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PROFESSIONALISM IN CRIMES COMMITTED BY LAW ENFORCEMENT OFFICIALS (ON THE EXAMPLE OF RUSSIAN FEDERATION)

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В научной и публицистической практике получило довольно широкое распространение понятие эффективности. В статье раскрывается актуальность и значение этого понятия. Кроме того, данное понятие подвергается научному осмыслению применительно к теории криминального профессионализма. В результате проведенного исследования авторы приходят к выводу, что эффективность криминального профессионализма целесообразно анализировать посредством системы критериев: наличие и сущность цели, качество деятельности, количество затраченных ресурсов, количество затраченного времени, результативность. Отмечается, что ряд криминальных профессионалов не ставят перед собой целью извлечение дохода, они ставят перед собой иные цели: общественный резонанс, самоутверждение, месть, создание условий для последующего совершения преступления, дискредитация должностного лица. Тем самым в некоторых случаях результативность оценивается не по сумме извлеченного дохода, а по иным основаниям.

Ключевые слова: криминальный профессионализм, качество деятельности, цель, результативность, ресурсы, эффективность, временной ресурс.

Introduction

The purpose of this paper is to clarify the concept of criminal professionalism. What is the essence of this notion? How can we use it in our work of identifying criminal behavior? It is of particular interest since law enforcement agencies are a special state bodies, professional associations and special individuals who by virtue of law have the specific powers to carry out law enforcement activities. In our view, possession by individuals of specific authority for law enforcement may act as a factor, which actively determines the committing of corruption crimes.

This makes it relevant to do different types of studies designed to develop an explanatory model that should serve as a kind of a base for the legislator and law enforcer. One of the components of this model is the theory of criminal professionalism by which one can describe, explain, and subsequently predict not only criminal professionalism as a social phenomenon, but also the personality of the contemporary criminal.

A well-known American legal expert, F. Hagan, devotes the chapter to “White Collar Crime: Occupational and Corporate», estimating measurement and cost of occupational and corporate crime, comparing suite crime in different spheres, assessing typologies of white collar crime, and analyzing

corporate crime (loan scandals, financial schemes, pirates in the Internet, industrial safety disasters, telemarketing crimes) [1].

Vocational predators cost more to the society, though they are not so conspicuous as street burglars. Blue collar offenders share their direct responsibilities with entrepreneurial pursuits and are very expert in bypassing the criminal law. Using media strategies, clan ties and high status criminal professionals may exist beyond social radars for an extensive time. What makes them so invisible? It's their professionalism, status, expertise, knowledge of many social, financial, and legal matters.

High rank criminals, when organized, represent elite deviance with its corporate power of indiscrimination, abuse of law and political corruption: influence peddling, bribery, municipal business undercover, kickbacks, insider trading, sweetheart contracts, funds embezzlement, tax violations, payroll padding, voter fraud. Great variety of corporate crime poses a difficulty of definition [2].

French criminologist A. Spire emphasizes the role of intermediaries of professional criminals, among whom the lawyers occupy a prominent place [3]. Obtaining a civil trial, getting out of the criminal problem, restating the facts, suggesting a reinterpretation of the law, limiting the scope of the investigation, using a sophisticated tax avoidance strategies, passing a tax audit, repatriating hidden

assets – legal professionals thus form a necessary judicial framework for criminal professionals.

The relationship between crime and economics has been approached by German scholar I. Techmeier, who analyzes this relationship in the context the privatization of former GDR enterprises. Corporate actors do rarely consider criminal law in their entrepreneurial time horizon of the neoclassical economics [4].

The history of organized crime in Russia was studied by a number of authors. S. Cheloukhine has examined the development of criminal professionalism in Russia between the seventeenth and twentieth centuries [5]. Frisby T. has connected the rise of organized crime during market reforms with general state of declassification and anomie of the state [6].

P. Williams has issued a collective report on the globalization of Russian criminal gangs which are seen as surpassing Colombian drug cartels, Chinese Triads, or the various branches of the Italian Mafia; portrayed as more ruthless, more skillful, and more successful than organizations that are better known and more deeply entrenched [7].

