

Mechanisms and Methods of Involving Minors in Drug Addiction and Drug Business

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Abstract:

The article raises the question of the involvement of minors in drug addiction by adults. The problem of latency of this type of crime is posed, one of the reasons for which is the lack of interest of drug control structures in investigating the facts of involvement, initiating criminal cases on these facts and bringing those involved to justice. The article discusses the main mechanisms of involving minors in the illicit trafficking of narcotic drugs, psychotropic substances or their analogues. The author provides two groups of ways to involve minors in drug-related criminal activities; typical shortcomings are noted in identifying this type of crime, certain difficulties in identifying the person involving a minor in drug trafficking.

Keywords: drug crime among minors, mechanisms of involvement, illicit trafficking of narcotic drugs, psychotropic substances or their analogues, enticement, minor. teenagers, drug addiction, involvement in criminal activity, latent crime.

Introduction

Involving minors in the process of selling narcotic drugs is a criminally punishable activity of persons involved in illegal drug trafficking, aimed at finding and recruiting minors for their further use as intermediaries in the transfer of narcotic drugs.

Studying the process of involving minors in criminal activities related to drug addiction raises the acute problem of the latency of this type of crime, one of the reasons for which is the lack of interest of drug control structures in investigating the facts of involvement, initiating criminal cases on these facts and holding those involved accountable.

To solve this problem, in our opinion, it would be useful when studying the process of involvement to take a closer look at the features of the interaction between the involver and the involved, both from criminological and psychological positions. A comprehensive criminological and psychological study of such a criminal legal phenomenon as the involvement of minors in the execution of illegal actions for the manufacture, acquisition, sale and storage of narcotic drugs and psychotropic substances requires the study of typical criminological situations, taking into account the psychological component of the personality of the person involved and the person involved[1].

Mechanisms and stages of involvement

The study of adolescents exposed to drug addiction made it possible to identify some mechanisms of the process of involving them in committing illegal acts, as well as some trends in this process[2].

Thus, it was established that to carry out their plans, adult criminals use any available methods and actions that are aimed at preparing for involvement in criminal activity. These include: selection of a minor taking into account his financial situation, family composition (the presence or absence of social control on the part of older family members), free time, educational and intellectual level, the presence of minor offenses or criminal manifestations committed by him. As a rule, in conditions of low financial status and single-parent families, where financial problems are most exposed and victimized, the money issue becomes decisive.

The teenager is faced with bright prospects for obtaining his own funds, giving him a certain freedom, both in choosing food and vital items that he could dream of. A very significant role is played by the intellectual and social level of a teenager, which reflects the process of interaction between negative and positive value orientations. A contradiction arises in the minds of a teenager: on the one hand, this is a positive perception of reality with its everyday realities of following the attitudes of parents, teachers, and others, and on the other, youthful curiosity about learning the unknown side of the life of “gentlemen of fortune,” rising above the crowd and disregarding the legal foundations of society.

The next stage of involvement is the actions of the involver, weakening the teenager’s control over his actions or reducing this control to “nothing.” In this case, the addict can also use alcohol together with a transition to light drugs, for example, smoking marijuana, using medications. The stage of involvement becomes propaganda and instilling interest in a negative attitude towards the law, showing in real facts the possibility of avoiding punishment for an offense, showing fearlessness in front of law enforcement officers, brave prowess, the advantages of existing in a marginal world, with an explanation that the life of law-abiding people is gray, uninteresting, in it there is no risk, adrenaline, self-affirmation of a strong personality. A teenager who has fallen under the influence of a criminal company is instilled with the idea of a constant “presence” in the group, the so-called invisible control of the group over his actions, where he is assigned a certain role, a sense of solidarity and mutual assistance of this group, no matter what.

The next stage of involvement specifies the fulfillment of the intended goal. This is a search for the object of a criminal attack, the distribution of roles between participants in the commission of a crime with the inculcation of the idea that it is impossible to actually come to the attention of law enforcement agencies, the presence of truthful excuses, sometimes based on specific examples of the application of current legislation (for example, do not allow police officers into the apartment after 11 pm) or a well-thought-out alibi confirmed by his people.

