

INVESTIGATION OFFICER IN CLEAR TERMS

An investigation officer is an official who conducts the preliminary investigation of a criminal case

How do they do this?

- conducting the witness's interrogation
- assigning expert examinations
- confirming individuals as victims
- arresting suspects
- filing charges

2
months

are given to the investigation officer to conduct a good and comprehensive investigation of a criminal case, in order to have a guilty verdict delivered at the court hearing. This deadline can be extended, but ideally, an investigation officer needs to do everything within two months.

What influences the work of an investigation officer

PERFECT STATE
100%

The system of evaluation of investigation officers' work gives them an incentive to reach 100 per cent.

- 100% correctly filed criminal cases
- 100% justified arrests and detentions
- 100% cases passed to the court
- 100% convictions

REALITY
~55% =

Generally, just over half of all crimes are solved in Russia.

The aim of an investigation is to transform 100 per cent of 'raw material' (filed criminal cases) into as much 'product' (solved cases) as possible.

Statistical data as a key to understanding

A crime detection rate of 100 per cent is impossible – it is against any notion of common sense. However, the investigators are forced to strive for this unrealistic target, often forgetting to perform their investigation activities in a correct fashion.



Cold cases (from the Russian *glukhar*, a woodcock), also known as 'dark cases' or 'object cases' are unsolved cases.

The higher the number of such cases, the lower the crime detection rate.

Striving for high numbers, investigators often have to sacrifice the quality of their investigation. As a result, any inspection would find flaws in the work of a division or a particular officer. This means that, in the event of 'low results' (too few cases), the whole team can be punished. Similarly, when there is a large number of detected crimes, a particular investigation officer can be penalised after a thorough assessment of a single case.

THERE ARE DIFFERENT KINDS OF INVESTIGATION OFFICERS



Recently this service has been subordinated to the Ministry of Internal Affairs (as for April, 2016).

Investigation officers of the Federal Drug Control Service (FSKN)

They investigate the crimes related to illegal drug use, including those committed by organized groups of individuals.



Investigation officers of the Ministry of Internal Affairs

Contrary to the existing stereotypes associated with Russia as a patriarchal country, numerous female officers work within law enforcement bodies. 71 per cent of police investigation officers are women. They work at the crime scene together with other members of an investigation unit.

Please note that any investigation officer present at the crime scene wouldn't necessarily continue working on the case as it progresses. While conducting an investigation, they will rely on papers compiled by their colleagues, including non-investigating personnel.



Investigation officers of the Federal Security Service (FSB)

They investigate espionage, terrorism and treason cases.

If you deal with the investigating officers of FSB, it is better to seek a lawyer who specializes in court defence in FSB-related cases; such cases and their proceedings require specific skills from the legal defender.



Investigative Committee

The Investigative Committee conducts investigations of murder, rape, corruption-related crimes, crimes against minors and crimes against civil constitutional rights.

It is the Investigative Committee that investigates crimes committed by so-called 'special subjects', law enforcement personnel and state administration officials.



Citizens' expectations

The Rule of Law

Respect for civil rights, guaranteed release in the case of an investigative error, acquittal of the innocent party.

Efficiency

Prompt work of the investigative officer, no necessity to meet them often (ideally, submitting a claim, explaining the situation, receiving stolen property that has been found, observing the guilty party to be convicted).

Quality

Careful and detailed consideration of the arguments from both sides, identifying the guilty party.



Reality

The system evaluates the efficiency, quality and the sufficiency in law of investigators' work through the system of formal criteria.

The Rule of Law

Changes to a previous decision are seen as a disregard for the rule of law. It is considered 'bad' if an arrested person has to be released or a suspect is acquitted. As a result, an investigation officer faces a dilemma regarding their actions when an individual might be guilty. Is it better not to arrest them (thereby risking a new crime) or to arrest them and then put all effort into their conviction? **This interpretation of 'the rule of law' destroys the impetus to admit any errors.**

