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On the Concept of Prompt Investigation in Institutions Executing Custodial Sentences

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Abstract

Introduction: the article is devoted to the analysis of scientific sources on the definition of prompt investigation as an organizational and tactical form of law enforcement intelligence operations to ensure maintenance of law and order in correctional institutions. *Purpose:* based on the analysis of literary sources, to develop a definition of prompt investigation for operational units of the penal system to ensure law and order when executing a sentence of imprisonment. *Methods:* comparative legal, empirical methods of description and interpretation, theoretical methods of formal and dialectical logic. *Results:* the analysis of literary sources on the issue under consideration made it possible to formulate the definition of prompt investigation in relation to activities of operational units of correctional institutions to maintain law and order in the execution of custodial sentences. *Conclusions:* the author made proposals on prompt investigation features when executing a sentence in the form of imprisonment, aimed at improving effectiveness of understanding this tactical form of prompt investigation activity.

Key words: Federal Penitentiary Service; operational units; law enforcement intelligence-gathering activities.

12.00.12 – Criminalistics; forensic examination activities; law enforcement intelligence-gathering activities.

5.1.4. Criminal legal sciences

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Introduction.

As a result of the state policy that expands possibilities of applying alternative criminal penalties not related to isolation from society (restriction of freedom, forced labor), the number of persons held in institutions of the penal system is declining consistently.

As of January 1, 2021, 354.1 thousand people were held in correctional facilities, which is 369.8 thousand less than in the same period of 2010 (723.9 thousand people) [12].

At the same time, despite the decreased number of persons serving sentences in the form of imprisonment, the number of offenses committed in correctional institutions goes up. For example, there was a 24% increase in the registered crimes under Article 321 “Disorganization of activities of institutions providing isolation from society” in 2010–2018.

Further improvement of the activities of institutions executing sentences in the form of deprivation of liberty is possible in case of strengthening the rule of law there.

Let us analyze the rule of law in the execution of a custodial sentence and its elements. The rule of law in correctional facilities should be considered as rules of conduct of participants in public relations regarding execution and serving of a criminal sentence in the form of imprisonment regulated by the norms of law.

The essential elements of law and order in a correctional institution are the following:

1. law and legality as its regulatory and legal basis;
2. administration of a correctional institution, convicts, other persons (judges, prosecutors, relatives of convicts, etc.) endowed with subjective rights and duties are participants (subjects) of legal relations;
3. lawful behavior committed by subjects within the framework of legal relations, which constitutes the content of the rule of law.

In various literary sources, the term “legality” refers to a number of categories: principle of law, method of activity of state bodies and their officials, system of legal norms regulating public relations [25, pp. 454–475; 26; 27].

In our opinion, a fairly accurate definition of legality is given by N.V. Vitruk: “Legality from a functional point of view can be characterized as a principle of building and functioning of the democratic state of law, as a requirement defined by it for the activities of all government structures, bodies, organizations, institutions, public associations, their officials; as a method (means) of exercising power; as a state (regime) of public and state life” [6, pp. 350–351].

In the practical implementation of law requirements, legality acts as a method of directing and managing activities of institutions and bodies executing punishment and officials; more precisely, legality is a special property, qualitative content of this activity.

As a method of activity, legality means that officials of institutions and bodies executing criminal penalties in the form of imprisonment must strictly comply with laws and other regulatory legal acts in their activities. Implementation of legality as an activity method of officials of institutions and bodies executing punishment determines the use of legal norms, and not arbitrariness and subjective discretion, in relations between subjects of penal relations.

As a system of legal norms, legality in the execution and serving of a sentence in the form of deprivation of liberty acts in terms

of proper and effective application of prescriptions enshrined in regulatory sources of various legal force by all participants in the criminal enforcement process. Penal law norms are applied in order to regulate social relations arising in the process and regarding execution, as well as serving a sentence, application of corrective measures to convicts. Hence, norms of law regulate execution of punishment necessary for the state and society, ensuring correctional, educational influence on convicts, and their re-socialization; the social value of penal law and its norms is determined.

