

CONCEPT AND PRINCIPLES OF CRIME PREVENTION PROGRAMS DEVELOPMENT

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The subject. The author analyzes the features of crime prevention programs and the procedure of their development.

The purpose of the paper is to identify the principles of crime prevention programs development.

The methodological basis of the research includes general-scientific methods (analysis and synthesis, system-structural approach) as well as academic methods (formal-legal method, method of interpretation of legal acts).

Results and scope of application. The analysis is usually carried out in the following areas during the development of crime prevention programs:

1) Complex analysis. The purpose of this area of analytical work is to identify changes in the state of the operational environment and to establish the factors that determined them. In the process of such analysis, the geographical, political, socio-economic and demographic characteristics of the territory served are to be studied.

The conclusions obtained in the analysis of the indicated conditions contain an assessment of the criminal situation; the definition of the most urgent problems and directions of preventive activities.

Thus, the results of the complex analysis form the basis of analytical work.

2) Current analysis. Through this area of analytical work, the study of natural manifestations of crime is provided. The current analysis differs from the complex one mainly by the volume of initial information and the depth of the study.

3) Private analysis. This is done when the information obtained by the integrated or ongoing analysis is not sufficient to explain the trend or the deviation from the established trends. The results of private analysis (depending on their scope and feasibility) are usually used to decide on individual activities.

Conclusions. The development of crime prevention programs is a scientifically based set of actions for the preparation of appropriate targeted programs that define a system of crime prevention measures. The principles for the development of crime prevention programs are fundamental ideas that should guide practitioners in this type of activity. The main principles of the development of crime prevention programs are: the optimality, timeliness, consistency, systematization and prognostic nature, legality.

1. Theoretical approaches to the definition of the development of crime prevention programs.

The problems of developing crime prevention programs are relevant for modern legal science. This state of affairs is largely determined by the needs of practical activities of law enforcement agencies, arising from the constantly changing structure and dynamics of crime.

Analysis of the literature suggests that, according to the views of individual researchers, existing solutions on this issue, mainly, are empirical. A holistic theory of developing crime prevention programs is at an early stage. Separating this point of view, we consider it an argument in favor of the diversity of author's views in the field under investigation.

So, according to some scientists, the development of crime prevention programs is an activity designed to streamline the complex and multifaceted process of precautionary influence make it purposeful to determine the most efficient ways of working, to choose such tactical methods and techniques that would ensure the effective achievement of criminal behavior prevention goals in the current concrete situation [1, p. 318].

Other authors believe that the development of crime prevention programs have a way most appropriate placement of accents preventive maintenance, maintenance of the differentiated approach to the organization of preventive actions with reference to zones with a various degree of prevalence of illegal acts to different social groups of the population [2, p. 74].

Taking into account the current trend to evidence - based understanding of the development of crime prevention programs, in forming its own position, we rely on the opinions of the authors, who believe that by attracting research preventive action moves to a new level, it becomes the active analysis and forecast [3, p. 26].

Thus, in our opinion, the research activity is a scientifically grounded set of actions for the preparation of relevant targeted programs that define a system of crime prevention measures.

2. Principles for the development of crime prevention programs.

The study of scientific papers on criminal law and criminology, we conclude that the researchers a lot of attention is paid to the principles, or the fundamental ideas that should guide employees whose content development activities of crime prevention.

Continuing the arguments in this part, we note that the range of views on the system of principles is diverse. It seems that, as set out in many respects due to the dependence accessories specific provision to the number of principles for the development of crime prevention programs by copyright preferences.

In this regard, allowing the possibility of a convention, focusing on the principles of development programs, the systematic implementation of which will ensure the effectiveness of activities aimed at preventing crime.

Thus, optimality - line planned for the implementation of measures possible to ensure the effectiveness of activities aimed at preventing crime.

