

DOI: <https://doi.org/10.32353/khrife.1.2019.06>  
UDC343.98

**O. Bululukov,**

PhD in Law, Associate Professor at the Department of  
Criminalistics of Yaroslav Mudryi National Law University,  
Kharkiv, Ukraine

ORCID: <https://orcid.org/0000-0003-1598-0542>

E-mail: [oblehrer@gmail.com](mailto:oblehrer@gmail.com)

## **BACKGROUND TO TACTICAL DECISIONS IN CRIMINALISTICS**

*The main factors are considered, the appearance and existence of which is the information basis for the emergence of tactical decisions in criminalists. It is noted that these issues in the forensic literature are considered fragmentarily.*

*Purpose. The purpose of this article is to identify and disclose the factors that influenced the occurrence of tactical decisions in criminalists.*

*When considering the history of tactical decisions in criminalists, analysis and synthesis methods were used.*

*The article focuses on the clarification of information sources (factors) that contributed to the emergence of a new concept in criminalists and criminalistics tactics. It is noted that these factors, in relation to the emergence of the concept of tactical decision in criminalists, are of a general and private nature. These factors are divided into two groups that are associated: 1) with the emergence and development of decision theory; 2) with the emergence and development of criminalistics tactics and its means. Interest in the study of decision-making problems was caused by the development of society, the increase in industrial production and the emergence of large enterprises. The need to perform complex tasks contributed to the scientific search for ways to solve them. When considering the first group of factors, attention is focused on works related to the study of probability theory and mathematical statistics, as well as game theory. Particular attention is paid to the work of Y. Kozeletsky, «Psychological Theory of Decision Making». The consideration of the second group of factors related to the development of criminalistics tactics and its means was carried out by analyzing literary sources from the beginning of the 19th century. Particular attention is paid to the works of Y. I. Barshev and an analysis of their contents is made, regarding the tactics of investigative actions. The conclusions of the article focus on the fact that the development of criminalistics tactics is carried out by developing new tools and improving existing ones. The article concludes about the decisive role of decision theory and criminalistics tactics in the formation of the concept of tactical decision.*

*Keywords: criminalistics tactics; tactical decision; decision theory; criminal offense.*

**Formulation of Research Problem.** A tactical decision in forensic science involves the use of tactical means in the investigation of criminal offenses. The use of forensic tactics in the investigation is conditioned by the behavioral factor of persons interested in concealing information about the offense from the investigation. The use of forensic tactics in the

investigation is conditioned by the behavioral factor of persons interested in concealing information about the offense from the investigation. The choice of forensic tactics, determining the time and place of their use, sequence and intensity is made by making tactical decisions.

Tactical decisions are a variety of decisions that people make. It cannot be said that these decisions can only be used in the investigation of offenses. They are used in the science of management<sup>1</sup>, and in game situations, and in other cases related to human activity. However, tactical decisions in the investigation of criminal offenses have some specificity, which is determined by the scope of their use. Regulation of the said sphere by criminal procedural law fills the said decisions with special content peculiar only to them. A number of factors contributed to the emergence of the concept of «tactical decision» and its introduction into the terminological apparatus of forensic tactics. To date, this issue, while considering tactical solutions in forensics, has been investigated only fragmentarily. At the same time, leaving aside the background of the emergence of tactical decisions in forensics, does not allow to carry out a full study of their theoretical foundations.

**Analysis of recent researches and publications.** Consideration of some issues related to the prehistory of the emergence of tactical decisions in forensics, we find in the works of R. S. Belkin<sup>2</sup>, V. M. Bykov,

<sup>1</sup> Kuz'mina L. P. Razvitie teorii prinjatija reshenij v menedzhmente [Development of the theory of decision making in management]. Vestnik Kazanskogo jenergeticheskogo universiteta, 2009. №2. S. 53 [in Russian].

