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CRIMINOLOGICAL CHARACTERISTICS OF CRIMES: THEORY AND METHODOLOGY OF FORMATION, DIRECTIONS OF DEVELOPMENT

The analysis of dissertation and other criminological researches abstracts shows that the term «criminological characteristic of crimes» is used ambiguously in many criminological researches. The bulk of criminological studies do not take into account the provisions of cognition theory and theory of reflection on the adequate reflection of objectively existing processes and phenomena of reality complete and adequate reflection. Researchers do not even use traditional elements of criminology in the complex. The other criminological categories have not only used, but also not included in the system of elements of the subject of criminology. Hence, some authors research only such element of the subject of criminology as «crime», others – «identity of offender». At the same time, natural latent economic crimes that are conspired under legitimate types of activity do not differ from the obvious, capable of self-manifestation general criminal offenses. Such superficial studies violate the theory of cognition about the dependence of methodology on the content of the object of cognition, and the same crime prevention measures for different types of crime make these ones ineffective. The noted problems determine the relevance of the topic and aim of this study, namely, the development of criminological characteristic of crimes that would objectively reflect the investigated crimes and other related processes and phenomena of criminogenic reality; it has become an epistemological and methodological guideline both for comprehensive criminological research conducting and for crime prevention, counteraction and reproduction.

The tasks accomplishment, according to the purpose of the research, it is established that: the criminological characteristics of crimes correlate with criminological theory as a part and as a whole; elements of criminology subject are the content of criminological theory and, at the same time, form the structural basis of criminological characteristics of crimes, are called to become epistemological and methodological reference for a comprehensive reflection of crimes and related components of criminogenic processes. Guided by the methodological settings of the cognition theory and the theory of reflection about the full reflection of processes, actions, events, objectively existing criminogenic reality, the system of criminology subject elements is supplemented by such structural elements as: crime; background phenomena of crime; criminogenic processes; the person of victim, victimological behavior; the causes and conditions of the crime; crime prevention and counteraction measures. The proposed categories, together with the four traditional elements of criminology subject, reflect the objectively existing system of elements that forms a typical methodology of criminological characteristics, that is called to become epistemological and applied functionally diversified comprehensive research of: 1) crimes; 2) criminality; 3) background phenomena of crime; 4) criminogenic processes and criminogenic potential index formulas; 5) the offender; 6) the person of the victim, victimological behavior; 7) the causes and conditions of the crime and the reproduction of crime; 8) crime preventing and countering measures, in general, or in a specific sphere of human activity, in particular. The updated classification of crimes (economic crimes and general criminal offenses, obvious and non-obvious, capable and not capable of self-manifestation, natural latent and artificially latent, basic, auxiliary, accompanying) is substantiated. The structure and content of other elements of the of criminology subject are revealed. It is proved that the authors of Criminal Procedure Code reform did not take into account a number of features of natural latent economic crimes, namely, the instruction to operational units (Article 41 of the CPC) not to collect information about crimes committing without the investigator' written instructions, that in fact blocked the detection of such crimes. The abolition of «investigative verification» and «refusal to institute criminal proceedings» institutes led to the annual release of more than 5 million citizens'

applications, without leaving any trace of the review results and the legality of the decision. Other unreasonable changes to the CPC have led to the collapse of crime detection rate at 5–10 %. As a result, law enforcement practice has ceased to be an objective source of scientific research. In this regard, criminological science faces a difficult but relevant for society and the state task not only to generalize the practice, but to develop the research methods and tools, that are capable among the whole mass of legitimate registration and authorization functions, financial and economic and civil, legal transactions, to identify and identify potential pseudo-legitimate equipment, under the guise of which corruption, misappropriation, raider seizure of someone else's property, tax evasion, office forgery, and other crime acts inherent in a particular sphere of social relations are committed proposed criminological characteristic is intended to become one of the means of detection, documentation and disclosure of such crimes.

Keywords: theory of knowledge, theory of reflection, criminological theory, methodology, criminological characteristics of crimes, elements of the subject of criminology.

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