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Utilizing of the method of statistical data analysis in combating organized crimes

Використання методу аналізу статистичних даних у боротьбі з організованою злочинною діяльністю

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Written by:
Maksym Zabarniy[133]
https://orcid.org/0000-0001-9589-8762
Vasyl Topchiy[134]
https://orcid.org/0000-0002-1726-9028
Anatolii Shevchenko[135]
https://orcid.org/0000-0003-2663-9892
Natali Lugina[136]
https://orcid.org/0000-0001-6005-2943
Yemelianov Viacheslav[137]
https://orcid.org/0000-0002-8934-2976

Abstract

In particular, information weapons and social media weapons have become a weighty and decisive factor in warfare. Moreover, military conflict models increasingly use information as a weapon in virtual space. The article aims to analyze the peculiarities of the use of information weapons in interstate struggle on the example of empirical assessment of the use of disinformation methods against Ukraine in 2021-2022. Methodology. The study used the methods of cases and content analysis of reports and analytical bulletins of the Centre for Counteracting Disinformation of Ukraine to assess the use of information weapons, in particular the spread of disinformation in the information space of Ukraine. The reports and analytical bulletins from December 3, 2021, to February 21, 2022, were used for content analysis. Results. The main types of misinformation that are spread in the Ukrainian information space are: 1) misleading a particular person or group of people (even an entire nation); 2) manipulation, and 3) creation of the desired public opinion.
We determined the main characteristics of fake news (unknown source, manipulative headline, emotional coloring, lack of reference to the head, value judgments). Based on the analysis, trends in

Анотація

У статті розглянуто особливості використання методу аналізу статистичних даних у боротьбі з організованою злочинною діяльністю. Визначено, що для більш повного аналізу стану організованої злочинності використовуються документи правоохоронних органів, спецслужб, судів, що стосуються, конкретних організованих злочинних формувань, їх учасників і кримінальних правопорушень, вчинених організованими злочинними групами (кримінальних проваджень, особових справ засуджених тощо), а також документи, що мають узагальнений характер (аналітичні доповіді, огляди тощо). Наголошено, що при аналізі статистичних даних використовуються матеріали судової, кримінальної, відомчої видів статистики. Однак при всій очевидній різноманітності форм статистичної звітності, придатних для отримання даних про стан організованої злочинності і боротьбі з нею, вченими неодноразово висловлювалися пропозиції, спрямовані на створення більш ефективного інформаційно-аналітичного забезпечення діяльності прокуратури по боротьбі з організованою злочинністю. Відмічено, що існуючі системи статистичної звітності при всій їх чималій

[133] Ph.D. in Law, Investigation Department of State Fiscal Service in Kyiv city, Ukraine.
[134] Doctor in Law, Professor, Educational and Scientific Institute of Law, University of the State Fiscal Service of Ukraine, Ukraine.
[135] Doctor in Law, Professor, Educational and Scientific Institute of Law, University of the State Fiscal Service of Ukraine, Ukraine.
[136] Ph.D. in Law, Associate professor, Educational and Scientific Institute of Law, University of the State Fiscal Service of Ukraine, Ukraine.
[137] Doctor in Law, Professor, Professor of the Department of Criminal Law and Criminology (Faculty No. 6), Kharkiv National University of Internal Affairs, Kharkiv. Ukraine.

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the dissemination of false, manipulative information are identified.

Keywords: information weapons, information warfare, hybrid warfare, cyberattack, political warfare.

інформативності не забезпечують необхідної стабільності статистичної бази даних. При порівнянні статистичних даних за різні періоди нерідко виникає проблема непорівнянності або некоректності статистичних показників. Це буває пов'язано як зі змінами, що вносяться до Кримінального та Кримінального процесуального кодексів, так і з трансформаціями самих форм офіційної статистичної звітності, а також первинних статистичних документів.

Ключові слова: метод аналізу, статистичні дані, організована злочинність, статистична звітність, кримінальне провадження, загальнодержавний банк даних, запобігання.

Introduction

The world processes pose new challenges to the law enforcement system of each country. The main ones are related to the need to develop effective models and strategies to combat transnational crime in general and organized crime. Organized crime is a widespread phenomenon that threatens the national security of any state, stability and security of society, negatively influences the formation and activity of state authorities, promotes the undermining of democratic institutions and values. At the same time in different countries, depending on the specific conditions, organized crime is stabilized, it is spread, improves forms and methods of activity

The implementation of measures to combat organized crime requires a clear understanding of the magnitude of this phenomenon. In order to prevent organized crime effectively, the method of analyzing statistical data is of particular importance, because it is intended for the detection of relationships and structures.

