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## INTELLIGENCE AND CRIMINAL OPERATIVE - LINE FORM OF OPERATIONAL ACTIVITY

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**Summary:** *Criminal operative is a form of work of members of the police and other authorized officials, on collecting, controlling and checking the collected data on criminals, their movement, hiding loot and preventive work with perpetrators of crimes and other potential offenders. Operative is a special form of work on collecting and checking available data, in the field, direct contact of police officers and citizens in a certain place, with elements of community policing. The trust of police officers, which has been built over the years in practical work and communication with citizens and perpetrators of criminal acts, creates conditions for operational work, based on respect for ethical and security rules in working with providers of operational information. Operational work is very important in preventing, detecting and proving the preparation for the commission of a criminal offense by certain persons, as well as for the successful detection and finding of perpetrators of criminal offenses and stolen property. Through operative work, members of the police achieve significant results in the speed of detecting and proving the committed criminal act, which fulfils the preventive role of the police so that everyone who commits a criminal act is found and punished.*

**Keywords:** *Operative, operative work, operations, police officers.*

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## **Introduction**

Operation means the executive body, and authorized officials who directly perform the function of collecting and processing information. The criminalistic operation is a part of the police authorized to collect data on crime, criminals, actions and procedures, work techniques, hiding (people and prey), relations and connections between criminals and citizens, as well as preparations for committing criminal acts. Further, members of the criminalistic operative, based on criminalistic rules, take measures and actions to prevent the commission of criminal acts and detect their perpetrators, and at the same time provide evidence (material and personal) for the purposes of criminal proceedings.

The operative is part of the criminal service, which applies operational measures and actions in its operative activities. The professional staff of the criminal operative has the task of monitoring, detecting, determining, suppressing and preventing criminal activities (Berthel, Lapp, 2017) which are proved by a special official identification document.

Operational activity is an integral part of the special part of the criminal police, which is not subject to special procedural norms, but is carried out on the basis of standard procedure, professional regulations, mandatory instructions (harmonized with the general principles of the legal system and criminal procedure). The basis for planning operational activities is the assessment of criminal activity, i.e., knowledge of existing and latent criminal environments.

## **2. Defining basic terms of operation**

An operative is a name for a member of the criminal police, who directly performs the operations. The jobs and tasks of operatives are focused on collecting data that cannot be collected in any other way, and which significantly affect the prevention, detection and suppression of crime. The operative is a person who is trained in the practical application of operational methods and techniques, all with the aim of obtaining information in accordance with the operational activity and the subject in which he is engaged or for which he is in charge.

Operational activity is the procedure of taking measures and actions by criminal police officers, operational staff of the police to

monitor, intercept and suppress delinquency (which do not have a criminal-procedural character). All activities of the police of operational staff (and other members of the police) which contribute to the knowledge of criminal activity (application of operational-tactical and technical measures and means, supervision, operational control, operational processing, implementation of operational actions and operational combinations). The application of operational activities in the criminal investigation service is based on the scientific knowledge and rules of criminology (especially criminal tactics) and the harmonization of measures and procedures with the basic legal regulations of criminal procedure. Operational activity implies a complex system of measures, means and methods, as well as standard procedures for collecting and verifying information, combining and taking actions to prevent, detect and combat criminality.

Operational action is a secret and combined use and application of operational-tactical and technical means and methods and actions on the execution of a complex plan of operational activity. In criminology, it is performed in order to clarify criminal acts, catch more serious criminals and more perpetrators, and implement measures of a longer-term and preventive nature. These measures are implemented in the work of intelligence and counterintelligence services (Mladenović, 2021, p. 81).

Operational criminal combination is a complex criminal-tactical method with a complex of operational actions and measures. It implies coordinated, simultaneous or periodic-stage (successive) implementation of certain operational measures and actions in complex cases of clarifying criminal offenses, gathering evidence and discovering perpetrators of particularly serious offenses with several accomplices and professional perpetrators. It is used in intelligence work (with doubles) and in criminal actions when hiring an undercover investigator in criminal groups or organized crime (based on the decision of the investigating judge, police director or SIA).