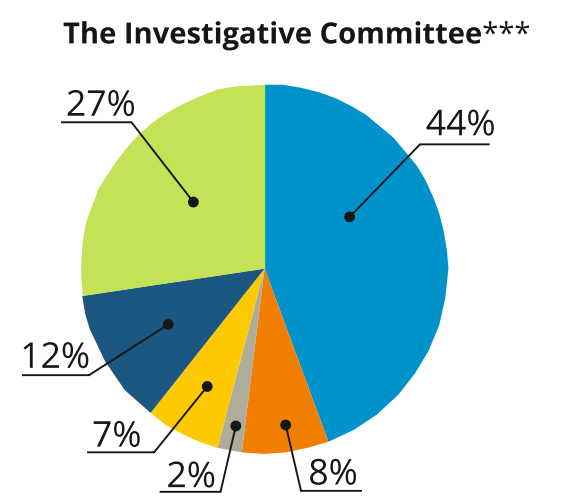
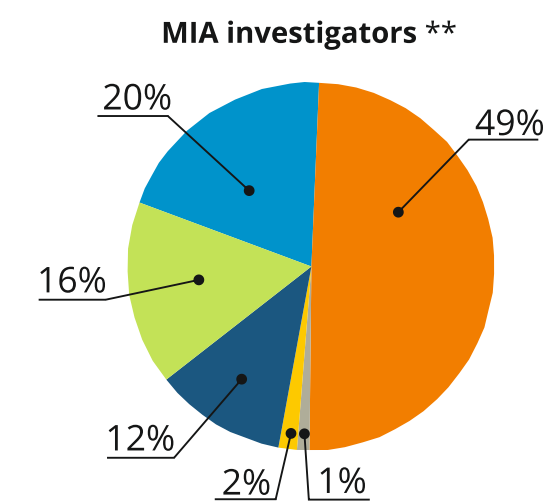
Efficiency

A high percentage of cases where the investigation is completed. Minimal percentage of 'suspended' cases (cold cases). As a result, the system is leaning towards selecting 'easy', quickly detected crimes and achieving the admission of guilt. **It is most important that a sufficient number of cases are directed to the court.**

Quality

The notion of quality is also based on formal criteria. It is seen as a 'negative outcome' when there are 'disturbances' in the process leading to a conviction. It is considered bad if the filing of a criminal case is revoked; if either the prosecutor or the judge returns the case for additional investigation; if the investigation takes a long time. **The worst case scenario is a non-guilty verdict.**

Statistical data on investigations in Russia in 2014*



- Cases directed to the court
- Cases returned for additional investigation by the court or the prosecutor
- Cases postponed to the following year
- Suspended cases
- Ceased criminal proceedings
- Another decision

* Statistical data from 2014. The numbers of cases in process are taken as 100 per cent.

** Some of the criminal cases in process are merged and directed to the court as a single case. This means that in reality many more cases reach the court.

*** The investigators affiliated with the Investigative Committee seldom face unsolved cases because on the one hand, violence-related offences are more often solved, while on the other hand, the Committee files many cases where the suspect is immediately obvious.

In the course of an investigation, 942 suspects were found innocent by the MIA investigators and 625 suspects by the IC investigation officers. In court, 378 people were acquitted in MIA-investigated cases with 446 acquittals in IC-investigated cases.

Lawyers

When dealing with the law enforcement system, it is important to rely on professional legal assistance. It is recommended to exercise caution when communicating with lawyers offered by the investigation officer.

The loyalty of such lawyers tends to be towards the law enforcement agencies. Even in cases where no direct agreement with the investigation has taken place, a guilty verdict can often be the result.

Our project cooperates with Russian organizations providing help for both victims and suspects in their interactions with the law enforcement system. You can find their contact details on this poster. We will forward personal enquiries to them.

If you need help/want to help others to protect their rights, contact them:



'Team 29', an informal association of legal experts and journalists
Website: team29.org
info@team29.org



'Agora', an interregional association of human rights' organisations
Website: openinform.ru
agora-club@yandex.ru



Jailed Russia Foundation
Website: zekovnet.ru
rus.anketi@gmail.com



Public Verdict Foundation
Website: www.publicverdict.org
info@publicverdict.org

The 'Open Police' web portal is being created in order to monitor the transparency and openness of law enforcement bodies and the police force in particular.



More information on our site openpolice.ru



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