

The terms delinquency and criminal act are related to each other but not the same, delinquency refers to an act that is prohibited by the social norms, whereas a criminal act in violation of existing laws of the state.

Various Psychological Factors include:

*Mental illness*

*Depression*

*Aggressive behavior*

*Lack of self-control*

*Deviant behavior*

Criminals differ from general population or non-criminals in terms of personality features. These traits have also discriminate and predictive validity for future recidivism. However, there is a dearth of literature in this field. Hence, there is a considerable gap in this area, and it is suggested that more research is needed.

#### **Список використаних джерел:**

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## **IMPLEMENTATION OF LAW ENFORCEMENT FUNCTIONS BY LOCAL GOVERNMENT BODIES: CONSTITUTIONAL AND LEGAL ASPECT**

**Topicality:** The cooperation of local authorities is properly organized self-government with law enforcement will contribute to deepening processes of democratization of society; creating appropriate conditions for stopping increase in crime, the introduction of gradual changes in the structure of crime the region to the level of minimal danger to society; attracting additional resources for socio-economic development and confidence to law enforcement agencies.

**Purpose:** The creation of appropriate conditions for the implementation of the law enforcement function of the state involves the establishment of effective interaction of local governments with all entities that are responsible for the implementation of this function, primarily with law enforcement agencies. Therefore, a necessary component of the

activities of local governments is to promote the activities of law enforcement agencies, which are the main actors in the implementation of the law enforcement function of the state. This task should be solved, among other things, by establishing cooperation between local governments and territorial units of law enforcement agencies. In the process of such interaction, measures should be taken to implement the powers of local self-government in the field of law and order, rights and freedoms of citizens, prevention and counteraction of corruption, counteraction and prevention of offenses in a certain 9 administrative-territorial units, etc.

In the course of organizing this type of interaction, the following tasks should be solved:

- development of new forms and methods of interaction between local governments and law enforcement agencies;
- long-term forecasting of the state of crime and the main factors influencing it, determining the system of measures of influence in the region and its individual districts using modern methods of mathematical statistics, examination, analysis, study of public opinion;
- advanced development of the system of measures to combat and prevent crime;
- improving the system of preventive and educational work with various categories of the population, especially minors and youth;
- improving the organization of the law enforcement system in terms of solving prevention tasks and implementing the functions of combating crime;
- launching a system of victimological prevention of certain groups and types of crimes; - establishment and development of interregional cooperation in the field of crime prevention;
- testing and subsequent widespread introduction of non-traditional forms and methods of combating crime, which have proven their effectiveness;
- formation of the system of legal education of the population;
- promoting the participation of citizens and their associations in the fight against crime; - creation of an information complex that will ensure adequate public perception of the criminal situation.

According to Art. 140 of the Constitution of Ukraine, local self-government is the right of a territorial community - villagers or voluntary association in a rural community of residents of several villages, towns and cities - to decide on local issues within the Constitution and laws of Ukraine [1].

In accordance with the provisions of the European Charter of Local Self-Government, the basic powers of local self-government are established

by the constitution or law. In Ukraine, they are enshrined in general in Art. 143 of the Basic Law, and their details are contained in the laws of Ukraine "On local self-government in Ukraine", "On the capital of Ukraine - the hero city of Kyiv", Regulations on general meetings of citizens at the place of residence in Ukraine, as well as in sectoral legislation - laws of Ukraine On the basics of urban planning ", " On transport ", " On communication ", " On labor protection ", " On physical culture and sports ", " On education ", " On fire safety ", " On the legal regime of the state of emergency ", "On ensuring the sanitary and epidemic well-being of the population", "On the nature reserve fund", in the Land, Forest, Water Codes of Ukraine and other legal acts.

The essence of local self-government is the state-guaranteed right of the territorial community, citizens and their bodies to resolve a significant part of local affairs and manage them, acting within the law, under their own responsibility and in the interests of the population.

The powers of local self-government can be exercised directly by the population of the territorial community, as it acts as the primary subject of local self-government, the main bearer of its functions and powers and can independently resolve any issue of local significance referred by law to local self-government. It is this position that determines the name of this paragraph as functions and powers of local self-government in general, and not only its bodies, because the mechanism of their implementation includes the entire system of local self-government, not just its bodies.