The operational line of work of the specialized criminal police (intelligence services, counter-intelligence services) is directed towards a certain problem competence, i.e., towards a certain group of criminals or the type of crime committed. In the criminal police, the operational line is formed according to the type, affinity and scope of delinquency

manifested in a certain area of the city (security sector). Thus, in one police unit of the city, there are different lines, sectors - general crime, economic crime, forensic technology and forensic analytics. Depending on the size of the Police Administration (unit) and the scope of criminal reporting (problems) they deal with, each type can have several specialized operational subsectors and lines of work (blood crimes, sexual offenses, drug control, smuggling, juvenile delinquency, etc.).

### **3. Line and Sectoral form of operational activity of criminal police**

The basic form of operational work is the territorial form which takes into account the real needs of operational activities in the fight against crime. The territorial form of operational work is based on the geographical specifics that are characterized by the commission of criminal acts. However, in modern conditions, more and more often, crimes are committed by very well-trained persons who are characterized by great mobility. In fact, with the liberalization of cross-border relations between the states, and especially the member states of the European Union, favourable conditions have been created for abuses of various kinds. In this regard, the commission of crimes, whether individual or organized, is increasingly taking on international proportions (Joksić, 2011, 205).

Special circumstances related to committing crimes in a certain territory, and expressed in a certain specificity, which cannot be detected, suppressed in the classical way with the normal work of police officers' and patrol activities in the sector, necessitated the appearance of a line form of operational activity.

The specificity of the line form of operational activity in the work of the criminal police is expressed by the fact that it is related to the detection, clarification and suppression of certain types of crime, with narrow specialization and a high degree of experience of operatives. Their competence in line operational activities is related to the space where the crime occurs, at the local intermunicipal, state and interstate level of cooperation in monitoring, detecting and combating crime (blood crimes, sexual offenses, drug control, smuggling of goods, juvenile delinquency).

Consequently, much greater expertise of operational workers is needed in relation to the application of the territorial form of operational work. Further, there is a need for an increased speciality of criminal operatives engaged in detecting and clarifying the committed crime and its perpetrator. In that sense, we can define line operational activity as follows: "Line form of work is a special form of organization in relation to territorial which is general and as a consequence of a certain necessity represents division of work in fight against crime, whose modified forms depend on conditions in which criminal activity exists, making the territorial organization of the fight against crime with its territorial and object form, which we can mark as the first characteristic of line work" (Kostić, 199, p. 217).

The basic characteristic of the line form of operational activity refers to its geographical distribution, which includes the suppression of one or more forms of crime, regardless of the area where criminal acts are undertaken and where the perpetrators of criminal acts are located. The linear form of operational activity is not only narrowly defined for data collection, detection and suppression of crime of one kind. When working, line operational work includes monitoring, beside criminal, all other forms of deviant behaviour that can lead to the commission of a crime. In that sense, this form is characterized by preventive actions in undertaking criminal - operative actions and measures. By monitoring such situations, a member of the criminal police who works along a certain line is in a position to take timely preventive measures to prevent the commission of a crime, and if the crime is committed, he will have a much clearer situation regarding the place, time and manner of execution, and the available information will help him reach the suspect. Therefore, it is important that criminal activity along a certain line of operational work is not observed separately from other illegal and other socially harmful phenomena related to the group of criminal offenses covered by a certain form of line work, because these phenomena pose a hidden danger of growing into criminal activity" (Bošković, M., Matijević, 2007, p 94).

Taking into account the above, we can determine the basic reasons for the introduction of the line form of operational activity:

- the total number of criminal offenses and other illegal conduct that pose a danger to criminal activity or cause negative

consequences for security on the territory of the police administration, i.e., police station,

- the basis of criminal activity should be treated holistically, i.e., in conjunction with other negative deviant phenomena in society that still do not have the characteristics of a crime,
- a unique way of committing criminal offenses, without taking as a basis criminal - legal classification of criminal offenses according to the degree of social danger,
- unique operational treatment of problems that requires from the operational worker professional knowledge from other social fields” (Joksić 2011, p 206).

The concept and content of operational activities of police officers, and therefore police officers, is determined by regulations or on the basis of experience and objective knowledge, theoretically developed set of specific work activities in order to successfully perform certain tasks and tasks within the competence of law enforcement agencies. This activity represents one of the most efficient work activities in preventing and eliminating the consequences of criminal and other socially harmful phenomena.