<sup>2</sup> Belkin R. S. Kurs sovetskoj kriminalistiki [The course of Soviet forensics]: v 3 t. T. 3. Kriminalisticheskie sredstva, priemy i rekomendacii. Moskva : Akad. MVD SSSR, 1979. S. 91; Belkin R. S. Kriminalistika: problemy, tendencii, perspektivy. Ot teorii – k praktike [forensics: problems, trends, prospects. From theory to practice]. Moskva : Jurid. lit., 1988. S. 104–136; Belkin R. S. Kriminalistika: problemy segodnjashnego dnja. Zlobodnevnnye voprosy rossijskoj kriminalistiki [Forensics: the problems of today. Topical issues of Russian forensics]. Moskva : NORMA, 2001. S. 160–162; Belkin R. S. Kriminalisticheskaja jenciklopedija [Criminalistic Encyclopedia]. Moskva : Megatron HHI, 2000. 2-e izd. dop. S. 219; Belkin R. S. Kurs kriminalistiki: v 3 t. T. 3 Kriminalisticheskie sredstva, priemy i rekomendacii [Forensic tools, techniques and recommendations]. Moskva : Jurist, 1997. S. 156–201; Bykov V. M. Takticheskoe reshenie sledovatelja. Ugolovno-pravovye i processual'nye garantii zashhity konstitucionnyh prav grazhdan [Tactical decision of the investigator. Criminal law and procedural guarantees for the protection of constitutional rights of citizens]. Kalinin, 1980. S. 114; Golovin A. Ju. Kriminalisticheskaja sistematika [Forensic taxonomy]. Moskva : Lekstest, 2002. S. 253; Dulov A. V., Novik Ju. V. Ponjatie i struktura takticheskogo reshenija, primimaemogo sledovatelem pri proizvodstve sledstvennogo dejstva [The concept and structure of a tactical decision made by an investigator during an investigative action]. Teoreticheskie

O. Yu. Golovin, A. V Dulov, Yu. I. Novik, S. I. Tsvetkova, S. Yu. Yakushin and others. These scientists have highlighted various aspects of tactical decisions, supplementing scientific knowledge with new data on the object under research.

The **Article Purpose** is to identify and uncover the factors that influenced the emergence of tactical solutions in forensics, the realization of which is achieved through the analysis and synthesis of scientific works and other literary sources on this subject.

**Main Content Presentation.** The prehistory of the emergence of tactical decisions in forensic science is associated with the existence of a number of factors that contributed to the emergence of a new concept in forensic science and forensic tactics. These factors are inherent in the general and distinct character in relation to the emergence of the concept of a tactical decision in forensics. Let's consider them in more detail.

Factors that contributed to the emergence of tactical decisions in forensic theory are related to: 1) with the emergence and development of the general theory of decision making; 2) with the origin and development of forensic tactics and their tactics.

Let's consider the first group of factors related to the emergence and development of decision theory. Due to the fact that this information is represented by a large number of scientific works, we will limit ourselves only to the main ones that are of conceptual importance in the development of decision theory.

The term decision theory was introduced into the scientific circulation by E. L. Lehmann in 1950, but some aspects of the theory began to form much earlier, even in the middle of the seventeenth century.

Probability theory and mathematical statistics are considered to be

---

problemy kriminalisticheskoy taktiki. Sverdlovsk, 1981. S. 47; *Novik Ju. I.* Nauchnye osnovy prinjatija takticheskij reshenij pri proizvodstve sledstvennyh dejstvij [Scientific basis for the adoption of tactical decisions in the production of investigative actions]: avtoref. dis. ... kand. jurid. nauk. Minsk, 1979, S. 3–20; *Cvetkov S. I.* Sostojanie i perspektivy ispol'zovanija dannyh nauki upravlenija v kriminalistike [State and Prospects of Using the Data of the Science of Management in Criminalistics]: avtoref. dis. ... kand. jurid. nauk. Moskva, 1977. S. 8–9; *Cvetkov S. I.* Kriminalisticheskaja teorija prinjatija takticheskij reshenij [Forensic theory of tactical decision making] : avtoref. dis. ... d-ra jurid. nauk. Moskva, 1992. 41 s. URL: <https://mydisser.com/ru/catalog/view/6/349/9027.html> (data zvernennja 05.09.2019); *Jakushin S. Ju.* Takticheskie reshenija sledovatelja i sredstva ih realizacii pri rassledovanii prestuplenij: ishodnye polozenija chastnoj kriminalisticheskoy teorii [Tactical decisions of the investigator and means of their implementation in the investigation of crimes: initial provisions of a private forensic theory]. Uchenye zapiski Kazanskogo gos. un-ta, 2008. T. 150. Kn. 5. S. 240 [in Russian].

the basis of this theory. It is to the study of these areas of knowledge turned to the French mathematicians B. Pascal and P. Fermat, exploring the mathematical model of the probability of consequences in gambling (games of dice and roulette)<sup>1</sup>. At about the same time the works of H. Huygens, Ya. Bernoulli, A. de Moivre, P.-S. Laplace, K. F. Gauss, and S. D. Poisson, who were also concerned with the probabilities of a certain outcome in decision making<sup>2</sup>.

On the basis of developments in the field of probability theory, scientific works on mathematical statistics began to appear. Johann Carl Friedrich Gauss was the first among mathematicians who in 1795, investigated and substantiated the least-squares method that was used to process astronomical data. significant contributions to mathematical statistics have been made by such scientists as: K. Pearson, R. Fisher, A. M. Kolmogorov, M. V Smirnov, A. Wald<sup>3</sup>.