This paper focuses on the professional features of crimes committed by law enforcement officials. There is lack of understanding today that “professional” does mean not only “occupational”, yet also “skilled”. Gurov defines criminal professionalism is that type of criminal activities, that makes up a source of livelihood for the subject, requires necessary knowledge and skills to achieve the ultimate goal and leads to contacts with anti-social environment [8, p. 40].

M. Junninen similarly summarizes North European collective understanding of criminal expertise as follows: a professional criminal is an individual who 1) earns his living by committing crimes, 2) distinguish from the beginners by professional skill(s) and competence, 3) oriented towards committing crimes as a way of life, 4) does thorough planning, 5) effectively carries out the crimes with large profits [9].

Comprehensive text of David O. Friedrichs helped us to understand the problems involved in studying white collar crime and assessing its costs. The discovery of white collar crime in post-industrial society couldn't have been explained without the principal focus on the special expertise of the perpetrators and the character of the legal and criminal justice response to the crime. The author divides corporate crime into occupational and vocational, governmental and political, crimes of globalization and finance, entrepreneurial and technocrime. Law and the social control of white collar crime, policing and regulating are discussed [10].

Of special interest was the topic of how professional crime is interconnected with effectiveness of

police agencies. Cases and allegations of the use of excessive force by U.S. police departments are put forward in the collection of articles “Police Use of Excessive Force: Police Crimes in the Barrio”, where the following issues are formulated: 1) the lack of training for officers dealing with mentally ill persons, 2) stark racial divisions and historical patterns of distrust in criminal persecution, 3) strategy of community policing, 4) high proliferation of guns per capita and assault rate of police officials on duty, 5) voluntary model of reporting by police departments regarding officer-involved shootings [11].

Our thesis is that professional criminals are not only those that do that for life. It often becomes prominent feature of certain activity, especially when we deal with crimes committed by state employees.

We would like to offer a renewed definition of criminal professionalism as a special quality of the individual or organization that allows to commit crimes reliably, effectively with specific personal skills.

Methods

Crime in general and professional crime in particular require mixed methods of research strategy and are most open to both qualitative and quantitative methods. Criminology brings together the mixed methods of research project in practice, combining statistical trends and personal experiences. Mixed methods approach appears to be sensible, uniting data collection methods and data analysis, narratives and numeric information. Mixed criminological theory is based on interpretations of multiple methods research, making links to philosophy, social and political studies [12–14].

Results

Essential approach to the criminal professionalism in committing crimes allows us to reframe the felonies committed by law enforcement officers. Invariable markers for professional behavior would be: 1) specific personal qualities, knowledge, abilities and skills; 2) reliability; 3) efficiency. These traits have methodological value both for the researcher engaged in the scientific study of these phenomena and lawmen for the planning of preventive work and its direct implementation.

The following excerpt from the sentence demonstrates how essential approach to the criminal professionalism is required:

K. served as the inspector in the Department of Internal Affairs, D. and M. were second-in-command of a special platoon (OMON). V. occupied the post of second-in-command of the operational platoon of departmental security. Organizer of the crime E. was not a law enforcement official.

V. together with E. were found guilty in the following complex method of crime organization. With their accomplices V. and E. prepared for the criminal act: geared firearms, available to D., sets of license plates, a large number of SIM cards, as well as radio stations. In order to comply with the conspiracy partners have developed a communication scheme that ensured the ignorance of each of them of all the other participants of abduction.

E. gave no information to D. about of the figures behind the crime. D. also kept quiet about the exact number of participants and other data about the persons involved in the crime. M. and K. were not aware of the other accomplices. To accomplish kidnapping D. planned to use the gun «model 33» 7.62 mm produced in Poland, which he bought in 2006-2007 in the region of the flea market. E. played the role of the organizer and leader of the abduction. He had to implement the kidnapping of A. between late February – early March 2009, but not later than March, 5th 2009. To implement that E. received necessary information about appearance of A., his profile, the routine of the vehicle and the place of his residence. The obtained data was given to D. E. demanded D. to use for the abduction the police car «Gazelle» so that the relatives of the kidnapped would assume that operation was done by law enforcement officials (this case is an insider information, obtained from the inmates' personal files, personal data is changed).

