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**ORGANIZATIONAL-LEGAL AND TACTICAL FUNDAMENTALS OF
POLICE ACTIVITY ON PROTECTION OF PUBLIC ORDER
AND PUBLIC SAFETY**

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Author's generalizations and analysis of organizational and tactical fundamentals of police activity on protection of public order and public safety are represented in the article.

Noted, that the latency of administrative offences is more widespread than the latency of crimes.

Here is argued that, despite the fact that the forces and means of internal affairs bodies are part of the operational environment, that is, influence on the choice of the way of the police actions, coordination of its tactical activity is necessary.

Keywords: public safety, public order, the police, police activity, organization of protection public order and safety, tactics of protection public order and safety, administrative-legal support.

The National Security Strategy of the Russian Federation until 2020 as the main directions of the state policy has defined strengthening the role of the state as a guarantor of security of a person, as well as improving of normative legal regulation of prevention and combat crime, corruption and extremism [3].

The concept of long-term socio-economic development of the Russian Federation establishes in the field of public order and combating crime the following

priorities: reducing crime; increase of public safety and protection of critical facilities; ensuring equal protection of the rights of ownership of real estate [5].

The conceptual ideas of the State program of the Russian Federation “Ensuring of Public Order and Combating Crime” are improving the quality and effectiveness of crime counteraction, protection of public order, property, ensuring of public safety and road safety, as well as the credibility of the internal affairs bodies of the Russian Federation by the population [6].

The main tasks of the Ministry of Internal Affairs of Russia are established by the Provision on the Ministry of Internal Affairs of the Russian Federation approved by the Presidential Decree No. 248 from March 1, 2011 [4]. The base element of the system for ensuring public order and combat crime is the police. The main priorities of its activities are formulated in the Federal Law No. 3-FL from February 7, 2011 “On the Police” [2].

In the course of the reform of the internal affairs bodies as one of the key objectives of law enforcement activity has been formulated the protection of honor, dignity, rights and freedoms of a man and citizen. Exactly this is stated in parts 1 and 2 article 1 of the Law on the Police: “...police is intended to protect the life, health, rights and freedoms of the citizens of the Russian Federation, foreign nationals, stateless persons (hereinafter also referred to as the citizens; persons), to combat crime, protect public order, property, and to ensure public safety. Police immediately comes to the rescue of anyone who is in need of its protection from criminal and other unlawful infringements.

Said thesis, which is laid into basis of law enforcement activity of internal affairs bodies of the Russian Federation, crowns the change of priorities of this activity – from the protection of state interests to the protection of interests of a man and citizen, its rights and freedoms, property and ownership. In this regard, the police should develop and implement measures provided for by laws and other normative legal acts that are aimed at bringing public relations associated with life, health, honor, dignity, rights and freedoms of people into the state of protection from socially harmful, and socially dangerous deeds and consequences thereof [11, 40-43].

Defining the essence of the police in its mission, the legislator does not disclose the content of the definitions of “public order” and “public safety”. Paying attention to the breadth and diversity of these categories, it should be acknowledged that at present there is no unity in understanding these definitions, their subject composition and main institutes.

With taking into account the contained in the Strategy definition of national security as “a state of protection of an individual, society and the state from internal

and external threats, which allows ensuring of constitutional rights, freedom, decent quality and standard of living of citizens, sovereignty, territorial integrity and sustainable development of the Russian Federation, defense and security of the state" [3], as well as such types of safety enshrined in the Federal Law of 2010 "On Security" [1] as military security, the security of the State, public safety, environmental safety and other types of safety provided for by the legislation of the Russian Federation, we believe appropriate to highlight some of the components of the category of public safety.

First of all, it is the main objects of public safety, including:

- personality: its rights and freedoms, its vital interests, the satisfaction of which ensures the existence and the possibility of progressive development of an individual in society;
- society: its material and spiritual values, which ensure social and public stability;
- a wide range of the sources of threats to public safety, including ones identified in the National Security Strategy.

All this allows us to characterize public safety in modern conditions as the state of protection of the essential interests, security of a person, society from internal and external threats, which ensures the realization of human rights, decent quality of life of citizens, the development of the spiritual values of society, social and public stability [7, 44-47].

Study of legal literature shows that it is possible to distinguish the following common positions of scientists concerning the essence and content of public order, it:

1. is conditioned by the current system of public relations in the society;
2. includes all the relation established in society under the influence of social norms;
3. is the object of the impact of the entire political system;
4. must ensure the strengthening and development of the state and social structure, inviolability of person, protection of life and health of citizens, inviolability of property.

Thus, it seems possible to determine public order as an important element of the legal framework of the life of citizens, which includes a system of public relations that arises and develops in the process of communication of its participants predominantly in public places, and is regulated by legal and other social norms, compliance of which ensures personal and public safety of people, environment of peace, coherence and eurhythmy of public life [10, 54].