In order to accomplish this extremely important task, it is necessary that every police officer is satisfactorily trained (in accordance with his position and role in the security service, regardless of the jobs and tasks he works in) in schools of internal affairs and during direct practical work in police units.

The specific content and scope of the immediate activities of the police officer's operational activities are determined by regulations and work plans in the security sector.

The operational activity of the police in the security sector is part of the unique and overall efforts of all other factors of security and social self-protection to prevent and eliminate the consequences of various criminal and other socially harmful phenomena.

It mainly consists of the application and use of operational and tactical measures and actions by members of the police in the security sector, in order to detect, prevent and eliminate the consequences of crimes and misdemeanours within the prescribed competencies of law enforcement agencies that is, to assist other members of the security and criminal justice systems.

In addition to operational and tactical activities in the field of officer and patrol activities, all police officers, especially those working in the security sector, can make a great contribution to the performance of operational activities, especially in the implementation of operational criminal control.

There is a well-known rule that every security organization insists on, which in its basic form reads: "Watch - observe - remember - write - report immediately."

In addition to the specialized line security services of the internal affairs bodies, all police officers can and should be engaged in the implementation of these and other rules.

#### **4. Forms and ways of operational action of the police**

Forms and ways of operational action of the police in the security sector are reflected, above all, in personal engagement in:

1. Monitoring, analysis of the security situation in the sector that is realized: knowledge of persons and territory; monitoring and analysis of criminal events: timely detection of security problems and harmonization of tasks for one's own work, regular analysis and review of one's own work and its continuous improvement; active daily monitoring and acquaintance with phenomena and events of importance for security in the sector.
2. Proper application of operational and tactical actions in the prevention of criminal offenses and misdemeanours and after their commission, such as: action plan; gathering information; own observations and supervision; use of data collected from citizens; securing the scene; search for perpetrators and accomplices of the crime; finding traces and objects related to the committed crime; detention, referral and apprehension of persons; deprivation of liberty and search of persons, etc.,
3. Creating operational links in accordance with the authorizations and plans of operational activities. This activity is based, above all, on the constant close connection of the police with other economic and social subjects, but primarily on an individual and voluntary basis in order to preserve the security of all citizens.

In many places, there are individuals and citizens who, by the nature of their work or the facility where they live, are able to provide assistance to the police, such as: tenants in buildings at the territory of the city; residents of lonely buildings in and out of settlements; catering and tourism workers; workers employed in various workshops and services; gas station workers; workers in public road, railway and other modes of transport; workers in craft and trade shops; workers in international corporations and companies; seasonal workers and those temporarily working abroad; pupils and students; foresters; postmen; hunters and fishermen; scouts; hikers, park rangers, ranchers, etc.

By pointing out certain categories of persons, places and facilities where they are located, it should serve as an incentive for one's own initiative and not as an obligatory rule. These examples show that the possibilities for making operational connections are very wide and that there is no space or social environment where it is not possible to make operational connections.

4. Using various documents, reports and information available to all internal affairs bodies. The organization of work should enable the active operational use of documentation used to: perform various checks and find out about the manner of criminal activity of certain persons and their possible connections with other perpetrators of criminal acts; monitoring and getting acquainted with current observations on the behaviour of known criminals and possible preparation for the commission of criminal acts that should be prevented; insight for better acquaintance with previously committed criminal acts and misdemeanours in certain places and facilities in order to take appropriate preventive-repressive, operational-tactical measures and actions (raids, ambushes, monitoring, surveillance, as well as enhanced control of movement and stay of persons, etc.).
5. Performing specific security tasks as instructed by the head of the police unit or in association with authorized employees of the line security services. This way of acting in the security sector, in addition to contributing to the execution of security tasks, should also have an educational character. This is an opportunity when the head of the police unit can help a police officer to improve his

own experience and gain new knowledge about the way more experienced people act.

6. Cooperation with citizens and providing professional and other assistance in self-protection of property and personal security. If a police officer is more active in helping citizens and working people to achieve self-protection, the more he can expect them to reciprocate their support when performing security tasks. That is why we should strive for the police to always be sufficiently active in security affairs and to help citizens in their security sector.

