

Improving the Activity Management of Patrol and Guard Service Combat Units of the Internal Affairs Bodies: Legal Analysis

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ABSTRACT

In this scientific article, taking into account the results of the reforms carried out in the system of maintaining public order and security, the current legal norms and the practice of their application, the advanced foreign experience, the issues of managing the patrol-post service ranks of internal affairs bodies are specially researched.

KEYWORDS: *internal affairs bodies, combat, management, state, patrol.*

Studying the main areas of activity of combat units of the patrol service by conditionally dividing them into:

- a) protecting public order and ensuring security;
- b) crime prevention;
- c) activities to assist government bodies and institutions, other structural units of internal affairs bodies in solving crimes, ensuring the inevitability of responsibility and punishment, as well as the rule of law will allow a systematic, consistent and deep approach to this issue, developing scientifically based proposals and recommendations that serve to resolve problems arising in this area.

Based on the opinions of scientists, the results of scientific research in this area and analysis of law enforcement practice, the researcher developed the author's definition of the following concepts:

Patrol and guard service - the passage in certain forms and methods by employees of internal affairs bodies and military personnel of the service to protect public order and ensure security, administrative and legal protection of the interests of the individual, society and the state from any criminal and administrative attacks on the streets and in public places, while monitoring products taken under protection on passenger trains and other designated places;

Combat units of the patrol service are structural units of internal affairs bodies that carry out the tasks assigned to them by law to protect public order, protect the rights, freedoms and legitimate interests of citizens, the property of individuals and legal entities on the street and public places, transport facilities, passenger trains and when escorting protected products through the railway to the addressee and other designated guard and patrol areas, ensuring the rule of law, as well as preventing and suppressing offenses;

Management of the activities of combat units of the patrol service of internal affairs bodies is an administrative activity carried out by authorized state bodies and officials to ensure the activities of combat units of the patrol service to protect public order and ensure security through legal, organizational, tactical, methodological, material technical and personnel support.

The author, referring to the current legal acts, conceptual views (ideas) of the President of the Republic of Uzbekistan Shavkat Mirziyoyev, legal literature, relevant thoughts of legal scholars (I.

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Ismailov, M.Z. Ziyodullaev, Zh.S. Mukhtorov, M.V. Sergeeva, Ch.D. Hale, A.V. Gubanov, D.V. Kurakov), classified the main tasks of the combat units of the patrol service according to their characteristics, and by doing this, noting that although their main task is to maintain public order and security (which was supported by 80.1 percent of specialists participating in the survey), they, however, also participate in the implementation of activities related to the prevention of crime, the fight against crime and its detection, the protection of property, ensuring road safety, and eliminating the consequences of natural and man-made emergencies character, which, according to the author, indicates the versatility of the activities of combat units of the patrol service.

According to the researcher, certain foundations (foundation) in terms of the content and essence of managing combat units of the patrol service are classified as follows:

- a) legal basis, which includes laws and by-laws governing the activities of combat units and the procedure for their management;
- b) organizational-tactical and scientific-methodological foundations, covering such forms of management as assignment to combat units of the patrol service of an administrative territory, information support, activity planning, adoption and execution of management decisions, optimal deployment of forces and equipment, maneuvering, activity analysis, accounting, control, evaluation, scientific and methodological support of activities;
- c) material and technical bases, which provide for equipping combat units of the patrol service with modern buildings, transport, equipment, hardware and communications, software (technology) and work equipment;
- d) personnel principles, providing for the training of leading specialists for combat units of the patrol service, their placement, retraining and advanced training.

According to the author, the results of the study and analysis of the legal basis for managing the activities of combat units of the patrol service of internal affairs bodies require,

first of all, the adoption of a law that directly regulates this area;

secondly, ensuring the complete and high-quality implementation of tasks for the effective organization of the direct activities of the patrol service units in the relevant decrees and resolutions of the President of the Republic of Uzbekistan and the Cabinet of Ministers;

thirdly, the creation of a legal framework for models put into practice as best practices and methods of work in the field of maintaining public order and ensuring security;

fourthly, eliminating shortcomings in departmental regulations in the system of the Ministry of Internal Affairs of the Republic of Uzbekistan through their in-depth monitoring, legal audit and systematization. Thus, to date, a total of 67 normative legal acts have been adopted on organizing the activities of combat units of the patrol service, including 22 normative legal acts of a generally binding nature, namely 3 Presidential resolutions, 16 resolutions of the Cabinet of Ministers, as well as 3 orders , as well as 45 internal acts of the Ministry of Internal Affairs - 31 orders, 1 directive and 13 joint resolutions.