Interest in the study of decision-making was caused by the development of society, the growth of production and the emergence of large enterprises that need effective management. The need to solve complex and multilevel problems contributed to the scientific search for ways to their solving.

In the first half of the twentieth century, mathematical methods of decision-making were further developed in the works of American scientists J. von Neumann and O. Morgenstern. In 1944 they prepared the *Game Theory and Economic Behavior* monograph which outlined the basic provisions of mathematical game theory and laid the foundations of the theory of economic behavior<sup>4</sup>.

With regard to decision-making, this game theory implies a description of the optimal decision making processes. At the same time, in the situation of uncertainty and the existing conflict between the opposing parties, the focus is always on the decisions made by the conscious and purposeful.

Developments in decision making theory that were just beginning to be put into practice were used during World War II. The experience gained has shown the effectiveness of the scientific approach in making decisions of all kinds. Thus, during the war in England, a team of scientists at the scientific level addressed the issue of optimal placement of

---

<sup>1</sup> Kostikova A. V. Istoricheskie aspekty razvitiya teorii prinjatija reshenij [Historical aspects of the development of decision theory]. *Filosofija nauki*. 2012. №4 (55). S. 88 [in Russian].

<sup>2</sup> Ibidem.

<sup>3</sup> Ibidem.

<sup>4</sup> Kostikova A. V. Zaznach. pracja. S. 89. [in Ukrainian].

civilian defense objects, firing positions, optimization of the depth of detonation of anti-submarine bombs and convoys of transport caravans at the seaside<sup>1</sup>. After the war, scientists analyzed the losses and lost opportunities due to making the wrong decisions. It should be noted that scientific research at that time led to the creation of a formal basis for decision theory. As a result of a scientific search, independent scientific fields have emerged, now known as *operation research* and *cybernetics*<sup>2</sup>.

This theory of games until the early 50's of the twentieth century remained a formal theory in mathematics, which mainly considered the economic models of development of production of material goods. However, as early as the 1950s, methods of game theory began to be applied not only in economics, but also in biology, cybernetics, and technology.

The main prerequisites for the formation of elements of decision theory, according to A.V. Kostikova, are the following: 1) increasing the complexity and cost of measures that promote the development of scientific methods that allow to evaluate in advance the results of each decision, to exclude inadmissible options in advance and recommend the most successful; 2) scientific and technological progress, rapid development of technology and technologies that facilitated the use of advanced mathematical apparatus in design; 3) reducing the time for decision making and increasing responsibility for its results, which facilitated the use of methods of analysis and evaluation of options for the development of the situation and the choice of the most effective option in the existing conditions<sup>3</sup>. The need to control the processes that took place in economics, politics and the social area contributed to the search and development of new approaches in decision making. Difficulties in solving problems, as well as the lack of the right to make mistakes when solving them, became an important argument for new research.

The origin and development of decision theory can be divided into stages. Apparently, the origins of decision theory can be traced back to the mid-seventeenth century. The first stage of development begins with Blaise Pascal's famous work, *Thoughts on Religion and Other Objects* (1670), in which the author describes the expected value of whether or not

---

<sup>1</sup> Litvak B. G. Razrabotka upravlencheskogo reshenija [Development of a managerial decision]. Moskva : Delo, 2003. S. 35 [in Russian].

<sup>2</sup> Krjuchkovskij V. V., Petrov Je. G., Sokolova N. A., Hodakov V. E. Vvedenie v normativnuju teoriju prinjatija reshenij. Metody i modeli [introduction to the normative theory of decision making. Methods and models] : monografija. Herson : Grin' D. S., 2013. S. 12 [in Russian].

<sup>3</sup> Kostikova A. V. Zaznach. pracja. S. 87 [in Ukrainian].

a person believes in God. This stage is characterized by a descriptive (descriptive) approach to decision making. Scientists of that time directed their efforts to determine the process of decision-making by man. Various methods were used in the research, among which psychology was preferred. The completion of the first stage can be attributed to the 40's of the twentieth century.

The second stage was characterized by regulatory approaches in decision making. These approaches consist in defining decision making situations and developing certain standards when adopting them to solve emerging problems. The beginning of the second stage of development of the theory of decision-making can be correlated with the preparation in 1944 of J. Neumann and O. Morgenstern monograph, referred to earlier.

In addition to this work, in 1948 published a book by the American scientist Norbert Wiener *Cybernetics, or Management and Communication in Animal and Machine*, which initiated new approaches to the management of various systems: technical, biological and social<sup>1</sup>.