Certain principles and ways of behaving should be taken into account when using the help of citizens. Thus, for example, a police officer should obtain the necessary information about people he does not know well and check their previous behaviour. In that way, he and others will be able to more easily assess the reliability of the information and the relationship that has arisen in maintaining ties with such persons.

In the implementation of operational and tactical measures and actions should be strictly adhered to known principles such as:

- compliance with regulations and rules of criminal procedure requirements;
- the principle of protection and preservation of secrets both during and after the termination of service;
- planned and systematic action;
- consistency, persistence and discipline in action and work;
- objectivity and personal responsibility;
- elasticity and adjustment to further working conditions in each
- active cooperation and mutual assistance in working with other participants;
- timely and accurate notification of authorized managers and head of the body, etc.

The principles of operational activity are far more numerous and more contradictory in terms of content in the professional literature in the field of criminology. Their knowledge and practical implementation is a condition and prerequisite for effective action in the security sector. Only some of these principles that are of special importance for the work of the police have been pointed out.

The possibilities of operational activities of the police in the security sector are very important. Stage and patrol activities best confirm this, regardless of where the work is organized in the security sector (in the police station of general competence or the station that performs traffic safety on roads, railways, water and other police units), it is necessary that all sectoral police officers participate in performing operational activities;

- in maintaining contact with individuals, the rules should be followed so that the relationship is the fruit of true goodwill and the intention to provide assistance to the police. Such a connection must not be achieved through pressure and setting conditions that are contrary to regulations and norms;
- if the circumstances of the case dictate, the rules should be strictly adhered to secrecy, prudence and other precautions both in relation to the person assisting in the provision of information and in relation to other persons and events;
- no conditions should be accepted or promises made that are not in accordance with the regulations (seeking rewards, release from liability). If a person is only involved in the commission of an illegal act, such an act cannot and must not be covered up. The police officer shall inform his/her supervisors of all such cases and requests and shall take appropriate measures;
- if obtaining information is associated with a certain risk and possible abuse, the police officer should inform the authorized managers who will take the necessary measures. It is not necessary to hire a police officer (patrolman and officer) to maintain contacts with persons from vicious backgrounds, especially registered multiple criminals;
- in more complex cases, where certain combinations of persons in criminal settings are possible, employees of specialized line services should be hired (undercover investigators, based on the authorization of the investigating judge, the Director of Police and the Director of the SIA). In addition to these, there are other principles and rules of conduct that must be followed in order to operate successfully in the security sector.

One of the most important ways in conducting operational activities is, first of all, one's own direct observation of a police officer. The success and possibilities of observation depend on the

conditions in which the police officer performs his service, as well as on their personal and professional abilities.

The police officer can influence his own abilities if he has fulfilled the basic psycho-physical conditions for working on security jobs. In addition, he must be motivated and willing to engage in operational work in which he needs assistance.

In addition, it is necessary to constantly improve the potential personal abilities of police officers, to encourage the development of their own experience, nurturing and directing towards achieving the quality of operational activities. Therefore, it is necessary to combine joint work with more experienced and professional workers for whom the operational activity is a permanent job.

The police can also be successful in using so-called public (open) sources of information, such as, for example, insight into various records (registration of stays in catering and tourism work organizations, etc.). To the extent that the expertise of the police officer allows, they may use these records and request additional information from officials in order to carry out their tasks.

### **Control and supervision of certain categories of persons**

Within the officer, patrol and other forms of activity in the security sector, control and supervision of certain categories of persons is one of the most important jobs and tasks. This control is direct and individual over certain perpetrators of crimes or serious offenses. Which persons will be under control is decided by the competent internal affairs bodies in accordance with the regulations.

Control and supervision are realized:

- personal observation and supervision by a police officer serving in the security sector,
- conducting conversations and maintaining other connections with citizens in local communities, economic and other organizations and communities,
- use of public sources of information or through operational information links with certain persons,
- monitoring and monitoring the behaviour of persons under supervision and control,
- checking the movement, residence and alibi of persons,

- by setting up ambushes and conducting raids,
- inspection and search of persons and luggage when the prescribed conditions are met (at railway and bus stations, markets, etc.).
- by direct visits and conversations with persons at the place where they work or live,
- when controlling and regulating traffic, registration, technical inspection of vehicles, etc.,
- by gaining insight into certain activities of controlled persons in order to achieve the goal of control, police officers are obliged to: get to know the controlled persons as well as possible; monitor their movements, identify connections and urgently inform about all issues related to controlled persons and to suggest taking certain measures.

