

## Psychological Aspects of Conducting Searches and Presentations for Recognition

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**Annotation:** This article examines the psychological aspects of conducting searches and presentations for recognition within investigative practice. The search is defined as a procedural action aimed at discovering and seizing hidden evidence, including objects, documents, or individuals. Various scholars emphasize the legal, organizational, and psychological characteristics of this process, highlighting the need for thorough preparation, observation of the searched individual, and accurate interpretation of behavioral signs. The psychological activity of the investigator during a search includes perceptual, cognitive, and analytical components, which directly affect the efficiency of the investigative process. The dual nature of conflict—emotional and intellectual—between the investigator and the searched person is also addressed. Moreover, the article analyzes the psychological features of presentation for recognition, noting that recognition is inherently subjective and depends on perceptual and cognitive processes of the identifier. Both simultaneous and sequential forms of recognition are discussed, with an emphasis on the limitations of pre-identification descriptions and the need to account for the natural holistic nature of perception. Practical recommendations for improving effectiveness include minimizing distractions, maintaining investigator focus, and respecting the psychological state of participants. Overall, the study underlines the significance of applying psychological knowledge to enhance investigative actions, reduce errors, and ensure more reliable evidentiary outcomes.

**Key words:** search, recognition, psychological aspects, investigative activity, conflict, perception, identification.

A search is “a procedural action consisting of a mandatory search of buildings, structures, land plots and vehicles, individual citizens, the purpose of which is to find and seize concealed evidence of a crime, i.e., instruments, objects, documents, valuables of the crime, as well as to search for persons, corpses”.[1]

N.P.Yablokov defined the search characteristic of a search as “a purposeful mandatory search of premises and land plots owned by the person being searched, his family members, or organization, and a similar search of a specific person for the purpose of finding and seizing weapons of crime, criminally obtained items and valuables, as well as documents and other objects relevant to the case” [2]. S.Scheifer, in his definition of a search, emphasizes that this investigative action is based on observation and is a legal procedure for “mandatory inspection of buildings, residential premises, and other places, individual citizens, and clothing in order to find and seize material evidence, documents, and valuables relevant to the case, as well as wanted persons and corpses” [3]. Considering the psychological characteristics of conducting a search, I.Yenikeev prioritizes the problem of preparing for the search, studying the identity of the person being searched, the place of the search, and the searched objects [4].

A.M.Stolyarenko emphasizes the need for psychological observation of the searched person during the investigative action [5]. According to S.G.Yeremeyev, when conducting a search, the search activity is often aimed at finding objects directly related to the investigated event, while the preparatory stage of

the search, psychological observation and analysis of the behavior of the person being searched, is neglected. If the evidence sought in a specific criminal case is found, the search is suspended. The main elements of the investigator's psychological activity during the search, as well as during the inspection of the crime scene, consist of cognitive, search, and thinking activities. During a search, the investigator's cognitive activity includes all types of perception (visual, auditory, tactile, gustatory), observation, creative imagination, and operative memory. The investigator develops a unified understanding [6]. The investigator's investigative activity, for which optimal time is allocated, is aimed at searching for primary and secondary traces of the crime. In the process of carrying out investigative activities, the investigator's individual style is manifested. It should be noted that the search-oriented nature of the activity during the search causes emotional tension in investigators, while simultaneously they feel a conflict with the person being searched (in legal psychology, this phenomenon is called intellectual conflict). In addition, investigators are emotionally influenced by the searched persons (not always intentionally), which complicates the search actions (emotional conflict). Some investigators try to understand (reflect) where the participant in the investigative action might have hidden the wanted items. The investigator's thinking activity is aimed at solving one known or unknown task. In the process of mental activity, modeling of the searched room, hidden places, the searched person, their behavior, instruments of crime, objects, documents is carried out. The result of this activity is the investigator's interim conclusions. From a psychological point of view, a search is considered a complex and specific action, since it is associated with the use of coercion against the person being searched, intruding into their intimate-personal sphere, which leads to emotional conflict.