In a broad sense, analysis is a scientific method of mental or real division of an object, phenomenon, process into separate parts, features, qualities, relations to each other, which are further studied separately and in connection with other parts with a divided whole to obtain new knowledge or classify existing knowledge.

Each area of research puts in an individual and well-defined meaning in the concept of analysis (for example, analysis in mathematics, logic, law, etc.). Based on the usual scientific definition, statistical analysis is considered in general and concerning legal disciplines separately in a broader sense. At the same time, legal science and practice are heterogeneous. Thus, the subject of criminology is a crime, as well as other related factual relationships. Civil or criminal law both examine relationships of a legal nature but based on different categories, definitions, concepts, norms and practical actions. According to Soskov, scientific perceptions of problems in criminological research and criminological study are similar but not the same. Methods used to implement scientific knowledge of problematic issues in criminology are divided into four categories: general philosophical, general scientific, specific scientific and special. Further improvement of the tools of methodological doctrinal cognition, including criminological orientation, will improve the amount of reliable cognition (Soskov, 2015). Overall, it is reflected in the nature of the statistical analysis.

Within the study of social and legal phenomena, the statistical analysis includes the division of events (states) into constituent parts determined by a particular branch of law, quantitative measurement of these constituent parts, establishing relationships between them and different events of social life, establishing specific patterns characteristic features of the event or state. The analysis of the statistical direction in criminological cognition aims to divide the definition of crime, its determinants, preventive measures, etc. into constituent elements to establish and quantify the relationships and patterns of crime and related mass social phenomena and processes.

Due to the current high prevalence of organized crime and with a view to avoid losing control in combating this phenomenon, a study on utilizing the method of statistical analysis of this phenomenon is required.

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Literature Review

General theoretical provisions concerning the use of analysis as a method of detection and investigation of crimes can be identified in the process of research of theoretical, legal and organizational principles of criminology and criminalistics, information and analytical support of operative search activities, information and analytical search, criminal and analytical intelligence, use of cybernetic methods in police and other law-enforcement bodies of Ukraine, which is devoted to a lot of scientific works.

In Ukraine, the first attempts to cover the use of criminal analysis were made by Shynkarenko I. and Vlasyuk O., who focused their researches on the historical aspects of the origin, formation and use of this method in the USA, Great Britain and other EU countries (Vlasyuk, 2012, Shynkarenko, 2017). To the scientific works, which reveal some aspects of the use of the analysis, one can consider the works of such scientists as Taylor B, Kowalyk A, Boba R. (Taylor, Kowalyk, Boba, 2007); Vlasyuk O (Vlasyuk, 2012); Lewis C. (Lewis, 2013); Carlos J. Vilalta (Vilalta, 2013); Santos (Santos, 2014); Bisogno E, Dawson-Faber J, Jandl M. (Bisogno, Dawson-Faber, Jandl, 2015) etc.

The empirical basis of this research is the provisions of Ukrainian regulatory acts and the rules of international law, namely, relating to the statistical analysis of combating organized crime. The empirical basis also includes official statistics data on the spread of organized crime in different regions of Ukraine, as well as indicators of combating it, including data from the Office of the Prosecutor General and the Unified State Register of Judicial Decisions. Current research of Ukrainian and foreign scientists on the use of statistical data analysis in combating organized crime, ways to improve legislation on this issue and law enforcement practice have become the theoretical basis of this research.

Methodology

Research methods were selected considering the stated purpose, objectives, object and subject of research. The set of general scientific and special methods is used to perform the achieve the objectives of the research: systemic, dialectical, systemic and structural, legal and dogmatic, comparative, predictive methods.

General scientific and specific cognitive methods are the methodological basis of the study. The dialectical method provided an opportunity to consider the dynamics of all research topics and establish their relationship and conditionality. The statistical method contributed to the development of the empirical basis as a source of information on the research topic. The technical method allowed to reveal the peculiarities of the analysis of legal norms, which contain provisions on organized criminal activity and combating it, and to substantiate the conclusions and proposals for improving criminal law. Methods of synthesis and generalization were used in concluding.