Law acts as a regulator of public relations through a system of attitudes of proper behavior of participants in these relations. At the same time, in order to maintain law and order, the system of formally defined norms acts as the main category characterizing the state and dynamics of law and order in the execution and serving of punishment. When the rule of law is violated, an offense arises and, accordingly, law and order is shattered. Any violation of the established procedure for serving a sentence is at the same time a violation of the rule of law. The rule of law in the penal enforcement system is the legality implemented in penal legal relations. In other words, the rule of law is achieved only through ensuring legality.

Participants (subjects) of legal relations are another element of maintaining law and order.

In the theory of law, participants (subjects) of legal relations are understood as individuals and legal entities who, on the basis of legal norms, can have subjective rights and legal obligations [25–27].

We believe that when maintaining law and order in correctional institutions, not only penal, but also organizational and managerial, administrative and legal, civil and criminal legal relations arise and develop due to possible preparation and commission of offenses and the need to prevent, suppress and (or) clear them. Therefore, based on the subject of our research, we adhere to the point of view that the subjects of legal relations for the maintenance of law and order in institutions executing punishment are both convicts and the administration of these institutions, as well as other individuals and legal entities who enter into public relations with the administration and convicts.

Taking into account that the penal legislation, in its essence, embodies an ideal model of law and order in the execution of criminal penalties in the form of imprisonment and has the purpose of correcting convicts and preventing commission of new crimes by the convicted and other persons (Part 1 of Article 1 of the Penal Code of the Russian Federation), we can state that the provision of law and order in a correctional institution presupposes the following:

1) prevention of commission of new crimes, both by convicted and other persons. The effective solution of this problem is closely related to the exclusion of offenses in a correctional institution. The legal order is very often linked to a specific level of crime in a correctional institution, and its condition is determined by the dynamics, structure and nature of crimes and other illegal acts committed in the institution. Thus, V.M. Artamonov points out that law and order appear to be the result, on the one hand, of the actions of those who violate, and on the other hand, it is directly dependent on the level of professionalism of law enforcement officials [1, p. 81]. In other words, the rule of law in a correctional institution depends, first of all, on the administration's capacities to prevent offenses and crimes.

2) correction of convicts. Regime is one of the main means to inculcate a respectful attitude towards a person, society, work, norms, rules and traditions of human community in convicts and stimulate their law-abiding behavior in a correctional institution (Part 2 of Article 9 of the Penal Code of the Russian Federation), therefore it is obvious that maintaining law and order is only possible through proper provision of regime requirements.

3) prevention of crimes and offenses committed by personnel of correctional facilities. Activities of the staff of a correctional institution are predetermined by various regulations. The rights and obligations of penal system employees follow from goals and objectives of the penal legislation (articles 1, 3 of the Penal Code of the Russian Federation) and the content of the rights and obligations of convicts (Chapter 2 of the Penal Code of the Russian Federation). Article 13 of the law "On institutions and bodies executing criminal penalties in the form of deprivation of liberty" assigns a number of responsibilities to insti-

tutions executing punishments (and therefore to their personnel). Improper performance of functional duties by correctional institution employees affects the state of law and order in an institution, for instance, improper supervision of convicts who are in the premises of detachments by the duty shift at night, untimely or incomplete response to convicts' violations of the daily routine of the institution, etc.

The third key element of law and order in a correctional institution is lawful behavior of subjects within the framework of legal relations, which constitutes the content of law and order.

The analysis of literary sources shows that in the theory of law, lawful behavior is understood as socially useful conscious behavior of subjects of legal relations, corresponding to legal prescriptions [14, pp. 421–423]. At the same time, the subjects of lawful behavior are not only individuals, but also legal entities.

