Criminal Registration in the Service of the Penitentiary System

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Abstract

Introduction: the article deals with problems of information and analytical support of law enforcement intelligence operations conducted by bodies and institutions of the penal system, considered in dissertations defended in dissertation councils at educational and scientific organizations of the Federal Penitentiary Service of Russia. Specific attention is paid to the use of personal biometric data of persons held in places of deprivation of liberty. The author analyzes a fairly long historical retrospective of the use of criminal registration in penitentiary practice. This work is evaluated from the point of view of obtaining results of law enforcement intelligence operations and is positioned as an informational basis for operational investigative identification. The legal basis of modern criminal registration in the penal system is evaluated. The author also considers modern hardware and software complexes designed for personal identification, as well as issues of interaction between the Federal Penitentiary Service of Russia and other departments, primarily internal affairs bodies, in addressing these issues. *Purpose:* based on a retrospective analysis of the essence and content of criminal registration in the penal system, to make a conclusion about prospects for its development in the modern period and foreseeable future. *Methods:* universal method of cognition – dialectical materialism based on the laws of dialectics; formal logical methods – analysis, synthesis, induction, deduction, abstraction, analogy; general scientific methods – observation, comparison, description, etc.; and private scientific method of historical analogy. *Results:* the analysis of the criminal registration development in the penitentiary system shows that further improvement of this area of information support for operational investigative activities is associated with the use of modern hardware and software and the establishment of close interdepartmental interaction. *Conclusions:* the modern Russian penal system needs to ensure further development of criminal registration, taking into account the experience gained in this area by other law enforcement agencies and special services, including foreign ones. It is also necessary to initiate the adoption of normative legal acts regulating interdepartmental interaction in the field under consideration.

Keywords: penal system; criminal registration; penitentiary legislation; personal biometric data; operational search identification; interdepartmental interaction.

5.1.1. Theoretical and historical legal sciences.

5.1.4. Criminal law sciences.

Introduction

The author of this article has repeatedly been an official opponent for candidate and doctoral dissertations, where in one aspect or another the problems of information and analytical support of law enforcement intelligence operations of bodies and institutions of the penal system are touched upon. These scientific studies are, as a rule, of a closed nature, and therefore names of the latter, as well as data of their authors, are not given in this article. Nevertheless, some questions considered in these works and related to information and analytical topics can also be considered in the framework of an open publication.

It will focus on the problems of criminal registration of arrested and convicted persons in conditions of their detention in penal institutions. Unfortunately, almost all applicants in the course of their scientific research in one way or another distance themselves from the consideration of issues related to the distribution of personal biometric data of the specified categories of persons. The issues of organizing information interaction in this matter with other law enforcement agencies and special services interested in creating a unified identification record of representatives of the criminal community are also poorly viewed.

Brief historical retrospective of applying criminal registration. When considering early stages of the development of information and analytical support for law enforcement intelligence operations of the penal system, for some incomprehensible reason, external doctorate students overlook the fact that key types and methods of criminal registration at one time originated in places of deprivation of liberty and were used exclusively for criminalization of convicts. Later, having been tested in the prison system, they were borrowed by the police and other law enforcement agencies to identify and search for suspects.

As it is known, the ancestor of criminal registration in the penitentiary system was the Englishman G. Wilkinson, who in 1774 published a two-volume "The Newgate Calendar" with a detailed description of the most serious crimes committed by its inhabitants in the 17th–18th centuries. Similar reference books were subsequently published by other prisons in England [1, p. 241]. A similar register of persons subjected to criminal punishment was introduced in the second half of the 18th century by the Paris Police Prefecture. In 1790, this register was reorganized into the "Special bureau of references". According to the law in force at that time, each French administrative court had its own criminal registry, compiled in alphabetical order. Similar reference books or card files with information about convicts and persons under investigation, in particular card files of preliminary registration and search, were then distributed in other countries [2, p. 9].

These organizational measures further contributed to the development of a criminal registration method according to modus operandi, which was widely in demand by the penitentiary and police practice, since it demonstrated high efficiency in the process of identifying professional criminals, especially nomadic criminals.