Own powers are those rights and responsibilities that the state recognizes for the subjects of local self-government and which ensure the independent solution of issues of local significance by the population.

Delegated powers - the powers of executive bodies granted to local governments by law (definition of the Law) with the simultaneous transfer of the necessary material and financial resources, the implementation of which is under the control of state executive bodies.

The main activities of local governments can be identified on the basis of analysis of the nature, place, tasks and objectives of local government, as well as analysis of legal norms, which enshrine the powers of certain areas of municipal activity. The functions of local self-government can be classified according to several criteria, but the most significant is the division of functions by forms and areas of local self-government. In particular, the forms of activity are normative, constituent, control and law enforcement functions. By areas of activity, the following functions can be distinguished: ensuring the integrated development of the community; planning; budgetary and financial; management of communal property and local finances; ensuring the satisfaction of the needs of the

population in housing, transport, trade and communal services; social protection of the population; foreign economic; promotion of defense activities of the state; development of health care, education, culture and sports; environmental; regulation of land relations; accounting; permit-registration; informational.

The law enforcement function of local self-government and its bodies is to promote the protection of public order, which is ensured by the entire system of law enforcement and judicial bodies, public services, inspections, which perform the functions of supervision and control over compliance with the law. The Law of Ukraine "On Local Self-Government in Ukraine" provides for the authority to ensure law and order, protection of rights, freedoms and legitimate interests of citizens in the jurisdiction.

According to Art. 38 of the Law of Ukraine "On Local Self-Government in Ukraine", the powers of village, town, city executive bodies of local self-government include control over public order during meetings, rallies, demonstrations and demonstrations, sports, entertainment and other mass events [2].

Execution of the law enforcement function also includes the activities of executive bodies of local self-government to consider cases of administrative offenses referred to their jurisdiction (for example, violation of the Rules of protection and use of historical and cultural monuments, violation of silence in public places, knowingly false call to special services, etc.). In addition, the delegated powers of these bodies include:

- the right to establish administrative commissions, commissions in the fight against crime and the direction of their activities;
- registration of civil status acts, except for executive bodies of city (except cities of regional significance) councils;
- performance of notarial acts on issues referred by law to the executive bodies of local self-government;
- ensuring the requirements of the legislation on the consideration of citizens' appeals, control over the state of this work at enterprises, institutions and organizations, regardless of ownership.

The coordinating role of local self-government bodies (as an independent but stakeholder) is of great importance, as no state law enforcement body is empowered to carry out general coordination at the respective level.

It can be carried out in the following areas: joint study of the state of crime; development and implementation of joint measures to combat crime and delinquency; discussion of joint work plans and their implementation; raising the professional level and exchange of experience in the law enforcement system; joint measures to clarify regulations and legal

advocacy; participation in the detection of crimes and offenses, identification and elimination of the causes and conditions that contribute to their commission.

The need for law enforcement agencies close to the problems of the population began to materialize in the creation of a "local police." These units, along with solving the tasks of public order and crime control, should be endowed with the functions of monitoring the implementation of decisions of Ukrainian authorities and local governments adopted within their competence (in the fields of ecology, sanitation, land use, morality, consumer market, etc.).

According to the legislation of Ukraine (Law of Ukraine "On Amendments to Certain Legislative Acts of Ukraine Concerning Local Police" of 2004, Presidential Decree "On Establishment of Local Police" of 2001, Regulations on Local Police, approved by the Cabinet of Ministers of 2004) was to be formed by local self-government bodies on the joint submission of local state administrations and executive bodies of village, settlement, and city councils agreed with the Ministry of Internal Affairs of Ukraine. Its formation was envisaged in the system of the Ministry of Internal Affairs at the expense of the local budget, but due to lack of funding it was not possible to implement it in practice.

However, world experience shows the effectiveness of the local (municipal) police (police) in the system of local self-government, in cooperation with law enforcement agencies, local authorities, public groups for the protection of public order and the population.

**Conclusion:**

It is the consideration in the activity local governments factors and specific features, specific to a particular area, will develop effective programs combating crime and ensuring public order in the territory appropriate administrative-territorial unit, take effective measures to improve law and order at the level of a particular region.

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