In relation to the subject of the current study, lawful behavior of various subjects of legal relations arising from the maintenance of law and order in a correctional institution is various conscious actions of officials and citizens regarding the execution and serving of a custodial sentence that comply with legal regulations.

In other words, enforcement of punishment is a process of influencing the personality of a convicted person, which in the end should form his/her law-abiding behavior.

Implementation of measures to influence the personality of a convicted person during the execution of a criminal sentence is a process regulated by the norms of law. Of course, this process should proceed in a certain order and sequence, as well as follow common goals and objectives, that is, using methods of implementing legal regulations.

It is the execution of the procedure established by the penal legislation for the enforcement and serving of a sentence in the form of deprivation of liberty by all subjects of legal relations that is the essence of maintaining law and order in the execution of this type of punishment.

Effective performance of operational units for operational and investigative support of the fight against offenses in correctional institutions involves identification of primary, previously unknown, information about persons

plotting, preparing, committing or committed offenses, as well as facts occurring on the territory of correctional institutions (hereinafter – correctional facility and territories adjacent to it) and affecting the state of law and order in the execution and serving of a sentence of imprisonment.

Operational investigative science indicates that identification of persons and facts lies at the heart of law enforcement intelligence operations and serves as a necessary condition not only for the detection of crimes, but also for their prevention [23, p. 51]. Indeed, timely identification of previously unknown categories of persons of operational interest, facts of their illegal behavior is the first stage in the process of combating offenses [10, p. 3; 20, p. 58].

We support this point of view that identification of persons and facts of operational interest acts as a necessary condition for combating *crimes*.

Our position on the issue about *offenses* is determined by the specifics of activities of operational units of the Russian penal system. It manifests itself in the following. Activities of these operational units on the use of operational-search forces, means and methods to combat *offenses* in the institutions under consideration are regulated not only by the operational-search, but also penal legislation of the Russian Federation.

There are the following laws in the field of legal regulation of law enforcement intelligence operations in the execution of sentences in the form of imprisonment are:

- Law of the Russian Federation No. 5473-1 of July 21, 1993 “On institutions and bodies executing criminal penalties in the form of deprivation of liberty”;

- Federal Law of the Russian Federation No. 103-FZ of July 15, 1995 “On the detention of suspects and accused of committing crimes”;

- Federal Law of the Russian Federation No. 1-FZ of January 8, 1997 “Penal Code of the Russian Federation”.

Previously, we have repeatedly considered issues of legal regulation of law enforcement intelligence operations in institutions that execute sentences in the form of imprisonment [9, pp. 115–134]. In accordance with paragraphs 1, 2 of Article 13 of the Federal Law “On institutions and bodies executing criminal

penalties in the form of deprivation of liberty”, institutions executing punishment are obliged to meet requirements of the Russian penal legislation and create conditions for ensuring law and order and legality, safety of convicts and personnel, officials and citizens located on their territories. Article 14 establishes the rights of institutions to monitor compliance with regime requirements at the facilities of institutions executing punishments and territories adjacent to them, as well as to carry out operational investigative activities in accordance with the Russian legislation. The tasks of operational units of the institutions executing punishment in the form of imprisonment are legislatively fixed in Article 84 of the Penal Code of the Russian Federation.

One of the tasks of law enforcement intelligence operations in institutions executing a custodial sentence is to identify, prevent and detect violations of the established procedure for serving a sentence that are being prepared and committed in correctional institutions.

The solution of this problem significantly affects the process of execution of a sentence in the form of imprisonment. This statement can be proved by statistical data on activities of the Federal Penitentiary Service of Russia. In 2020, in employees of correctional institutions impounded more than 499 thousand rubles, of which more than 462 thousand – upon delivery; more than 1,450 liters of industrial alcoholic beverages of which more than 1,390 liters – upon delivery; more than 25,590 liters of artisanal alcoholic beverages; more than 56,300 units of communication equipment, of which more than 25,800 units – upon delivery [18].