At the same time, when calling optimality the principle of developing crime prevention programs, one should take into account that it is a conditional category and depends on various kinds of factors. Among these, for example, can be attributed the nature of the task to be solved and the professional level of stakeholders aimed at preventing crimes.

The timeliness of the development of crime prevention programs is that, based on the nature of the tasks to be accomplished and the functions performed, the most effective way to ensure the process of integrated implementation of planned activities. (In the context of the foregoing, the effectiveness is understood by the author as the relevance and relevance of the performance of certain actions).

Referring to the timeliness of the number of principles for the development of crime prevention programs, we rely on the fact that, as the delay in implementation, and the premature implementation of the provisions of the program leads to a decrease in the importance of interventions.

The logic of the development of crime prevention programs. This principle presupposes a sequence of presentation of planned activities, proportionality of the place of the specific issue assigned to the program, its significance, clarity of the purpose, to which warning actions are directed.

Expanding this principle, we note that a synthesis of practice, has led us to the conclusion that the most common disadvantages of the development of crime prevention programs include: formal component of the program, the vagueness of the planned activities, the vagueness of the language used.

Thus, in order to improve the quality of activities aimed at preventing crime, it seems appropriate to recommend to practitioners, this approach to study program design issues, in which the latter should be available to the perception guidelines clarify the sequence and scope of the specific activities to be carried out.

Finally, such principles as legality, occupy the most important place in the development of crime prevention programs. Taking into account the unconditional significance of the indicated fundamental provisions, let us dwell on their consideration in more detail.

3. Legitimacy in the development of crime prevention programs.

Getting to the presentation of the material in relation to the principle of legality should be noted that the study of such compliance problems in the work on the development of crime prevention programs today is the scientific importance due to the urgent need to bring into line with the constitutional principles of legal practice.

Generalization of the results of operations of law enforcement agencies indicates that in recent years, violations of the law acquired a considerable scale.

In the context of the above, it is necessary to focus attention on the fact that such a situation is accompanied by an immediate reaction to the emerging jurisprudence practical needs.

Many scholars have studied different aspects of the problem of observing the rule of law at different times.

We consider important to mention the fact that the current regulatory - legal regulation of activity on the development of crime prevention programs provides an opportunity for further scientific research related to the problems of the rule of law.

The argument set forth above may be the fact that the general legal principle of legality has no regulatory definition of its concepts. Moreover, the position of some researchers is to ensure that such an approach of the legislator gives law-wide field of discretion in assessing the legality of certain actions.

The above arguments seem to actualize the need to address in this article the individual author's view on the question of the content of the principle of legality.

Thus, there are different approaches to understanding the content of the principle of legality.

In particular, one group of scientists believes that the legality of the contents expressed in the presence of laws and regulations governing social relations, as well as - in respect of these acts by all state bodies, public organizations, officials and citizens [4, p. 7].

It seems that the position set out, taking into account the absolute ease its perception, still did not disclose the full contents of this phenomenon. Substantiating this, we give judgment A.I. Ilyin, who believed that the existence of laws is still not there are legal in the state [5, p. 159-161].

In addition, the practical activity of law enforcement suggests that between the presence of the rule of law and the level of the law is no direct relationship. This situation is primarily due to non-compliance or improper execution of the law by citizens and officials, and so on. On the other hand, as rightly noted by Samoschenko, wrong to think that if a particular action is consistent with the law, the society and the state already has legitimacy. Since in this case we can speak only about legality of an individual action [6, p. 10].

B.I. Remnev believes that the law is defined as the level of development of legislation and the organization of its actual use. In the scientist's opinion: "... normative regulation and the practice of its execution are equilibrium parts of the model of legality, connected by an internal systematic connection" [7, p. 31-32].

According to another group of researchers, the content of legality should be represented by the following elements : the universality of law ; the supremacy of the constitution and the law ; equality of all before the law ; the existence of a mechanism for the realization of the law and its qualitative application [8, p. 225].

