

Methods of Studying the Personality of a Suspect (Accused) in Criminal Investigations

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Annotation: The article provides information about the methods of studying the personality of a suspect in criminal investigations, highlighting the views of scholars on this issue. It also discusses the importance of forensic psychiatric and forensic psychological examinations in the study of an individual's personality.

Key words: Investigation, suspect, personality, profile, research, offender, identification, portrait, expertise, psychiatry, method, interview, description, psychologist, specialist.

In investigative practice, the study of a suspect's or accused person's personality is carried out using several methods. This process is one of the key factors in fully and fairly solving a crime. The investigator must take into account the identity, character, mental state, and social status of the offender when evaluating crime-related circumstances.

Scholars have proposed a number of methodological approaches in this regard. For instance, according to criminologist N.P. Yablokov, the following main methods are applied in studying the suspect's personality: analysis of documents, generalization of inquiry and interrogation results, drawing up a psychological portrait, and evaluating information obtained through observation¹.

Analyzing the circumstances of the committed crime can also help identify the suspect's mental and emotional state. For example, whether the crime was carefully planned or committed impulsively provides essential insight into the individual's character. Expert opinions, witness testimonies, and evidence obtained through technical means play a significant role here.

In our opinion, there is no single universal approach to studying a suspect's personality. Each case must be evaluated individually; therefore, a complex approach is of great importance.

The relevance of studying a criminal's personality lies in the necessity of understanding their characteristics, skills, motivation, and other traits. Studying the offender's personality is also crucial in individualizing responsibility and serves as a basis for proposing preventive measures against crime. Without scientific study of the offender's personality, effectively solving the issue of crime prevention is difficult.

Methods of obtaining information about a person can be classified in different ways. According to the level of scientific substantiation, methods can be divided into universal, specific, and adapted. Universal scientific methods (observation, comparison, experimentation) are general; specific methods are applied within certain fields (e.g., psychological or sociological methods); and adapted methods are borrowed from other sciences but applied to solve forensic problems².

Depending on the conditions of information collection, organoleptic and instrumental methods can be distinguished. Organoleptic methods are based on sensory perception, and their effectiveness depends on the functional state of human sensory systems. Technical tools serve an auxiliary role.

¹ Яблоков Н.П. Криминалистика: учебник для вузов. – 3-е изд., перераб. и доп. – М.: Юрайт, 2005. – С. 212–214

² Куликов Л.В. Психология личности в трудах отечественных психологов: Хрестоматия. 2-е изд. СПб.,

In criminology, the process of studying an individual's personality involves the use of various methods and tools. These include:

- 1) Properly forensic and forensic-technical methods and means;
- 2) Application of achievements of psychology independently through forensic tactics (mainly recommendations of law enforcement officers) or by involving specialists in court proceedings;
- 3) Use of methods from other sciences connected with engaging experts and specialists in investigations³.

In criminal investigations, general, social, and legal-psychological methods adapted to procedural conditions are also applied: observation, conversation, testing, interrogation, and experimental methods⁴.

Observation is one of the most common cognitive methods. It aims at studying the subject by distinguishing and evaluating observable features. During observation, external appearance, speech, behavior, and facial expressions of a person are analyzed. Observation may be direct (conducted personally by the investigator) or indirect (information obtained from others).

The conversation method is widely used, often realized during interrogations. It consists of understanding psychological phenomena in verbal communication. Through conversations, one can determine educational level, intellectual development, temperament, mental condition, nationality, etc. Certain speech characteristics may indicate psychological disorders or special mental states⁵.

An experiment (experimental actions) is a method of obtaining information about a person's characteristics, through which the proposed versions are tested. The main advantage of the experiment in studying the personality of the participants in the process is its reliability, the ability to draw conclusions about the cause-and-effect relationships of the studied phenomenon with other phenomena, and, when necessary, to provide a scientific explanation of the origin and development of the phenomenon. The experiment helps to determine the dependence of personal characteristics on factors influencing the individual, to identify the reasons for certain actions, and to observe the internal qualities of the personality during development (including before, during, and after the commission of a crime).

Interrogation is carried out when it is necessary to interview a large number of people under time pressure. Respondents independently answer the questionnaire questions. This allows us to obtain general information about the person of interest to the investigation and to narrow down the circle of individuals who may be sources of information of forensic significance.