It should be noted that theoretical advances in the development of systems analysis and cybernetics combined with the successes of the development of discrete computing and other tools have opened a wide perspective of automation of virtually all spheres of human activity<sup>2</sup>. At the same time, in practical use, the normative approach in decision theory in many cases did not allow to solve the problem. In our opinion, this phase ends in the mid-60s.

The third stage in the development of decision theory begins with the emergence of the concept of fuzzy set introduced by Lotfi Aliasker Zadeh in 1965 in the article *Fuzzy Sets* in the journal *Information and Control*, and continues to this day. L. Zadeh extended the classical notion of the set, assuming that the characteristic function of the set (called by Zadeh as membership function for the fuzzy set) can take any values in the interval  $[0, 1]$  and not just the values 0 or 1<sup>3</sup>. Deriving and formulating this concept has opened up new opportunities for effective decision-making in economy.

This stage is characterized by a systematic approach to decision making by a certain person. To make a decision, a person is instructed to

---

<sup>1</sup> Kuz'mina L. P. Zaznach. pracja. S. 52 [in Ukrainian].

<sup>2</sup> Krjuchkovskij V. V., Petrov Je. G., Sokolova N. A., Hodakov V. E. Zaznach. pracja. S. 12 [in Ukrainian].

<sup>3</sup> Vikipedija. URL : [https://ru.wikipedia.org/wiki/Нечеткое\\_множество](https://ru.wikipedia.org/wiki/Нечеткое_множество) (data zvernennja 05.06.2019) [in Ukrainian].

master certain methods and techniques of decision theory that can be used by him to solve the task<sup>1</sup>.

In this context, it is necessary to point out two more works that greatly expanded the knowledge of decision theory at the beginning of the third stage. This is the work of Yu. O. Tikhomirov's «Management Decision», which was published in 1972, and the work of Y. Kozeletsky, *Psychological Decision Theory* published in 1977 in Warsaw, and reprinted in 1979 by the *Progress* Editor.

Due to the fact that the decision-making of tactical decisions in criminalistics, while investigating the offenses has a psychological basis, we consider it expedient to consider the content of Y. Kozeletsky's work in more detail.

The value of this work lies in the author's study of decision-making psychology in the context of mathematical methods and means of acts of choosing the necessary decision. Thus, the main focus of the study is to consider issues related to the relevant epistemological, psychological and neurophysiological mechanisms of human activity. The author wrote the following about the content of the book: «In this work, I insist on the functional point of view, according to which a person is a system that seeks for a certain purpose, and at the same time is a system of knowing, which processes information about the world»<sup>2</sup>. Yu. Kozeletsky assesses the theory of making rational decisions and summarizes that a rational decision depends on the structure of the problem. The last clearly determine the optimal reaction (solution). To a large extent, this theory is a decision theory that lacks those who make those decisions<sup>3</sup>. However, the author, along with the consideration of methodological rationality performs the research on subjective rationality. Such approaches in the study are observed in the transition from *descriptive* questions of psychological decision theory to *normative*.

According to the author, the theory of rational decisions has had an important influence on the development of psychological studies of decision making processes. While performing such research, psychologists tried to answer the following descriptive questions: how do people actually make the choice? How do they actually solve the tasks that require decision-making? Does their behavior satisfy the elementary tenets

---

<sup>1</sup> Kostikova A. V. Zaznach. pracja. S. 87–88 [in Ukrainian].

<sup>2</sup> Kozeleckij Ju. Psihologicheskaja teorija reshenij [Psychological decision theory]. (Perevod s. polsk. G. E. Minca i V. N. Porusa). Moskva : Progress, 1979. S. 31–32 [in Russian].

<sup>3</sup> Papers mentioned above.

of methodological rationality<sup>1</sup>? The so-called «subjective factor» containing idea of the task, is considered in sufficient detail by the author.

It is this factor that is the main subject of the analysis carried out by Yu. Kozeletsky.

Decision-making theory development has had an effective influence on the formulation of tactical decision-making in forensics. This is evidenced by the fact that the concept of «tactical decision» was introduced into the terminological apparatus of forensic tactics in 1977.

This does not mean that prior to the formalization of the tactical decision as a concept, it was not used by practitioners in the process of detecting and investigating offenses. Tactical decisions were made by investigators at all times when such investigations were conducted, but they did not think about making such decisions.

Let's consider the second group of factors that contributed to the emergence of tactical decisions in the theory of forensic science is development of forensic tactics and its tactical tools.

Development of forensic tactics took place simultaneously with the development of recommendations for the conduct of individual investigative actions.

