

ABSTRACT

The article deals with the studying and comparative analysis of international experience of using software and innovative technologies in the criminal justice sphere in certain countries as well as determining of the key causes of the imbalance between the development tendencies and implementation of such systems in Ukraine; ways and methods of submitting and accessing the information and evidence in electronic criminal justice system.

The significance of this article is evident from the necessity of the comparative analysis of a positive and effective experience of the acting systems of informatization of the criminal justice system of different countries in order to resolve the issue of reforming the criminal justice system of Ukraine by means of creating an information system of pre-trial investigation – electronic criminal justice system in Ukraine with the purpose of improving the modern concept of the electronic component of the criminal justice system in order to realize the fundamental principles of a democratic society such as access to justice as one of the key principles of ensuring legislative rights and freedoms of a person in a democratic state.

This research paper contains the analysis of the experience of the innovative technology functions in the electronic systems of the official bodies of the criminal justice system in the context of reviewing the application of various information programs based on the model and methods of receiving and saving information; performance analysis of the program's strategic elements; comparison of the complex approach methods to implementing innovative processes of organization, application and control in the electronic criminal proceedings in different countries. Based on the research results, the main areas of focus have been established in order to implement the system of modern and effective electronic criminal proceedings in Ukraine.

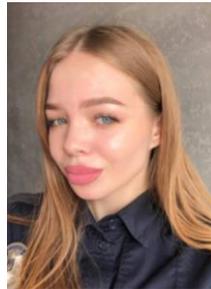
Keywords: *electronic criminal proceedings, digitalization of the criminal justice system, algorithmization of the electronic criminal proceedings, electronic systems of the bodies of the criminal justice system.*

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ANALYSIS OF THE REASONS THAT AFFECT THE CRIME RATE DURING THE CORONAVIRUS PANDEMIC

Ганна Бідняк, Дар'я Оргієць. АНАЛІЗ ПРИЧИН, ЩО ВПЛИВАЮТЬ НА РІВЕНЬ ЗЛОЧИННОСТІ ПІД ЧАС ПАНДЕМІЇ, СПРИЧИНЕНОЇ КОРОНАВІРУСОМ. В науковій статті зосереджено увагу на вирішенні актуальної наукової проблеми щодо вивчення причин динаміки правопорушень під час карантинних обмежень та шляхів їх запобігання в Україні. Підґрунтям дослідження стали законодавчі та наукові джерела, аналіз яких дозволив дійти певних висновків.

В роботі була зроблена спроба систематизувати причини, які впливають на динаміку показників різних видів правопорушень у період пандемії коронавірусу. Наголошено, що карантинні обмеження вплинули на зростання числа випадків домашнього насильства, онлайн-шахрайства, інтернет-тренди небезпечних контентів, фальсифікації лікарських засобів та адміністративних правопорушень, однак, зменшилася кількість кишенькових крадіжок, хуліганства, вандалізму.

Ключові слова: *коронавірус, COVID-19, карантин, пандемія, криміналістична профілактика, правопорушення.*

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Relevance of the study. The COVID-19 coronavirus has covered all countries, as well as our state: since the beginning of the pandemic in Ukraine, at the time of our research, more than 1,546,363 people have fallen ill. In order to prevent the spread of a deadly infection, quarantine measures are introduced all over the world, which limit the presence of people in public places, the sale of food products in markets; all mass events are cancelled, training takes place at home online, etc. Lockdown (English Lockdown) – a situation in which people are prohibited from freely entering and leaving a building or a certain area due to an emergency situation. Often used recently in the form of a shorter designation of the mode of full or partial restriction of social contacts in connection with the pandemic of the new coronavirus SARS-CoV-2.