Results and Discussion

Strengthening the rule of law is a major goal of states around the world, and all states must ensure that fundamental and human rights and legal protection are implemented equitably. (Teremetskyi and et., 2021a). Nowadays formation effective system of crime prevention is often largely dependent not on the police effectiveness (on the operative and search measures and covert investigative (search) actions (Teremetskyi and et., 2021b), but on the analysis of the state of crime and its threats to the normal development of the state.

Crime analysis is the study of crime data and other related information to assist law enforcement in reducing or preventing crime, apprehending criminals, and evaluating departmental policies (Kringen and et., 2017).

Statistical analysis of legally significant indicators of combating organized crime supports various branches of legal science not to lose touch with real social life, provided it implements its functional areas: descriptive, explanatory, prognostic and organizational-practical. Statistical analysis plays a fundamental role in the descriptive function of combating organized crime. It enables obtaining a qualitative and quantitative assessment of the phenomenon, describing its constituent elements, stating their relationship to each other, and determining the distinctive characteristics and inherent features. The possibilities of statistical analysis are fully used in describing the organized crime, the results of law enforcement and other state bodies, courts, and penitentiary institutions.

The analysis of statistical data on combating organized crime is used much more widely during the implementation of this functional area of legal science than for other purposes. It can be seen as a disadvantage. Qualitative or quantitative descriptiveness is the first and simplest stage of analysis. Incomplete use of

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statistical analysis in the implementation of other scientific functions often indicates a weak mastery of its methods. Also, the statistical description of the phenomenon of organized crime is not always systematic and professional.

The statistical analysis is used for the explanatory function in combating organized crime and practice. It is endowed with a wide range of tools, methods and techniques, which allow penetration into the phenomenon, establishing its inside and outside relationships, and identifying existing patterns and motives. They are the basis of the changes taking place. For example, it is challenging and labor-consuming to objectively explain the reasons for the growth or decrease of organized crime or its types, its structural changes, insufficient efficiency of criminal justice, declining public confidence in law enforcement, etc. In real life and practice, such explanations are often superficial and arbitrary. The reduction of organized crime can be based on many different reasons: quality of life improvements, growing control over illegal behavior, public distrust of criminal justice, unfair accounting of criminal offenses committed by organized groups, and changes in criminal law, to list a few.

A detailed analysis of factorial, causal, and correlation analyzes of a statistical nature is required to prove any connections. Only if this condition is met, the formulated conclusions will contribute to the development of practical or theoretical solutions in combating organized crime (Tymchuk, 2016). In practice, it is done more common: it is assumed that reducing the level of organized crime is the result of the excellent work of law enforcement agencies. Without considering the actual connections, "convincing" data are provided on the increase in the number of employees, the rise of the salaries of law enforcement officers, the receipt of new equipment and more, which allegedly gave positive results, to confirm this conclusion. The reasons for the positive changes may be completely different, but they are not analyzed. Such a "possible" analysis should not be expected to have positive consequences. However, these results are often acceptable and satisfactory to the authorities. Professional statistical analysis can lead to the elimination of unprofitable conclusions and decisions.

Statistical analysis is performed utilizing past and present indicators. Even after conducting the most accurate research and describing it while explaining its characteristics, a researcher should keep in mind that socio-legal, criminological, delict and other legal realities are very unstable, mobile and rapidly changing. For this reason, conclusions formulated based only on the past and present may be the conclusions of "yesterday". To some extent, mistakes can be avoided by a multivariate, probabilistic, but relatively reliable forecast of the possible development of the study of organized crime shortly. Statistical analysis provides sufficient grounds for the fulfilment of prognostic functions in combating organized crime and practical activities on this issue.

The simplest predictive method is the projection of patterns of statistics and forecasts for future periods. If these patterns and forecasts are established based on an objective vision, they can form a more or less reliable basis for possible assumptions about the development of organized crime. Also, it is necessary to project both the tendencies of the study of the phenomenon of organized crime or the process and other related social phenomena that cause it. Based on statistical study of similar tendencies in criminology, for example, not only organized crime and its types are predicted, but also the behavior of individuals belonging to an organized group (individual forecasting).

Description, explanation and forecast of the development of the studied phenomena are necessary to make the right decisions during the development of regulations, the most successful organization of specific legal activities, and performance, to list a few. It means that the descriptive, explanatory and prognostic functional orientation of legal science and practical work should be endowed with the ability to influence the legislature, executive, judiciary to improve the mechanisms of the rule of law to implement the organizational and practical function of law. The following methodological techniques are subject to the appliance in the development of practical measures: statistical modeling, experimental solutions and other methods of statistical analysis.