We also believe that individuals who have committed multiple crimes often feel confident during interrogation. The lack of fear of the unknown, in our opinion, in most cases, as well as the absence of remorse for their actions, negatively affects the conduct of the investigative procedure. Therefore, the investigator must carry out investigative actions more professionally, competently, and convincingly in order to obtain useful results for the investigation.

The test, as a method of studying personality, should not be confused with questionnaires and interviews. In this case, the individual performs a specially designed task or answers specific questions that differ in nature from those in surveys and interviews. Each test has its own unique answer key (the

³ Криминалистическое изучение личности: научно-практическое пособие для магистров / А.Г. Бедризов, Т.С. Волчецкая, Н.В. Галяшин и др.; отв. ред. Я.В. Комиссарова. М.: Проспект, 2016. 224 с.

⁴ Иванов Л.Н. Полисистемные исследования личности в уголовном судопроизводстве. Саратов, 2006.

⁵ Бородкина Т.Н. К вопросу об изучении личности подозреваемого (обвиняемого) при производстве предварительного расследования по уголовным делам // СПС Консультант Плюс. 2013.

method of solving tasks or the nature of the results of completing them), which reflects certain personal characteristics and makes it possible to describe the personality in a specific way.

The biographical method involves a detailed analysis of a person's life, which, taking into account the circumstances under which a crime was committed or certain situations occurred, allows for a correct assessment of the individual's character in relation to external conditions. In this approach, the history of a person's life, the conditions of personality formation and development, events in the family, educational institutions, workplace, city, state, and the world as a whole, as well as the individual's attitude toward themselves, toward others, particular situations, and various actions (their own and those of others) are studied.

The method of generalizing independent characteristics involves collecting and subsequently analyzing information about the studied individual obtained from various people in oral or written form. When applying this method, it is important to consider the completeness of individual characteristics, the possibility of covering all aspects of a person's life during a specific period, as well as other circumstances that are essential for an objective evaluation of incoming information. The data obtained in this way must be used with caution.

In order to obtain complete and reliable information about the participant in the process and to identify the causes and conditions that contributed to the commission of a crime, it is necessary to analyze the individual's behavior within a group (team). For this purpose, methods of social psychology are applied.

Forensic psychiatric expertise identifies the mental state of participants in criminal proceedings. Its subject includes determining sanity, mental illness, or capacity for serving sentences and undergoing treatment⁶.

Forensic psychological expertise, in turn, evaluates the psychological abilities and traits of individuals who are not mentally ill. It may cover witnesses' ability to perceive events accurately, juveniles' capacity for responsibility, victims' understanding of acts of violence, and other aspects.

Sometimes comprehensive psychological and psychiatric examinations are required, especially for juveniles with developmental issues.

The general subject of forensic psychiatric examination consists in determining whether or not a person referred for examination suffers from a mental disorder. This may include:

- a) establishing the sanity or insanity of a person accused of committing a crime;
- b) determining whether or not the victim suffers from a mental disorder that renders them helpless;
- c) assessing the ability of an individual with a mental disorder to serve a sentence in prison;
- d) determining the appropriateness or justification of ordering or terminating compulsory treatment in an outpatient or inpatient setting, among other issues.

The **criminalistic evolutionary model** is a theoretical model that allows for predicting the likelihood of criminal behavior based on the stages of a suspect's personal development (from childhood until the commission of a crime)⁷.

In criminal proceedings, the most common type of forensic psychiatric examination is the evaluation of whether, at the time of committing a socially dangerous act, the individual was able to understand the true nature and social danger of their actions (or inaction), or to control them, or whether due to

⁶https://www.researchgate.net/publication/359061105_A_useful_science_Criminal_interrogation_and_the_turn_to_psychology_in_Germany_around_1800

⁷ <https://onlinelibrary.wiley.com/doi/epdf/10.1111/hsc.13478>

chronic mental illness, temporary mental disorder, insanity, or another painful mental state, they lacked such capacity. If forensic psychiatry establishes the absence of such capacity, the court may declare the person insane. In such cases, compulsory medical measures provided for in the Criminal Code may be applied.

Forensic psychological examination is a type of forensic expertise carried out using specialized knowledge in the field of psychology.

The objects of forensic psychological examination may be individuals involved in a criminal case as well as case materials.