In 1860, Stevens, a head of the prison in Louvain (Belgium), introduced results of measurements of certain body parts into convicts' registration cards. He ordered his subordinates to fix a size of the head, ears, legs, chest, as well as a height of convicts [3]. In fact, this measure was the prologue to the creation of a scientific anthropometric method of criminal registration, developed in 1882 by the French criminologist A. Bertillon. In 1885, in addition to anthropometry, he also introduced a method of verbal portrait (Portraitparle) and further a so-called identification or signaletic photograph, for the classification of which he used a scheme of making a verbal portrait [4, pp. 22–23]. In 1888, the Bertillon system received government approval and began to be distributed in penitentiary institutions and the criminal police of France and other countries [2, p. 22].

Around the same period, the English official W. Herschel, who worked in India, for the first time proposed to use finger prints for identification of prisoners in one of the Indian prisons.

Further it was done on a regular basis [5, pp. 32–36]. Almost simultaneously with W Herschel, the English physiologist H. Faulds, who worked in Japan, came to the conclusion about the possibility of using fingerprints to establish prisoners' identity. Somewhat later, the English natural scientist F. Galton considered this problem at a fundamental level. In 1895, Galton's system gained official recognition in England, was called dactyloscopy, and in combination with anthropometry became widely used to register criminals [6, pp. 243–258].

In the course of criminal registration, a system of knowledge was accumulated, which revealed morphological characteristics of offenders. The information obtained was used to identify the latter in case they committed new crimes. By the beginning of the 20th century, all the above-mentioned scientific methods of criminal registration had been applied in the Russian Empire. The police and employees of the prison department were extremely interested in the use of its results. In 1907–1910, within the Department of Police of the Ministry of Internal Affairs of the Russian Empire specialized structures began to appear – registration bureaus, designed, along with the systematic collection of data on specific criminals and crimes committed, to conduct regular analysis of other criminal information received by them.

Activities of registration bureaus of the detective police during this period was associated with the entry into force of the Law of the Russian Empire "On the Organization of the Detective Unit" of July 6, 1908, which prescribed "as part of the police departments of the Empire to form detective departments of four categories for the production of search in cases of a general criminal nature in cities and counties". Detective departments were established in 89 large provincial and county centers of Russia. Their internal structure was determined by the Instruction for detective departments of the Russian police, issued on August 9, 1910. Section 29 of this Article noted that "the main part of the internal organization of the detective department is the reference registration bureau". Section 30 presented a detailed description of their activities.

However, even earlier, criminal registration of criminals, mainly related to the use of fingerprinting, had been officially introduced in the Russian penitentiary service. To familiarize with a system of fingerprinting in 1906 in Germany, officials of the prison service visited the foreign country. In their report afterwards they clearly showed advantages of this method of criminal registration. As a result, on December 16, 1906, the Central Dactyloscopic Bureau (CDB) under the leadership of N.F. Luchinskii within the Main Prison Department was established at the request of the Minister of Justice I.G. Shcheglovitov, as well as the Rules on the production and registration of fingerprint images were approved. The latter stipulated that persons accused of serious crimes and vagrancy were subject to mandatory fingerprinting [7].

The Central Dactyloscopic Bureau had a special room in the building of the Main Prison Administration, 4 cabinets with 24 drawers in each for storing fingerprint cards and one cabinet with 24 drawers for an alphabetical card file containing personal and anthropometric data of prisoners, as well as their photographs made according to identification photography. They prepared 1,024 folders, magnifying glasses, letter and digital signs, as well as other stationery materials. Workshops of the Saint Petersburg Solitary Prison produced about 1 thousand sets of fingerprint accessories (a metal plate on a tree, a rubber roller, a box with printing ink), as well as up to 10 thousand copies of forms of fingerprint sheets, and the necessary number of instructions were printed.

These sets together with the above Rules were sent to governors and mayors in accordance with the number of places of detention as an appendix to the circular of the Ministry of Justice No. 32 of December 30, 1906 "On the Introduction of Dactyloscopy in the Prison Department for the Registration of Criminals". It was reported on the successful use of fingerprinting and its advantages over other types of criminal registration (anthropometry and verbal portrait) in the fight against recidivism and vagrancy. The circular also spoke about the need to create a single centralized fingerprint registration of all convicts in the Central Dactyloscopy Bureau [8]. The bureau actually carried out complex criminal registration of convicts and closely interacted with the Central Registration Bureau of the Police Department of the Ministry of Internal Affairs, established on April 9, 1907.

