



## METHODOLOGICAL FOUNDATIONS FOR IMPROVING THE INVESTIGATIVE SYSTEM

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**Abstract:** This article examines the theoretical and practical aspects of improving investigative actions. It analyzes issues related to increasing the efficiency of the investigative process, ensuring compliance with legal norms, detecting crimes, and enhancing the quality of investigations. The article also explores ways to improve the speed and accuracy of investigative actions through the implementation of modern technologies and methodologies. The research findings can be applied in judicial practice and in the activities of law enforcement agencies.

**Keywords:** investigative actions, crime investigation, legal control, investigative methodology, law enforcement agencies, crime detection, efficiency.

### Introduction

The tasks of carrying out investigative actions are subordinate to their objectives. In this article, we will identify one of these tasks. After a decision on an investigative action is made and the recording of the investigative action begins, a system of criminal procedural relations emerges that participates in the formation of evidence in a criminal case. In these criminal procedural relations, it is the duty of an official to explain to the participants of the investigative action their procedural status (rights, obligations, and responsibilities) before the commencement of the action, and to ensure the right of the non-official participant to receive such an explanation. Thus, the task of correctly explaining rights, obligations, and responsibilities to the participants of the investigative action is subordinated to the goals of the criminal investigation.

### Methodology

"The absence of a legal definition of an investigative action leads to a multitude of scientific interpretations. Any definition includes its defining and essential characteristics, and scholars define the term according to their own understanding." A.M. Larin, I.F. Gerasimov, I.M. Luzgin, and M.A. Cheltsov associate the subjective feature - the main characteristic - with the official (investigator) carrying out the investigative action. For example, A.M. Larin emphasized that "all actions performed by the investigator within the framework of fulfilling the requirements of criminal procedure law are investigative actions." A similar viewpoint is also supported by A.I. Trusov and A.P. Kruglikov.

The legislation defines an expert, specialist, or physician as a participant in investigative actions. The question arises: if an expert conducts an examination and gives a conclusion on a forensic examination appointed by the investigator, is he considered a subject of the investigative action? According to S.A. Sheyfer, "the investigator carries out systematic actions related to the appointment and conduct of the examination, which is an investigative action, and the expert, in addition to the investigative action, carries out scientific activity." "This



should not be interpreted in the sense that the doctor is the subject of the investigative action," writes S.A. Sheyfer.

"Experts, specialists, and doctors assist officials in conducting criminal investigations, as they possess professional knowledge in relevant fields. The investigator or other authorized person does not possess such knowledge."

The signs of an investigative action are considered to be the collection, verification, and evaluation of evidence. A.V. Maslov and D.A. Tonkih consider investigative actions as a means of forming evidence. Y.S. Kamyagina also indicates that the main feature is the collection and use of evidence in a criminal case. Other scholars supplement the investigative action with other characteristics. For example, O.Ya. Baev considers investigative actions as special operations aimed at the formation, verification, and evaluation of evidence and regulated by criminal procedure law. B.A. Tsoy and E.V. Bondarenko define an investigative action as "a procedural action carried out by an authorized person, ensured by the force of state coercion, aimed at collecting, examining, and evaluating evidence in a criminal case." U.D. Khalili defines an investigative action as "an action aimed at the collection and verification of evidence by authorized persons, which is regulated in detail by criminal procedure law."

Bychkov divides investigative actions into two types:

1. Aimed at data collection:

- inspection;
- exhumation;
- personal verification (attestation);
- search;
- removal of documents or items (withdrawal);
- personal search;
- prohibition, inspection, and seizure of postal and telegraph items;
- monitoring and recording conversations;
- receive information about subscribers and their devices;
- interrogation;
- presentation for familiarization;
- sampling for comparative research.

2. Directed towards verification of information:

- investigative experience;
- face-to-face examination;
- on-site verification of witness testimony.

At the same time, V.V. Bychkov excludes exhumation and sampling from investigative actions. O.Ya. Baev also emphasizes this. E.S. Komissarenko, on the other hand, includes exhumation, comparative research, arrest of the suspect, and confiscation of property as investigative actions. In the author's opinion, exhumation, comparative research, arrest of a suspect, and confiscation of property do not have the characteristics of acquiring knowledge, therefore they are not included in investigative actions.

### Results

The result of the investigation of the criminal case is the indictment. This document presents all the evidence and their summary. For example, if the testimony of the victim Ivanov is seven pages long, the conclusion indicates the main information in two paragraphs: "At this

time, I was attacked, these items were stolen," and the case sheet numbers are given. The judge may read briefly or, if necessary, read the full testimony of witnesses from the case file. Investigating a criminal case is a process that requires attention and hard work, but at the same time, it is an honorable task that serves to restore justice in society. An investigator is the head of the investigative-operational group, who comes to the scene as soon as the report arrives. Investigator:

- determines the territory where the crime occurred;
- identifies persons and witnesses involved in the crime;
- organizes work at the scene;
- interacts with experts and operational personnel.

Although he spent most of his time at work (surveys, face-to-face conversations, document analysis), most of his time was spent in the "field," at the scene of the incident, and with witnesses or victims.

According to S.B. Rossinskiy, criminal acts are procedures aimed at clarifying the essential circumstances of a criminal case, carried out by specialists (investigators, investigators) and investigative bodies. The main goal is the collection of complete evidence and its subsequent use in court. According to Professor L.V. Golovko, criminal acts are procedural actions stipulated by law, carried out by persons authorized by the state and aimed at gathering evidence, which must be performed in a strict procedural form. Nevertheless, the following criminal acts are considered sufficient:

- interrogation of witnesses and victims;
- inspection of the scene;
- searches and confiscations;

• forensic examinations and other actions. Classification of criminal acts helps to group them according to their characteristics, simplify the application of laws, and protect the rights of citizens.

#### Conclusion

Improvement of investigative actions plays an important role in identifying crimes and improving the quality of investigations. The results of the study showed that an effective investigation can be carried out only with strict observance of legal norms and the application of modern methodologies. Technological solutions in the investigation process, advanced training of law enforcement officers, and systematic optimization of investigative actions significantly increase efficiency. Therefore, improved investigative actions serve to ensure justice and reduce crime in judicial practice.

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