And although the situation with the coronavirus was called a pandemic back in March 2020 – almost a year ago, despite the measures taken, there is no improvement. Currently, the incidence rate in Ukraine is breaking new records, the third wave of the coronavirus pandemic has begun. Resolution No. 104 of the Cabinet of Ministers dated February 17, 2021 "On Amendments to Certain Acts of the Cabinet of Ministers of Ukraine" amended Resolution No. 1236 of the Cabinet of Ministers of Ukraine dated December 9, 2020 "On Establishing Quarantine and Introducing Restrictive Anti-Epidemic Measures to Prevent the Spread of the territory of Ukraine of the acute respiratory disease COVID-19 caused by the SARS-CoV-2 coronavirus", extending the quarantine until April 30, 2021 [1].

At the beginning of Russia's military invasion of our territory, the situation with pine needles somewhat decreased. However, in today's difficult times, the COVID-19 virus continues to make life difficult. The COVID-19 pandemic is often referred to as the watershed that marked the beginning of a new reality: the media often exaggerated research results and spread panic, businesses struggled to adapt, and criminals came up with new ways to deceive people. Therefore, the development of measures to increase countermeasures against crime during quarantine restrictions in Ukraine and their implementation by the National Police is an urgent issue today.

Recent publications review. Generalization of modern approaches to understanding the essence of the offense, its causes, patterns of occurrence, social and historical conditionality is considered by many domestic and foreign researchers, including: Y. Vedernikov, O. Bandurka, R. Kalyuzhny, S. Lyagina, T. Kolomojets, V. Kotyuk, M. Kravchuk, P. Rabinovych, M. Sambor, E. Sutherland and others. Directly the issue of activation of some types of crime is considered in the works of M. Burke, I. Klymenko, R. Richardson, A. Tompkins, S. Fielding. However, the issues of the reasons that affect the crime rates during the coronavirus pandemic and the development of ways to counteract crime during this period have remained outside the attention of researchers.

The article's objective. The purpose of this work is to study and identify the causes that contributed to the commission of various types of offenses under quarantine restrictions.

Discussion. Speaking about the causes of offenses, it is advisable to determine what exactly this concept means. So, an offense is a socially dangerous or harmful, unlawful, culpable act of a capable subject (individual or legal entity), which is provided for by current legislation and for which legal responsibility is established [2, p. 23]. In scientific literature, the cause is understood as "a phenomenon, or a set of them, which directly causes, generates another phenomenon, which is considered as a consequence". The reason is a force that causes the development of events in one of the possible directions. This force may contain several components: grounds, i.e. basic social contradictions that play the role of a trigger, conditions as internal qualities that contribute to the implementation of the event, causal factors that directly generate this phenomenon or event [3].

Crime is a social phenomenon that is subject to constant changes in intensity, nature, age and gender. The analysis of foreign and domestic periodical literature proves that in the context of the global coronavirus pandemic, quarantine around the world has affected crime, however, there are two points of view regarding its level. The first is that in countries where strict quarantine measures have been introduced, the crime rate is decreasing. Firstly, because most people stay at home and go outside in case of emergency, that is, the chances of becoming a victim are reduced, as well as the level of road accidents. Secondly, the police are on high alert [4]. The number of police patrols (and with the involvement of senior cadets in this process) that catch quarantine violators has increased on the streets of cities. The second point of view says that if the total quarantine is prolonged for a long time, people will lose their source of income and this will lead to an increase in crime. The number of thefts, robberies, hunger riots and looting will increase [5].

As potential criminals follow orders and stay home, many cities around the world are currently experiencing a significant drop in both property and violent crime. This is primarily due to the lack of opportunities and the understanding of potential criminals that it is vital to stay away from the public to protect themselves from the coronavirus. These virus containment measures have reduced overall crime rates. In Chicago, drug arrests fell by 42 percent, and in Los Angeles, the number of reported crimes fell by 30 percent after the cities were cordoned off. In New York, crime fell by about 40 percent in just a few weeks after the cities were closed. In San Francisco and Oakland, the total daily number of criminal incidents dropped by 40 percent after the house arrest order. These are global trends, as street crime continues to decline in many states across America and around the world after travel restrictions have come into effect. Even if there are no reliable data for Germany yet, the number of reported criminal offences is also decreasing compared to the same period last year [6].