Thus, it was the prison system that was the "cradle", if one can say so, of criminal registration in world criminal practice, and it predetermined further use of its results by the Police Department of the Ministry of Internal Affairs, the Separate Corps of Border Guards, the Customs Duties Department of the Ministry of Finance and other law enforcement agencies of the Russian Empire. It makes perfect sense, since places of deprivation of liberty objectively have all the necessary organizational and legal prerequisites for the implementation of criminal registration, both in the interests of the penal system and other law enforcement agencies.

By the way, the so-called "pre-scientific" methods of criminal registration – mutilation (cutting off certain body parts from convicts) and branding – simultaneously performed two main functions – additional punishment for what they had done and identification of criminally dangerous persons among the general human mass [9, pp. 20–21], which indirectly testified to general interests of punitive penitentiary bodies.

The well-known Soviet criminologist I.N. Yakimov, as a basis for systematizing registration information during the rapid development of criminal registration, identified key elements of the crime, such as a subject, an object and a criminal act. He also divided registration data into three main groups.

In the first group (information characterizing the identity of the criminal), he included materials of fingerprinting, anthropometry, descriptions of a layered portrait and identification photography, as well as the so-called little-practiced methods of registration (special signs, palm prints, data on persons previously convicted, involved in the investigation, wanted and serving a sentence, and nicknames).

The second group of registration data (information characterizing elements of the crime object) included materials relating to the so-called "paired" systems, such as objects obtained illegally and victims; unidentified corpses and missing persons; etc.

The third group of registration data (information that characterizes elements of a criminal act) consisted of materials related to the classification of crimes by their types, categories, methods of commission, techniques and handwriting [10, p. 29, 97–98].

These principles in relation to the systematization of registration data are largely relevant to this day. Unfortunately, in the subsequent periods of the development of domestic forensic science and then the theory of law enforcement intelligence operations many scientific approaches associated with the implementation of complex criminal registration were lost [11, pp. 174–176], and a single intelligence accounting for all law enforcement agencies to contain biometric data of criminal elements was never created.

Criminal registration and results of law enforcement intelligence operations. In some dissertations, external doctorate students do not associate the data obtained in the course of criminal registration with the concept of results of law enforcement intelligence operations, although they are such in essence. In addition, considering the essence of registration data used in the activities of operational units of penitentiary bodies and institutions, external doctorate students implied, as a rule, information in general, without disclosing its specific content.

In order to understand these issues, it is necessary to briefly touch upon the essence of both registration data and the most modern criminal registration. The concept of registration data (information) is based on the duality: information itself and the material carrier on which it is displayed in the form of symbols, signs, letters, waves, etc. As a result of documentation, there is a kind of materialization and reification of information that is fixed on a material carrier or attached to it, while separating from its creator [12, pp. 23–24].

The content of any operational information (registration data in this case are not excluded) reflects the state of the objects fixed on material carriers, representing operational and investigative interest. External manifestation of the displayed objects is a set of their elements (characteristic features). Therefore, criminal registration in the field of law enforcement should be carried out in accordance with the requirements of forensic science and the theory of law enforcement intelligence operations, which identifies categories of objects, information about which should be accumulated and further analyzed in order to combat crime. First of all, these are individuals, objects (in-

cluding complex ones), corpses, animals, substances, buildings, structures, terrain areas, events, phenomena, and mental acts of a person. It seems that for each area of law enforcement activity, the essence and totality of these objects can be specified based on the competence of a particular agency.

The state of depicted objects, which is actually the subject of operational search analysis, is characterized by a change in the totality of static and dynamic features inherent in them, without studying which it is impossible to talk about processing, recording and further analysis of incoming information, including registration data. In this regard, we cannot agree with some applicants stating that the information used in law enforcement intelligence operations has a system of elements in general. It is not the information that has a specific set of characteristic features, but objects that appear in certain information. Therefore, a specific feature of the object should be considered as a unit of information connecting it with a subject of law enforcement intelligence operations. Thus, it is the study of elements that allows the latter to analyze the state of an object.

It is quite obvious that the choice of the carrier of registration data is determined by the method of criminal registration. As already noted, in the "pre-scientific" period, the results of criminal registration were displayed directly on the convict's body. At an early development stage of forensic science, aimed primarily at ensuring the effectiveness of investigative activities and identifying detained and convicted criminals, such methods of criminal registration as anthropometry, fingerprinting, verbal portrait, identification photography and Modus Operandi were practiced. The results obtained were presented on paper. Today, experts use audio, video, photo, and computer (digital) recording, as well as other modern types of information fixation, providing for the use of appropriate media, which ensure more effective integration and study of registration data.

