

## РЕЦЕНЗІЯ

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### **CRIME, WHICH LEADS EMERGENCY IN PENITENTIARY: PROBLEMS OF THEORY AND PRACTICE\***

Problems improvement combating crime in the institutions of the State Penitentiary Service are always in the spotlight as scientists, criminologists, and authorized state bodies and human rights organizations.

Scientific interest perked especially after the reorganization of departments in 1999 Despite the implementation of a coordinated States policy on combating illegal in the system of penal, their level remains disturbing.

Among the factors that influence the effectiveness of this work, the principal should be called criminal experience of the majority of prisoners (offenders) who commit dangerous crimes in numerous cases leads to emergency situations in correctional facilities (or at least creates the risk of their occurrence). Thus disturbed mode execution of the sentence and the rest of the prisoners there is a risk of harm to life and health personnel and even strangers committing arson, disturbance of communication, destruction of property and so on.

State of operative-investigative support for fighting crime in this category, it is not possible to recognize properly . In particular, the needs of the legal, institutional and organizational and tactical measures to ensure the procedure for secret character in the penal institutions of different types, which are particularly relevant in terms of reforming penal and criminal procedure. Therefore, the formulation and solution of the problems the author crime, leading to emergency situations in correctional facilities, most with an

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\* Копотун І. М. Запобігання злочинам, що призводять до надзвичайних ситуацій у виправних колоніях (кримінально-виконавчі та оперативно-розшукові засади) : [моногр.] / І. М. Копотун. – К. : Золоті ворота, 2013. – 471 с.

emphasis on the use of operational and operational- technical means, it is considered a priority research.

Crime in prison has always had its own characteristics due to the influence of certain economic and political conditions of social existence. Author conducted a retrospective analysis allowed to conclude that are important for theoretical and practical rationale for the formation of the theoretical and legal and institutional framework for prevention of events in modern correctional facilities types. Work in this context is a logical extension of previous research findings as the author, and scientists around the former Soviet Union. An absolute treasure of this work is the definition and content of the operational situation in correctional facilities, analysis of the legal principles of investigative crime prevention in this category, specification of measures specific to correctional institutions and various tactical situations, considered the achievement of Soviet science.

Structure of the monograph is consistent with the logic of research and the task, which allowed the author to consistently focus on the main problems and their solutions.

First, clearly articulated theoretical and practical definition of «crimes that result in emergency situations in correctional facilities» as provided by law on criminal liability of socially dangerous perpetrators of acts committed by inmates with exceptional, does not provide the usual course of nature of institutions and in its consequences threaten the life or health of persons (prisoners, staff, visitors, residents of neighboring territory to the institution) or lead to violations of the stable functioning of penal institutions, until the full exclusion. Such events may cause prisoners committed against them or deliberate murder, riots, hostage-taking, persistent failure to obey penitentiary administration, performance that disrupt the operation of penal institutions.

Given the nature and degree of social danger of recurrence of the prison, which is determined not only an important indicator of the effectiveness of penal institutions to prevent crimes, but the whole prison system, the expediency of strengthening criminal responsibility for crimes (regardless of fault in the previous and committed a criminal offense act) committed by inmates while serving their sentence, due to their high social danger not only on the results, the subject of the commission, but also the ability to fully or

partially disrupt the whole process and execution of the sentence in penal institutions (noted that this proposal was supported by 70.6 % of the staff of relevant institutions). This scientifically formulated a number of practical proposals to improve existing legislation on criminal liability and in operational activities.

We prove that the health monitoring of situation should be carried out on indicators designed to accumulate relevant information, which on the one hand, there are factors that affect it and on the other can be used for its analysis and evaluation. The list of mandatory for analytical work (analytical prediction) information, including covert detective character, which should be based on assessment of situation.

Presented in the monograph summarizing and other studies, the finding sand suggestions can be used in research, teaching process with training for staff and other operational units of the prison service.

Given the above, believe that Peer-reviewed monograph is a scientific and practical value, is a significant contribution to the system of scientific software practices of combating crime, it is recommended to use the workers and institutions of the State Penitentiary Service, prosecutors, police, courts, scholars, teachers and students and trainees specialized higher education institutions.