactics used to detain wanted persons, it is necessary to take into account and strictly adhere to the norms provided for by criminal procedure and operational search legislation, as well as to know and possess the skills of timely, skillful use of detention tactics, operational capabilities of law enforcement agencies in the implementation of this detention tactic.

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