In the research work, relying on the scientific and theoretical works of such scientists as U. Tadzhihkanov, I. Ismailov, S.T. Akhmedova, A. Ulyanov, V. Simonov, M.G. Jaquinta, D.G. Ganis, S. Pozhidaev,

I. Potapenkova, A. Gerasimenko, A.Yu. Zvonareva, D.D. Bazhramspa, as well as an analysis of regulatory legal acts, explores the essence and specificity of the organizational and tactical foundations of the management of combat units of the patrol service of internal affairs bodies.

Studying the organizational and tactical principles of managing the activities of combat units of the

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patrol service of internal affairs bodies by dividing them, *firstly*, into the organizational structure, composition and management system of combat units of the patrol service; *secondly*, management functions that activate the organizational-tactical foundations of managing combat units of the patrol service allow us to fully and consistently examine the elements of control in this area, study existing problems, find solutions to eliminate them, and also develop measures to improve the management of combat units of the patrol service services.

As a result of the research, the following scientific and practical conclusions, proposals and recommendations were put forward for improving the management of combat units of the patrol service of internal affairs bodies.

I. Conclusions aimed at enriching scientific and theoretical knowledge on improving the management of the activities of combat units of the patrol service of internal affairs bodies:

1. Based on a systematic and logical study of the activities of combat units of the patrol service, it is advisable to divide the main directions of their activities into three: a) activities to protect public order and ensure security; b) crime prevention activities; c) activities to assist government bodies and institutions, other structural units of internal affairs bodies in solving crimes, ensuring the inevitability of responsibility and punishment, as well as the rule of law.
2. Patrol and guard service - the passage in certain forms and methods by employees of internal affairs bodies and military personnel of the service to protect public order and ensure security, administrative and legal protection of the interests of the individual, society and the state from any criminal and administrative attacks on the streets and in public places, while monitoring products taken under protection on passenger trains and other designated places;
3. Combat units of the patrol service are structural units of internal affairs bodies that carry out the tasks assigned to them by law to protect public order, protect the rights, freedoms and legitimate interests of citizens, the property of individuals and legal entities on the street and public places, transport facilities, passenger trains and when escorting protected products through the railway to the addressee and other designated guard and patrol areas, ensuring the rule of law, as well as preventing and suppressing offenses;
4. Management of the activities of combat units of the patrol service of internal affairs bodies is an administrative activity carried out by authorized state bodies and officials to ensure the activities of combat units of the patrol service to protect public order and ensure security through legal, organizational, tactical, methodological, logistical and personnel support.
5. Features of the experience of foreign countries in managing the activities of combat units of the patrol service are expressed in: *firstly*, the use of modern software that serves to effectively organize and manage the activities of combat units of the patrol service; *secondly*, the widespread involvement of modern communication and computer technologies, technical means, devices, auto and motorcycle vehicles of the new generation in the activities of combat units of the patrol service and their management system; *thirdly*, the introduction of models that make it possible to systematically organize and manage work, taking into account the specifics of each administrative-territorial unit, a certain period of service, a certain direction and post of service.

II. Practical proposals and recommendations for improving the management of the activities of combat units of the patrol service of internal affairs bodies:

1. Taking into account the fact that the activities of combat units of the patrol service are not organized at the district (city) level, the main focus in the activities of (senior) prevention inspectors is on crime prevention, it is necessary to organize and create a legal basis for the activities of combat units of the patrol service engaged in maintaining public order and ensuring

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security in public places and in special conditions at the district (city) level on a contractual legal basis by resolution of the district (city) mayor