It seems reasonable that both legal and operational means of obtaining registration data can be used in the course of criminal registration carried out during law enforcement intelligence operations; so, it can be of public or secret nature.

Criminal registration presupposes implementation of the following key stages: search and gathering of registration information (i.e., obtaining necessary information through the study of certain information fields). After the completion of these processes, the received registration information is processed (indexed) by employees involved in the formation of operational and investigative accounting. In this regard, it is extremely important that the submitted information contains at least a minimum amount of registration features for indexing (selection of the necessary and sufficient number of the latter) for their further fixation on the corresponding material carriers.

Criminal registration in law enforcement intelligence operations pursues the following purpose: its subjects with the help of appropriate methods and means form registration documents that record objects of operational interest, provided there is a sufficient number of registration elements intended for operational investigative accounting.

Undoubtedly, registration documents themselves are nothing more than documented results of the law enforcement intelligence operations, which can be received both publicly and in an unspoken (secret) way.

Results of criminal registration as an information basis for operational search identification. During the analysis of the essence and content of the information and analytical support of law enforcement of the Ministry of Internal Affairs, almost the only form of analytical work was singled out – forecasting changes in the operational situation, practiced for the preparation of reviews, recommendations, information bulletins, etc. Such an approach significantly reduces possibilities of analytical activity, since along with the organizational and analytical analysis there is another important direction of analytical activity – the so-called operational investigative analysis, the objects of which are criminogenically active persons and illegal acts. In this context, such a form of analytical work as operational search identification is very significant [11, pp. 69–86]. Criminal registration is required for its provision. Moreover, according to the authoritative opinion of Professor T.A. Sedova, the main object of any identification research both in criminology and law enforcement intelligence operations,

in relation to which all other objects of identification play a secondary role, is their owner or user – a person [13, p. 86].

Intelligence identification is a form of analytical work of operational units, including bodies and institutions of the penal system, which consists in correlating elements of identified objects with identifying objects – displays of stable features of individuals, objects, documents, events, etc. on the corresponding media in the form of traces, images, mental images, descriptions, as well as establishing on this basis of the identity, difference or group affiliation of these objects. When conducting operational investigative measures, forensic and other scientific methods of research can be used. Only the subject of law enforcement intelligence operations can be a subject of operational search identification and their results can be considered as results of law enforcement intelligence operations from two perspectives:

1) they can play an auxiliary role, only indicating to the inquiry, investigation or court where and how to look for sources of factual data in a procedural way;

2) under certain conditions, they can be the cause for initiating criminal cases, as well as the basis for obtaining additional evidence in newly initiated criminal cases (paragraphs 6, 14 of the Instructions on the procedure for submitting results of law enforcement intelligence operations to the inquiry, investigation or court; Article 11 of the Federal Law "On Law Enforcement Intelligence Operations").

In this regard, we cannot agree with statements of some external doctorate students about possible use of results of identification activities by operational units of penitentiary bodies and institutions as evidence in criminal cases without carrying out procedural verification of the latter. In order to use results of law enforcement intelligence operations as a reason and basis for initiating a criminal case, as well as in proving criminal cases in accordance with the requirements of the criminal procedure legislation regulating the collection, verification and evaluation of evidence, they must undergo mandatory procedural verification by conducting the necessary investigative actions. Figuratively speaking, in this case they should go through a "sieve of procedural actions" so that, in accordance with the provisions of Article 84

of the Criminal Procedural Code of the Russian Federation, they could be accepted by bodies of preliminary investigation or by the court as evidence.

Operational search identification consists in carrying out of the operational search measures: study of objects and documents; identification of persons; and searching accounting records. Moreover, each of them can be an element of any other method provided for in Part 1 of Article 6 of the Federal Law "On Law Enforcement Intelligence Operations", as well as one or another operational search method.

The most common type of operational search identification in the activities of operational units of penitentiary bodies and institutions is identification of the personality, which is based on theoretical foundations of the private forensic theory – habitoscopy. Along with various types of examinations, the latter systematizes forms of displaying the external appearance of a person (mental images, material subjective displays, images of a person, etc.), as well as all special technical and forensic means and methods of collecting data on the external appearance of a person (drawing up a verbal portrait; making subjective portraits; death masks, etc.). Its methods are widely used both in forensic practice and in law enforcement intelligence operations.