Analyzing this point of view, we can conclude that in this case the law is seen through the concept of law that does not allow until the end to reveal its contents. Thus , the results of studying the works of the theory of law , allow us to identify several criteria for distinguishing between the concepts of law and law .

First of all, they differ in the nature of their origin. The law is adopted by the representative bodies of the state. The right, in the opinion of a number of authors, is of a natural nature and is a social relationship, before they are settled by law [9].

Next demarcation criterion of right and law, is their volume. Among the laws, as mentioned earlier, are acts of representative government, while the content side of law is made up by other normative legal acts (decrees, orders, instructions, etc.), as well as legal relations and sense of justice [10, p. 4].

The third ground is that distinguishes right from the law, is the content. To the content of the law include the statutory provisions adopted by the legislature, and to the maintenance of law - legal fixed and sold justice [11, p. 32-33].

There is also a judgment, according to which the law is a principle that is manifested in the fact that all state bodies, institutions, enterprises, social organizations, officials and citizens brought the requirement of strict compliance with the laws; the proclaimed rights and freedoms of citizens , their organizations , their legitimate interests are guaranteed , and the fulfillment of the duties assigned to them is ensured , the implementation of responsibility ; exact and unswerving compliance with normative acts and acts of the realization of law is ensured by state and public measures "[12, p. 132].

Shaping the author's view on the content of the rule of law as the principle of the development of crime prevention programs, we note that the most preferred are those of the authors, proposes to consider the content of the rule of law in two aspects: social and legal.

Thus, the social aspect is expressed in the creation of economic and political conditions, as well as the moral and ideological atmosphere of society, in which observance of state laws , inviolability of citizens' rights and conscientious fulfillment of duties are the principle of activity of all state bodies and non-state organizations , the behavior of officials and citizens .

As for the legal aspect, it consists of: the strict observance of the rights and freedoms of man and citizen, and - compliance with relevant regulatory obligations by both citizens and the state [13, p. 154].

Considering the above, we believe that the authors of the position of determining the social and legal nature of the rule of law, most thoroughly disclose its contents.

The very same diversity of opinion on the content of the principle of legality, formed due to the lack of the concept of the phenomenon, the formation of which can be represented as one of the promising areas of science research of criminal law.

4. The role of analytical work in the development of crime prevention programs e.

Turning to the study of this principle, as the systematization and forward-looking, we note that such allows you to constantly monitor the processes occurring in the territory of the service in all their diversity and complexity, as well as - to carry out pre-emptive action.

The development of programs , carried out on the basis of this principle, presupposes the need to generalize diverse information that allows determining the trends in the development of criminogenic processes . The leading role in this, as seems to be played by the analytical work.

In the context of the above, note that increasing the effectiveness of analytical activity is currently receiving considerable attention. In recent years, many theoreticians and practitioners have repeatedly stressed the need for its fundamental restructuring.

However, according to some scientists, despite the fact that these surveys have become systemic in nature, the special theory of analytical work is not yet created. A powerful argument that can be that the formation of new theories in the concrete sciences is a creative process. In its development it undergoes an increment in new knowledge, a kind of leap from the known to the unknown. Moreover, in this process of jumplike transition, thought can undergo radical changes and in its consequences come to a contradiction with the grounds [15, p. 181].

4.1. Requirements for analytical work.

Analysis of literary sources draws attention to the diversity of approaches to the question of the system of such requirements.

In particular, A.I. Korenev proposes to refer to this the reliability and necessary completeness of the information used in the analysis ; its study over a sufficiently long period of time , which allows us to draw substantiated conclusions ; comparability and integrated application of various methods of analysis [16, p . 139].

Other researchers believe that the analytical work must comply with offensiveness , constitutional law and the separation of powers between the participating entities in its implementation .

Taking into account these points of view, we believe that the main requirements imposed on the analytical work are:

Continuity is the systematic updating and enrichment of existing data by monitoring the objects, phenomena and processes of interest, assessing the reliability of sources and ensuring the necessary reliability, completeness and accuracy of information.