According to a recent study in Norway, the unemployed commit 60 % more crimes related to other people's property (such as theft, shoplifting, burglary and vandalism) during the year after losing their job and have 20 % more criminal charges than the employed. Historical experience suggests that a combination of frustration, need and leisure time combine to increase crime rates when people are unemployed [5]. In addition, during the quarantine period, criminals adapt to the new conditions, find other means of illegally obtaining funds and actively exploit people's fears during the crisis [7, 8].

During the January, 2021 lockdown, according to Advisor to the Minister of Internal Affairs V. Martynenko, more than 2500 administrative protocols were drawn up under Part 1 of Article 44-3 of the Code of Administrative Offenses, more than 7000 decisions were made under Part 2 of Article 44-3 of the Code of Administrative Offenses. In total, for the entire time of quarantine due to coronavirus, the police drew up about 72.5 thousand administrative protocols and opened 795 criminal cases. Fines totaling almost UAH 29.5 million were imposed, Martynenko added [9].

Activists around the world report an alarming increase in the number of cases of domestic violence since the beginning of quarantine procedures related to the coronavirus. This is due to both financial uncertainty and the fact that the closed space puts victims of domestic violence in constant proximity to their abusers. In February, in Wuhan, when the province was under strict control, only one police station reported a threefold increase (+22 %) in the number of complaints (+22 %) about family quarrels compared to the same period last year [10]. The number of reported cases of child abuse in families has also increased by almost 60 % since February, as children stay at home and classes are conducted online. In February, the Utah County Sheriff's Office reported that authorities received more than 20 calls about domestic violence. The following month (March), officials received 37 calls, most of which led to arrests [11]. Judging by the comments in domestic social networks, adults sometimes cannot withstand the psychological burden of helping to do homework. In addition, alcohol can affect the level of domestic crimes, which is perceived as a way to brighten up the period of self-isolation [4].

The rise in crime during the announced nationwide quarantine was discussed in Britain. There, the authorities recorded an increase in the number of robberies during the mass hysteria with the purchase of food in reserve. In London, there were five brazen robberies of stores at once. Prison riots broke out in Italy, Colombia and Sri Lanka. Prisoners were outraged by the ban on visits with relatives and restrictions on walks. In some countries, the authorities took an unprecedented step and began to release prisoners. As a result, for example, in the United States, local residents, fearing an increase in crime and looting, are massively buying weapons and ammunition. Demand has increased by 222 % in recent months. And this is understandable, for example, in New York the crime rate increased by 12 % in the first three months of this year. Especially the number of car thefts has increased, the increase was 65.5%. But the number of accidents decreased by 32 %, and traffic violations – by 29 %. The same decrease is observed in the issue of break-ins (–45 %), thefts in public transport (–44 %) [Burke]. During the quarantine period in Ukraine, the number of robberies and robberies decreased by 35 % on average in the country. There were also fewer road accidents [4, 12].

Europol investigators have seen an increase in cybercrime, especially as many people have moved to working from home, where their data security can be compromised. Since the crisis began, there has been a significant increase in the number of counterfeits sold in various markets, including face masks, disinfectants and medicines. Criminal organizations are modernizing and exploiting public fear, taking into account the fact that people are looking for information about coronavirus in any sources, including unverified ones [13].

Cybercriminals attack customers of travel agencies, airlines and hotels who want to return money for unrealistic trips. People often, without hesitation, give the full details of bank cards and end up with an empty personal account. There is also a certain revival of telephone fraud, the growth of online crimes aimed at exploiting increased anxiety and the fact that so many people work from home [14].

Cybercriminals are highly creative when it comes to scamming money from Internet users. Criminals can use a variety of methods to deceive their victims, from impersonating government officials to creating fraudulent websites on the Internet, adapting them to current topics. Last year, many fraudsters used the COVID-19 pandemic to impersonate health authorities or offer to sell scarce protection products. Today, fraudsters are trying to make money using the interest of users in the topic of coronavirus vaccine. It is worth remembering that the schemes of attackers are not limited to health emergencies or global events [15].

