### UDC 343.85

### Oleksandr KHAN.

Candidate of Juridical Sciences (PhD), senior researcher of the scientific work department of Kharkiv National University of Internal Affairs (Ukraine);

### Ramil DURSUNOV,

Candidate of Juridical Sciences (PhD), researcher of the Institute for International Business Law of the University of Fribourg Law School (Switzerland)

# POLICE CORRUPTION MEASURES IN THE UNITED STATES OF AMERICA AND CANADA

In the United States, anti-corruption legislation is characterized by extreme rigor, while it is aimed at countering corruption among civil servants. In this context, the anti-corruption legislation on police is regulated, which in turn focuses on precautionary measures. It is important to note that initially the police are provided with significant preferences. Increasing material incentives for policemen is based on the fact that low funding encourages corruption.

On the contrary, better policing conditions will force policemen to cherish the service and deliberately abandon corrupt motivation. In order to develop the attractiveness of a stable police service for its employees, it is necessary to create particularly favorable social conditions. It is not only about high wages but also about social benefits, which include preferential lending, high-quality medical care (insurance), free higher education and high pensions. There is a high level of pension for employees who have an impeccable track record. Everything starts with careful selection, since it depends not only on the professionalism and competence of the police, but also on their resilience to material temptations. Particular attention is paid to: maintaining a high level of prestige of the profession of a policeman in society, the availability of education for each candidate, knowledge of a foreign language, perfect biography not only of the candidate, but his relatives, high degree of stress resistance, moral and will qualities [1, c. 147].

The US has created a system for countering and controlling corruption among police officers. Its essence lies in the fact that the police departments pay particular attention to the issue of their staffing. For candidates for service, as well as for police officers of all levels, there are high moral standards and fairly strict rules of conduct and discipline. The rigorous selection of candidates for service, which involves verification by the lie detector, is introduced. In the Federal Bureau of Investigation, one of the main tasks of which is the fight against corruption, the constant movement of employees from one area to another is practiced in order to reduce the possibility of merging with local authorities and

organized crime. In addition, the FBI General Directorate has a special internal investigations department that checks for information about the abuse of its employees. Every year, the quality and completeness of verification of information gathering about candidates increases, which should be as complete and objective as possible. Recruitment to the police takes place through the adoption of a special oath, which obliges the relevant bidder to honestly report everything known to himself. In this case, any inaccurate information is called a false testimony and is considered a violation of the oath. Revealed in this policeman is released without the right to appoint a pension [2, c. 186].

In the United States, police are required to submit special declarations. In this case, the information provided is accumulated and is subject to periodic review throughout the life of the police officer. Police organized a special job to prevent official misconduct. This is done through the implementation of a departmental control system, the basis of which are two elements: monitoring of the material well-being of employees and their relatives, which includes: declaration of income, expenses and property of employees; control of the balance of the employee's credit card; obtaining in the credit organizations information about employees who are debtors; day-to-day control of the official's activity of the employee, which includes: moral and material incentives to comply with the law by the police officer; transfer of a policeman who has proven himself well for a more paid and prestigious position; conducting of special psychophysiological researches using the polygraph for admission to the information constituting the official secret, as well as within the framework of the official inspection; compulsory provision of information by the employee regarding the circumstances under which the service is audited [3, c. 203].

In Canada, the manual check of a job applicant in the police begins with the collection of information about a person after reaching her 12 years of age (the period considered in Canada, the formation of a person's individuality), his contacts at the place of former and current residence, work or service. One of the elements of the prevention of corruption in the Canadian police is conducting special psychophysiological studies of the applicant using a polygraph.

Deserves special attention to the experience of the Royal Equestrian Police in Canada. In order to prevent official delinquency, a specialized system of so-called "early anticorruption intervention" functions, which allows determining the individual inclination of specific employees to commit official crimes and affect the person of a policeman. Such a system should be based on special indicators that reflect the psychophysiological state of a person, to track the dynamics of behavior of policemen

throughout the time (during and outside the service). The following evaluation data is included in this system: complaints about police actions, information on committed disciplinary offenses, violations of motor vehicle usage rules, work results, welfare and a number of others.

### References

- 1. Григоренко І. А. Зарубіжний досвід протидії службовим зловживанням та корупції в діяльності поліції. *Юридичний часопис Національної академії внутрішніх справ.* 2014. № 1. С. 146–155.
- 2. Корнієнко М. В. Протидія організованій злочинності в країнах ЄС та США. Київ : HTB «Правник», 2002. 291 с.
- 3. Карпов Н. С., Савченко А. В. Протидія корупції у правоохоронних органах: американський підхід. *Вісник Хмельницького інституту регіонального управління та права.* 2004. № 4. С. 202–205.

Adopted 6 October 2019

УДК 351.741:328.185

### Олена Миколаївна ГАЛКІНА,

кандидат юридичних наук, провідний науковий співробітник науково-дослідної лабораторії з проблем забезпечення діяльності поліції Харківського національного університету внутрішніх справ

## ДЕЯКІ ПИТАННЯ ОРГАНІЗАЦІЇ ДІЯЛЬНОСТІ ПРАВООХОРОННИХ ОРГАНІВ КРАЇН ЄВРОПИ У СФЕРІ ПРОТИДІЇ КОРУПЦІЇ

За останнє десятиліття у Східній Європі було створено значну кількість органів із питань координації антикорупційних заходів і запобігання корупції. Однак, практична ефективність цих органів є різною. У деяких країнах за координацію національної антикорупційної політики відповідає Міністерство юстиції (Естонія, Румунія). В Албанії – це обов'язок Міністра з питань місцевого значення, у Литві – Державної Канцелярії, у Латвії – Бюро з питань запобігання та протидії корупції.

Спеціалізовані інституції, що здійснюють формування та координацію антикорупційної політики, функціонують в Албанії, Болгарії, Словенії, Македонії, Мальті, Сербії, Чорногорії, Франції [1, с. 95]. У Боснії і Герцеговині, Румунії працюють багатофункціональні антикорупційні агентства, що опікуються і запобіганням корупції, і забезпеченням правопорядку. В Албанії та Естонії функції щодо запобігання корупції виконують відділи у складі державних установ [2, с. 112]. На думку О. Д. Маркєєвої, найцікавішим видається