Therefore, we find it reasonable to talk about prevention and disclosure of offenses by means of operational investigative activities.

In the theory of law enforcement intelligence operations, the search for primary information is considered as an independent organizational and tactical form. Search for the primary information is its characteristic; all other organizational and tactical forms are based on its results [2, p. 56].

Primary information means previously unknown, and its receipt reduces some uncertainty in knowledge about someone or something. It is this point of view on the concept of

“information” that is most common [3; 5; 11; 13; 16; 28]. Thus, according to Yu.S. Blinov, “these data do not reduce uncertainty or affect the subject’s behavior. They remain data until there is a need for them, until they are referred to in connection with the implementation of certain actions or the obligation to make some decision. In other words, to remove the uncertainty that has arisen. Therefore, information is always primary” [3, p. 209].

Primary information is different in its content. At the same time, it contains data previously unknown to operational units about persons prone to committing crimes and violations of the established procedure for serving sentences, facts or events that are important for combating offenses.

Primary information obtained during investigation is one of the main means to cognize various processes (phenomena) associated with illegal activities of persons prone to committing crimes and violating the order and conditions of execution and serving of punishment. So, this information contains objective signs of illegal connection of a person, object, fact or other circumstance with a specific offense or crime as a social phenomenon.

Nowadays, the law enforcement intelligence operations theory has various approaches to defining prompt investigation. S.E. Matveev analyzed more than 10 definitions of persons and facts of operational interest [15, pp. 188–191]. Without going into their detailed analysis, we emphasize that the lack of a clear understanding of the process of implementing search activities, along with theoretical problems, leads to confusion in approaches to their planning and implementation.

To begin with, we should note that many authors, studying the essence of prompt investigation, divide the received information into primary and secondary [21]. E.N. Yakovets concludes that any subject, including an operational worker, perceives data as information only if they are systematized correctly, evaluated and contain something new [29, p. 74].

Thus, sharing the above point of view, it is possible to talk more about primary and secondary nature of data than information.

The latter, undoubtedly, is an argument in favor of defining the organizational and tacti-

cal form of ensuring the fight against offenses in the execution of a sentence in the form of imprisonment, as identification of primary prompt investigation data.

At the same time, this definition is, in our opinion, more concise than “identification of persons and facts of operational interest”, since the latter implies not only the process of prompt investigation and receipt of primary data, but also certain actions to verify them.

This definition presumes that after conducting a set of prompt investigation activities, an operational unit of this form should receive exactly new information of operational interest.

At the same time, it can be argued that in the process of data identification and subsequent verification there may be obtained the information about persons and facts that is of no operational interest. There is a certain logic in this remark.

We believe that considering the construction of this definition from the position that the phrase “of operational interest” indicates a requirement for the ultimate goal of the prompt investigation, it does not exclude actions that during this process will filter out information unnecessary for operational reasons.

Thus, the wording “information on the identification of persons and facts of operational interest” seems to us more adequate.

As we have already noted, different authors give different definitions of prompt investigation.

A.S. Vandyshev understands prompt investigation as a system of prompt investigation measures carried out by subjects of law enforcement intelligence operations in order to detect persons, objects and phenomena of operational interest [4, p. 11].

However, in this case preliminary analysis of the situation, verification of the information received, as well as making a decision on its use to combat offenses remain outside the definition.

A.Yu. Shumilov considers prompt investigation as law enforcement intelligence operations for detecting latent crimes and persons who committed them, as well as initially unknown causes and conditions for committing crimes [17, p. 199].

What this definition involves is the crimes that were committed, but remained latent, criminals and initially unknown reasons and

conditions for their commission, but, as in the definition presented above, the author does not take into account the analysis of the situation, the decisions taken, as well as the persons who prepare and commit offenses. Accordingly, it is not possible to take measures to prevent or suppress illegal activities of these persons.

In this regard, we back those authors who divide the process of identifying persons and facts of operational interest in stages in the following order:

- prompt investigation and receipt of primary data;
- their verification;
- decision-making [24, p. 5; 7, p. 4].