Discussion of the amount of remuneration for successfully completed work is one of the important motivational actions of the involver. Knowing the financial needs of a particular teenager, the person involved in the conversation focuses his attention on the possibility of achieving his cherished goal through diligent execution of specific assignments of a criminal nature. The final

stage is to retain the involved minor in the group through the use of a range of methods and means of a violent nature. The nature of the connections and relationships of the inciter with the involved predetermines the choice of place for carrying out inflammatory actions.

It has been established that in most cases, involvement occurs at the teenager's place of residence, in the place of leisure - free time, in an environment conducive to communication and conversation on abstract topics. The increase in cases of incitement in places where teenagers study with the obvious connivance of the administration of schools and educational institutions is alarming.

The engagement process can occur in two ways:

1. The first way is associated with the formation of drug addiction in minors, and then, when a minor already becomes dependent, it becomes easier to manipulate them, so they are drawn not only into the use of drugs, but also into their distribution;
2. The second way is a whole system where the minor does not use drugs, is not addicted, but is directly related to the process of drug distribution [3].

At the same time, the first way is the most common.

The second path is more complex and lengthy, includes more stages, and is also more risky. It consists of finding minors who will be more pliable. These include: minors with a low level of financial status of their family; whether parents or other adult family members have control over the minor; minors with low levels of intellectual development and education; minors who have already committed minor administrative offenses or even criminal ones, etc.

It is easier for the minors listed above to be drawn into a criminal environment, because, for example, when the financial situation of the family is difficult or in an incomplete family where there are financial difficulties, the money issue becomes the most important thing for the minor, and getting easy money becomes an attractive goal. A minor is attracted by the idea of independent life and the prospects that he will be able to call himself everything[4].

The following important criteria are: the level of intellectual development, education of the minor and his social status. It is they who determine the minor's relationships with others and their values in life.

After identifying such teenagers, the next stage begins - this is the search for or creation of joint interests, which gradually become more and more dangerous, for example, at first it is walking until late in the day, petty hooliganism, then drinking alcohol together, then this can lead to the use of soft drugs and so on. That is, at this stage the minor already loses control over his actions and agrees to everything[5].

The next step is the formation of legal nihilism and a negative attitude towards law and law enforcement agencies in minors. Most often, it is at this stage that an example is shown of how punishment can be avoided for illegal acts. Also, at this stage, the minor begins to feel the greatest connection with the criminal group, he considers himself an important part of this group, he feels heard, accepted and protected.

The fact is that most often, the involvement of minors in the process of distribution of narcotic drugs occurs at the place of his residence, place of frequent pastime, in the environment where it is easiest for the minor to speak honestly and openly[6].

Based on the definition of the involvement of minors in the process of drug distribution, it follows that the persons involved are liable for this activity.

The Republic of Uzbekistan provides for criminal liability for the involvement of minors in the commission of criminal offenses; the distribution of narcotic drugs is precisely such an offense. Liability is provided for in Article 127 of the Criminal Code of the Republic of Uzbekistan[7].

Ways to get involved

The involvement of minors in committing a crime poses an increased danger to society not only because it expands the circle of offenders, but also because such actions have a negative impact on the unformed psyche of adolescents, disrupt their normal spiritual and moral development, and instill in them distorted values, ideas, and models. behavior and role in society. Determining in each specific case the mechanism for involving minors in organizing the illicit trafficking of narcotic drugs, psychotropic substances or their analogues is of particular importance for determining the activity of the person involved, shows the level of his demoralization and the degree of predisposition of adolescents themselves to participate in illegal drug-related activities.

To commit a crime aimed at involving a minor in drug trafficking, a specific life situation must be filled with objective content indicating the possibility of involving a minor in committing drug crimes, thereby receiving benefits and income from it. The specific content of such a situation can be expressed in the following: the presence of minors in the criminal's environment who are ready to engage in this criminal activity; availability of space and opportunity for drug trafficking; demand for the purchase of drugs, etc. At the same time, the criminal must be aware that all of the listed actions can help meet his needs, achieve his goals and do not contradict his interests. This combination of objective and subjective content of a specific life situation can lead an individual to commit a criminal act aimed at involving a minor in committing a crime in the field of drug trafficking.

Researchers have identified two main groups of mechanisms for involving minors in drug trafficking, as well as trends and patterns of this process[8]. The first group is the formation of drug addiction among minors, with the aim of their further involvement in committing crimes related to drug trafficking. The second group represents a system in which the teenager is not a drug user, but is directly involved in the illegal drug trafficking system.