Thus, methods of statistical analysis are not used sufficiently in the practice of law enforcement and other state bodies and even in doctrinal legal practice. Often there is a restriction to the comparison of tables containing comparative indicators to use them in operational work or images, and a comprehensive study does not come or lacks the necessary experience in the field of statistical work. It worsens the analyzed indicators, resulting in a situation when analysis

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does not achieve the goal that was set in advance, in particular in combating organized crime.

Statistical analysis is considered third after statistical observation, summarization and grouping of the obtained data, provided that it does not take into account what arises from qualitative analysis, the final stage of the quantitative study of organized crime. The latter component has a relative characteristic because the analytical study begins with the implementation of statistical observation, deepens in the statistical compilation and grouping, calculation of generalized quantities and ends with a comprehensive application of various methods of statistical analysis.

Statistical analysis of organized crime in its broadest sense consists of the following particular methods: statistical association and composition, final indicators (absolute, relative, and average), official statistics, and correlation and other ways to study the relationship (Kulyk, 2009). These methods enable solving most of the problems usually posed by traditional statistical analysis of organized crime. Further deepening in quantitative analysis is realistic based on various methods of mathematical science, the use of which requires thorough professional skills and abilities.

Organized crime is an extremely negative mass natural and deeply structured social phenomenon distributed in time and space, inherent in all currently known social systems and associated with a large number of other social phenomena. In this sense, it is almost an ideal object for statistical analysis.

On the one hand, its statistical "attractiveness" compared to other mass phenomena is because most definitions, features and characteristics have a relatively reliable legal basis, the rules of which are implemented publicly by professional state bodies in competition with professional protection in law and documented procedural order. All these activities are reflected in detail in the differentiated state and departmental accounting, which has existed for hundreds of years.

On the other hand, organized crime itself, as a mass social phenomenon, can be understood and comprehended in all its features more on a quantitative level of analysis, i.e. statistically. Attempts to consider crime outside the set of specific criminal acts turn it into an abstraction that cannot be touched, although it is manifested in quite tangible criminal acts of society. Therefore, it is no coincidence that organized crime has been the subject of quantitative research since ancient times and occupies a leading place in legal (moral, judicial) statistics.

Statistical analysis of organized crime is aimed at determining its true state. This problem is complex, changeable and ambiguous. On the one hand, there are well-developed accounting and reporting forms. On the other hand, accounted organized crime does not reflect the real criminological situation in any country in the world, and especially in modern Ukraine. The level of registered organized crime is usually in the range of one-fourth to a half of the actual criminal offenses committed. Certain groups and types of crimes (economic, official, corruption, environmental, etc.) are taken into account in the smallest parts of the facts of criminal reality. It leads to a serious structural inconsistency of the considered crime.

Incomplete and distorted analysis of organized crime to develop effective measures to combat it is not very promising. Only an objective statistical and criminological study of the state of organized crime in different regions of the country can help to develop adequate measures to combat socially dangerous behavior. It should not be forgotten that it is almost impossible to find a complete statistical picture of organized crime in any research. The task is to bring the conclusions about organized crime under investigation to its actual reflection, to adjust the level and structure of organized crime under existing reality, to assess the "dark" figure of organized crime more or less adequate in developing measures to combat it.

Various sources of information are utilized in the analysis of organized crime. First, these are statistics on organized crime and reaction. However, taking into account the changes made in the Criminal and Criminal Procedure Codes, in the forms of official statistical reporting, when comparing statistics for different years or periods, there is often a problem of incomparability or incorrect comparison of statistical indicators. Existing forms of statistical reporting do not provide the necessary stability of the statistical database. Therefore, attention should be paid to the analysis of statistical cards of primary accounting, as well as consolidated statistical forms (Dryomin, Mandrychenko and Melnichuk, 2015).

In addition, it is obvious that it is impossible to make an accurate analysis of the state of crime in general, and especially organized crime, which

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has the highest degree of latency, based only on statistical information.

For a more complete analysis of the state of organized crime, documents of enforcement agencies, intelligence services and courts concerning specific organized criminal groups, their members and criminal offenses committed by organized criminal groups (criminal proceedings, personal files of convicted, etc.) and documents, having a generalized nature (analytical reports, reviews, etc.) are utilized.

