

**INNOVATIONS IN CRIMINALISTIC AND PRACTICE OF THEIR
IMPLEMENTATION IN LAW ENFORCEMENT ACTIVITY**

Shevchuk V. M.

Doctor of Legal Sciences, Professor,
Professor of Criminalistics of the Yaroslav
the Wise National Law University, Honored Lawyer of Ukraine,
ORCID: [http://orcid.org / 0000-0001-8058-3071](http://orcid.org/0000-0001-8058-3071)

Summary. The article examines the scientific prerequisites for the problems of research of innovations in criminalistics and practice of their realization in law enforcement activity. To solve this and other tasks, modern criminalistics integrates and synthesizes in itself the latest achievements of science and technology, which determine and condition innovative directions in the development of criminalistic science. Theoretical knowledge and certain experience in the practice of developing, implementing and applying criminalistic innovations in practical activities have been accumulated, which makes it possible to establish the existence of the prerequisites for the formation of the theory of criminalistic innovation. Scientific prerequisites have been created for its elaboration and formation, which is a representing innovative area of modern criminalistic research. To solve the designats discussion problems of criminalistic innovation, scientific approaches and proposals.

Key words: innovation in criminalistics, criminalistic innovation, innovation criminalistic product, innovations in criminalistic science, innovative directions.

Introduction. In current realities, the tasks of criminalistics are determined by its social function - to to promote their techniques, methods and means in countering criminal phenomena. In this regard, the foremost task of criminalistics is to assist law enforcement agencies in the fight against crime, complete and timely technical and criminalistic support, and maintenance the investigation and prevention of crimes, their judicial review. This task can be realized on the basis of full use of the achievements of modern science and technology [1, p. 91].

In the current conditions of the formation of criminalistic knowledge, this process is dependent on the scientific and technological progress of the human community. The development of criminalistics, its tendencies are caused by the influence of world information flows, the integration of knowledge about the possibilities of combating crime with the help of scientific and technical achievements of modern society. The informatization of the social environment has actually led to the «technologicalization» of criminalistics, the development and implementation of information, digital, telecommunications and other technologies. Given the above, radical changes are currently underway and innovative approaches are being introduced in the criminalistic provision of law enforcement agencies [9, p. 144]. Therefore, the creation and introduction of innovative criminalistic products and technologies in the present-day context is one of the foremost challenges of criminalistic science at the present stage and an urgent need for practice.

The current stage of criminalistics development, its prospects are characterized by active research and application of innovative tools and technologies in all its components — general theory of criminalistics, criminalistic techniques, criminalistic tactics and criminalistic methodology. Innovative directions of criminalistics development are closely connected to solving its problems in the conditions of globalization and informatization of digital society and widespread introduction of innovative information technologies [8, p. 143]. Therefore, the creation and implementation of criminalistic innovative products has always been, and remains today, one of the foremost tasks of criminalistics.

Results and discussion. The history of the origin and development of science shows that criminalistics has always been an innovative science, it has an innovative character, as well as it has constantly evolved under the innovative scenario [10, p. 148]. An innovative way of development of criminalistics is conditioned primarily by the latest scientific developments, introduction of information technologies, high-tech equipment, new generation scientific and technological means, computerization and automation of the process of detection and investigation of criminal offenses.

Moreover, the need to choose the criminalistics of the innovative path of development has been caused and conditioned by a number of objective reasons, which are related to the urgent needs of practice and aimed at finding adequate innovative means of effective counteraction to the contemporary challenges of crime [4]. At the same time, there are a number of discussion issues in the criminalistic doctrine regarding the study of criminalistic innovations and the problems of their introduction into the practice of investigative, judicial and expert activity.