Considering the first direction, it should be noted that it is the most common mechanism for involving minors in drug trafficking. Thus, the enticement purposefully and gradually forms a drug addiction in a teenager, and subsequently uses him as a perpetrator of a crime. In addition, a minor can provide some assistance in committing drug crimes or commit a crime on their own.

It is very easy to involve minors in drug use, since they are flexible, obedient and, as a rule, follow the instructions of adults. As minors use narcotic drugs or psychotropic substances, the degradation of their conscious and volitional activity intensifies. With long-term drug use, increasingly significant deviations from the normal functioning of the brain and mental development appear.

Thus, when asked what methods are most often used by inductors to introduce minors to drug use, respondents noted the following: proposal - 68%, praising the sensations of taking drugs - 59%, persuasion - 42%, bringing them to a state of alcohol intoxication - 38%, deception - 36%, threats - 21%, physical violence - 7%, other - 5%.

Thus, the most common ways to involve minors in drug use are suggestions, praise of the sensations of taking drugs, and persuasion. One of the popular ways of introducing minors to drug use is to bring them to a state of alcohol intoxication. It is well known that in adolescence, sensitivity to alcohol is highest and even from a small amount of alcohol, severe intoxication and addiction can occur. Therefore, using his advantage in age, the enticement first offers the teenager alcoholic drinks, then, after intoxication occurs, convinces the minor to try a narcotic drug or psychotropic substance.

A study of criminal cases shows that most often (in 48% of cases) psychological influence is used to induce minors to use drugs and subsequently to involve them in participation in drug trafficking, which include, for example, such methods of communicative influence as : persuasion, suggestion, deception and others. There are cases when teenagers are subject to a fine for committing any actions, and for non-payment of which they are intimidated and forced to commit drug-related crimes, most often to sell drugs. It should be noted that minors, due to their psychophysiological characteristics, are much easier to succumb to various forms of psychological pressure than adults[9].

The method of committing a crime is the most dynamic characteristic of a crime, which develops along with scientific and technological progress. The results of our research indicate a significant spread of the mechanism of involving minors in drug trafficking through the use of the Internet, when experienced drug addicts, in the process of online communication, praise the sensations of taking drugs, give recommendations on dosage and methods of use, and also describe in detail the process of preparing drugs funds, as well as possible places to purchase drugs.

Thus, a 15-year-old teenager, without the financial ability to buy it, learned from his friend that one of the Internet sites that sells drugs is holding a competition for the best creative work on the topic "The effect after using spice." After reading the conditions, the teenager wrote an essay and sent it to the organizers of the competition. After some time, the minor received a notification that he had become the winner, his work was posted on the website, and as a reward, a bookmark with a narcotic drug was waiting for him in the specified place[10].

In addition, the study of criminal cases allows us to conclude that often (in approximately 85-87% of cases) when minors are involved in drug trafficking, through their acquisition of drug addiction, several methods are used, carried out in various combinations. Most often, a certain scheme operates: first there is a proposal, then persuasion, it is also possible to lead to a state of alcoholic intoxication or deception, then praising the sensations from taking drugs. In this regard, individual methods used to introduce minors to drugs can be distinguished only conditionally, since when putting psychological pressure on adolescents, those who involve minors in drug trafficking most often adhere to the principle of complex influence.

We agree with P.N. Putilov, who claims that in reality only one method of involvement is rarely used; as a rule, a combination of several methods is used[11]. According to A.I. Martsev, here the psychological treatment of a teenager prevails, allowing him to win or strengthen sympathy and trust in an adult, speculation on his affections, habits, desires, weaknesses, inexperience, naivety, and finally, gullibility[12].

Thus, persons who induce minors to use drugs and subsequently commit crimes in this area have certain life experience and methods of psychological influence, which helps them find the necessary ways to achieve their criminal goals.

Another group of mechanisms for involving minors in the illicit trafficking of narcotic drugs, psychotropic substances or their analogues is a system in which minors do not use drugs, but are integrated into the illicit drug trafficking system. For further analysis of this mechanism of involvement, we will also take as a basis their legislative list: promise, deception, threats, as well as other methods.