However, this approach also lacks preliminary analysis of the operational situation at the search objects.

Achieving positive results depends on each of these stages. But the leading place among them in terms of the amount of work performed is occupied by an prompt investigation aimed at obtaining primary data.

Operational investigative measures provided for in Article 6 of the Federal Law “On operational investigative activities” are conducted by officials of operational divisions of correctional facilities (or other officials and specialists), as well as citizens involved in the search on a public and secret basis. At the same time, information systems, video and audio recording, film and photography, other technical and other means can be used.

All this indicates that the content of the activities to identify persons and facts of operational interest is complex.

At the same time, it should be noted that the conduct of prompt investigation activities aimed at obtaining primary data, from the point of view of the current prompt investigation legislation, raises doubts.

At the same time, if we consider legal regulation of law enforcement intelligence operations in the institutions executing punishment in the form of imprisonment, then the task of *identifying* crimes being prepared and committed in correctional institutions and violations of the established order of serving a sentence is legally assigned to operational units of these institutions. But how can this task be solved?

As it is known, operational investigative activities presuppose the conduct of opera-

tional investigative measures (Part 1 of Article 1 of the Federal Law “On law enforcement intelligence operations”).

Accordingly, Article 7 of this law specifies grounds for conducting operational investigative measures aimed at identifying illegal acts that are being prepared, being committed and have been committed.

In accordance with Paragraph 2.1 of Article 7, the basis for carrying out prompt investigation measures is certain information that has “become known” to the bodies carrying out law enforcement intelligence operations (if there is not sufficient data to initiate a criminal case). That is, operational investigative measures can be carried out only after receiving primary data.

Of course, no one denies the possibility of obtaining primary data from citizens’ statements, reports of officials, etc., regardless of the measures taken to detect them. At the same time, obtaining primary information about latent crimes, intentions of persons preparing crimes or violations of the established procedure for serving and executing sentences, processes secretly occurring among convicts is very problematic. This information is revealed by conducting search activities. The main purpose of carrying out these activities is precisely to identify primary data on such acts and persons involved in their commission. In case if Article 7 of the Federal Law “On law enforcement intelligence operations” does not specify grounds for holding such events, then the question arises about legality of these events.

The considered norm of the federal law “On law enforcement intelligence operations” stipulates the conduct of operational investigative measures when receiving information about *signs of the illegal act being prepared, being committed or have been committed*, as well as about persons preparing, committing or having committed it. However, from the point of view of the legislator, there are no grounds to carry out operational investigative measures at the stage of the intention to commit an illegal act. But this contradicts the legislation norms (Part 1 of Article 2 of the Federal Law “On law enforcement intelligence operations” and Part 1 of Article 84 of the Penal Code) regarding prevention of offenses.

Taking into account the above, we find it reasonable to clarify the grounds for carrying

out prompt investigation measures stipulated in Article 7 of the discussed law.

Researchers considered issues of prompt investigation in institutions executing sentences in the form of imprisonment. E.N. Bilous, for example, notes that search for primary information in a correctional facility is a set of targeted measures aimed at detecting, obtaining, verifying and accumulating information containing new (previously unknown) special knowledge that is important for combating crime and other offenses in the institution [2, p. 57].

However, we believe it misses an important stage, such as decision-making. After discovering, receiving, checking, accumulating new (previously unknown to operational units) special knowledge, it is necessary to make an effective decision, otherwise all the work done will be in vain.

V.I. Potapov, in relation to activities of these institutions, considers identification of persons and facts of operational interest as the process of implementing a set of operational-search, regime, educational and other measures aimed at obtaining primary data of interest to the administration of a penitentiary institution, their verification and decision-making in order to prevent and disclose crimes, detect malicious violators of the regime of serving a sentence and search for escaped convicts [19, pp. 123–132].