Research and formation of any theoretical structure in criminalistics should be carried out on a certain methodological basis [6]. In accordance with the goals and objectives of the study used set of principles of modern theory of knowledge, in particular, system-activity, system-structural, technological, functional, information and other approaches. The use of such approaches in criminalistics serves as a methodological basis for the creation, implementation and use of criminalistic innovations in law enforcement activities. Using such approaches in the formation of the concept of criminalistic innovation may become a new paradigm of criminalistics, capable of raising to a higher theoretical and methodological level of research in the specified field of knowledge [7]. In view of the above, in today's realities it is quite relevant to have a comprehensive approach in the research of problems of development, implementation and application of innovative criminalistic tools.

The study and analysis of criminalistic literature indicates that in criminalistics understand innovations differently, sometimes propose «innovations» that are not so, or are questionable and do not meet the requirements of innovations in criminalistics. The use of the term «innovation» in criminalistic theory and the practice of combating crime must be more than just the use of a fashionable term or a play on words, innovations in criminalistics must have a correctly understanding and interpretation. In this regard, relevant today there are problems of developing concepts and features of innovations in criminalistics, their classification and practical importance in crime investigation, court proceedings and other areas of law enforcement activity. Therefore, one of the priority tasks in today's context is the

problem of developing and unifying the conceptual apparatus of criminalistics for the study of innovation in this field of knowledge.

First of all, it should be noted that innovations in criminalistics have different meanings: «innovative criminalistic product», «innovative criminalistic means», «innovative criminalistic technologies», «innovative means of investigation and prevention of crimes», «innovations of criminalistic techniques, tactics, methods», «innovative litigation tools», «innovations in criminalistics» etc.

Obviously, the above is quite convincing evidence of the controversy and ambiguity of scientific approaches to defining this criminalistic category. The lack of a unified view on the definition of the term causes terminological confusion, which negatively affects both their research and the practice of their application. Such a terminological divergence is to some extent justified and connected with the stage of forming the concept of innovation, the emergence of this category of criminalistics.

However, we support the view that such innovation should be called criminalistic, thereby emphasizing its focus on criminalistic tasks, the purpose and ability to adapt individually to the subject, objects, functions and areas of all components of forensics, as well as their creation, implementation and application of law enforcement agencies in various activities. Therefore, in our opinion, the most successful, optimal, to indicate the process of development, implementation and application of criminalistic innovations in law enforcement practice, aimed at improving the efficiency and effectiveness of investigative, judicial and expert activity, should be recognized term «*criminalistic innovation*».

Exept this, in the literature, the concept of «criminalistic innovation» is often mixed with the use of the term innovation in criminalistics or innovative directions of criminalistics, which is not correct because these concepts are different in substance and content, although interrelated. Criminalistic innovations should be understood literally as innovations in criminalistics, as a system of knowledge about criminalistic innovations, their development, implementation and application both in practice and in criminalistics as a science. In the second case, we are talking about innovative trends in the development of criminalistics as new scientific criminalistic

developments, new approaches to solving individual problems in criminalistics, new in criminalistics and its adjacent structural parts, ie the latest modern approaches in criminalistics. It is important to note that not all criminalistic innovations, novelties become criminalistic innovations, do not acquire the properties and characteristics of this criminalistic category.

In criminalistics theory and law practice, the question of the concept of criminalistic innovation and its features remains debatable. Nevertheless, it is evident that in the vast majority of definitions the opinion is expressed, that innovations in criminalistics mean developed and put into practice new modern methods, techniques, technologies, technical means, devices, equipment, tools aimed at optimizing the investigation of crimes and their judicial. reviewing, improving the quality and efficiency of law enforcement activities and reducing errors [2; 4, p. 120; 11, p. 13-19; 12, p. 45], which is absolutely true. At the same time, the position of scientists regarding the essence of this concept, its essential features, role, purpose remains unconformed, since they use different load methods, tools, technologies.

It is worth noting that the vast majority of scientists who have researched this problem define the concept of innovation as the end result of an innovation that has been acquired and embodied in the form of an innovative product (new or improved), a new approach to technological process, solutions, organization, service delivery, problem solving tools used in practical activities aimed at optimizing and improving the efficiency of such activities (G.K. Avdeeva, T.V. Averyanova, M.V. Zhyzhyna, V.A. Zhuravel, N.B. Nechaeva, V.Y. Shepitko etc.). Generally, in such cases, innovation is associated with the creation of a new or improved criminalistic innovation product and the implementation, application in law enforcement.