In addition, materials from the media, regulatory and other bodies, various public organizations (research funds, etc.) are used.

The results of questionnaires and surveys of enforcement officers, intelligence services, courts, as well as persons convicted of criminal offenses of this type and serving sentences, and various categories of the population present considerable clarity to the picture of the state of organized crime, identifying its specifics in different regions of Ukraine. When assessing statistical data, materials of judicial, criminal, and departmental types of statistics are utilized (Dzhuzha, Golosnichenko and Kyryliuk, 2003).

With all the obvious variety of forms of statistical reporting suitable for obtaining data on the state of organized crime and combating it, scientists have repeatedly made proposals aimed at creating more efficient information and analytical support to combat organized crime (Beschastnyi, 2018). According to experts, a single National Information and Analytical Data Bank on Organized Crime should be the basis for such support. A single databank should contain information about criminal groups, criminal organizations, leaders of the criminal environment and, above all, "code-bound criminals", their environment, authorities, and more. Moreover, this data should contain both information about individuals and criminal structures, and about those organizations (companies, enterprises, financial structures, trade, household facilities, etc.) that are headed or found by these persons, or which they control or in which their authorized persons' act (Smetanina, 2016).

Given the scale of the development of transnational organized crime, the Unified Data Bank should also focus on foreign criminal organizations, their leaders and active members who maintain ties with the leaders of Ukrainian organized crime. The establishment of a regional information system on organized crime, which includes, for example, Ukraine, several European and Asian countries, could be one of the measures in this case. Particular emphasis needs to be placed on the possibility of access to the National Data Bank on Organized Crime by research institutions of a certain profile, criminologists and other specialists in the field of combating organized crime who work in these institutions. It will enable ongoing research to develop recommendations and a system of adequate measures to combat organized crime at various levels of its manifestation. The proposed measures will require strengthening the logistical and organizational, and managerial base of enforcement agencies.

It should be borne in mind that this information and analytical work can be performed only based on sufficient technical equipment. It must be provided with qualified personnel (including employees with economic and financial education, work experience, and criminologists). Notwithstanding considerable informativeness, existing statistical reporting systems still do not provide the necessary stability of the statistical database. When comparing statistical data for different periods, there is often a problem of incomparability or incorrectness of statistical indicators. It is due to changes in the Criminal and Criminal Procedure Codes and because of the transformation of the forms of official statistical reporting, and primary statistical documents. Attention should be always paid to the analysis of statistical cards of primary assessment and consolidated statistical forms.

High latency of organized crime and significant incomplete reflection of its manifestations in statistical reports is associated, among other circumstances, with: difficulties in disclosing intentional, carefully planned criminal offenses, often committed by entities with criminal professional skills; active organized counteraction of organized criminals and their formations to the disclosure and investigation of criminal offenses; lack of effective legal framework for combating organized crime; miscalculations in creating assessments and reporting documents; low quality of criminal procedural activity, associated, in part with the insufficient level of special professional skills of the inquiry bodies, investigators, prosecutors, and judges, important for combating organized crime (Alexandrov, Gel, and Semakov, 2002).

A real opportunity to get an idea of the changing state of organized crime is the allocation of criminal offenses most characteristic of organized crime, in other words, such criminal

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offenses, the commission of which is usually associated with significant organizational work involving a large number of people. In addition to Banditry (Article 257 of the Criminal Code of Ukraine) and the Organization of a criminal group, such criminal offenses include:

I. Criminal offenses against the life and health of a person, as well as against the will, honor and dignity of a person: Forced donation (Article 144 of the Criminal Code), Illegal deprivation of liberty or kidnapping (Article 146 of the Criminal Code), Human trafficking (Article 149 of the Criminal Code).
II. Criminal offenses in the economic activity field. The largest group of criminal offenses is committed in the field of economic activity because it is the main sphere of activity of organized crime.
III. Criminal offenses against public safety.

1) Criminal offenses related to illicit trafficking, manufacture, theft or extortion of weapons, ammunition, explosives and explosive devices (Articles 262, 263, 263-1 264 of the Criminal Code);
2) Criminal offenses related to illicit trafficking of narcotic drugs, psychotropic substances, their analogues or precursors (Articles 305-327 of the Criminal Code);
3) Trading or involvement in prostitution (Article 303 of the Criminal Code); distribution of pornographic items (Article 301 of the Criminal Code).