Specific personal qualities, knowledge, abilities and skills form the first mandatory attribute identifying criminal professionalism. It is important to stress that sole knowledge and skills do not fully reflect the personal component of professionalism. Complete and objective examination of criminal professionalism is not possible without the study of personal qualities.

This is in accordance with the observations of British criminologists, that noted that new opportunities for crimes grew significantly in the second half of the twentieth century, and embrace infinite variations, especially using online anonymity [15].

Our position is based on the assumption that pure criminal activities in general and professional criminal activity, in particular, are essentially irrational. If you take into account the overall quality of life (life expectancy, health status, availability of material commodities and intangible benefits, the comfort of the environment, the presence or absence of stress, social environment), the quality of life for law-abiding citizen, we believe, is higher than the quality of life of the professional criminal. Therefore, pursuing their choice in favor of a criminal life scenario, the individual chooses irrational behavior. Criminological ethnographer D. Hobbs

agrees in his book with this point, that those in the bad business, lead the complex, messy lives with frisson of realizations [16].

In our view, the problem of the meaning of criminal expertise is in the existing contradiction between the resources of the personality, expediency and the activities it performs. If we assume that criminal activity is, on the one hand, irrational and on the other hand, complex and leads to a system of mental and physical resources, which allows one to set intricate goals and objectives, develop a plan and subsequently implement it, the logical question ensues: why would a person spend ones resources on irrational goal-setting and activities? We believe that in these circumstances, the rational choice is to be made in favor of law-abiding, not criminal activity.

However, when we take into consideration people with certain authorities, especially in law enforcement service, we come to the conclusion that their actions obey to certain rationality or, as P. Bourdieu puts it, exist within their microsocial habitus. Their rationale is based on the calculation of the deficiencies of law enforcement when committing a crime (something they know very well!). As we can see in the case, conspirators have developed a communication system that ensured the ignorance of each of them of all the other participants of abduction.

Thus, being fixed within their individual framework of antisocial dispositions they came to the false conclusion about their own invulnerability and the accessibility of felonious objectives. Besides individual rationality of criminal professionalism, law enforcement officers may turn the negative sides of their job to some criminal advantages.

Discussion

In order to participate in criminal activities law enforcement officers should be included in the appropriate system of social relations. In our case, E. and D. had connections in the criminal and near criminal environment and could get the order to commit a crime. In other words they were going to the criminal market with an offer.

In relation to these individuals it is true to assume that if they have some knowledge relevant to malfeasance, it can always be actualized, thought may remain latent for a long time, which increases the degree of social danger of such activities. There is another risk of latency and expertise in law-enforcement misconduct if the abuser carries out criminal activities alone, without the risk of being unmasked. On the other hand, professional criminals have an advanced benefit in provision of physical effects on the victim if it is carried out in the presence of the numerical superiority of perpetrators.

The next point that we would like to draw attention at is the criminal skill, which we define as follows: Criminal skill is the ability, based on acquired knowledge and habits to carry out criminal activity in a complex way with high quality and quantitative result in the familiar and modified conditions. This formula implies the following signs of skill:

1. System of knowledge and habits (*habitus*).
2. Sophisticated model of criminal activity.
3. High quality of achievements.
4. Significant quantitative result.
5. Performance in usual and altered environment.

These are just the basic traits that are gained by analysis of professional crimes committed are not exhaustive, there may be more, depending on the complication and conditions of the perpetration. In particular, these traits are the property of criminal professionals within the law enforcement agencies. Indeed, without these characteristics “werewolves” wouldn’t be able to carry out intricate schemes of corruption and crime.

The next symptom of the criminal professionalism is reliability, which can be interpreted as an individual’s ability to successfully commit a criminal offence based on objective and trustworthy ideas in the presence of sufficient mental and physical resources through relevant to the specific situation know-how.

If we compare skill and reliability we can reach to the conclusion that they complement each other. The ability in general and criminal skill in particular has a basic nature, i.e. it is a qualitative characteristic of a personality, and reliability to a greater extent is situational in nature and dependent on the interaction of the person with a particular life situation. For example a shooter that snipes from his window 500 m away an annoying merchandiser that uses loudspeakers for advertisement is certainly skillful, yet not reliable, since the crime can be uncovered.