It should be noted that external doctorate students often mistakenly use the term "recognition" ("operational recognition") in the meaning of identification, which is not of an identification character, but is one of the types of operational search diagnostics.

It should be emphasized that operational recognition objects are not known to an operations officer during the operational search. He/she has only a stereotypical list of static and dynamic features that are characteristic of the studied category of objects. In this way, this method, which is also of an empirical character, is fundamentally different from the identification of a person, during which elements of the identified object, fixed in memory or on certain maps, are known to the operational officer beforehand.

In places of deprivation of liberty, for example, one can recognize convicts' criminal qualification, experience, and attitude to a particular hierarchical group, depending on their authori-

ty and real influence in the criminal environment [14, p. 19], by studying tattoos on their body.

Legal basis of modern criminal registration. If the need to form databases of personal biometric data of persons under investigation and convicted persons in places of deprivation of liberty is recognized in the above-mentioned dissertations, then the possibility of implementing this measure, nevertheless, is questioned due to a set of restrictions provided for by regulatory legal acts in force in the field of information security. However, this statement is not entirely justified. The legal basis of criminal registration exists and is quite universal. Without having the opportunity to analyze it in detail due to the limited scope of this article, we only note that legal sources regulating implementation of information technologies are divided into four main categories. The first unites international regulatory legal acts legitimizing the use of personal data in the interests of law enforcement activities. The second is key federal laws aimed at creating an information basis for law enforcement agencies. It should also include those laws that introduce basic concepts associated with this process. The third group of sources combines federal laws related to the creation of the information basis of law enforcement intelligence operations directly in bodies and institutions of the penal system. The fourth group of sources is a set of subordinate and interdepartmental regulatory legal acts related to activities of law enforcement agencies (including organizations of the penal system) in the field of formation of operational search accounting.

The objects of legal regulation in all these cases are information technologies, as well as received and accumulated registration information. Provisions of articles 10, 11, 14 and 22 of the Federal Law No. 152-FZ of July 27, 2006 "On Personal Data" are of great interest in this aspect, since they stipulate that the processing of personal data of citizens, including their special and biometric categories, can be carried out without the consent of their subjects in a number of cases, including those provided for by Russian legislation on defense, security, countering terrorism, transport security, cooperation corruption, law enforcement intelligence operations, enforcement proceedings, as well as by penal legislation. In addition, the

right of subjects to access their personal data may be restricted in cases where the processing of personal data, including personal data obtained as a result of intelligence, counterintelligence and reconnaissance activities, is carried out for the purposes of national defense, state security and law enforcement. For the same reasons, registration of such databases in the Federal Service for Supervision of Communications, Information Technology and Mass Media (Roskomnadzor) is not required.

It is worth separately highlighting provisions of paragraph "g" of Article 9 of the Federal Law No. 128-FZ of July 25, 1998 "On State Dactylographic Registration in the Russian Federation" stipulating that citizens of the Russian Federation, foreign citizens and stateless persons who are suspected, accused, or convicted of committing a crime, are subject to mandatory dactylographic registration.

According to provisions of the Federal Law No. 8-FZ of February 6, 2023 "On Amendments to the Federal Law "On State Genomic Registration in the Russian Federation" and Certain Legislative Acts of the Russian Federation", all categories of the persons convicted and serving sentences in the form of imprisonment, as well as all the persons suspected and accused of committing crimes, are subject to mandatory genomic registration (paragraphs 1, 3 of Part 1 of Article 7 of the Federal Law No. 242-FZ of December 3, 2008 "On State Genomic Registration in the Russian Federation").

According to Article 9 of this laws, mandatory state genomic registration of persons specified in Paragraph 1 of Part 1 of Article 7 is carried out by institutions executing criminal penalties in the form of deprivation of liberty, together with subdivisions of the internal affairs bodies of the Russian Federation, whose competence includes this type of activity.

Undoubtedly, we should also mention Paragraph 7 of Article 14 of the Law of the Russian Federation No. 5473-I of July 21, 1993 "On Institutions and Bodies of the Penal System of the Russian Federation" stating that institutions executing sentences are entitled to register convicts, as well as make photographs, sound, film and video recording and fingerprinting.