A.V. Senatov, analyzing the presented definition, notes that the author has not taken into account one of the tasks of law enforcement intelligence operations, namely: thwarting of crime [22, p. 102].

From our point of view, terms “prevention” and “thwarting” essentially express the same phenomenon, so in this matter we would rather agree with V.I. Potapov.

However, if we are talking about a set of measures carried out by operational units of the penal system in order to obtain information of operational interest to maintain law and order in correctional institutions, then the definition presented needs some adjustment.

To begin with, when conducting prompt investigation in correctional institutions, operational unit employees carry out a set of measures of an prompt investigation, regime and educational nature. This is determined by the fact that they participate in conducting rou-

tine and educational measures against convicts, as representatives of the administration of these institutions. At the same time, employees of operational units also participate in conducting educational activities for employees and employees of other units, departments and services of institutions. So, they receive primary data on persons and facts of operational interest for solving tasks. But we are considering the definition of an operational-tactical form of operational-investigative activity, therefore, it is not entirely correct to talk about a set of measures of various nature aimed at obtaining primary data of interest to the administration of a correctional institution, albeit within the framework of maintaining law and order.

Furthermore, the presented definition lacks the analysis of the operational situation in a correctional institution as the basis for activities of the operational unit, and does not specify subjects of prompt investigation.

Therefore, we believe that the process of prompt investigation should begin with the analysis of the operational situation of the objects where it is supposed (planned) to conduct prompt investigation activities aimed at obtaining primary information about persons and facts of operational interest. In relation to the topic of our research, the operational situation in the correctional institution should be analyzed.

At the same time, we agree with the point of view of A.N. Zhuravlev, who comes to the conclusion that the operational situation in correctional institutions is a combination of internal and external conditions (factors) in which their activities are carried out, characterized by qualitative and quantitative indicators affecting the criminogenic situation in them, organization and implementation of execution of punishment in the form of imprisonment [8, p. 34].

Thus, *prompt investigation* in institutions executing custodial sentences should be understood as a process based on the operational situation analysis to implement a set of operational investigative measures carried out by operational units of the correctional facility aimed at obtaining primary information of interest for combating offenses, checking it and making decisions for further use in the performance of tasks that the specified divisions face.

