



## Reasons and Conditions of Threats to the Criminological Security of Persons Kept in Pretrial Detention

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***Abstract:** Currently, the detention of prisoners in the pre-trial detention center is carried out in unfavorable social, psychological and sanitary conditions. According to a number of authors, the antisocial mood of the personality of most prisoners violates the lines of value, often leads to mutual responsibility, violence, parasitism and the desire to resist the administration of the detention center.*

The analysis of the statistical data reflecting the state of the operational situation in the institutions of the penal system allows to emphasize that it has a complex nature in most of them. This is reflected in the consistently high level of crimes committed each year, the majority of which are violent, including serious and extremely serious crimes (murder, grievous bodily harm, etc.).

In particular, the decision of the Federal Penitentiary Service of Russia in 2012 on the results of the activity of the criminal punishment system noted that the number of crimes registered in places of deprivation of liberty increased during the specified period. There is a tendency to increase illegal actions of prisoners aimed at destabilizing the activities of correctional colonies. As in the past, criminal leaders in and out of detention centers are actively trying to spread "thieves' customs", organize and coordinate the illegal activities of prisoners, and influence the representatives of the administration of penal institutions. The creation of preferential prison conditions for "thieves in law" and leaders of the criminal environment continues.

Particular attention should be paid to the violation of the requirements of the instruction on the organization of the regime and security in the pretrial detention center. These violations are manifested in the simultaneous placement of sub-inspectors in several posts near cells, hospitals, punishment cells, training grounds and investigation rooms. In addition, this violation becomes invisible in the case of weak monitoring of the state of technical protection and control devices, failure to repair or replace defective or non-compliant devices in time, and in the absence of protection and more effective security and more effective protection and control devices.

In the activities of the administration of the correctional institution for the prevention of crimes, general and individual preventive measures are traditionally distinguished among prisoners. These measures, in our opinion, apply to crimes against correctional staff, as they are also committed in places of deprivation of liberty. A dangerous source of aggression is people who are serving sentences and have plans to continue criminal activities in places of deprivation of liberty. However, the prevention of crimes against correctional institution employees has its own characteristics, which will be discussed below.

Safe conditions for the activities of the employees of the body of the correctional institution for the execution of punishment and the application of corrective measures are created with the help of security measures and their actions. Ensuring safety depends on the life experience, professional skills, knowledge and conscious actions of correctional institution employees based on the use of safe service methods in places of deprivation of liberty and strict adherence to the rules of relations with prisoners, the rule of law in relation to persons serving sentences. These are personal safety measures for correctional facility staff when working with prisoners. The basic rules and methods of behavior that ensure the personal safety of persons working in a correctional



institution are contained in normative legal documents, and such rules are also developed in the process of gaining work experience in places of deprivation of liberty.

Currently, the penitentiary system pays great attention to the issues of ensuring the personal safety of its employees. Suspects, defendants and convicts are getting better, which reduces their mental stress. The technical equipment of institutions with video cameras, surveillance, security and control tools is being improved. Psychological services are aimed at increasing the stability of employees in stressful situations, and educational services are aimed at maintaining discipline.

Compared to the early 2000s, employee deaths on and off the job, as well as suicides and illicit relationships, have decreased by approximately 20%. At the same time, it should be noted that despite the decrease in quantitative indicators, the problem requires the search for ways to improve the situation. In recent years, up to 80 correctional officers have died each year, about half of them in the line of duty. About 50 percent of all types of violations are illegal communications; 104 employees committed suicide in the last three years. In this regard, it should be noted that security is a serious category and includes elements of protection. The better the protection, the higher the security.

There are also shortcomings in the activities of the investigative detention center staff that reduce the level of criminological security of the persons detained in them, as well as the lack of requirements for the observance of the agenda by the suspects and the accused; lack of vigilance of the pretrial detention center staff, non-observance of opening the doors of the cells and access to them by the staff; lack of special precautions for people prone to various excesses; formal approach to the selection of candidates for domestic service, giving them the right to move without an observer or escort, lack of control over the domestic affairs of prisoners during their stay at their workplaces (distribution of food in cells, bathrooms, etc.).

The group of violations in the list, in our opinion, can be defined by the staff of the pre-trial detention center as a violation of the requirements of the regime.