It is known that the personality of each person is related to many factors that characterize him in different ways - social, psychological and biological[13]. At the initial stage of drug use, the addict's personality does not differ much from the people around him. In the behavior of the "addict who has just started" there are elements of secrecy, deceit and abandonment of usual hobbies. Later, during the period of addiction to drugs, the personality of the addict begins to have characteristic signs that distinguish him from others more and more clearly and indicate a certain level of disorder.

However, in addition to common qualities, the personality of each drug addict is also distinguished by certain individual symptoms.

It should be borne in mind that a promise is understood as the assurance of a minor that any action (inaction) will be performed in his interests, which may be directly related to him or be of value to him, namely the provision of material assistance, the provision of work[14]. The promise of reward means that a minor is offered, for example, to distribute narcotic drugs or psychotropic substances, as a result of which he will receive a reward either in the form of money or in the performance of a certain service.

Evidence from judicial practice suggests that a promise is the most common way to involve minors in drug trafficking. This is explained by the fact that it is easy to attract a minor interested in money to commit a crime by promising him a material reward. Thus, citizen M. was detained, transporting a narcotic drug with his nephew S., who had not reached the age of criminal responsibility. As follows from the materials of the criminal case, M. promised his nephew a monetary reward for keeping the drug in his backpack before arriving home. But at the border, citizen M. voluntarily gave the drug to customs officers, and also told where and when he acquired it, that is, he voluntarily handed it over. Under such circumstances, M. was released from criminal liability, and S.'s minor nephew had not reached the age of criminal responsibility[15].

In addition, at present, the involvement of minors as pawners of narcotic drugs, psychotropic substances or their analogues poses a serious threat. During interviews with internal affairs officers, information was received that such criminal activities mainly involve young people aged 15-17 years old, living in an incomplete dysfunctional family, mainly with a full or incomplete secondary education. As a rule, these are school-age teenagers who are looking for a way to get rich quickly and easily. Minors with a low financial position in the family willingly agree to such work, where earnings can reach up to three hundred thousand rubles.

Job offers occur mainly on the Internet, through social networks "VKontakte", mobile applications "Telegram", "Viber". In this case, the minor receives a targeted job offer with high earnings, or the teenager himself finds an advertisement. The essence of the work is to place narcotic drugs, psychotropic or psychoactive substances in various places in order to deliver them to the consumer. At the moment, such a scheme for involving minors in drug trafficking is clearly worked out and organized, in addition, it has a well-structured hierarchy. The danger is that a minor, starting to work as a pawnbroker, can later climb the career ladder and move on to other stages of illegal drug trafficking, such as an operator or recruiter, up to the organizer of the entire drug business.

Thus, the activity of recruiters is to search for new persons, in particular minors, who are ready to engage in the distribution of drugs and make a profit from it. In the process of involvement, the recruiter uses various methods of psychological influence on adolescents.

It should be noted that when solving this type of crime, the difficulty lies in the fact that it is almost impossible to identify a specific person involving a minor in drug-related criminal activity. The problem lies, first of all, in the lack of material and technical resources for law enforcement officers and the lack of technical control of the Telegram mobile application. If such a person is identified, it is almost impossible to prove his involvement and knowledge of the teenager's age. If such a criminal scheme is discovered, then in most cases the recruiters are not prosecuted.

Deception can be expressed in an adult convincing a minor that he will not be punished for his actions, for example, he has not reached the age of criminal responsibility, he will not be noticed when committing a crime, etc. The term deception is interpreted differently in legal literature. In our opinion, the most complete and accurate definition of deception, reflecting the nature of actions committed by adults to involve minors in drug trafficking, is an action that consists of misleading a

minor as a result of providing him with knowingly false information that creates in the teenager a desire to commit a crime.

Thus, 18-year-old citizen G. asked a minor acquaintance A. to deliver a parcel to a city of interest to him, knowing in advance about the upcoming trip. There, according to him, he must hand over the package to relatives at the specified address. Citizen G. motivated his behavior by the lack of time and opportunity to do it personally. During an inspection of the luggage of minor A., a narcotic drug was found in a parcel. A criminal case was not initiated against minor A. due to the lack of corpus delicti[16].

The most dangerous is the involvement of minors in drug trafficking when it involves threats against them. Threats can be used through physical violence or psychological pressure, to which minors are more susceptible. The threat of violence means verbal or demonstrative expression by a person of an intention to cause harm to a teenager's health, i.e. use violence, both non-dangerous and dangerous to life and health. A prerequisite for qualifying an act on this basis is that the minor perceives such a threat as real.