It is worth noting that in this case, it is important to correctly interpret the innovative product in criminalistics. The analysis of the literature shows that criminalistic innovative product is considered, both in the narrow and in the broad sense. In the narrow sense, it is a material new product in criminalistics in the form of developed and introduced into the investigative (or expert) practice *of new modern technical means, instruments, instruments, tools, technologies*, which are the result of

research and development and registered as a intellectual property, the purpose of which is to optimize the investigation of criminal offenses, improve the quality and effectiveness of investigative activities, significantly reduce errors, forces and costs. In this case, *the criminalistic innovation product is the ultimate materialized result* of the innovation activity in the form of a new materialized (tangible, materialized) object, the use of which is aimed at solving particular forensic problems.

In a broad sense, an innovative criminalistic product is a collection of materialized and non-materialized new modern methods, techniques, tools, products, technologies, operations, solutions, services, etc., which are used by qualified special entities and aimed at effectively solving criminalistic problems, ensuring enhancement the quality and effectiveness of law enforcement activities and the innovative and further, sustainable development of criminalistics as a science. In this case, new or improved non-materialized criminalistic products in criminalistics should be taken away technological processes (technologies), services, decisions (technical, tactical, methodical, organizational), the newest approaches to the organization of work of the subjects of such activity (investigative, judicial, expert, etc.), which are the results of the implemented in practice, as experimental-design and research-science, including criminalistics. Apparently, in addition to materialized objects (means), there are also non-materialized, unsettled objects, such as technologies, services, solutions, etc. The practical application of such products is carried out by special entities (investigator, expert, judge, etc.), which ensures the qualification, effectiveness and efficiency of their use.

In theoretical-methodological and practical terms, in our view, the approach is more correct when the innovative criminalistic product is considered in the broad sense. In this regard, it is rightly stated that innovative criminalistic products should include developments in the field of criminalistic technology, tactics and methods of crime investigation, namely: new or already existing and adapted to the needs of investigative practice, technical and criminalistic tools, modern information technologies, electronic knowledge bases, methods of recording, analyzing and evaluating evidential information, new tactical techniques, their complexes, tactical

combinations and operations, algorithms of primary investigative (search) and search of typical investigative versions, methods of investigating new types of crimes, etc. [11]. In this regard, noted M.V. Zhyzhyna, that the progressive development of criminalistics is an innovative activity to create different kinds of innovative products [4, p. 120].

Thus, an *innovative criminalistic product* — is developed and put into practice the newest technical-, tactical-, methodological-criminalistic tools, which are the result of research or experimental development, embodied in the form of new technology, products, services, solutions, etc., for the practical application of which is an effective solution of criminalistic problems, providing improving the quality and effectiveness of law enforcement practices and further innovative development of criminalistics as a science.

Explaining a meaningful understanding of the concept of «innovative criminalistic product» gives the opportunity to move to the study of such a phenomenon as «criminalistic innovation». Obviously, that knowledge of the essence of such innovations involves the study and research of the properties and features of this concept. In this case, the properties should be understood as quality, which is a great feature of the object of the phenomenon of something. To the *properties* of criminalistic innovation, in our opinion, can be attributed such as: innovation (novelty), objectivity, subjectivity, purposefulness, demand, practical applicability, efficiency.