For example, in the United States, the attitude to the issue of personal security is paying off: in a country with a population of 320 million, the number of law enforcement officers who die in the service is quantitatively about 70 per year. One of the reasons for this situation is a serious approach to the training of law enforcement officers, which begins with the formation of a professional and psychological attitude to ensure personal safety in solving professional tasks. In other words, the employee is encouraged to professional training, to ensure personal safety: "the state remembers you and will do everything for your friendship, but you take care of yourself." The Will to Survive, Street Survival program is an 80-hour training program that instills in the employee one idea: there is danger, but you can avoid it if you improve and develop your own personal safety.

In connection with the above, we believe it is necessary to make some suggestions for improving the training of employees of the criminal justice system:

1. Creating motivation to serve the system, as well as arousing interest in it;
2. Development of a special program in the primary vocational education and training system in order to improve and ensure the personal safety of employees of penal institutions;
3. The first task in this program is to determine the formation of a professional-psychological attitude to ensure the personal safety of employees of penal institutions when solving professional problems.

It is known from the materials of a number of internal investigations that violations in the field of material and technical support of the activities of these institutions are among the violations that



cause an increase in crime in the pretrial detention center. In particular, the low quality of finishing the walls, inter-cell ceilings, non-fulfillment of the requirements for strengthening the walls, floors, ceilings of the cells with a metal mesh or grid, and poor quality of these works are among them.

It is worth noting that the canine service has an important role in ensuring the criminological security of persons in prison. Inadequate use of guard dogs to protect the accused leads to offences.

A serious threat to the criminological security of persons detained in pre-trial detention is represented by the violation of the rules of monitoring the accused by the staff, their inability to act decisively in repelling an attack and attempting to take hostages, as well as in attempts to escape; negligence of officers and employees of guard units in receiving and sending suspects, accused and convicts to the institution.

Shortcomings in the operation of operational units of the investigative detention center that threaten security include the low efficiency of the operational units in preventing the illegal activities of the accused, failure to take measures on the signals of the persons cooperating with the operational units on a secret basis; failure to ensure the principle of inevitability of punishment for every crime committed; Crimes included in the Criminal Code of the Russian Federation include concealment from consideration.

The last group of shortcomings in the operation of the pre-trial detention center includes problems related to personnel: among the employees of the institutions, individuals entering into extra-professional relations with suspects, accused persons, convicts and their relatives; violation of the rule of law by employees, their low professional level.

The above shortcomings are related to the activities of various structural units of the investigative detention center: regime, operative, security, personnel units.

The issue of protecting the accused from mental and physical violence by other accused is more complicated. The security of the accused depends on the regime in the pre-trial detention center. The conclusion leads to one thing: organizational and legal measures aimed at strengthening the regime in the pretrial detention center and the discipline of the accused ultimately help to ensure the criminological security of the accused. Thus, regime and discipline act as a comprehensive means of maintaining criminological security in pretrial detention.

Violations of the regime by persons detained in pre-trial detention include inter-cell communication or communication with persons outside pre-trial detention.

Prisoners are forbidden to communicate, talk and touch with people in other cells, while walking - to talk with people who are in neighboring areas. Also, they are prohibited from making notes and writings on the walls, books and other things and objects given for use, throwing something from the windows, violating the established order of sending letters, complaints and reports.

The main reasons for communicating and communicating with people in general are: obtaining or transmitting the necessary information, expanding the circle of communication, obtaining tobacco products, food, clothes and shoes, entertainment, the desire to influence the results of the investigation and the court decision, other defendants counter pressure and threats, agreements about revenge and the method of pressure on guilty prisoners.

Also, the defendants often do not comply with the prohibitions regarding the possession of various items and substances that can be confiscated if found.

Some idea of the nature of the things most often taken from prisoners gives us the following list of things seized during a search of one of the Moscow institutions: supinators, razors of safe shavers,



metal needles, nails, sewing needles, small metal objects, money, hand-made water heaters, improvised playing cards, cans, factory-made knives, spoon handles, pieces of wire, pieces of rope, pieces of glass, cell phones, sharp plates, and more.

Some prohibited articles are imported by convicts or sent to them in parcels and extracts by cunning means, others are made on the spot by damaging state property.

There are various reasons for transporting and storing prohibited items. Money and valuables are delivered to pretrial detention centers and kept in order to obtain various items that are lacking in pretrial detention: tea, tobacco products, food, alcohol, strong drugs or narcotics, clothes, shoes, as well as to representatives of the administration not only in these institutions, but also from freedom. to bribe in other areas of deprivation.

