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FEATURES OF THE SEARCH DURING THE INVESTIGATION OF HUMAN TRAFFICKING

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Search is one of the investigative (search) actions that are carried out during the investigation of human trafficking. In accordance with Part 1 of Art. 234 of the CPC of Ukraine search is carried out in order to identify and record information about the circumstances of a criminal offense, to find a tool of a criminal offense or property obtained as a result of its commission, as well as to establish the location of wanted persons. The search is connected with certain restrictions on the constitutional rights of citizens to the inviolability of the person, housing, secrecy of correspondence, etc. This investigative (search) action was carried out in 92.3% of studied criminal proceedings of this category.

Proper preparation is an important guarantee of a successful search in criminal proceedings for human trafficking. It among other things involves the development of a plan for this investigative (search) action, which indicates: the object of search and its location; items to be detected and seized; time and procedure of the search; the method of penetration into the searched premises and measures to prevent possible armed resistance; specialists who need to be involved; technical means (means of finding, fixing and packing objects to be removed); methods and means of communication between the participants of the search; vehicles; measures to protect the search site; measures that exclude the connection of the searched person with other persons; measures to prevent possible concealment or damage to the desired objects, etc.

The places of search in criminal proceedings concerning human trafficking are usually: the place of residence and place of work of the suspect; rented apartments, houses; office space; hotel rooms, etc.

Given the specificity of this type of crime, the search participants should include investigators, experts, operatives of the Department for Combating Crimes Related to Human Trafficking of the National Police of Ukraine, forensic specialist, information technology specialist, other specialists (depending on from the circumstances of a particular criminal proceeding).

Within a search in human trafficking investigation, attention should be paid to identifying and seizing the following typical objects:

- employment agreements (contracts) with victims and other persons;
- debt receipts;
- foreign and domestic passports of victims and other persons;
- tickets and boarding documents for rail, air transport;
- hotel reservation documents;
- photos, photo albums with images of victims;
- mobile phones, SIM cards used for communication during the crime;
- computer equipment, network equipment;
- organizers, notebooks, including electronic ones;
- personal belongings, as well as records by the victims;
- cash, credit cards, documents relating to financial transactions of any kind;
- objects relevant to the circumstances of the abduction of a person (masks, goggles, wigs and other accessories) used by criminals in the capture, forcible transfer and detention of the victim, etc.

Particular attention should be paid to working with computer equipment, which is usually found in the searched room. Any actions with such equipment must be carried out by specialists in the field of information technology with the help of certified office equipment, using licensed software. Use of uncertified hardware or unlicensed software may distort information obtained from an electronic document due to hardware and/or software failures and errors.

According to Part 7 of Art. 236 of the CPC of Ukraine, during a search, the investigator, prosecutor has the right to measure, photograph, record sound or video, make plans and diagrams, make graphic images of the searched home or other property of a person, make prints and casts, inspect and seize documents, temporarily seize things that are important for criminal proceedings. Items that have been withdrawn from circulation by law are subject to seizure regardless of their relation to criminal proceedings. Seized items and documents that are not included in the list in respect of which a search warrant was directly issued in the search warrant, and do not belong to the items that have been withdrawn from circulation by law, are considered to be temporarily seized property.

Summarizing the above, we note that the search in criminal proceedings for human trafficking is one of the most common and complex investigative (search) actions. Its proper conduct requires the investigator's attention, observation, ability to quickly and correctly navigate in difficult situations. Achieving the purpose of the search can be possible only with careful preparation and coordinated work of all members of the investigative task force.