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## MODERN PROBLEMS OF FORMATION AND PROSPECTS FOR RESEARCHING THE CONCEPT OF CRIMINALISTIC INNOVATION

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**Abstract.** *The article is devoted to the problem of forming the conceptual apparatus of criminalistic innovation as a new scientific direction in criminalistics. Methodological problems of development and formation of categories and concepts of the considered scientific concept are being researched. It's substantiated that the level of formation and reasonableness of any scientific theory, including criminalistic innovation. The analysis of scientific approaches to understanding the basic categories of the considered scientific concept, which are innovative criminalistic product and criminalistic innovation are conducted. Suggestions and author's vision for solving particular issues related to innovations in criminalistics and law enforcement practice are formulated. It's argued that a comprehensive approach to the developed and formed basic concepts and categories of criminalistic innovation is a methodological foundation for further research on this issue, which determines the promising directions of the development of criminalistic science.*

**Formulation of the problem.** In current realities, the tasks of criminalistics are determined by its social function - 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; 2; 3]. As V.Y. Shepitko rightly points out, 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 [4; 5]. 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.

**Presenting main material.** 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

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scenario[6; 7]. 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 [8; 9]. Therefore, the creation and implementation of criminalistic innovative products has always been, and remains today, one of the foremost tasks of criminalistics.

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. Thus, some in-depth study, critical analysis and further scientific developments require problems: research of theoretical foundations of innovations in criminalistics, determination of their place and role in the system of criminalistic knowledge; developing concepts and features of criminalistic innovations; defining criteria for attributing certain innovations to criminalistic innovations; identification and research of types of criminalistic innovations, their characteristics; problems and directions of creation of innovative criminalistic products and technologies; research and analysis of the implementation of criminalistic innovations in the practice of combating crime and other legal practices; research on innovations in criminalistic didactics; problems of efficiency and effectiveness of criminalistic innovations; definition and research of perspective directions of innovative development of criminalistics, including prerequisites of formation of criminalistic innovation and prospects of its development.

Research and formation of any theoretical structure in criminalistics should be carried out on a certain methodological basis [10]. 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 [11; 12; 13]. 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 [14; 15].

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». Often they are associated with a variety of innovative technologies: «biometric», «genotype-scopic», «polygraph», «odorological», «holographic» innovative technology, 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. In our opinion, 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*». This approach is quite widespread in the formulation of terms, this applies to so-called derivative concepts and for example, there are only a few that are justified by time, science, and practice as a «criminalistic recommendation», «criminalistic operation», «criminalistic technology», «criminalistic version», «criminalistics information» etc.

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. As we can see, in this case, there is a materialization (objectivity) of an innovative criminalistic product, the result of which is embodied in a specific material carrier in the form of new materialized products or subject substance.

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. [16]. In this regard, in criminalistics should distinguish three directions of development and introduction of innovations — technical-criminalistic, tactical-criminalistic and direction of providing a methodology of investigation of certain types of crimes [17; 18; 19; 20].

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" [21]. To the *properties* of criminalistic innovation, in our opinion, can be attributed such as: innovation (novelty), objectivity, subjectivity, purposefulness, demand, practical applicability, efficiency [22; 23].

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 [25].

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.

**Conclusions.** 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 [26]. *Criminalistic innovation* – separate criminalistic theory, containing a system of theoretical and practical knowledge about criminalistic innovations, their features, types, role and purpose, stage of development, implementation and application, features of functioning, communications and relationships between the subjects of such innovations (developers and consumers), based on the study of the laws of development, implementation, realization and application of such innovations, their reflection in the sources of information that serve as the basis for the creation of innovative tools, techniques and methods of marketing early, investigating, evaluating and using evidence to optimize, improve the quality and effectiveness of law enforcement, and solve criminalistic problems.

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