REFERENCES

1. Artamonov V.M. *Pravoporyadok v sovremennom rossiiskom obshchestve: kontseptual'nye obosnovaniya i innovatsii* [Law and order in modern Russian society: conceptual foundations and innovations]. Moscow: Akademiya upravleniya MVD Rossii, 1998. 143 p.
2. Bilous E.N. *Organizatsiya i taktika bor'by s protivopravnoi deyatel'nost'yu liderov kriminal'noi sredy v ispravitel'nykh uchrezhdeniyakh: uchebnoe posobie* [Organization and tactics of combating illegal activities of leaders of the criminal environment in correctional institutions: teaching guide]. Edited by V.M. Atmazhitov. Moscow: Akademiya upravleniya MVD Rossii, 1998. 168 p.
3. Blinov Yu.S. *Teoreticheskie osnovy operativno-rozysknogo proizvodstva po delam operativnogo ucheta: dissertatsiya na soiskanie uchenoi stepeni doktora yuridicheskikh nauk* [Theoretical foundations of operational investigative proceedings in cases of operational accounting: Doctor of (Sciences) Law dissertation]. Moscow, 2003. 313 p.
4. Vandyshev A.S. *Organizatsiya i taktika operativnogo poiska* [Organization and tactics of prompt investigation]. Moscow: Akademiya upravleniya MVD SSSR, 1984. 89 p.
5. Wiener N. *Kibernetika* [Cybernetics]. Moscow: Sov.radio, 1968. 286 p.
6. Vitruk N.V. *Zakonnost': ponyatie, zashchita i obespechenie. Obshchaya teoriya prava: kurs lektsii* [Legality: concept, protection and provision. General theory of law: course of lectures]. Ed. by B.K. Babaev. Nizhny Novgorod: NVSh MVD RF, 1993. 544 p.
7. Zhilin O.A. *Formy operativno-rozysknoi deyatel'nosti: lektsiya* [Forms of law enforcement intelligence operations: lecture]. Ufa: Ufimskaya vysshaya shkola MVD SSSR, 1990. 45 p.
8. Zhuravlev A.N. *Otsenka operativnoi obstanovki v ispravitel'nom uchrezhdenii: organizatsionnye i pravovye osnovy: dissertatsiya na soiskanie uchenoi stepeni kandidata yuridicheskikh nauk* [Assessment of the operational situation in a correctional institution: organizational and legal bases: Candidate of Sciences (Law) dissertation]. Ryazan, 2009. 269 p.
9. Ivan'kov I.A. *Operativno-rozysknoe obespechenie podderzhaniya pravoporyadka v uchrezhdeniyakh, ispolnyayushchikh nakazaniya v vide lisheniya svobody (teoreticheskie i pravovye aspekty): monografiya* [Operational and investigative support of maintaining law and order in institutions executing sentences in the form of imprisonment (theoretical and legal aspects): monograph]. Kirov: Kirovskii IPKR FSIN Rossii, 2018. 112 p.
10. Klimov I.A., Vandyshev A.S., D'yachkovskii S.A. *Organizatsiya i taktika operativnogo poiska: lektsiya* [Organization and tactics of prompt investigation : lecture]. Moscow: Yurid. in-t MVD Rossii, 1998. 32 p.
11. Kolmogorov A.V. Three approaches to the concept of "quantity of information". *Problemy peredachi informatsii=Problems of Information Transmission*, 1965, vol. 1, no. 1, pp. 3–11. (In Russ.).
12. Concept for the development of the penal system of the Russian Federation for the period up to 2030. *Elektronnyi fond pravovykh i normativno-tekhnicheskikh dokumentov: sait* [Electronic Fund of Legal and regulatory and Technical documents: website]. Available at: <https://docs.cntd.ru/document/603496992> (In Russ.). (Accessed February 4, 2022).
13. Kuvaldin V.N., Terent'ev B.I. *Informatsionnyi fond sluzhby BKhSS, ego organizatsiya i ispol'zovanie* [Information Fund of the Combating the Theft of Socialist Property and Speculation, its organization and use]. Gorkii: Vsh MVD SSSR, 1975. 245 p.
14. Marchenko M.N. *Teoriya gosudarstva i prava: uchebnyk* [Theory of state and law: textbook]. Moscow: Prospekt, 2011. 636 p. ISBN 978-539-20185-50.
15. Matveev S.E. *Operativnyi poisk v kriminal'noi srede: uchebnoe posobie* [Prompt investigation in the criminal environment: teaching aid]. Ed. by Yu.F. Kvashi. Moscow: MI MVD Rossii, UVD Novgorodskoi oblasti, 1998. 103 p.
16. Ovchinskii S.S. *Operativno-rozysknaya informatsiya. Problemy teorii i praktiki* [Operational and investigative information. Problems of theory and practice]. Moscow, 1976. 108 p.
17. *Operativno-rozysknaya entsiklopediya* [Operational-search encyclopedia]. Comp. by Shumilov A.Yu. Moscow: Shumilova I.I., 2004. 363 p. ISBN 5-89784-080-6.
18. Report on the results of operational and service activities of the security departments (regime and supervision) of correctional facilities, medical correctional institutions, medical and preventive institutions, juvenile educational facilities, prisons, pre-trial detention

centers, departments (departments, groups) of the regime and supervision of territorial bodies of the Federal Penitentiary Service of Russia for the fourth quarter of 2020. In: *Osnovnye pokazateli deyatel'nosti ugolovno-ispolnitel'noi sistemy yanvar' – dekabr' 2020 goda: informatsionno-analiticheskii sbornik* [Main indicators of criminal activity-executive system January – December 2020: information and analytical collection]. Tver: NIIIT FSIN Rossii. 386 p. (In Russ.).