One can postulate the following index of reliability:

- 1) the system of objective apprehensions;
- 2) relevant to a particular situation skills;
- 3) the system of mental resources;
- 4) the system physical resources.

In regard to the law enforcement bodies, the system of objective apprehensions must include specific and relevant knowledge, that is: 1) an introduction to the basics of criminal law, criminal procedure and other legislation; 2) knowledge of strategy and tactics of law enforcement and security; 3) psychology and victimization.

We may be questioned, why there are three of four criteria and not ten, not twenty-five. How can

one measure these criteria, what is the evidence? This number of criteria is obtained by critical analysis of the inmates verdicts. Sure enough, human behavior is largely evaluative in nature and it is problematic to measure it precisely. Quantitative measurement is carried out according to the inner conviction of the researcher or law enforcer, taking into account life experience. Therefore, three additional conditional degrees may proposed: maximum, average and minimum.

Efficiency

In current political and social environment, the concept of efficiency has become quite widespread. It is often used both in professional and public life. The term and it’s derivatives like “efficiency, effect, effective, highly efficient, inefficient, efficiently” found their way in the language of official documents

The ability to function reliably is called efficiency, whereas the capacity to bring results is effectiveness.

An American organizational theorist Russell L. Ackoff draws distinction between the too similar to “data” and “knowledge”: “It is efficiency multiplied by value, efficiency for a valued outcome. Intelligence is the ability to increase efficiency; wisdom is the ability to increase effectiveness. The difference between efficiency and effectiveness – that which differentiates wisdom from understanding, knowledge, information, and data – is reflected in the difference between development and growth. Growth does not require an increase in value; development does. Therefore, development requires an increase in wisdom as well as understanding, knowledge, and information” [17]. From this point of view, a crime may be efficient, yet never effective, if we consider effectiveness a long term social sustainable relationship. Thus a criminal may increase efficiency of the crime via intelligence used, however we refuse him the ability to possess wisdom in order to increase effectiveness of the misdeed. Any crime ‘*mala in se*’ is a blatant violation of social contract and therefore cannot be deemed as bringing positive result. Vice versa, a crime undermines usefulness of the social interactions by its social mimicry and cocooning trends.

Efficiency is an obligatory feature of criminal professionalism, since without it there is neither criminal professionalism, not professionalism in general. On this occasion prof. A. Stolyarenko writes: “a professional is first of all a man who knows how to achieve practical results” [18, p. 434].

As far as law enforcement goes, efficiency of malfeasance not solely in getting the result of the crime, yet, especially, in escaping justice. Thought

it is wrong to reduce the effectiveness of criminal professionalism only to the income from criminal activity, in our opinion, the law enforcement officials who commit crimes rarely do that for other motives, in most cases they are driven by selfish motivation aimed at receiving profit.

Law enforcement officials committing crimes are interested in qualifying these acts as similar to them, yet not identical. Crime is an act that is socially dangerous and prohibited by the criminal code under the threat of punishment. Corrupt officials commit acts that possess a high degree of public danger, yet they ensure that they formally do not contain evidence of a crime.

Relevant skills are such that enable one to commit the crime in the particular situation efficiently and successfully. System of mental resources is a set of personal psychological characteristics, – emotional, volitional, cognitive, – concomitant to the criminal activity. The system of physical resources is the state of health that allows one to commit the offence.

The concept of efficiency is used as well as the scientific category, in business training, coaching. Global world is in constant search for optimization of financial, commercial, legal, technical, technological, human and other resources in order to develop and improve the efficiency of enterprises, institutions and organizations.

At the same time, despite the general scientific and applied demand for the concept of effectiveness, it practically not used in the theory of criminal professionalism. We scowl at the idea of “crime effectiveness” in the same way we sometimes frown at the words combinations like “criminal culture” or “nazi culture”.

The prevailing approach in criminological science suggests that criminal professionalism is a kind of criminal activity that is a source of means of subsistence for the subject, requiring the necessary knowledge and skills to achieve the ultimate goal and causing contacts with the antisocial environment.