IV. Criminal offenses against the order of management: Theft, conversion, extortion of documents, stamps, seals, possessing them by fraud or abuse of position or damage (Article 357 of the Criminal Code); Destruction, forgery or replacement of numbers of sections and units of the vehicle (Article 290 of the Criminal Code); Production, storage, acquisition, transportation, shipment, and import to Ukraine for purposes of distribution of goods, sale or peddling of counterfeit money, government securities in paper form, state lottery tickets, excise tax stamps or holographic security features (Art. 199 of the Criminal Code).
V. Several subgroups of criminal offenses, which have special features.

1. Crimes of a terrorist nature. Their list is given in the Law of Ukraine "On Combating Terrorism", but due to the constantly progressing activities of terrorist organizations, the list is not exhaustive.
2. Criminal offenses against the order of justice. Analysis of criminal proceedings and assessment for statistics on a number of criminal offenses contained in the Criminal Code of Ukraine may indirectly provide information about organized crime.
3. Criminal offenses against the environment. Violation of the rules of protection or use of subsoil, illegal extraction of minerals (Article 240 of the Criminal Code); Destruction or damage of flora (Article 245 of the Criminal Code); Illegal hunting (Article 248 of the Criminal Code) (The Criminal Code No 2341-III, 2001).

The purpose of the analysis is to understand the problem of organized crime, its specifics and qualitative features, state and dynamics, and processes occurring in it. It is not enough to be limited to the assessment of the number of criminal offenses committed by organized criminal groups. It is necessary to take into account the dynamics of development and change of organized criminal groups, their number and composition. Studying the spheres of activity of a particular criminal group, the interaction of various organized criminal groups are also crucial. The peculiarities of the regional specifics of organized criminal activity are subject to special analysis. One of the main goals of statistical research is to find regularities and establish their causal complex.

At the first stage of the analysis of organized crime, as a rule, the number of criminal offenses registered during the reporting period (year) committed by organized criminal groups and the number of identified persons who committed these criminal offenses are recorded. At the same time, analytical tables are drawn. Aside from absolute data, the table may include the calculation of the dynamics of the analyzed statistics. The following are distinguished: current analyses - comparison of data on crime for the year with data for previous years; systematic analysis - the analysis of crime sequentially over the years over some time of interest. At the same time, the growth rate of the number of registered criminal offenses is calculated. It is a general term used in cases of crime reduction. The growth rate is expressed in percent and presents data on the increased or decreased number of registered criminal offenses or another number compared to the baseline (Dolgova, 2005).

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During the analysis, organized criminal offenses are identified either based on studying specific criminal proceedings and establishing the fact of their commission intentionally, with premeditated intent, or by identifying a group of criminal offenses that can not be committed with sudden intent, without prior preparation.

At the second stage, the information of the bodies of the Ministry of Internal Affairs and the Security Service of Ukraine about the organized criminal formations known to them, the number and structure of such formations, and their criminal connections are analyzed. The system of such indicators is studied, which gives an idea of the functioning of organized crime as a system of different organized formations, their relations and activities: the number of various meetings, contacts with their division into confrontational and peaceful cooperation, the number of leaders who jointly manage the interaction formations, the number of thieves in law, and more.

A lot depends on the level of officer, intelligence, counterintelligence and analytical work. Such data is particularly indicative in their analysis at the regional level. The above-mentioned indicators are not included in the data of official statistics. They are concentrated in the relevant units of enforcement agencies that directly combat organized crime (Bek, 2002).

The final analysis of the state of organized crime should include data on the number of criminal offenses registered in the reporting periods, the number of identified persons who have committed criminal offenses, and the number of convicts.

In addition, a broader analysis (other than statistical) allows concluding trends in organized crime in a particular region: the number of organized groups in the reporting period, their size, whether there are criminal leaders (code-bound criminals, crime kingpins, etc.); criminal organizations and groups, their features and affiliation, interregional, transnational relations, economic activities, implementation in political structures and much more.

At the third stage, data on the response to organized crime are studied. It is necessary to develop sound proposals to optimize combating organized crime in a country or region, taking into account the specific features of the state and functioning of organized crime.