Already in the first half of the XIX century, in 1833, M. Orlov's book *Experience of a short guide for the production of investigations with evidence of decent approvals* was published, which contained separate recommendations for the tactics of interrogation, the face rate, presentation for identification of persons. suspected of committing a crime<sup>2</sup>.

After 5 years in Germany, L. von Jagemann, a well-known German lawyer, published a bicameral in 1838–1841. »<sup>3</sup>. In his work L. von Jagemann pays considerable attention to the development of scientific techniques for the detection and investigation of crimes. One of the main points of his work is the recommendations concerning the questioning. A special place in the work is the interrogation of the accused, aimed at swift receipt from the interviewed confession of his guilt. At the same time, the use of torture is questioned<sup>4</sup>. The existence of recommendations for

<sup>1</sup> Paper mentioned abovep. 19–20.

<sup>2</sup> *Ishhenko E. P. Kriminalistika [Forensics]: uchebnik. 3-e izd. ispr. i dop.* Moskva : Volters Kluver, 2011. S. 36 [in Russian].

<sup>3</sup> *Sokol V. Ju. Ljudvig fon Jageman — osnovatel' nauchnoj sistemy rassledovaniya prestuplenij i kriminalistiki [Ludwig von Jageman - the founder of the scientific system of crime investigation and forensics]. Vestnik Krasnodarskogo universiteta MVD Rossii. 2012. №2 (16). S. 63 [in Russian].*

<sup>4</sup> *Sokol V. Ju. Zaznach. tvir. S. 64 [in Ukrainian].*



conducting the investigation as a whole, as well as conducting individual investigative actions, give reason to consider the said work as the basis of the scientific foundations of Criminalistics.

In 1841, Ya. I. Barshev, exploring the basics of criminal justice, makes recommendations for the interrogation of the accused, emphasizing that «the best way should be that interrogation, in which a gradual transition from more general questions to the most separate ones is made, so that thus giving the accused the opportunity to express himself and the circumstances of the crime, also when the material of the following questions is borrowed from the immediate answers ... If the interviewee is inclined to confess, prudence advises to listen to him without interrupting, and after that he skillfully asks him for explanations about what seems unclear and what is missing for full recognition»<sup>1</sup>. The reference to the need to *interrogate* skillfully the interrogated explanation implies the adoption of appropriate decisions on the question on the substance of the event. As for the necessity of making tactical decisions during the search, Ya. I. Barshev states this as follows: «... The purpose of the search can only be achieved by the prior unknown of him and the special art, dexterity and splendor of the investigator... must be carried out unexpectedly, with all the care and attention of the people living in the searched house»<sup>2</sup>. In fact, the fact that a decision was made at a certain point in the investigation was replaced by the characterization of the investigator's qualities, which was inherent in scientific research of that time.

The next period of development of forensic science and forensic tactics was marked by the development and systematization of the means and methods of gathering evidence, the recommendations for the organization and planning of the investigation, and related to the name of Hans Gustav Adolf Gross (1847–1915)<sup>3</sup>. Hans Gross worked as a forensic investigator for a long time and his work in the field of criminology was embodied in scientific work – «A Guide for Forensic Investigators, Gendarmerie and Police» (1893).

---

<sup>1</sup> Barshev Ja. I. Osnovaniya ugolovnogo sudoproizvodstva, s. primeneniem k rossijskomu ugolovnomu sudoproizvodstvu. Sankt-Peterburg [Foundations of criminal proceedings, with application to the Russian criminal proceedings] : Tipografiya ii otdeleniya Sobstvennogo Ego imperatorskogo Velichestva kanceljarii, 1841. S. 143–145 [in Russian].

<sup>2</sup> Barshev Ja. I. Zaznach. pracja. S. 99 [in Ukrainian].

<sup>3</sup> Aver'janova T. V., Belkin R. S., Koruhov Ju. G., Rossinskaja E. R. Kriminalistika [Forensics]. Uchebnik / pod red. R. S. Belkina. Moskva : Norma-infra-M, 1999. S. 3[in Russian].

In 1911 published a book by R. A. Reiss «Scientific Techniques for the Investigation of Crimes» edited by S. M Tregubov<sup>1</sup>. In the same year, German scientist A. Weingart for the first time in his work, provided a rationale for the term *tactics* regarding the possibility and expediency of its use in crime investigation activities. «The book should give the forensic practitioner all of the things that strategy and tactics give to the military.

That is why I call this guide to methodical investigation of crimes a «criminal tactics»<sup>2</sup>.

In 1915, S. M Tregubov's book *Fundamentals of Criminal Technology: Scientific and Technical Techniques for Investigating Crimes*<sup>3</sup> was published; it essentially became a supplementary version of the book by R. A. Reis published three years earlier. The book of Tregubov became the first practical manual of its kind and introduced the reader to a wide range of forensic tools, techniques and recommendations at the level of science of the time<sup>4</sup>.