The formulation of a unified definition of the concept of criminalistic innovation is possible by highlighting its most essential features. The essential features of criminalistic innovation, in our opinion, include such as: 1) a set of developed and put into practice the latest technical-, tactical-, methodological-criminalistic tools (innovative criminalistic means), which are embodied and applied in the form of new technology, products, services, solutions, etc.; 2) developed and put into practice the newest technical-, tactical-, methodological-criminalistic means are the result of research-development or experimental-design, in demand and applied in practice; 3) technical-, tactical-, methodological-criminalistic means are newly

created, or newly applied, or improved, forms of realization (application) of such innovative means are new technologies, production (products), services, solutions, etc.; 4) the use of innovation is carried out by special entities, which ensures the qualification, efficiency and effectiveness of the use of innovative means developed and put into practice; 5) the focus of innovative tools on the effective solution of criminalistic problems, ensuring optimization, improving the quality and effectiveness of law enforcement practices and further innovative development of criminalistics.

In our opinion, *criminalistic innovation* — is a set of innovative and criminalistic means developed and put into practice, embodied in the form of new technology, products, services, solutions, etc., which are applied by qualified special subjects and aimed at providing optimization, improvement of quality and efficiency in law enforcement practices and solving criminalistic problems.

Today in criminalistics the created of scientific prerequisites for the development and formation of criminalistic innovation, and such research in modern conditions represent a promising innovative direction for the development of criminalistics, which requires scientific development. These issues are on the agenda, forming the basis for further scientific research of criminalistic scientists. Therefore, at the present stage of the development of criminalistics, is quite relevant problem of developing a separate forensic theory of innovations — *criminalistic innovations*.

In our opinion, today it's especially promising to research criminalistic innovations on the basis of general theoretical approaches, which provide an explanation and justification of such fundamental principles of any particular scientific theory as its genesis, essence, fact, hypothesis and theoretical construction. Importantly, at the theoretical level to study and uncover the patterns of functioning, all stages of the life cycle of criminalistic innovation, from the development, implementation and ending with the implementation and application of such innovations in practice. With this, the full development of a separate theory in forensic science must be substantiated by the object and subject of its study, as well as the methods used in doing so.

In view of the foregoing, in our opinion, the process of constructing such a criminalistic theory cannot still be considered complete because of the considerable number of unsettled, undeveloped and debated issues already mentioned. In this regard, we believe that the concept of criminalistic innovation has not still reached the level of a separate criminalistic theory and is still in the process of being formed. Therefore, in view of the stated methodological provisions, in our opinion, it is too early to speak today about the creation of a separate criminalistic theory of innovation. As it seems, criminalistic innovation should be considered as a *scientific direction*, as well as the *specific activity* of persons authorized by law, which is carried out on the basis of the use of innovative criminalistic means embodied in the form of new technology, products, services, solutions, etc., aimed at providing optimizing, improving the quality and effectiveness of law enforcement practices and solving criminalistic problems.

Conclusions. Criminalistic innovation integrates not only the criminalistic knowledge of innovation, but also the position of other fields of knowledge. Apparently, in the realities of today, a new theoretical construction is being formed, which allows us to figuratively represent a separate criminalistic theory of innovation in the criminalistics system. Now the theoretical knowledge and extensive experience of practice of development and introduction of innovations in activity of law-enforcement bodies are accumulated, which allows to establish the existence of prerequisites for formation of criminalistic theory of innovations. Criminalistic innovation should be considered as one of the rather new scientific directions in emerging criminalistics. Such a scientific concept has a pronounced synthetic character, and its creation is the result of the law of integration and differentiation of knowledge in criminalistics.

Apparently, a promising area in criminalistics is the use of criminalistic innovation *in various fields of law enforcement*, thus extending the boundaries of the use of criminalistic knowledge in different types of legal practice, which is quite relevant in modern realities and requires further scientific development. Confirmation of this can be numerous studies of criminalists with theoretical and applied problems

of applying the achievements of criminology in the judicial process, in criminal and civil proceedings, administrative proceedings, in the prosecutor's office, advocacy and notarial activity etc. It is necessary to intensify scientific research into the problems of using *criminalistic innovations* in prosecutorial, lawyer and notarial activity, etc. Like criminalistics in general, criminalistic innovation theories are of applied nature because they are the scientific basis for the development and application of innovative criminalistics means criminal proceedings, litigation, various types of litigation, and legal practice to optimize, improve effectiveness.

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