Of course, some elements of internal regulations only indirectly affect the safety of correctional institution employees, but all of them together ensure strict compliance by prisoners in the regime of the correctional institution, thereby ensuring the safety of official and hired employees of the correctional institution. At the same time, it is possible to single out the elements, the neglect of which by the administration of the penal institution is a direct condition for the commission of crimes and offenses against the employees of the penal institution. These include non-observance of the rules of storage of weapons, sharpening tools, search and technical inspection, inspection of personal belongings, order of movement of prisoners on the territory of the correctional institution, relations between prisoners and staff.

Sharp arch supports, spoon handles, and other sharp objects can be used to make various crafts, cut food, and household items, but the most dangerous is that they can be used for self-harm, including assaults on security personnel or other suspects with intent to murder. can be used to make

The negative impact on the law and order situation in the pretrial detention center is the reason for the increase in criminality of the accused. The role of the criminal "authorities" is increasing, the leaders of the criminal environment are increasing their influence on the accused, and especially on those who are brought to justice for the first time. There are cases of disobedience to the administration.

Due to the change in the quality of the prisoners and their classification into microgroups, among them the most criminogenic are the groups with a negative orientation, whose main life norms in the pretrial detention center consist of "thief" habits and traditions. The leading place in them is occupied by "authorities" ("thieves", "observers", "brothers").

The most vulnerable to all kinds of violent attacks are the "outcasts" [former "representatives of authority", persons who are witnesses or victims of crimes, indigent debtors, "grieved" (passive homosexuals)] and newly arrived prisoners.

The increase in crime in prisons is caused primarily by the country's economic crisis and high inflation. Being part of the economically disadvantaged majority, they are deprived of their basic constitutional rights to livelihood, health and personal dignity as they cannot afford not only durable goods but also everyday goods. Poor nutrition leads to physiological weakness of the body and, as a result, diseases and poor health.

Based on the specific features of the working conditions of the pretrial detention centers, their employees and the detained persons enter into different relations. "As a result, social relations are established between them, specific relations develop and form." The specificity of this relationship is the specific characteristics of communicating entities and the purpose of their interaction.



The problem of relations between them has always interested scientists and practitioners. At the same time, in our opinion, although the special literature pays little attention to the relationships that develop between employees and prisoners, they are one of the most important ways to increase the effectiveness of the re-education process. Moreover, these relationships play the most important role for a safe environment. However, we emphasize that it is not the relationship of individuals, but the basis on which they (relationships) are built and what accompanies them.

It should be noted that these relations are formed in pre-trial detention based on law enforcement practice. They are clearly regulated by legal provisions of a mandatory nature. Another feature of the relationship in question is that they should always be official. This rule is normatively defined in the internal rules of pretrial detention centers, which clearly states that the employees of the pretrial detention center are prohibited from entering into any relations with suspects and accused persons and their relatives, unless they arise from the interests of the service.

An important factor influencing the growth of criminality in pretrial detention centers is the level of preventive work.

As mentioned above, the regime, the poor organization of the work of the guard and control service, the lack of control of the management of the pre-trial detention center can also lead to bad consequences.

Thus, we considered the main conditions that lead to the emergence of threats to the criminological security of persons detained in pre-trial detention.

Currently, the detention of prisoners in the pre-trial detention center is carried out in unfavorable social, psychological and sanitary conditions. According to a number of authors, the antisocial mood of most prisoners violates the lines of values, often leading to mutual responsibility, violence, parasitism, and a desire to turn oneself against the administration of the detention center. The background of the defendants is different. It varies with prison 'experience', education, intelligence, level of social risk, antisocial mood, health status, social risk and more. Studying the personality of the accused in the pretrial detention allows to determine his habits, character traits, value orientations and many other things. When studying the personality of a criminal, his status and position are important. The position of the criminal in the criminogenic society determines his fate in the penal institutions.

In addition, it was found that the importance of threats and acts of violence is not determined by the issue of their repetition, because their impact is so important that it changes the relationship between staff and prisoners, it violates existing legal boundaries, and also negatively localizes the environment in the pretrial detention center in everyday life.

It is necessary to improve the mechanism of adequate fight against crimes in pretrial detention centers. It should include: providing information on the prevention process; to determine the reasons and conditions that encourage the accused to commit criminal acts; making criminological predictions; development of comprehensive step-by-step measures for crime prevention; prevention of crimes by creating systems and methods for evaluating the effectiveness of pretrial detention centers; high-quality strengthening of the operational system and their targeted use; improving the professional skills of the employees of investigative detention centers, stimulating their professional activities.

The new priorities of ensuring national security have set completely different tasks for the law enforcement agencies of the Russian Federation. The development of the military-political situation in the world made it possible to move from one specific task to another, because the most problematic military-political situations from the point of view of Russia's security are complex and multifaceted.