### **Operational control of certain forms of crime and endangering the constitutional order**

Certain forms of criminal activity and endangering the constitutional order, due to the severity of the social danger, must be under constant operational control of the police in all security tasks, especially in the sectors. Such phenomena are: activities that threaten the order established by the Constitution in general, and especially crimes against the foundations of social order and security of the country as: counter-revolutionary activities, endangering the territorial integrity, espionage, participation in hostile activities against Serbia, sabotage, terrorism, hostile propaganda, incitement to national, racial or religious intolerance, hatred and various other criminal offenses.

It is also necessary to control economic entities in order to clarify the crime and detect and catch their perpetrators, such as: collecting information, checking certain crucial circumstances, finding traces and objects of crime, using various sources of information, etc.

The purpose of pointing out these possibilities was not to cover and list all activities, but, above all, to initiate and encourage efforts to make the work of the police in the security sector, in the field of combating crime and other socially harmful phenomena, as

successful as possible. With the help of knowledge from criminology and their own practice, all sector police officers can contribute to the successful execution of this important social task.

### **Coordination of line and territorial forms of operational work**

It is known that crime in the modern age is characterized, apart from the great mobility of perpetrators both within the country and internationally, by the connection of persons who commit crimes. In that sense, it is necessary to carry out unique and coordinated criminal - operational actions and measures in order to detect and clarify the committed crimes, as well as their perpetrators.

Comparing the advantages of operational activities according to the sectoral system of information collection, i.e., operational activities and especially the line system of information collection, or operational activities for certain types of crimes or groups of related crimes, practice shows that there must be coordination and cooperation in exchanging and comparing real information. The importance of gathering information is reflected in the parallel gathering from different sources, about a specific event or criminal activity. Any information collected must be processed, both according to the source and the credibility, reliability and validity of its use, in future police actions to intercept criminal activities or take preventive measures (Flood, Gaspar, 2009). The line system of operational activity is more suitable for collecting certain types of information, while the territorial or sectoral way of operational activity is more suitable for the other type. Mutual orientation towards the processing object gives exceptional results because one system compensates for the weaknesses of the other system.

However, there is a question of mutual coordination of these two forms of operational work in practice. More precisely, in which way the advantages of both forms should be used, i.e. in which direction we should move in undertaking criminal-operative activities in solving a specific case. This issue can be, to put it simply, as a problem of coordination of territorial and line form of operational work. In practice, a manager in a certain sector must have a continuous insight into the entire criminal - operational work in the sector, i.e., in the territorial area he manages. Accordingly, the

manager must be informed on a daily basis about all operational activities undertaken, so that he can take appropriate measures in a timely manner, while respecting the specifics of the territorial and line form of operational work in the sector.

Given that the territorial form of operational work is limited to a certain area, it is necessary to formulate objectives that should be met by the linear form of operational work in the designated area, and based on that to determine:

- manifestations of committing criminal offenses that are included in the line form of work,
- obligations of the line form of work according to the territorial form of work in a certain territory,
- obligations of the territorial form according to the line form in the detection, clarification and proof of criminal offenses.

### **5. Subordination and coordination of line work on the territory of a number of basic police bodies**

The police represent the ultimate protection of the state and citizens from phenomena that disrupt the order of relations established by law. By that fact alone, the police should be a mirror of the state and society from which they emerge. Of course, each social organism has its own specifics, among other things in the field of security, and in accordance with that, an original model of police organization is organized (Radović, Teofilović, 2015).

The Serbian Police is a single, centralized, closed-type organization with a strict hierarchy. The organizational scheme in the police is relatively complex due to the numerous and diverse organizational elements, in which the principle of unanimity (one-leader-set on a territorial and functional principle). Therefore, the police of Serbia is the state police that operates on the territory of the entire country, under the unified management of the Directorate, i.e., the Ministry of the Interior Affairs, with an emphasis on the subordination of lower organizational units to higher ones.

