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FEATURES OF PLANNING OF THE INVESTIGATION OF CRIMES COMMITTED BY ORGANIZED CRIMINAL GROUPS UNDER MARTIAL LAW

Organized crime is a crucial issue because it poses a major threat to the rule of law and has very serious consequences for victims, the economy and social development. In the modern conditions of the armed aggression of the Russian Federation against Ukraine, the system of pre-trial investigation bodies faces new challenges related to the need for quick, comprehensive and high-quality documentation, collection of evidentiary information on the facts of the commission of criminal offenses by organized criminal groups.

In recent years, these dangers have been amplified by advances in technology and globalization. Capitalizing on these advances, organized crime groups communicate faster, hide their money in more locations, travel more cheaply, and may conceal their activities through encryption [1, p. 23].

In the course of proceedings, criminal investigative bodies and the courts shall act in such a manner that no one is unjustifiably suspected, accused or convicted and no one is arbitrarily or unnecessarily subjected to coercive procedural measures [2, p. 1].

However, the introduction of martial law on the territory of our country entailed legal consequences that affect all spheres of social life, including influencing the process of investigation of criminal offenses, a significant part of which has to be investigated for the first time. Investigators of the pretrial investigation bodies

faced a difficult situation related to the investigation of crimes committed by organized criminal groups under martial law.

In case of offenses committed by criminal groups, the criminal investigation authority must answer the following questions: whether the act constitutes a crime, what kind of offense was committed, what results produced etc.; if the act committed is an offence, what are the crime circumstances; if it was committed by a criminal group, who are the members of this group and what is the role of each member of the group; what is the reason and purpose of criminal group members.

In criminology, the organization of an investigation is defined as the agreed and regulated actions of the subjects of the pre-trial investigation and the bodies and persons interacting with them for the effective investigation and prevention of criminal offenses [3, p. 396].

An integral component of the investigation of any type of criminal offense, including criminal offenses committed by organized criminal groups under martial law, is planning, which is considered a structural element of the organization of the investigation.

Planning the criminal investigation in all cases shall be carried out with respect for the principle of individuality. This principle is to develop a well thought plan on criminal investigation reflecting procedural and special investigation that need to be performed in order to identify active members of the criminal group, detect means used in committing the crime, identify the crime target, identify and hear crime victims, detect stolen items and the methods of concealing the crime, discover methods of legalization of income acquired illegally and other relevant issues [4, p. 298].

While investigating crimes, especially those committed by criminal groups under martial law, the criminal investigation authority given collects and compares evidence at a certain stage of investigation, until finding the truth. Therefore, after each special or criminal investigation measure crime circumstances may undergo several changes, respectively, the direction of investigations may be derived from the originally created picture.

Planning criminal investigation of crimes committed by organized criminal groups under martial law include: finding planning tasks at each stage of the investigation; developing the necessary versions at a certain stage of research based on the information available at that stage; identifying problems that need to be resolved according to the version submitted; determining the criminal and special investigative measures to be conducted in order

to achieve the desired goal; verifying versions based on the results of special and criminal investigation; assessing these results.

Versions of criminal investigation and special investigations have a significant importance in the course of investigation of crimes committed by organized criminal groups under martial law as they streamline the planning process and the activity of relevant authorities. Information that could form the criminal investigation version may be obtained at any investigation stage. At the same time, conducting active hostilities in a separate territory of our country makes it difficult or impossible for investigators to access the crime scene, creates a danger of conducting investigative (search) actions in de-occupied territories, which remain dangerous. Information obtained during investigation of crime scene may be relevant for developing criminal investigation versions specifying the procedural actions and special investigation measures to be conducted. It ensures the correct direction of the initial investigation stage.

Initial data, especially those obtained from crime scene investigation helps to provide versions, which need to be further verified. It is very important to take into account the information and material evidence discovered and collected from the spot. At least they will help the criminal investigation authority to establish whether the offense was committed by two or more persons. It is this particular finding that will help the criminal investigation authority to submit the version on an offense committed by an organized criminal group under martial law.

Therefore, it is important that person performing this procedural action to thoroughly examine the scene, objects and traces detected. If there are several footprints, cigarette butts, etc. this means that the offense was committed by a group of people, which is an incentive for to submit the version of the offense committed by an organized criminal group.

Generally speaking, the investigation consists in logical conclusions arising from versions. The version on the existence of a criminal group developed based on crime scene information, the following conclusions on the following data may be drawn up: number of criminals, criminals who directly participated in committing the crime, actions to conceal the crime, use of means and instruments to commit the crime (it will allow to further individualize the punishment for each criminal group member). Any investigation shall be carried out resulting from versions.

Another important element in investigation of crimes committed by organized criminal groups under martial law is

conducting the investigation by a group of criminal and special investigation officers. A single officer performing criminal investigation will certainly exceed the reasonable deadline. This is beneficial for criminal group members who will try to hide stolen items and destroy evidence. To this end, investigation of a crime by a group of officer will increase the quality and effectiveness of investigations.

M. Gheorghita mentions that division of activity areas within the group shall be performed in accordance with the experience and personal skills of each member. The activities related to suspected, accused persons and witnesses are highly important and are assigned to the most experienced criminal investigation officers, while searches, examination of objects and documents are assigned to less experienced officers [5, p. 77–78].

Conclusions. Analyzing the planning of the criminal investigation activity in the cases of committing crimes by organized criminal groups under martial law we formulate the following conclusions: to achieve the purpose of the criminal investigation and to ensure the active role of the criminal investigative body, his/her activity must be well organized and planned.

Planning criminal investigation of crimes committed by organized criminal groups include: finding planning tasks at each stage of the investigation; developing the necessary versions at a certain stage of research based on the information available at that stage; identifying problems that need to be resolved according to the version submitted; determining the criminal and special investigative measures to be conducted in order to achieve the desired goal; verifying versions based on the results of special and criminal investigation; assessing these results.

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ФІЛОСОФСЬКІ ПОГЛЯДИ КАРЕН ХОРНІ

Карен Хорні (Karen Horney) – німецько-американська психоаналітикиня, яка стала однією з перших жінок-психоаналітиків і внесла значний внесок в розвиток психології.

Народилася Карен Хорні 16 вересня 1885 року в місті Гамбург, Німеччина. У 1906 році вона почала навчатися в медичному факультеті Університету в Фрібурзі, ставши першою жінкою в Німеччині, що отримала дозвіл вивчати медицину, а потім переїхала до Берліна, де продовжила навчання в галузі психіатрії та психоаналізу. У 1920-х отримала місце в Інституті психоаналізу в Берліні, де протягом кількох років до того вивчала психоаналіз, а протягом кількох років потому – читала лекції з психоаналізу. Карл Абрахам, кореспондент Зигмунда Фрейда, вважав Карен Горні дуже обдарованою аналітикинею та викладачкою психоаналізу.

У 1932 році Хорні переїхала до США, де продовжила свої дослідження і здобула значний авторитет в галузі психоаналізу. У Брукліні, який у 1930-х роках був домівкою великої інтелектуальної спільноти, частково через єврейську еміграцію з Європи, зокрема Німеччини, Горні знайомиться з Еріхом Фроммом та Гаррі Стеком Салліваном. Першою посадою в американській кар'єрі було віце-директорство в Чиказькому інституті психоаналізу. Протягом бруклінського періоду Горні розвинула та вдосконалила свої складні теорії щодо неврозу та особистості, які базувалися на досвіді, отриманому під час роботи