Despite the measures taken today, the state of the public order and safety in Russia is not satisfactory. First, most of the offences committed in public places either directly or indirectly encroaches on public order, personal security of citizens. Secondly, statistics shows that tens of millions of citizens are brought to administrative responsibility in Russia. However, it should be borne in mind that the latency of administrative offenses is more widespread than the latency of crimes. Therefore, official statistics shows largely the amount of work done by law enforcement agencies, but not the number of actually committed administrative offenses. Thirdly, legal, economic and social reforms in the country have led to a situation in which emerged a sharp increase in the number of persons of no fixed abode and employment. Today this kind of person has become not only a part of the social landscape of the country, but also has increased the threat to public order, public safety and personal security of citizens.

These factors make the study of organizational and tactical foundations for the police activity to protect public order, property and to ensure public safety relevant and in demand both in theory and practice.

Tactics for protection of public order (in the narrow sense) – it is a choice within its competence and implementation by the subject carrying out protection of public order, on the basis of theoretical and practical knowledge, of the most appropriate in a particular situation lawful way (method) of actions aimed at preventing and suppression offenses mainly in public places with the use of means permitted by law.

In its broad understanding the tactics for protection of public order can be considered as a tactical way of protecting public order. This is a continuous subordinated to strategic (political) guidelines activity of the State to determine (elaborate, choose) and implement in practice the based on scientific knowledge and analysis of operational environment most appropriate forms and methods, techniques and ways of direct protection of public order at the maximum full use of capabilities of force and means of internal affairs bodies, other competent bodies, public associations and citizens [14, 13].

The tactics for protection of public order is aimed not only at detecting, suppressing (revealing, investigation, etc.) of offences in the field of public order protection, but above all at its maintenance and strengthening, the prevention of offences. Such focus of law enforcement activity in the mentioned area is both a feature and the “principle of the tactics for protection of public order”. Identifying and addressing the causes (conditions) of offences, as well as

conducting of various activities with a view to their prevention, constitute a relatively independent section of forensic, investigative and administrative-tactical activity.

The choice of tactic is affected by the presence of different circumstances. The totality of elements, conditions and factors affecting the activity of internal affairs bodies was called “operational environment”, which actually includes all the diversity of exactly those aspects of objective reality, which are considered and evaluated during the organization of activity of internal affairs bodies [8, 6].

In the field of public order protection and combating crime the operational environment consists of such elements (parts) as the area of functioning of internal affairs bodies; state of public order and crime; forces and means of internal affairs bodies; performance of internal affairs bodies concerning the protection of public order and the fight against crime.

Specific feature of the tactics for protection of public order is the availability of a wide range of forces and means involved in its implementation. The special literature distinguishes basic, additional and attached forces [12, 25].

Should also be noted that the forces and means of internal affairs bodies, on the one hand, are part of the operational environment, i.e., affect the choice of mode of action, and on the other hand, require management. So, for example, according to the plan of complex use of forces and means (single dislocation), every day they carry out the arrangement of squads and posts in view of the operational environment, and in the process of service they carry out coordination (management) of their actions.

In order to optimize the choice of courses of action in internal affairs bodies develop model plans that are meant for frequently repeated situations. In conditions of the shortage of time and information their use allows to act tactically correct. However, it is just not real to foresee all the situations, and all the more to develop model plans for them. In each specific case, in addressing emerging challenges, it is necessary to find a proper tactical decision, at that, perhaps, just one correct. Therefore, the choice of the best course of action and its execution is of creative nature.

In practical activity, staff of internal affairs bodies is in constant contact with the changing environment and must make decisions taking into account the specific conditions and situations, relying not only on scientific knowledge, but also on their own experience and intuition. Creative search for optimal solutions gives the tactical decisions some characteristic features of art. In military affairs the tactic in the first place is regarded as art (Greek *taktika* – an art of troops formation, a part

of the military art, as well as the art of preparation for and conduct of combat) [13, 628; 9, 643].

On the basis of the provisions of the above conceptual documents and normative legal acts, internal affairs bodies (police) will have to:

- focus their efforts on top-priority solving the tasks of protection of public order, property and ensuring public safety, including during the preparation period and conduct of major international and mass sports events (XXII Olympic Winter Games, XI Paralympic Winter Games, World Championships in Aquatics 2015, Ice Hockey World Championship 2016 and FIFA World Cup 2018);
- take measures to improve the responsiveness of forces and means involved in the system of single dislocation regarding the changes in the state of the operational environment, strengthen the control over the compliance with mandatory norms of arranging squads involved in the system of single dislocation, and their compliance with the established order of service;
- make better use of automated software system "Safe City" ("Bezopasnyi gorod"), information and telecommunication technologies, unified system of navigation and information support for monitoring and controlling the forces and means with use of satellite navigation equipment GLONASS or GLONASS / GPS.

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