A significant place in the development of forensic tactics belongs to B. L Brazol. In the work *Essays on the investigative part. History. Practice*<sup>5</sup> included consideration of specific issues of investigative tactics, which expanded the knowledge of this issue. At the same time, considering the tactics of the review, Brazil is not limited to specifying the methods of its conducting. It describes in detail the psychological qualities of an investigator necessary for a productive review, his ability to think logically, putting forward versions of what happened<sup>6</sup>.

In 1925 I. M. Yakimov published the work: *Criminalistics. A Guide to Criminal Technology and Tactics* in which the author outlines the most expedient methods and techniques for investigating crimes, which is a prototype of modern forensic techniques (including tactical ones)<sup>7</sup>.

<sup>1</sup> Rejs R. A. Nauchnaja tehnika rassledovaniya prestuplenij [Scientific technique of crime investigation]. URL : <https://www.twirpx.com/file/1273874/> (data zvernennia 05/09/2019).

<sup>2</sup> Weingart A., Criminal tactics: a guide to crime investigations. St. Petersburg: Vestn. Police, 1912.. 293 p.

<sup>3</sup> Tregubov S. N. Osnovy ugovnoy tehniki [Fundamentals of criminal technology]. Nauchno-tehnicheskie priemy rassledovaniya prestuplenij. Prakticheskoe rukovodstvo dlja sudebnyh dejatelej. Petrograd : Izd. Jurid. kn. sklada Pravo, 1915. 336 s. [in Russian].

<sup>4</sup> Belkin R. S. Istoriya otechestvennoj kriminalistiki [History of native Forensics]. Moskva : Norma, 1999. S. 12 [in Russian].

<sup>5</sup> Brazol' B. L. Ocherki po sledstvennoj chasti [Essays on the investigative part]. istorija. Praktika. Petrograd : Gos. tip., 1916. 215 s. [in Russian].

<sup>6</sup> Belkin R. S. Zaznach. tvir. S. 13 [in Ukrainian].

<sup>7</sup> Shepitko V. Yu. Forensic tactics (system-structural analysis): monograph. Kharkiv: Legal Kharkiv , 2007. P. 9.

The most significant work of I. M. Yakimov was the publication in 1929 of the textbook *Criminalistics. Criminal tactics*.<sup>1</sup> The book outlines the methods, techniques and means of investigation that made this work particularly meaningful in theoretical, practical, and methodological terms<sup>2</sup>.

In 1934, S. Golunsky and G. K. Roginsky published a book *Techniques and Methods for Investigating Crimes* and argued more categorically that in criminalistics three components should be distinguished:

- criminal technique that explores the ways in which crimes of the achievements of the natural sciences are used in the investigation of crimes: physics, chemistry, etc.;

- criminal tactics, which examines the tactics of the investigation and, in particular, how to conduct individual investigative actions more properly and appropriately, how to place all investigative actions in their mutual connection;

- an investigation technique that examines the best techniques for investigating particular categories of cases<sup>3</sup>. Thus, from the mid-30's of XX century in Criminalistics began the formation of its more developed system, where criminal tactics and methods of investigation of crimes, along with technology were defined as independent parts of this science.

As early as the 1970's, forensic tactics, as an independent section of forensic science, was widely recognized. The ultimate purpose of forming that section was the need to assist the investigation in solving the problems of intensifying investigative activities.

Development of forensic tactics was developing in the direction of developing new tactics, as well as improving existing ones. The investigation of crimes has urgently required the development of new tactics and recommendations for their use in investigative activities.

Trends in the optimization of investigative activities have

---

<sup>1</sup> *Jakimov I. N.* Kriminalistika. Ugolovnaja taktika [Criminal tactics]. Moskva: Narodnyj komitet vnutrennih del RSFSR, 1929. 312 s. [in Russian].

<sup>2</sup> *Jablokov N. P.* Ivan Nikolaevich Jakimov — odin iz osnovatelej otechestvennoj kriminalistiki kak nauki i uchebnoj discipliny [ivan Nikolaevich Yakimov is one of the founders of Russian forensics as a science and academic discipline]. Vestnik Moskovskogo universiteta. Serija 11. Pravo.2014. №4. S. 9 [in Russian].