Thus, if there are sufficient grounds, state bodies carrying out law enforcement intelligence operations, including penitentiary bod-

ies, are entitled to search, collect, extract, store, process and provide information, including confidential and subject to special regulatory regimes, which relates to various objects of this activity. Indispensable conditions for the inclusion of such information in information technologies are the following: guaranteed compliance with the status of the latter as an information restriction of access, and, second, appropriate legal grounds for their receipt and use. These conditions are specified in domestic regulatory legal acts, which are of a closed nature and are not considered within the framework of this article.

At the same time, the lack of legal regulation associated with the formation of an integrated intelligence data bank, which includes personal biometric data of representatives of criminality, remains a rather serious problem today.

Modern hardware and software complexes for identity identification and issues of interdepartmental interaction in this area. The dissertations submitted for the preparation of the official opponent's review have not always addressed the problem of using modern hardware and software tools capable of real-time operational recognition of illegal acts in institutions of the penal system and identification of plotters by their static and dynamic characteristics. Similar complexes based on the use of artificial intelligence analyzing personal biometric data have been already used by Russian and foreign law enforcement agencies to combat criminal, economic, customs and other crimes, as well as to detain the wanted. Therefore, it would be quite justified to widely introduce them into activities of penal institutions for ensuring constant monitoring of the behavior of arrested and convicted persons [15, p. 150]. In this regard, automated logic-analytical systems (ALAS) can identify not only individuals, but also intangible objects – events, phenomena, mental acts of a person characterized by a set of special identification features. This circumstance contributes to the definition of criminalistically significant grounds for the systematization of crimes committed in penitentiary institutions with regard to the specific place of the latter in their generic system [16, p. 180].

As already noted, external doctorate students do not clearly formulate principles of

interdepartmental information interaction in order to create a unified identification record systematizing personal biometric data of persons brought to criminal liability. In this regard, it should be emphasized that in the post-Soviet period, the implementation of criminal registration was organized most competently from a scientific point of view in specialized divisions of the Ministry of Internal Affairs of Russia in Moscow. In the mid-1990s, when the latter were created and formed, they were called information and analytical units of the criminal militia. In 2003, they were renamed intelligence information units. In the initial period of their existence, automated data banks of intelligence and other information were created at all levels of the criminal police service of the Main Department of Internal Affairs in the city of Moscow (city–administrative district – municipal district), including those containing personal biometric data of persons of operational interest. In order to ensure comprehensive criminal registration of the latter, criminal registration offices were created in municipal police departments. In general, about 450 employees were involved in criminal registration. About 120 employees worked in district police departments, while 25 – in the head structure – the Information and Analytical Department of the criminal militia of the Main Department of Internal Affairs in the city of Moscow.

The Main Directorate installed an automated software complex "CRIME", consisting of an automated system of operational dactyloscopic identification (ASODI) "Uzor-3", an automated system of operational portrait identification (ASOPI) "Figurant", designed to keep registration data about 100–200 thousand registered persons, as well as ALAS "CRIME", developed for real-time analytical processing of over 1 million full-text documents in Russian and foreign languages. There was also a data bank containing information about members of organized criminal formations, criminals, nomadic criminals, persons who had committed serial crimes, as well as missing persons.

At the level of district internal affairs departments, it was planned to expand the complex "CRIME", consisting of ASODI "Uzor-3" and ASOPI "Figurant", designed to keep registration data about 50–60 thousand applicants, as well as ALAS "CRIME", developed for real-time

analytical processing of over 500 thousand full-text documents. In district internal affairs departments, it was planned to form a data bank containing information about persons who lived on the territory of the district and had been previously convicted.

It was planned to equip criminal registration offices of municipal internal affairs departments with specialized equipment for identification photography and fingerprinting. A single-machine network version of ASOPI "Figurant" was to be kept in the same office.

It was assumed that automated hardware and software complexes located in the Main Department of Internal Affairs in the city of Moscow, district and municipal internal affairs departments would form a single information space of the Moscow criminal militia due to their connection to the fiber-optic network. It would accelerate the process of identifying suspects for specific crimes significantly. Experts calculated that the one-time integrated implementation of these systems would allow for operational recording of more than 600 thousand criminals on a city scale. In the future, it was planned to increase the volume of the integrated data bank to 1.5 million registered persons. According to the most cautious forecasts, in a year and a half after the introduction of this system into operation, the real detection rate of crimes in the city could have been increased by 10–15%.