The general subject of forensic psychological examination consists in assessing the psychological abilities or characteristics of an individual who does not suffer from mental disorders. The specific subject of the examination is determined in accordance with the particular expert task, by specifying the general subject of psychological research. The most common types of forensic psychological examination in criminal proceedings include:

- assessing the ability of witnesses or victims to correctly perceive case-relevant facts and to give accurate testimony regarding them;
- assessing whether juvenile defendants are capable of fully (or to a certain degree) understanding the significance of their actions and exercising full (or partial) control over them;
- assessing whether juvenile victims in cases of rape correctly understand the nature and significance of actions committed against them and their ability to resist;
- evaluating the mental state of individuals at the time of committing unlawful acts that diminish their ability to understand the meaning of their actions or to control them;
- examining mental states that hinder the performance of professional functions when operating complex technical equipment;
- assessing mental states in the period preceding death in individuals prone to suicide;
- examining individual psychological characteristics (character traits, features of the emotional-volitional sphere, motives of behavior, quality of cognitive activity, etc.);
- assessing the dependence of personal traits and behavior formation (motivation, attitudes, value orientation) on the influence of the socio-psychological environment;
- analyzing indicators of the reliability of testimonies based on video materials of operational-investigative and investigative actions⁸.

In investigative practice, the need sometimes arises for a **comprehensive psychological and psychiatric examination**. As a rule, this is conducted in relation to minors who have been deemed sane but suffer from oligophrenia, neuroses, psychopathy, signs of psychophysical infantilism, or residual effects of organic damage to the central nervous system. In such cases, the goal of a comprehensive psychological-psychiatric examination is to provide a more differentiated assessment of the juvenile's ability to understand the meaning of their actions and to what extent they can control them, compared to psychiatric examination alone⁹.

In addition to the above-mentioned methods, investigators may also use other techniques for studying personality in criminal proceedings. Thus, more modern, though less traditional methods include the

⁸ Землянская Е.В. Судебно-психологическая экспертиза личности // "Вестник по педагогике и психологии Южной Сибири". 2016. № 2. С. 79 - 88.

⁹ Криминалистическое изучение личности: научно-практическое пособие для магистров / А.Г. Бедризов, Т.С. Волчецкая, Н.В. Галяшин и др.; отв. ред. Я.В. Комиссарова. М.: Проспект, 2016. 224 с.

cognitive interview method, physiognomy, instrumental methods of lie detection (polygraphy), neuro-linguistic programming, and others. However, any of these methods may only be applied if certain requirements are met: scientific validity, appropriateness of their application to the subject of research, and consideration of procedural and ethical standards.

The effectiveness of studying the suspect's (or accused's) personality largely depends on the use of technical means, the involvement of specialists, the correct choice of information sources, defining the boundaries of personality study, the completeness and impartiality of verifying incoming data, and the use of optimal forms for recording information about the suspect's personality. High results in studying the suspect's personality can be achieved only through the application of methods and tools designed for this purpose, and the data obtained are applied in investigative tactics. At the same time, choosing a specific method for solving a particular problem requires a high level of professionalism from the investigator¹⁰.

Any research, including the study of personality, presupposes a **synthesis stage**—generalizing the obtained materials and drawing conclusions about the personal characteristics of a particular participant in the process. Thus, obtaining information about personality traits should culminate in the construction of a so-called **“forensic psychological portrait”** of the individual. Such a portrait helps navigate the collected material, correctly identify trends in personality development, facilitate the establishment of psychological contact, and so on. The psychological characteristics of a person should serve as the basis for predicting the subject's behavior in court proceedings.

According to O. A. Sokolova, the structure of a personality portrait should consist of several blocks:

- a block of forensic significance, primarily including the “verbal portrait” and the “traceological portrait”;
- a block aimed at studying human abilities and habits manifested in various traces at the crime scene;
- a block reflecting the psychological and psychiatric portraits of the wanted person (these portraits include individual features of the person's behavior at the crime scene, based on physiological processes and motivation);
- a block of organizational and informational data obtained during operational-search activities, investigative actions, examination of materials, consultations with experts, assistance from the public, and other measures¹¹.

¹⁰ Бородкина Т.Н. К вопросу об изучении личности подозреваемого (обвиняемого) при производстве предварительного расследования по уголовным делам // СПС КонсультантПлюс. 2013.

¹¹ Соколова О.А. Актуальные направления комплексного подхода к изучению личности человека в предупреждении, раскрытии и расследовании преступлений // Эксперт-криминалист. 2013. N 3. С. 9 - 11.