<sup>3</sup> *Jablokov N. P.* Ivan Nikolaevich Jakimov — odin iz osnovatelej otechestvennoj kriminalistiki kak nauki i uchebnoj discipliny [ivan Nikolaevich Yakimov is one of the founders of Russian forensics as a science and academic discipline]. Vestnik Moskovskogo universiteta. Serija 11. Pravo.2014. №4. S. 9 [in Russian].

contributed to the emergence of requirements for the correct, error-free use of forensic tactics. Situation forensic tactics required new developments, one of which was the introduction of the concept of *tactical decision*. The tactical decision includes in its content the choice made by the person in the criminal proceedings which is so necessary for the correct and timely application of the means of forensic tactics.

**Conclusions.** The factors considered played a crucial role in the emergence of a tactical decision. This role is due to the presence of certain information components that have become *catalysts* of the formation of the concept of *tactical decision*.

New advances in decision theory and, in parallel, the emergence and development of forensic tactics have led to the implementation of scientific research and the introduction of the concept of *tactical decision* in the forensic apparatus of forensic science. These factors tend to be constantly updated, which is reflected in new studies of tactical decision-making in criminal theory, the determination of the place and role of tactical decisions in the process of investigation (trial) of criminal offenses.

Consideration of the background of the emergence of tactical decisions in the theory of forensic science has allowed to determine the objective prerequisites for the emergence of their concept and added new knowledge of theoretical foundations of tactical decisions in forensic science. Ephemerality of the tactical decision, on the one hand, and its effectiveness when applied on the other, make it possible to conclude that it is necessary to research it further. One of these areas is the factors identified in the paper, the development of which is an inexhaustible source of information on new research into tactical decisions.

### References

- Averyanova, T. V., Belkin, R. S., Koruhov Yu.G. & Rossinskaya, E. R. (1999). *Kriminalistika*. Uchebnik. / Pod red. R. S. Belkina. Moskva: Norma-Infra-M [in Russian].
- Barshev, Ya. I. (1841). *Osnovaniva uqolovnoqo sudoproizvodstva, s primeneniem k rossiyskomu uqolovnomu sudoproizvodstvu*. SPb.: Tipografiya II otdeleniya Sobstvennogo Ego Imperatorskogo Velichestva kantselyarii [in Russian].
- Belkin, R. S. (1979). *Kurs sovetskoy kriminalistiki: v 3 t. T. 3. Kriminalisticheskie sredstva, priemy i rekomendatsii*. Moskva: Akad. MVD SSSR [in Russian].
- Belkin, R. S. (1988). *Kriminalistika: problemy, tendentsii, perspektivy. Ot teorii – k praktike*. Moskva: Yurid. Lit [in Russian].
- Belkin, R. S. (1997). *Kurs kriminalistiki: v 3 t. T. 3 Kriminalisticheskie sredstva, priemy i rekomendatsii*. Moskva: Yurist [in Russian].

- Belkin, R. S. (1999). *Istoriya otechestvennoy kriminalistiki*. Moskva: Norma [in Russian].
- Belkin, R. S. (2000). *Kriminalisticheskaya entsiklopediya*. Moskva: Megatron HHI. 2-e izd. dop [in Russian].
- Belkin, R. S. (2001). *Kriminalistika: problemyi seqodnyashnego dnya*. Zlobodnevnyie voprosyi rossiyskoy kriminalistiki. Moskva: NORMA [in Russian].
- Brazol, B.L. (1916). *Ocherki po sledstvennoy chasti Istoriya*. Praktika. Petrograd: Gos. tip [in Russian].
- Byikov, V. M. (1980). *Takticheskoe reshenie sledovatelya. Ugolovno-pravovyye i protsessualnyie garantii zaschityi konstitutsionnyih prav grazhdan*. Kalinin [in Russian].
- Dulov, A. V., Novik, Yu. V. (1981). *Ponyatie i struktura takticheskogo resheniya, prinimaemogo sledovatelem pri proizvodstve sledstvennogo deystviya*. Teoreticheskie problemyi kriminalisticheskoy taktiki. Sverdlovsk [in Russian].
- Golovin, A. Yu. (2002). *Kriminalisticheskaya sistematika*. Moskva: LeksEst [in Russian].
- Golunskiy, S. A., Roginskiv, G. K. (1934). *Tekhnika i metodika rassledovaniya prestupleniy / Pod red. M. S. Strogovicha*. M.: Sovetskoe zakonodatelstvo, Vvip. 1 [in Russian].
- Ischenko, E. P. (2011). *Kriminalistika: uchebnik*. 3-e izd. ispr. i dop. Moskva: Volters Kluver [in Russian].
- Kostikova, A. V. (2012). *Istoricheskie aspektyi razvitiya teorii prinyatiya resheniy. Filosofiya Nauki*. #4 (55) [in Russian].
- Kozeletskiy, Yu. (1979). *Psihologicheskaya teoriya resheniy* (Perevod s polsk. G. E. Mintsy i V. N. Porusa). Moskva: Progress [in Russian].
- Kryuchkovskii, V. V., Petrov, E. H., Sokolova, N. A. & Khodakov, V. E. (2013). *Vvedenie v Normativnuyu teoriyu prinyatiya resheniy. Metodyi i modeli: monografiya*. Herson: Grin D. S [in Ukrainian].
- Kuzmina, L. P. (2009). *Razvitie teorii prinyatiya resheniy v menedzhmente. Vestnik Kazanskogo energeticheskogo universiteta*, #2 [in Russian].
- Litvak, B. G. (2003). *Razrabotka upravlencheskoho resheniya*. Moskva: Delo [in Russian].
- Novik, Yu. I. (1979). *Nauchnyie osnovyi prinyatiya takticheskiv resheniy pri proizvodstve sledstvennyih deystviy: avtoref. dis. ...kand. yurid. nauk*. Minsk [in Russian].
- Rejs R. A. *Nauchnaya tekhnika rassledovaniya prestuplenij*. URL : <https://www.twirpx.com/file/1273874> [in Russian].
- Shepitko, V. Yu. (2007). *Kryminalistychna taktyka (systemno-strukturnyi analiz): monohrafiia*. Kharkiv: Kharkiv vurydychnyi [in Ukrainian].
- Sokol V. Yu. (2012). *Lvudvig fon Yageman – osnovatel Nauchnov sistemvi rassledovaniya prestupleniy i kriminalistiki. Vestnik Krasnodarskogo universiteta MVD Rossii*. #2 (16) [in Russian].
- Tregubov, S. N. (1915). *Osnovyi ugolovnov tekhniki. Nauchno-tehnicheskie priemvi rassledovaniya prestupleniy. Prakticheskoe rukovodstvo dlya sudebnyih deyatelye*. Petrograd: Izd. Yurid. kn. sklada Pravo [in Russian].