On the basis of this definition, four mandatory features of criminal professionalism are distinguished: a stable type of criminal occupation (specialization), the presence of certain knowledge and skills (qualification), crimes as a source of means of subsistence, socialization in similar criminal milieu.

In this approach effectiveness is not considered directly, it is implicitly present. However this point of view deprives theory of criminal professionalism of an important notion.

Criminal professionalism is the quality of the personality, that helps one to commit effectively and safely crimes by using one's operating characteristics. Thus one can underline four mandatory features that specify criminal professionalism: certain per-

sonal qualities, knowledge, skills; reliability; efficiency; perpetration of crimes and identical acts.

In our opinion, criminal activity in general and criminal professionalism in particular are characterized by the fact that the efficiency component is the main and integral one. For this reason, it is advisable to allocate efficiency as the main feature of criminal professionalism. By the effectiveness of criminal professionalism, we suggest to comprehend the degree of correspondence of criminal activity to the task aimed at achieving maximum effect, with the least expenditure.

The definition of criminal effectiveness, designation of its place and role in the system of criminal professionalism, are not possible without the development of system of evaluative criteria system. In this regard, we want to suggest a system of evaluation criteria, which in our opinion will be useful for achieving the objectives of the study. In total we distinguish five criteria: the presence of the purpose; quality of the activity; the amount of resources expended; the amount of time spent; the result achieved.

First criterion is the presence of the purpose. Goal setting is the major driving force of the crime, which takes place in one of the first stages of the implementation of a particular type of criminal activity, while one is modeling the events. Purpose is the end result of the activity of a person, or a group of people. It is a preliminary ideal representation of the future, that predetermines the choice of appropriate means and a system of specific actions to achieve it.

From the point of view of efficiency those criminals, who have a clearly defined goal are in a more advantageous position than other perpetrators that possess only an intuitively definite goal, persons with an indeterminate purpose in relation to the criminal activity. The advantage of a clearly defined goal is that it launches a further, specific algorithm of actions aimed at the successful completion of a crime.

The next criterion, by which it is expedient to evaluate the effectiveness of criminal professionalism, is the quality of the performed activity. The concept of quality is very broad, yet we are interested in a specific utilitarian one, where the quality is viewed as such essential characteristic as compliance with requirements. Since criminal activity is a complex one, the number of requirements may differ. However we may name the core: 1) achieving of the objective of the crime, 2) avoiding criminal punishment. An accomplishment of the felony by the professional criminal in order to get into prison is an exceptional case.

There are additional characteristics that may be valued in the criminal milieu, such as maintaining

superiority among «thieves in law», personal charisma, monitoring the actions of other gangs, collecting kompromat on accomplices. As we see, requirements imposed on the quality of the criminal activity correspond to various utilitarian tasks. It is natural, since utilitarian effectiveness is what is expected from a criminal professional. Some criminal characters may pertain to external non-utilitarian practices like tattoos, following thieves' charms and superstitions. Lawbreakers not only try to reach some model of efficiency, they are also introspective about their activities, they organize brain storms, listen to criticism of their fellow-criminals, hire former or active law enforcement officials, learn new methods and technologies to become more efficient in their illegal activities. Thus, quality is the leveling criterion of malfeasance.

Third criterion evaluates the effectiveness by the amount of resources spent. In this regard, we distinguish three types of resources, which can be classified as follows: individual resources, material resources, financial resources. Individual resources comprise psychophysiological (health, working capacity, endurance), qualification (skills and abilities) and personal (level of social maturity, value and social benchmarks). Listed individual resources are a prerequisite for achieving the maximum effect.

Material resources come to any objects used for criminal activity: basic or auxiliary, raw materials or energy, every day or specific ones. It seems that the circle of objects of the material world that are somehow used in criminal activity is extremely wide, ranging from those that facilitate the life of a professional criminal (ergonomic footwear, masking clothing, bright clothes distracting attention from the appearance of the offender) or serve elements of the criminal image (notorious crimson jackets and massive gold chains), ending with objects of the material world, directly used to commit crime I. All these objects are treated differently in the criminal sciences. According to the legal criminal doctrine, only the items of the material world that are used by the criminal to facilitate the execution of the misdeed are called tools and means of committing a crime. In forensics, the concept of «material evidence» is used towards any object that is served as a tool, equipment, or other means of committing a crime, or if it retains the traces of a crime; or to which criminal actions were directed; money, valuables and other property obtained as a result of the crime; other items and documents, that can serve as a means to detect a crime and establish the circumstances of a criminal case.