Coordination in the work of the police, from the aspect of its organizational units, can be twofold:

- horizontal coordination between police administrations, i.e., police stations and sectors,

- vertical coordination based on subordination in relation to police administrations, i.e., to the Police Directorate.

In addition to coordination in performing operational activities, special attention should be paid to subordination in the work of the police, i.e., in the suppression of crime. Nowadays, subordination is especially pronounced with the appearance or, better said, the expansion of organized crime, the suppression of which requires unity in the leadership and actions of members of the police. In fact, subordination in the line form of operational activity affects the simultaneous and coordinated action of organizational units of the police in a certain, narrower or wider, territorial area.

However, Professor Kostić points out that subordination in the fight against crime in today's conditions is a necessity and as such is a condition of modern fight against crime, especially in the suppression of those crimes that pose the greatest social danger, as well as crimes whose:

- persecution requires simultaneous, directed action of several bodies in various areas of the republic,
- when the preventive activity according to its goals is important for the wider territorial area, or a criminal offense has been committed due to its negative consequences, or possible negative consequences, so that it endangers several municipalities, i.e., the wider territorial area,
- when the criminal offense has elements of foreignness,
- when the investigation of a criminal offense or the establishment of an identity requires seeking or providing assistance from the International Criminal Police Organization - Interpol.

## CONCLUSION

Exploring the most suitable form of organization in operational activities, in particular, in the suppression of crime, primarily in achieving prevention in the fight against crime, is inconceivable without the operational activities of the police.

The very form of line organization of operational activities has its positive results in practice. Primarily once the suspicion is expressed, one criminal can be operationally covered in all segments of his activity, or one group that works in an organized manner on the pre-

paration and organization of the commission of a criminal offense. The peculiarity is that the operative is primarily in charge of the operational coverage of a given criminal facility, and other tasks are secondary. And when data from the second group of operational tasks are found, they are forwarded to the authorities in analytics and the persons who cover that criminal facility. Concentration of data in one person creates conditions for proper assessment and decision-making on intentions, measures and actions, preparations, creation of an organization, manner of distribution of stolen goods, etc.

The line form of operational activity, with its weaknesses, is eliminated by coordination and exchange of operational information with the sectoral system of operational activity (sector leader).

Based on the above, we can conclude that in conditions of increased movement and communication of people, goods and capital, and the development of information systems and electronic communication between people (Internet), issues related to the organization and functioning of all forms of operational activities became especially important. At the same time, the high level of coordination and subordination in the functioning of the police and its higher and lower organizational units (police administrations, stations, sectors, departments, etc.) is crucial to the success in combating all types of crime and solving a specific criminal case.

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## **OBAVEŠTAJNO-KRIMINALISTIČKA OPERATIVA – LINIJSKI OBLIK OPERATIVNE DELATNOSTI**

**Rezime:** *Kriminalistička operativa je oblik rada pripadnika policije i drugih ovlašćenih službenih lica, na prikupljanju, kontroli i proveri prikupljenih podataka o prestupnicima, njihovom kretanju, skrivanju plena i preventivnom radu sa učiniocima krivičnih dela i drugim potencijalnim učiniocima krivičnih dela. Operativnost je poseban oblik rada na prikupljanju i proveri dostupnih podataka, na terenu, neposredan kontakt policijskih službenika i građana na određenom mestu, sa elementima rada policije u zajednici. Poverenje policijskih službenika, koje se godinama gradi u praktičnom radu i komunikaciji sa građanima i učiniocima krivičnih dela, stvara uslove za operativni rad,*

*zasnovan na poštovanju etičkih i bezbednosnih pravila u radu sa davaocima operativnih informacija. Operativni rad je veoma važan u sprečavanju, otkrivanju i dokazivanju pripreme za izvršenje krivičnog dela od strane određenih lica, kao i za uspešno otkrivanje i pronalaženje izvršilaca krivičnih dela i otuđene imovine. Pripadnici policije operativnim radom postižu značajne rezultate u brzini otkrivanja i dokazivanja počinjenog krivičnog dela, čime se ispunjava preventivna uloga policije da svako ko izvrši krivično delo bude pronađen i kažnjen.*

***Ključne reči:*** *Operativni, operativni rad, operacije, policijski službenici.*

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