Many of these approaches have been implemented and are still used in activities of operational search information units in the city of Moscow. Some problems have not been solved due to a number of objective and subjective reasons. At the same time, at all stages of the formation of this method of conducting criminal registration, which, by the way, was borrowed from registration bureaus of the detective police of the Russian Empire, opportunities were sought to ensure coordination with operational units of the Federal Penitentiary Service of Russia. To establish the stated interaction, employees of the intelligence information department of the Ministry of Internal Affairs of Russia visited some territorial bodies of the penal system. However, these contacts turned out to be useless due to interdepartmental disunity. It should be noted that in the second half of the 1990s, when the penal system was still a part of the Ministry of Internal Affairs of Russia, specialists of the Main

Criminal Investigation Department and the Main Punishment Execution Directorate practically adopted a draft order of the Ministry on the issues related to the creation of joint recording. However, in 1998, the Main Punishment Execution Directorate was transferred to the Ministry of Justice of Russia in accordance with the Decree of the President of the Russian Federation No. 904 of July 28, 1998 "On the Transfer of the Penal System of the Ministry of Internal Affairs of the Russian Federation to the Jurisdiction of the Ministry of Justice of the Russian Federation", this issue was automatically removed from the agenda and was not raised during development of interdepartmental orders.

As already emphasized, interdepartmental information interaction between Russian law enforcement agencies and special services is insufficiently organized, which cannot be said about foreign practice. It should be noted that European member states have a single interdepartmental system for recording operationally significant information. For this purpose, a centralized electronic data bank, along with forensic and criminological information, has data on persons and events of operational interest. Each law enforcement agency or special service of an EU member state, having a computer connection with a centralized data bank, can constantly obtain the necessary information, the use of which, according to some specialists, is even more effective than border control measures. Thus, Western countries are intensively developing structures that allow for effective police intelligence [17, p. 224].

National departments of operational data collect information of operational interest in European countries. They are staffed by representatives of various law enforcement agencies and special services (border service, correctional institutions, customs authorities, financial intelligence, coast guard, police, intelligence and security services, tax authorities, etc.), which, under intelligence-led policing, have access to operational information of their department and are authorized to carry out information exchange with representatives of other interested structures within the national department of operational data. The latter is also responsible for maintaining a national database of operational crime data and for conducting strategic and operational analysis, including

assessing threats arising at the national level. It also assists regional (local) units in operational information analysis.

It is also worth mentioning that EU member states have mutually dependent, compatible or single-platform information and telecommunication systems supporting an integrated data bank, as well as appropriate mechanisms for protecting operational information [18, pp. 48–49].

Thus, in Western countries, a single interdepartmental information array of law enforcement agencies has long been created and is effectively used in the interests of all departments. It is not achieved in Russian law enforcement agencies, including bodies and institutions of the penal system.

Conclusion

Summing up the arguments presented in this article, we can come to the following key conclusions.

1. Taking into account available operational capabilities and historical experience of criminal registration, priority attention in bodies and institutions of the penal system should be given to the issues of obtaining and systematizing personal biometric data of arrested and convicted persons.

2. At various levels of the management vertical of the Federal Penitentiary Service of Russia, these data, together with other operationally relevant information, should be systematized and integrated with the relevant reports of other law enforcement agencies, primarily internal affairs bodies.

3. The problems of forming a single integrated intelligence data bank for all intelligence agencies containing personal biometric data of persons representing the operational interest have not been settled by federal legislation, although there are a number of objective prerequisites for this.

4. As an integrated bank of personal biometric data functioning on a single information space of law enforcement agencies and special services, it is necessary to consider the combination of relevant databases, technologies for their maintenance and use, as well as protected information and telecommunication systems functioning on the basis of general principles and according to general rules.

5. The creation of such an information structure, acting through the mediation of a special body, an analogue of the National Department of Operational Data, will solve many problems in the field of law enforcement intelligence operations of the penal system.

6. The use of ALAS based on the use of artificial intelligence is intended to contribute to the creation of an effective single integrated intelligence data bank, for the purpose of operational knowledge and identification of objects of operational interest, taking into account the current assessment and forecasting of their condition.

7. The issues discussed in this article should be more clearly identified and considered in dissertations defended in dissertation councils at educational and scientific organizations of the Federal Penitentiary Service of Russia.

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