In the context of the reform of law enforcement agencies of the Russian Federation - the Ministry of Defense, the Ministry of Internal Affairs, the Federal Security Service, the Federal Penitentiary Service, the Federal Drug Control Service of Russia - to effectively counter threats (terrorism, extremism and organized crime), the means and methods of official activity have changed. There is a state need for highly educated, morally stable, physically fit specialists. Today, all law enforcement officers are subject to extremely high requirements, such as awareness, high organization and discipline, legal use of weapons and hand-to-hand combat techniques, endurance and mental stability, and physical fitness. At the same time, it should be noted that in the last 10-15 years, the fitness of the personnel who were conscripted into military service, as well as those who began to study (work) in law enforcement structures, has decreased by 25-30 percent. Currently, every third young man is recognized as unfit for professional education due to health, 28% of conscripts do not have sufficient intellectual development, 30-40% have a low level of professionally important qualities. 40-50% of conscripts have an insufficient level of physical fitness, which has not changed much over the past 20 years, while the requirements for physical fitness of young people conscripted into the Russian Armed Forces and law enforcement agencies have increased significantly.

According to a number of researchers, the currently available physical training programs for military personnel before the draft do not meet the requirements of the modern army. The various forms of physical education offered are not related to each other in terms of content, and exist separately, separated from each other. As a result, the level of physical fitness of those of draft age is not at an acceptable level. A comprehensive study of the content and effectiveness of the physical education system of Russian law enforcement agencies shows that the physical fitness of employees is characterized by its low level and does not meet the requirements of professional activity. The current system of physical training and mass sports activities in the internal affairs bodies does not ensure the proper physical training of employees for professional activities and has little effect on increasing their fighting ability. Standard training programs for the physical training of law enforcement officers have insufficient content, there is a disconnection in the interaction and complementarity of its components, and these programs do not have a single goal direction. In addition, insufficient attention is paid to the structure of the content of physical training, taking into account the specific characteristics of the professional activity of employees. At this point, it is appropriate to say that physical training occupies an important place in the system of professional training of employees and is an integral part of service in Russian law enforcement agencies. The employee is required to be aware of his duties, orders, disciplinary requirements, have moral and psychological stability, the ability to act in any, including combat situations and extreme conditions (fighting against terrorists and extremists, arresting an armed criminal and HC). During the performance of official duties, it is physical training that helps maintain and increase the body's resistance to the effects of negative factors, as well as the effective implementation of professional activities. Physical education is designed to solve an important problem: increasing professional adaptation to work in unfavorable conditions (psycho-emotional stress, fatigue, monotony, etc.). Physical education optimizes occupational health and quality of life by influencing the functional systems of the working person's body, and increases occupational longevity. In addition, physical education includes the development of occupationally important movement skills, achieving the optimal level of movement skills and abilities. It is a fact that physical fitness improves through systematic exercise that develops strength, speed, endurance, flexibility, and agility. It was determined that a high level of physical fitness allows employees to effectively perform their duties in their professional activities, to eliminate the negative consequences of physical strain, neuropsychological stress, and to recover quickly. Physically trained employees are less prone to fatigue, as a rule, they achieve better results in their professional activities and become better specialists.



At the same time, one of the main shortcomings of many law-enforcement bodies is that physical education specialists do not know enough about the contents of normative documents regulating professional training and cannot plan physical-educational work.

An important task is also manifested in providing an individual approach to the listeners. First of all, it is necessary to encourage them to actively engage in physical exercises. At the same time, a lot depends on the qualifications and experience of the physical education specialist, as well as the material-technical and educational and sports base, the equipment of workplaces with inventory equipment and sanitary-hygienic conditions.

Recently, Russia's international position has undergone significant changes, military threats to our Motherland have undergone a radical change, their scope has expanded, their nature has changed, and the geopolitical and domestic conditions for their elimination have changed. It is necessary to emphasize the mobility and variability of the conditions and factors affecting the scope and nature of threats to the country's security. It should be emphasized that law enforcement agencies play an important role in ensuring the national security of Russia. Taking into account the characteristics (participation in armed conflicts and wars, etc.), the nature of the tasks before them requires the formation of new approaches to their formation and development. Therefore, prospects for increasing the efficiency of the Russian Armed Forces, equipping them with new equipment, using new methods of combat tactics and strategy lie in the development of modern requirements for high physical strength and psychological stress. Prospects for the development of the armed forces agencies make the problem of developing professional-oriented physical training of employees urgent, require analysis of its composition, as well as finding ways to optimize and improve it.