By financial resources, we mean the money available to a professional criminal, necessary to achieve the goals, accomplish the tasks, sort out the issues that he faces. Cash is mainly needed to pur-

chase various kinds of material resources for perpetration. In addition, it should be noted that in criminal world money cost more, since many items, indispensable for the unlawful activity are banned from free circulation and are available only in the black market, such as certain kinds of weapons, chemicals, technical devices. Thus specific kinds of crimes may be very expensive, such as terrorism in technologically developed countries, cyber-attacks on well-equipped companies, frauds, relying on white-collar corruption. For this reason, it is advisable to allocate availability of financial resources as one as the main criterion of effectiveness in modern criminal professionalism, especially in a complex types of perpetration.

The fourth criterion that we will use to evaluate effectiveness is the amount of time spent. We are aware that time can be viewed as a resource together with individual, material and financial resources. However, it is also a unique resource, since it's one of the forms of existence.

Planned time is the time that an individual or a group of individuals schedule for the commission of a particular criminal act or a crime as a whole. Normative time is an indicator reflecting the amount of time necessary to perform an action or a crime as a whole for the specific individual or a group in certain conditions with the appropriate quality. Real time is the time that an individual or a group of people spend on the commission of an action or a crime as a whole.

When preparing for a crime, a potential offender calculates the time that may be needed to commit a crime. In some cases, when the calculation of time is problematic, modeling of future criminal activity is carried out, including by studying the time costs by fixing and measuring the duration of the actions performed. From the point of view of efficiency, in this situation the balance between the planned and normative time becomes of special value. As we see, the planned time is calculated by the individual and in many ways is subjective, and the normative time does not depend on the calculations of the individual and reflects the objective picture. Accordingly, the more accurate is the relationship between the planned and normative time, the more effective and professional the actions of the offender will be.

In addition, we can distinguish two types of planned time: the actual planned time and wrongly planned time. By the true planned time we mean a time distribution that correctly reflects the technological map of the alleged crime. Accordingly, when we speak of a wrongly planned time, the allocated time is contrary to the technological map of the future crime.

Despite the fact that the true planned time correctly reflects the technological map of the future crime, it may conflict with the normative time. We distinguish three varieties of such disproportions.

The first ratio consists of exceeding the actual planned time over the normative time. This state of affairs can be observed if the planned time for each stage is unjustifiably overstated, the intensity of criminal activity is not taken into account, technological breaks are planned, stages are set, the probability of occurrence of which is low, etc.

In these cases, despite the fact that an individual knows the technology of committing a crime, dissonance in calculations and standards can lead to failure. In particular, this or that significant event can occur in an unplanned period. For example, a pickpocket, planning to jump out of a subway car with a stolen item, leaves the carriage long before the door closes, which will give the victim the opportunity to follow and detain the criminal or call for help.

The second ratio implies the correspondence of the true planned time to the normative one. This ratio characterizes the criminal activity of the professional. At the core of the contemporaneity of the true planned time with the normative is the thorough knowledge of the technological map and in some cases laborious preparatory work.

The third ratio is characterized by the fact that the true planned time is less than the normative one. It seems that in this case, the individual presumes that he will be able to perform the crime in for a lesser amount of time. This situation shows that despite the knowledge of the technological map, while planning the crime, gross miscalculations were made. For example, an attacker estimated that it would take five minutes to penetrate into the condominium, however it took fifteen minutes.

Or, an individual while planning a burglary decided that he could open the door with a crowbar or a mount, but in fact an angle grinder or a mobile hydraulic press was needed. As a result, an attacker is forced to seek another instrument of crime, which inevitably and significantly increases the amount of time spent. Conversely, the wrongly planned time does not exclude the achievement of the crime's goal, but it creates additional difficulties, obstacles or inconveniences that need to be overcome, which demonstrate a certain level of amateurism or criminal inexperience.