- Tsvetkov, S. I. (1977). *Sostoyanie i perspektivvi ispolzovaniya dannvih Nauki upravleniya v kriminalistike*: avtoref. dis. ...kand. yurid. nauk. Moskva [in Russian].
- Tsvetkov, S. I. (1992). *Kriminalisticheskaya teoriya prinvativa takticheskikh resheniy*: avtoref. dis. ... d-ra yurid. nauk. Moskva. URL:<https://mydisser.com/ru/catalog/view/6/349/9027.html> [in Russian].
- Veyngart, A. (1912). *Ugolovnaya taktika. Rukovodstvo k rassledovaniyu prestupleniy*. SPb. Izdanie Vestnika Politsii [in Russian].
- Vikipediya. URL: [https://ru.wikipedia.org/wiki/Nechetkoe\\_mnozhestvo](https://ru.wikipedia.org/wiki/Nechetkoe_mnozhestvo) [in Russian].
- Yablokov, N. P. (2014). *Ivan Nikolaevich Yakimov – odin iz osnovatelev otechestvennov kriminalistiki kak Nauki i uchebnoy distsiplinyi*. Vestnik Moskovskogo universiteta. Seriya 11. Pravo. #4 [in Russian].
- Yakimov, I. N. (1929). *Kriminalistika. Ugolovnaya taktika*. Moskva: Narodniy komitet vnutrennih del RSFSR [in Russian].
- Yakushin, S. Yu. (2008). *Takticheskie resheniya sledovatelya i sredstva ih realizatsii pri rassledovanii prestupleniy: ishodnye polozheniya chastnoy kriminalisticheskoy teorii*. Uchenyie zapiski Kazanskogo gos. un-ta. T. 150. Kn. 5 [in Russian].

**О. Ю. Булдуков**

## **ПЕРЕДІСТОРІЯ ВИНИКНЕННЯ ТАКТИЧНИХ РІШЕНЬ У КРИМІНАЛІСТИЦІ**

*Розглянуто основні фактори, поява та існування яких вважаються інформаційною основою виникнення тактичних рішень у криміналістиці.*

*Акцентовано увагу на з'ясуванні інформаційних джерел, які сприяли появі нового поняття в криміналістиці і криміналістичній тактиці. Наголошено на існуванні низки факторів, що мають загальний і окремий характер по відношенню до виникнення поняття «тактичне рішення» в криміналістиці. Указані фактори поділяються на дві групи, пов'язані: 1) із зародженням і розвитком теорії прийняття рішень; 2) із зародженням і розвитком криміналістичної тактики та її засобів.*

*Ключові слова: криміналістична тактика; тактичне рішення; теорія прийняття рішень; кримінальне правопорушення.*

*Received by the Editorial Board: 12.06.2019*