The reality of danger to life and health may be evidenced by the demonstration by the person involved of weapons, objects that can be used as weapons; obvious differences in the physical characteristics of the minor and the person involved; the presence of information that this person has previously used violence against a minor, etc.

Thus, the involvement of minors in the illicit trafficking of narcotic drugs, psychotropic substances or their analogues has a specific mechanism of individual criminal behavior. In individuals who experience hypertrophied material needs and who oppose their interests to the interests of other individuals and society as a whole, a selfish motive is formed, that is, an incentive to activity determined by these needs and interests, aimed at obtaining material benefits. Feeling motivated to engage in such activities, the offender sets a goal, that is, he imagines the end result of his actions - the participation of minors in committing drug crimes and the perpetrator himself receiving material and other benefits from this. At the same time, the possibility of involving a minor in drug trafficking must be evidenced by the objective content and subjective perception of the specific life situation by the perpetrator.

Engagement latency issues

The process of involvement in criminal activity is a crime with a high level of latency. At the same time, we designate latent that part of crime that, for one reason or another, was not recorded in criminal justice statistics and did not become the subject of criminal and judicial proceedings, that is, it remained unnoticed and did not receive an appropriate legal response. Latent crime consists of crimes that remain unknown to the authorities authorized to conduct investigations due to the active concealment and camouflage of them by criminals or due to the reluctance and fear of victims and eyewitnesses to apply for an investigation into the commission of crimes[17].

One of the reasons contributing to the latency of crimes is the shortcomings of the system for recording and recording messages and statements, as well as the dishonesty of law enforcement officials, as a result of which even facts of criminal manifestations that have become known remain unregistered. The increase in crime, which characterizes criminalization, as well as changes in its other parameters, primarily organization and corruption, lead to the degeneration of all spheres of social life and consciousness, and radically complicate the process of restoring social institutions and crime control. The study of latent crime in theoretical terms is necessary to determine the actual state of crime, its true size, structure, and territorial distribution. The practical role of studying the problem of latent crime is to implement the basic principles of the state's criminal legal policy - the inevitability of criminal liability of the person who committed the crime, the completeness and comprehensiveness of the investigation of any manifestation of a violation of the law, the

imposition of a fair sentence, the adequacy and proportionality of the measures taken by the law[18].

Serious work is needed to reduce latent crime. On the one hand, the victim of a crime is not identified, and therefore does not receive the necessary legal assistance and may be re-exposed to criminal influence. On the other hand, a criminal who is also unknown, feeling impunity and permissiveness, will continue to influence the victim, generating among citizens distrust in the ability of government authorities to guarantee the safety of the population and effectively influence crime. All of the above latency parameters are reflected when identifying facts of adolescents' involvement in criminal activities related to drug use. Law enforcement agencies, when identifying facts of involvement of minors in criminal activities, do not take measures to properly record these facts, which in turn results in a lack of investigation.

The motivation for this kind of action is determined by the fact that in the planned accounting of the activities of units combating illicit trafficking in narcotic drugs and psychotropic substances, this article of the Criminal Code is not a priority, and therefore will not be properly assessed by management. The reporting of the division's activities is based on the disclosure of facts of sales, manufacture, and sale of narcotic drugs and psychotropic substances. In every criminal case related to drug addiction, where a minor appears, there is always the fact of involvement in criminal activity. Thus, there has been a tendency to show interest in this problem in order to collect sufficient material to bring the offender to criminal responsibility when investigating this type of crime, and when providing operational support for the development of drug dealers.

Conclusions

To avoid the involvement of minors in drug distribution activities, there are various preventive measures. Such measures can be called:

1. Keeping records of crimes related to the involvement of minors in the distribution of drugs;
2. Large-scale and comprehensive identification and consideration of these crimes;
3. Widespread use of technical means;
4. Improving legislation to avoid mistakes in the classification of this category of crimes;
5. Conducting interviews with minors, their parents and legal representatives;
6. Exercising control over particularly vulnerable categories of minors.

Thus, the involvement of minors in the distribution of narcotic drugs is a socially dangerous, criminal offense against minors. There are certain categories of minors who are most susceptible to involvement. Whether a minor will be involved in such activities depends on many factors, but one way or another this can be avoided by applying preventive measures.

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