19. Potapov V.I. Some questions of tactics of identification of persons and facts of operational interest by ITU operational apparatuses. In: *Trudy Akademii upravleniya MVD SSSR* [Proceedings of the Academy of Management of the Ministry of Internal Affairs of the USSR]. Moscow: Akademiya upravleniya MVD SSSR, 1988. 87 p. (In Russ.).

20. Rabunskii V.E., Matsakov G.A. On the issue of the information support system for operational investigative activities of internal affairs bodies. In: *Teoreticheskie i prakticheskie problemy operativno-rozysknoi deyatel'nosti* [Theoretical and practical problems of operational investigative activity]. Kaliningrad: Kaliningradskii yuridicheskii institut MVD Rossii, 1999. 205 p. (In Russ.).

21. Reva A.M. On the issue of the essence of collecting information relevant for preventing and solving crimes (prompt investigation). In: *Aktual'nye voprosy sovershenstvovaniya pravovogo i organizatsionno-takticheskogo obespecheniya deyatel'nosti operativnykh apparatov organov vnutrennikh del: mezhvuzovskii sbornik nauchnykh trudov* [Topical issues of improving legal and organizational and tactical support for the activities of operational apparatuses of internal affairs bodies: intercollegiate collection of scientific papers]. Moscow, 2000. Pp. 202–206. (In Russ.).

22. Senatov A.V. *Pravovye i organizatsionno-takticheskie osnovy preduprezhdeniya prestuplenii operativnymi apparatami tyurem: dissertatsiya na soiskanie uchenoj stepeni kandidata yuridicheskikh nauk* [Legal and organizational and tactical bases of crime prevention by operational prison apparatuses: Candidate of Sciences (Law) dissertation]. Vladimir, 2011, 186 p.

23. Sinilov G.K. *Pravovye i takticheskie osnovy operativno-rozysknoi deyatel'nosti sovetskoi militsii: avtoreferat dissertatsiya na soiskanie uchenoj stepeni doktora yuridicheskikh nauk* [Legal and tactical bases of operational-search activity of the Soviet militia: Doctor of Sciences (Law) dissertation abstract]. Moscow, 1983. 98 p.

24. Smirnov S.A., Bordilovskii E.I. *Organizatsionno-takticheskie formy operativno-rozysknoi deyatel'nosti organov vnutrennikh del: fondovaya lektsiya* [Organizational and tactical forms of operational-search activity of internal affairs bodies: lecture]. Moscow, 1986. 30 p.

25. *Teoriya gosudarstva i prava: uchebnik dlya vuzov* [Theory of state and law: textbook for universities]. Ed. by V.D. Perevalov. Moscow: Norma, 2004. 496 p. ISBN 5-89123-785-7.

26. *Teoriya gosudarstva i prava: uchebnik* [Theory of state and law: textbook]. Ed. by V.K. Babaev. Moscow: Yurist", 2003. 592 p. ISBN 5-7975-0239-9.

27. *Teoriya gosudarstva i prava: uchebnik dlya vuzov* [Theory of state and law: textbook for universities]. Ed. by V.M. Korel'skii, V.D. Perevalov. Moscow: NORMA-INFRA-M, 2000. 616 p. ISBN 5-89123-388-6.

28. Shannon C.E. *Raboty po teorii informatsii i kibernetike: sbornik statei* [Works on information theory and cybernetics: collection of articles]. Ed. by Dobrushin R. L., Lupanova O.B. Moscow: Izd-vo inostrannoi literatury, 1963. 829 p.

29. Yakovets E.N. *Operativno-rozysknaya identifikatsiya* [Prompt investigation identification]. Ed. by V.M. Atmazhitov, B.Ya. Nagilenko. Moscow: Akademiya upravleniya MVD Rossii, 2003. 101 p.

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