At the same time, attention should be paid to the quality and effectiveness of coordination activities of enforcement agencies in combating crime, the interaction of enforcement agencies with courts, other government agencies, NGOs, and cooperation in combating transnational manifestations of organized crime with foreign and international organizations.

An oral discussion of a specific issue that arises when utilizing the method of statistical analysis of organized crime, in particular when it is committed by a group of people is worth mentioning due to several advantages. First, it is a time-saver, as the person presenting their thoughts and ideas can share a lot of information with other members of the working group in a short period. Second, direct contact between the members of the group conducting the analysis provides an opportunity to ask each other questions about data sources, assess their reliability, and association with similar data. Third, the oral discussion facilitates a quick change of the information under discussion, which cannot be achieved through a written report (Koristin et al, 2016).

Thus, to date, science has developed many methods of analyzing provisions of law, their application and identifying ways to improve legislation, taking into account the results of forecasting the prospects for society and the state. Therefore, it is necessary to choose the form of combating that will provide the most effective results and formulate the most optimal proposals for specific criminal proceedings and the practice of their application, to ensure a high level of quality in combating organized crime. Modern scientific approaches are already introduced into the practice of criminal law enforcement, which includes the method of "SWOT-analysis" (Topchiy, Zabarniy and Luhina, 2020).

Conclusion

The conducted criminological research allows us to conclude that combating organized crime requires a comprehensive, systematic approach, taking into account various, interrelated aspects of socio-economic, criminal law, criminal procedure, operational and investigative, criminal executive, information and analytical, scientific-research and other nature.

Analysis of the geography of organized crime in our country shows that the highest rate of criminal activity per 10 thousand population in the period 2019-2020 was observed in the Kharkiv region (245 criminal offenses), city of Kyiv (250 criminal offenses), Kherson (193

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criminal offenses), Kirovohrad (157 criminal offenses), Kyiv (155 criminal offenses), Khmelnytsky (149 criminal offenses) and Mykolayiv (137 criminal offenses) regions. The lowest activity of organized criminal groups during this period was found in Ternopil (59 criminal offenses), Ivano-Frankivsk (65 criminal offenses), Zakarpattia (72 criminal offenses) and Chernivtsi (83 criminal offenses) regions (the Office of the Prosecutor General, 2021). An analysis of the practice of prosecuting members of organized criminal groups (organizations) shows that ordinary members and perpetrators of criminal groups are mainly prosecuted. Leaders and other authorities almost always avoid criminal liability. It is due to several circumstances such as serious problems and shortcomings in the legal framework, corruption of enforcement officers, insufficient skills of investigators and their overload. The peculiarities of organized crime also play a significant role here, when ordinary members of criminal organized groups and organizations assume the responsibility of the leaders of the criminal environment.

Criminological research shows that organized crime is a rather complex, dynamic phenomenon that is constantly evolving. It covers a large part of social relations. Organized crime operates in various fields, forming relevant structures: organized criminal groups, gangs, criminal organizations, communities, using different activities. The tendencies of modern organized crime are such that some part of organized criminal activity has moved to the legal sphere. Members of criminal organizations and groups use various legal opportunities in the fields of finance, trade, real estate, manufacturing and more for their purposes.

New leaders have risen their heads in an organized criminal environment, and they differ in several characteristics that are not characteristic of the leaders of the former generation. They do not meet the requirements that such a person should have previously met: to be convicted of serious crimes while serving a sentence in prison, not to participate in socio-economic life, community service, commerce, not to have property, not to act as a witness, a victim and more.

New leaders have significant funds and influence in the legal structures, but have strong and sustainable ties to existing criminal groups, and use these ties in the interests of organized crime.

The unsatisfactory state of the practice of prosecuting and convicting leaders and active members of organized criminal groups is due to a combination of gaps and shortcomings, both in law and in the activities of enforcement agencies.

Studies have shown that in combating organized crime, the identification of perpetrators of criminal offenses, the investigation of this category of criminal cases, is fundamentally different from similar actions related to the investigation of other criminal cases in complexity and multiplicity of subjects and relations between criminals, corrupt connections and a number of other circumstances.

The abovementioned is due to the many features of organized crime, which can have a significant impact on the prosecution of ordinary members of criminal organizations and their leaders.

Insufficient completeness of evidence collected in the proceedings and violation of criminal procedure legislation are the most characteristic shortcomings that prevent the prosecution and subsequent condemnation of leaders, authorities of the criminal environment, and active members of organized groups.

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