Consistency, expressed in the presence of the relationship between the objects of analytical work and the initial information about them. The objective nature of the results of analysis directly depends on the nature of this relationship. In other words, the more detailed background information, characterizing the object of attention, the more accurate will be the final conclusions and proposals, rebuke in the form of program provisions.

Productivity, is to receive in the course of analytical work a certain result, related to the effective solution of problems and assessed using the criteria, stipulated by the relevant regulatory acts.

Variability, which is an optional requirement, since the need for its implementation arises, as a rule, in predicting the possible development of events . Its essence consists in preparing several variants of final conclusions based on the initial information.

I think that such system requirements capable of ensuring the effective implementation of analytical work in the development of crime prevention. At the same time, it seems that ignoring at least one of its components may lead to the preparation and subsequent implementation of the policy unreasonable provisions, adversely affect this activity.

4.2. Directions of analytical work.

A characteristic feature of the analytical work, carried out in the development of crime prevention programs, is the possibility of its implementation in various areas, each of which has its own purpose, appropriate types and amounts of data, to be collected, the study and evaluation.

In the process of preparing this scientific article, the author studied various crime prevention programs operating in the territory served by the Ministry of Internal Affairs of Russia in the Omsk and Kemerovo regions, as well as the Krasnoyarsk Territory. In addition, interviews were conducted with practitioners who participated in the development of these programs. The study of empirical materials allows us to say that, when developing crime prevention programs, analysis is usually carried out in the following areas:

Complex analysis. The purpose of this area of analytical work is to identify changes in the state of the operational situation and to establish the factors that determined them. In the process of such analysis, geographic, political, socio-economic and demographic characteristics of the serviced territory are subject to study.

Conclusions, obtained by analysis of designated conditions, contain criminal situation assessment; the definition of the most urgent problems and areas of preventive activity.

Thus, the results of a comprehensive analysis form the basis for analytical work.

Current analysis. Through this line of analytical work, the study of spontaneous manifestations of crime is provided. From comprehensive analysis of the current is different, mainly the initial information volume and depth of research.

Partial analysis. It carried out in those cases, when the extracted complex or current analysis of information is not enough to explain to identify trends or deviations from established trends. The results of the private analysis (depending on their scope and feasibility) are used, as a rule, for making decisions on the conduct of individual activities.

Thus, we can say that the analytical work in the field of study is, which complies with the relevant requirements, the cognitive activity of the establishment of relations between the objects of interest, identify patterns of events and make predictions, necessary to solve the problems of the development of crime prevention.

5. Conclusions.

1. The development of crime prevention programs is a scientifically grounded set of actions for the preparation of appropriate targeted programs that determine the system of crime prevention measures.

2. Principles for the development of crime prevention programs - a fundamental idea, which should guide practitioners, engaged in this type of activity.

3. Among the principles, the systematic implementation of which will ensure the effectiveness of activities, aimed at the development of crime prevention programs, should include optimal, timeliness, consistency, systematization and forward-looking, the legality.

4. Legality as a principle of developing crime prevention programs should be considered in two aspects: social and legal. At the same time, the social aspect is expressed in the creation of economic and political conditions, as well as in the moral and ideological atmosphere of society, in which observance of state laws, inviolability of citizens' rights and conscientious fulfillment of duties are the principle of activity of all state bodies and non-state organizations, the behavior of officials and citizens.

As for the legal aspect, that it consists of: the strict observance of the rights and freedoms of man and citizen, and - compliance with relevant regulatory obligations, as a citizen and the state.

5. Analytical work in the development of crime prevention programs is, carried out in compliance with the relevant requirements (continuity, consistency, efficiency, variability), cognitive activity to establish connections between the objects of interest, identify patterns of events and make predictions, necessary to address the prevention of problems.

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