Table 1

Analysis of the reasons that affect the crime rate

<i>Increase in crime rates</i>	
<i>Type of offense</i>	<i>Reason</i>
Administrative offenses	Violation of quarantine requirements (wearing a protective mask, violation of trade rules, presence of people over 60 in public places, etc.)
Online fraud	Increase in online shopping due to tightening of quarantine measures: closure of industrial stores, restriction of free movement of people, increase in free time
Domestic violence	Psychological disorders due to the majority of family members being in a closed space, drinking alcohol because of boredom at home
Apartment burglaries	Fraudsters impersonate employees of sanitary and epidemiological services, freely entering apartments to "treat" them from the COVID-19 coronavirus
Robbery of shops	Mass hysteria of the crowd
Petty thefts from shops	Lack of funds due to job loss or sending people on vacation at their own expense
Cruel treatment of animals	Fear of people that animals are carriers of coronavirus
Car theft (USA)	Leaving cars unattended for a long time
Burglary and burglary	Due to the closure of institutions during the quarantine
Falsification of medicines	Fear of people due to the possibility of coronavirus infection
Mass riots	People perceive mass riots as entertainment and are not afraid of responsibility due to other political priorities in the country
Child crime	Reducing supervision of children during parents' working hours, through distance learning
<i>Reduction of crime rates</i>	
<i>Type of crime</i>	<i>Reason</i>
Petty crimes	Failure to record crimes by police representatives, in order not to spread the virus in the vehicle, or in prison, where the virus can spread very quickly
Vandalism, hooliganism, rape	More police patrols on the streets, closure of entertainment venues
Pickpocketing	Reducing the number of people on the streets of cities
ACCIDENT	Reduction of vehicles on the roads

Fraudsters also often post job ads on websites. They offer to perform easy tasks for a moderate payment (assembling pens, sticking stamps, collecting accessories, etc.) The fraudulent employer offers to send the potential victim materials for such work by mail. However, to allegedly avoid any risk, he sets a minimum deposit, which he then promises to return with the first salary for the work done. After paying the deposit, the victim will not receive the materials for the work and will lose their money.

Following the closure of schools and preschools, Europol has noted an increase in child exploitation, as well as making them open to paedophiles who have stepped up their criminal activities as millions of children have started spending more time online. Recently, social networks and the media have been actively spreading information about dangerous teenage games that are spreading through social networks and are rapidly gaining popularity among

children. Such "entertainment" is very quickly transformed, multiplied and spread. During the quarantine period, when children are often left alone for long periods of time during the day, criminals take advantage of children's dreams, hopes, their need for love and communication, and the search for new sensations.

British police data say that the number of murders, assaults and robberies has fallen sharply. The closure of pubs and restaurants has led to a decrease in crimes committed under the influence of alcohol. It has become much harder for shoplifters to live: most stores are closed, and only a limited number of people are allowed into supermarkets, they keep a two-meter distance. And there is more security in stores. The phenomenon, which a year ago no one knew what to do with – the "epidemic of knife crimes" – has almost completely disappeared. Teenagers began to arm themselves with knives for attacks and self-defense, and in 2018-2019, due to them, crime in the country increased to the level of World War II. Now schools are closed, teenagers are sitting at home [16].

Instead, the decrease in crime rates may only be official because the police deliberately do not make as many arrests. Police want to keep people out of jails, where the virus can spread quickly and cause even more problems. And some departments, such as in Philadelphia, have decided not to arrest people on charges such as drugs, theft, burglary and vandalism. Some legal scholars believe that a lenient justice system will contribute to an increase in crime [5].

In Table, we analyzed the rates of offenses during the quarantine caused by the spread of the coronavirus pandemic and their causes. It should be noted that some types of offenses were relevant in the first wave of the pandemic. These types are indicated at the end of the title.

Among the reasons that affect the indicators of offenses, opposition to criminal justice and pre-trial investigation should be noted separately. Many scientific studies have been conducted on this topic. In order to overcome resistance, scientists recommend the use of various means, including non-verbal information [17].