When considering real time, we will not take into account the wrongly planned time, because from the point of view of efficiency and criminal professionalism this is a manifestation of amateurism or criminal inexperience and should not be relied upon by law enforcement agencies. One shouldn't underestimate the enemy. Naturally, a potential criminal wants to develop into professional and

while doing manhunt one cannot misjudge potential risk of the offender.

When discussing real time, we are interested in the following features. First, we should pay attention to the quality of the criminal activity. In our opinion, the velocity of the crime must correspond to the required quality. In turn, quality is primarily determined by the achievement of a criminal result. Otherwise, criminal activity becomes ineffective, and as follows – meaningless.

Secondly, it is advisable to consider the relationship between normative and real time. Just as in the above relation of the true planned time and normative time, we distinguish three types of relations: the excess of the normative time over the real, the correspondence of the normative time to the real and the excess of the real time over the normative time. Exceeding the normative time over the real and the correspondence of the normative time to real time can be called a manifestation of efficiency and professionalism, since the individual clearly and competently performs a certain amount of actions. And in the case of exceeding the normative time over the real one, one can say that the actions of an individual are brought to the progressive stage of criminal professionalism

On the contrary, the excess of real time over the normative time indicates the presence of various kinds of flaws that prevent a clear and competent implementation of a certain amount of action. These flaws include excessive emotionality or vice versa, self-confidence, temporal disability, being in a state of alcoholic or narcotic intoxication, lack of motivation, etc. Thus, we can conclude that the ideal time model as an efficiency criterion is subject to the following relationship

$$PT = NT \geq RT,$$

where PT is an actual planned time, NT is normative time and RT is a real time.

In our opinion, the ideal time model is an efficiency criterion that presupposes the correspondence of the true planned time to the normative one, as well as the correspondence of the standard time to the real time or the excess of the standard time over the real.

The fifth and the last criterion by which we try to assess criminal effectiveness is an expression of effectiveness. It is more utilitarian in nature. From the point of view of criminal professionalism, we distinguish two forms of expressing effectiveness: the amount of income extracted and other types of fruitfulness.

The extracted income can be either a direct consequence of the crime committed, or an indirect one. If the income is a direct one, it can come either as money, where the target of the crime is money.

It can also be obtained from the sale of the stolen goods. If the income is received from the sale of the stolen goods, then the efficiency can be estimated by the degree of compliance of the extracted income with trends in the secondary market. For example, inexperienced criminals, drug addicts sell stolen property beyond the price, trying to get the cash at fastest rate. In addition, income can indirectly be retrieved from criminal activities, namely, the receipt of compensation for the crime committed.

Summarizing the content of the paper, it should be noted that the effectiveness of criminal professionalism can be assessed using the system of criteria described above. It seems that the considered system of criteria has a theoretical methodological significance, contributing to the increment of criminological knowledge, and will also be useful to the law enforcer, forming a holistic view of modern crime.

In summary, crimes by law enforcement bodies are characterized by complex features, which demands appropriate strategies to combat it. Our analysis from the point of criminal professionalism allows to reveal essential traits of such crimes.

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PROFESSIONALISM IN CRIMES COMMITTED BY LAW ENFORCEMENT OFFICIALS (ON THE EXAMPLE OF RUSSIAN FEDERATION)

A. Timoshchuk, V. Tulegenov, R. Tyagi

In scientific and journalistic practice, the concept of efficiency is quite widespread. The article reveals the relevance and meaning of this concept. In addition, this concept is subjected to scientific understanding in relation to the theory of criminal professionalism. As a result of the conducted research the authors come to a conclusion that it is expedient to analyze effectiveness of criminal professionalism by means of a system of criteria: presence and essence of the objective, quality of activity, amount of spent resources, amount of spent time, effectiveness. It is noted that a number of criminal professionals do not set for themselves the goal - extraction of income, they set other goals: public resonance, self-affirmation, revenge, creating conditions for the subsequent commission of the crime, discrediting the official. Thus, in some cases, the effectiveness is assessed not by the amount of income received, but on other grounds.

Keywords: criminal professionalism, quality of activity, goal, effectiveness, resources, efficiency, time resource.

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