2. In order to expand the service area of patrol units, create the ability for them to control a relatively large territory in a short time, and effectively organize service in areas with limited or inconvenient traffic conditions for auto patrol units, it is necessary to introduce patrolling on modern scooters and special bicycles throughout the republic, organize separate motorcycle and bicycle patrol units in the system and create a legal basis for their activities.
3. It is advisable, taking into account the specifics of the administrative territory, including geographical location, population, socio-economic development, the presence of objects of a separate category, crime indicators, to create certain models and diagnostic software systems that make it possible to effectively distribute forces and means, their maneuvering, in particular, forecasting crimes and misdemeanors while identifying places that require additional patrol forces.
4. It is advisable to create centers that provide promptly and currently necessary legal advice to combat units of patrol services through social networks.
5. In order to improve the material and technical foundations of managing combat units of the patrol service of internal affairs bodies: it is proposed to revise, based on modern requirements, the equipment (equipment) that should be worn by combat units of the patrol service when serving in everyday conditions, to make it compact and make the necessary additions by providing easy-to-carry, lightweight and effective products; take measures to transfer the combat units of the patrol service from the system of providing mass-produced vehicles, and then re-adapted for service to the supply system of vehicles, motorcycles and bicycles, developed on the basis of special orders, equipped with the necessary equipment; It is advisable to implement systemic measures aimed at introducing modern technical means of the new generation into the activities of combat units of the patrol service, in particular "smart" glasses, special drones, police robots designed for use in security and patrolling, as well as special tablets connected to database.
6. Systematic and consistent measures aimed at providing the system of combat units of the patrol services of the internal affairs bodies with professional personnel with high spiritual and moral qualities and responsibility are proposed to be carried out in the following areas:

when selecting candidates for training specialists for the positions of sergeants and officers of patrol services in educational institutions of the Ministry of Internal Affairs of the Republic of Uzbekistan, develop criteria for issuing benefits to candidates who have worked for many years in ordinary positions in this field, have proven themselves on the positive side, and have a high level of knowledge of foreign languages, winners of international and republican Olympiads and those who received state awards; include a competition in information technology and foreign language in specialized professional selection; introduce a system for training officers on a full-time basis at the Academy of the Ministry of Internal Affairs in the specialty "Activities for the protection of public order and ensuring security."

III. Proposals and recommendations for improving legislation aimed at improving the legal framework for managing the activities of combat units of the patrol service of internal affairs bodies, eliminating the legal gaps existing in them:

1. In order to eliminate legal gaps, inaccuracies and contradictions in the field of ensuring the protection of public order and security, as well as bringing legal norms in this area into a single system within the framework of the law, it is advisable to adopt the Law of the Republic of Uzbekistan "On the protection of public order and ensuring the safety of citizens."

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2. It is proposed to make the following changes and additions to the “Regulations on combat units of the patrol service of internal affairs bodies”, approved by Order of the Ministry of Internal Affairs of the Republic of Uzbekistan No. 111 dated April 18, 2018:

a) paragraph one of paragraph 1 “Regulations on combat units of the patrol service of internal affairs bodies”, to read as follows:

“Patrol and guard service is service in certain forms and methods by employees of internal affairs bodies and military personnel to protect public order and ensure security, administrative and legal protection of the interests of the individual, society and the state from any criminal and administrative attacks on the streets and in public places, when monitoring protected products, on passenger trains and other designated places.”

b) add clause 1 “Regulations on combat units patrol guard service of the internal affairs bodies” with the following paragraph:

combat units of the patrol service - structural

divisions of internal affairs bodies that carry out the tasks assigned to them by law to protect public order, protect the rights, freedoms and legitimate interests of citizens, the property of individuals and legal entities on the street and public places, transport facilities, passenger trains and when escorting a person taken through the railway for the protection of products to the addressee and in other designated guard and patrol areas, ensuring the rule of law, as well as preventing and suppressing offenses;

c) add clause 1 “Regulations on combat units patrol guard service of the internal affairs bodies” with the following paragraph:

“Public order is a system of social relations that arises and develops mainly in public places, aimed at ensuring the personal safety of citizens, the majority (the masses), creating favorable conditions for the normal activities of individuals and legal entities, their work and rest in the territory, as well as respect for their dignity, honor, as well as social and moral norms by observing the current law and social (moral) norms.”

d) state the second paragraph of paragraph 48 “Regulations on combat units of the patrol service of the internal affairs bodies” as follows:

The patrol performs the duties assigned to it on patrol routes on foot, by car, motorcycle, bicycle and service horse

e) state paragraph three of paragraph 48 “Regulations on combat units of the patrol service of the internal affairs bodies” as follows:

Typically, patrol route lengths are 1–1.5 km for foot patrols, 6–8 km for vehicle patrols, 3–5 km for motorized patrols, 2–3 km for bicycle patrols and mounted patrols. If necessary, the patrol distance can be increased or decreased.

f) add paragraph 85 “Regulations on combat units patrol guard service of the internal affairs bodies” in paragraphs fourteen and fifteen as follows:

“first aid kit; chalk or various paints, posters with signs or words requiring or prohibiting certain behavior, plastic tape restricting traffic at the scene, etc.”

g) set out the first paragraph of paragraph 137 “Regulations on combat units of the patrol service of the internal affairs bodies” as follows:

When individually assessing a squad (employee) of a patrol service, the indicators of his work are taken into account, including activity in ensuring law and order in the assigned territory, the

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prevention of crimes and administrative offenses, the degree of study, the study of the causes, conditions and factors of their commission, as well as taking measures to their elimination, compliance with discipline and legality during service, personal, business and other qualities, as well as public opinion.

h) add "Regulations on combat patrol units services of internal affairs bodies" with a new paragraph in the following wording:

Peculiarities of serving as patrol officers on motorcycles and bicycles

Motorcycle and bicycle patrols are designed to carry out measures to carry out patrols in designated areas, protect public order and ensure security, prevent, identify and eliminate crimes, pursue criminals, promptly arrive with high mobility at their destination and organize mobile barriers and fencing.

Motorcycle and bicycle patrols are carried out in accordance with the location of patrol directions (posts) approved by the Minister of Internal Affairs of the Republic of Karakalpakstan, the heads of the Tashkent city police department and the Tashkent region police department and regional police departments on central streets, crowded places, areas restricting traffic, including narrow streets, recreation areas, markets, parks and squares, assigned areas and directions.

Patrol motorcycles and bicycles must be equipped with a radio, tablet and other technical means.

The order of movement of motorcycles and bicycles in the patrol direction is determined based on the assigned tasks, situation, season and time of day, as well as instructions from authorized leaders.

In places of unstable operational conditions, in which there is a high probability of committing criminal and administrative offenses, stopping points are assigned, and at each point specific tasks are assigned, the time and duration of foot service, as well as the sequence of transition from one point to another, and the time of communication with the duty unit.

The senior motorcycle and bicycle patrol squad is considered responsible for unconditional compliance with the established procedure for performing duty, assigned tasks, the procedure for using vehicles and other technical means, as well as other safety measures.

The motorcycle and bicycle patrol carries out surveillance while driving and is obliged to stop when identifying cases that infringe on public order, including when identifying criminal and administrative offenses, in order to take measures to prevent and suppress them.

Motorcycle and bicycle patrols serve at stopping points for at least thirty minutes and no more than an hour.

Motorcycle and bicycle patrols must move in the designated direction in a group consisting of two squads at a speed convenient for observation, not exceeding 40 km/h on motorcycles; at night, motorcycle and bicycle patrols must be illuminated with blue and red colored flashing lights.

While serving on motorcycle and bicycle patrol, the following is prohibited:

transportation of offenders, unauthorized persons and cargo; leaving a motorcycle or bicycle unattended and without taking precautions to prevent its theft; violation of traffic rules; unauthorized departure from the established patrol direction and change in the order of service provided for by these Regulations, with the exception of the cases provided for in paragraph 76; transferring control of motorcycles and bicycles to another person.

3. Supplement paragraph 10 of the "Instructions for maintaining public order and ensuring public safety on the territory of markets and trade fairs", approved by Order No. 91 of the Ministry of Internal Affairs of the Republic of Uzbekistan dated May 31, 2017, with the eleventh paragraph and state it as follows:

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Employees of the patrol service of the internal affairs bodies involved in service on the territory of markets and trade fairs must have the items provided for in paragraph 85 "Regulations on combat units of the patrol service of the internal affairs bodies."

4. Add paragraph 44 of the Regulations "On the procedure for admission to the Faculty of Professional Training of the Academy of the Ministry of Internal Affairs of the Republic of Uzbekistan", approved by order of the Ministry of Internal Affairs of the Republic of Uzbekistan No. 207 dated April 18, 2018, with the second paragraph in the following wording:

Employees who have served for many years in the field of patrol service (at least three years) in an ordinary position, who have made a worthy contribution to the protection of public order, security, crime prevention, on the recommendation of the head of the Main Directorate of Patrol Service and Public Order Protection of the Ministry of Internal Affairs of the Republic of Uzbekistan, as well as candidates who are winners at international and republican science Olympiads, candidates who have received state awards are given a preferential point in the amount of 20 percent of the total score obtained during the assessment of professional and psychological suitability and the final individual interview.

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