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3. Сучасний стан організованої злочинності в Україні.  
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### **THE UNITED STATES SYSTEM OF COMBATING ORGANIZED CRIME (THE EXPERIENCE OF ORGANIZATION AND FUNCTIONING)**

The study of the USA experience in organizing the organs carrying out the fight against organized crime is due to considerations of a theoretical and practical nature. From a theoretical comparative point of view this experience will be useful in analyzing the tasks and functions of each particular law enforcement agency in the United States, the division of competences, elimination of parallelism and duplication between them, which is undoubtedly useful and needs to be taken into account during the reform of the Ukrainian law-enforcement system. In addition, it explains the importance of studying USA experience in the fight against organized crime and the creation of a system of special law enforcement agencies that carry out law enforcement practices in this area.

Sure that it was in this country that the first time there was an organized crime. Organized crime actually arose in the United States, its formation took place in several stages. At the beginning (in the late nineties of the nineteenth century), the term "organized crime" was applied to groups (unions) of criminals who were engaged in obtaining illegal profits from the organization of gambling

establishments, prostitution, and after the introduction of the "dry law" - the manufacture and sale alcoholic beverages, drugs, counterfeit money. After the Second World War, organized crime in the United States was mostly associated with well-structured criminal associations, initially with ethnic emigrants, and then in the 1950s-1960s, with "family-mafia" who took control of business in a certain area , individual enterprises, leisure establishments. For the first time, ethnic organized crime was first encountered in the United States, when in the twentieth century. there emigrated a large number of Italians.

From the practical point of view, the experience of the fight against organized crime in the United States is due to the need to take into account the most modern methods and techniques that help to implement the tasks and functions of these bodies in the course of law-enforcement practice. Interesting and useful experience of the American law enforcement agencies in the fight against organized crime, which reflects the basic principles and methods of their work in the fight against organized crime, and largely explains the high results in the fight against this evil.

Law in USA provides for effective law enforcement officers, regulating the way of reaching compromises between law enforcement agencies in the person of the prosecutor with the offender against whom the prosecution is being prosecuted. The main conditions for such a compromise or agreement are: full confession of the suspect in the committed crimes and his consent to cooperate with the prosecuting authorities and to testify against the leaders of the criminal group; rejection of any unlawful activity in the future. It is clear that these conditions the offender goes consciously, since such a variant of behavior is not only useful for the state as a whole, but also beneficial to him personally, since in relation to the person who gave written consent to these conditions, the prosecutor may, at his own discretion, reduce the scope of the charge up to the total dismissal of her liability, if the crimes committed by her are not too severe. This provides an opportunity obtaining important evidence, so to speak from the middle of

criminal environments, in addition, plays an important preventive role, destroying the procedures established in illegal structures.

Finally, in the United States, the protection of individuals who have agreed to cooperate with law enforcement agencies (the Witness Protection Program) is adequately protected in the United States, and the protection is regulated at the federal level. Another important step in the fight against organized crime was the combination of the efforts of many law enforcement agencies in the United States and the coordination of their activities. This concept is realized through a series of activities, the main of which is the creation of "target forces" and "strike forces in the fight against organized crime".

Concluding the analysis of the organization of the system of law enforcement agencies of the United States that carry out the fight against organized crime, it should be noted that:

1. Unlike Ukraine, where the functions of combating organized crime are mostly concentrated within the two law enforcement agencies (the Ministry of Internal Affairs of Ukraine, the Security Service of Ukraine), there are many specialized law enforcement agencies (agencies) in the United States that carry out specific actions to combat specific types of organized crime. This allows, on the one hand, to eliminate conflicts of competence between them and conflict of interests, to have in their ranks high-quality and profile specialists specializing in the detection and disclosure of specific types of crimes. On the other hand, the presence of such a large number of law enforcement agencies requires significant financial resources of the state for their maintenance, and, consequently, requires high-quality work results from law enforcement agencies.

2. During the reform of the law-enforcement bodies of Ukraine, including and those engaged in the fight against organized crime, the experience of organizing such US bodies may be useful as it provides an opportunity to determine the role and place of the bodies involved in combating organized crime in the US state machinery system (relevant law enforcement units within the

ministries structure. carry out law enforcement and regulatory functions), and take into account this experience in Ukraine.

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## **OVERVIEW OF CRIMINAL LIABILITY OF MINORS ACROSS EUROPE**

Comparative research, especially in the field of youth justice, is fraught with difficulties. The very definition of a child, the classification of crime or penal custody for children and the extent to which aspects of youth justice are recorded, vary enormously throughout Europe [2, p. 295]. For instance, the terms "juvenile" and "young person" may in some places refer to a person under 18 and in others simply to a person who is treated differently by the criminal justice system from an adult. Most European systems have distinct ways of dealing young people under the age of 21 in conflict with the law. In some European countries, those deprived of their liberty will be detained in "youth custody" until their mid 20s and distinct procedures will be applied to young people over the age of 18 during the sentencing process.

Further, the age of criminal responsibility appears to have different meanings across Europe. The official age of criminal responsibility may not be the earliest age at which a child can be involved with the justice system due to being in conflict with the law [3]. For instance, in England and Wales, it is simply not possible to come before the criminal courts or to be arrested under the age of criminal responsibility, which is at the extremely low age of ten. However, while the age of criminal responsibility in Belgium is set at the much higher age of 18 (or 16 for certain serious crimes) much younger children can be dealt with through the criminal system and deprived of their liberty, even though they are not being given a