Conclusions. Over the past year, the pandemic, quarantine, epidemic risks and people's own fears have changed people's behavioral patterns. Communities, especially vulnerable groups, usually become more accessible to organized crime in times of crisis. Economic crisis often leads to changes in consumer demand for certain types of goods and services. Financial hardship makes citizens more receptive to certain offers, such as cheaper counterfeit goods or recruitment of vulnerable people.

During the COVID-19 coronavirus pandemic, there has been a decrease in crime rates related to burglaries, robberies, assaults, fights, and road accidents due to people staying at home. However, fraud, cybercrime, domestic violence, including child abuse, have intensified around the world. young people for criminal activities.

Conflict of Interest and other Ethics Statements

The authors declare no conflict of interest.

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ABSTRACT

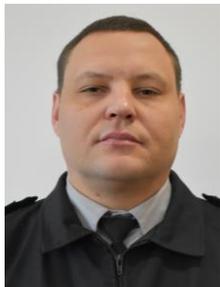
The scientific article focuses on solving the current scientific problem of studying the causes of crime dynamics during quarantine restrictions and ways to prevent them in Ukraine. The research was based on legislative and scientific sources, the analysis of which made it possible to reach certain conclusions.

In the work, an attempt was made to systematize the reasons that affect the dynamics of indicators of various types of offenses during the coronavirus pandemic. It was emphasized that the quarantine restrictions had an effect on the increase in the number of cases of domestic violence, online fraud, Internet trends of dangerous content, falsification of medicines and administrative offenses, however, the number of pickpocketing, hooliganism, and vandalism decreased.

Keywords: *coronavirus, COVID-19, quarantine, pandemic, forensic prevention, offense.*

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THEORETICAL AND PRACTICAL FEATURES OF THE TACTICS OF PUBLIC USE BY CRIMINAL POLICE UNITS DURING OPERATIONAL AND INVESTIGATIVE SUPPORT OF CRIMINAL PROCEEDINGS

Олександр Христов. ТЕОРЕТИКО-ПРИКЛАДНІ ЗАСАДИ ТАКТИКИ ГЛАСНОГО ВИКОРИСТАННЯ ГРОМАДСЬКОСТІ ПІДРОЗДІЛАМИ КРИМІНАЛЬНОЇ ПОЛІЦІЇ ПІД ЧАС ОПЕРАТИВНО-РОЗШУКОВОГО ЗАБЕЗПЕЧЕННЯ КРИМІНАЛЬНОГО ПРОВАДЖЕННЯ. Стаття присвячена дослідженню тактичних особливостей гласного використання громадськості підрозділами кримінальної поліції під час оперативно-розшукового забезпечення кримінального провадження. Ефективність проведення процесуальних дій досягається умілим застосуванням та комбінуванням гласних і негласних сил, заходів і засобів, які використовуються під час їх оперативно-розшукового забезпечення. Тактика використання громадськості підрозділами кримінальної поліції під час оперативно-розшукового забезпечення кримінального провадження у системі оперативно-розшукової тактики умовно відноситься до спеціальної оперативно-розшукової тактики.

Перевага (цінність, суспільна корисність) використання представників громадськості перед іншими негласними силами оперативно-розшукової діяльності, які використовуються під час оперативно-розшукового забезпечення кримінального провадження, полягає у тому, що негласна форма (вид) такого сприяння у разі необхідності (за добровільною згодою особи) може перетікати в гласну на наступних етапах кримінального провадження, а сам представник громадськості може виступати свідком (джерелом ідеальних слідів кримінального правопорушення). Саме залучення представників громадськості до виконання окремих дій під час оперативно-розшукового забезпечення проведення гласних слідчих (розшукових) дій за їх добровільною згодою не вимагає їх обов'язкової конспірації. Тактика гласного використання представників громадськості підрозділами кримінальної поліції під час оперативно-розшукового забезпечення проведення гласних слідчих (розшукових) дій обумовлюється завданнями оперативних працівників, які визначає (доручає) їм слідчий (дознавач),

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