The search is also characterized by the contradiction of the goals of the investigator (the purpose of the investigator's activity is to find hidden objects and give them appropriate legal form) and other participants in the search, which leads to intellectual conflict. A search, as an investigative action, has a clearly expressed search character, the limited availability of information about objects and their location, and the conditions for conducting a search determine the problematic nature of the search. Thus, a search is an investigative action that involves disputes of various directions. The investigator (investigator) must know and apply the psychological laws of behavior in a conflict situation. For the effective use of psychological opportunities in a conflict situation, it is recommended to remove the searched person from a state of comfort (emotional balance), in which behavioral and speech signs indicating the hiding places of certain objects are more pronounced. At the same time, it is necessary to distinguish the manifestations of behavior associated with negative experiences of a person regarding the fact of conducting a search from experiences associated with the possibility of finding evidence and bringing him to justice. A search, as an investigative action, has a clearly expressed search character, the limited availability of information about objects and their location, and the conditions for conducting a search determine the problematic nature of the search. Thus, a search is an investigative action that involves disputes of various directions. The investigator (investigator) must know and apply the psychological laws of behavior in a conflict situation. For the effective use of psychological opportunities in a conflict situation, it is recommended to remove the searched person from a state of comfort (emotional balance), in which behavioral and speech signs indicating the hiding places of certain objects are more pronounced. At the same time, it is necessary to distinguish the manifestations of behavior associated with negative experiences of a person regarding the fact of conducting a search from experiences associated with the possibility of finding evidence and bringing him to justice.

The investigator should also take into account the general possibilities of increasing the effectiveness of the search:

- 1) the search should not be undertaken in a tired or uncomfortable state;

- 2) it is not necessary to enter into a conflict with the person being searched (if this is not part of tactics or a method of psychological influence), it is recommended that all communication be polite and tactical;
- 3) it is advisable to eliminate all distractions (presence of unnecessary people, music, television playing, phone calls, etc.);
- 4) it is not advisable to rush before a complete examination of the previous object and proceed with the examination of the new object, to observe systematicity;
- 5) when signs of fatigue appear, take a break for rest. Such breaks allow maintaining the necessary level of focus and stability of attention, which is the key to a successful search.

Presentation for identification is “the achievement by the subject (suspect, accused, victim, or witness) of the goal of establishing the identity or difference of the recognized object with the image retained in the process of perception of the object (person, object, corpse, or their photographs) related to the event of the crime”[7]. Most investigators perceive the presentation for identification as an extraordinary procedural process, often of a formal nature. At the same time, the understanding of the psychological nature of this investigative action is expressed at an extremely superficial, everyday level. Recognition is only subjective. The investigator's psychological activity includes cognitive (visual perception, observation of the identifier and the person being identified), organizational, and thinking (identification, generalization, drawing final conclusions with the help of the identifier). To establish the identification characteristics of a person, the investigator is obliged to interrogate the prospective identifier to establish the characteristics and features by which they can be identified. This is necessary, first of all, for assessing the objectivity and expediency of presenting for identification. However, focusing on the classification of investigative situations, it should be noted that the investigator may encounter two unequal situations in terms of the degree of information accuracy - simple and complex. It is customary for the interrogated person, who has previously testified about the person he perceived, to confidently and unhesitatingly state the features and characteristics by which he can identify the object and to indicate these features and characteristics, identified in one of the persons presented to him during the investigative action itself. Such an identification can be considered reliable and can serve as a basis for accusation. A complex situation is one in which the identifier, during interrogation, says that he can recognize the person, but cannot show the clear signs of the person he previously perceived [8]. In forensic theory, there is a point of view according to which, if the investigator is in a difficult situation and the interrogated person does not give clear signs of the person he previously saw, the subsequent identification process is not accepted as evidence. For example, A.Ginzburg states: “If, during the initial interrogation, the identifier states that they did not mention or did not see the characteristics of the person to be identified, and subsequently identified the indicated person, the value of such identification is questionable, and it is difficult to determine the guilt of the identified person based on it” [9].

Y.G.Korukhov notes that “the identifier must not only state the characteristics that served as the basis for identifying the person, but also describe them as in the previous interrogation” [10].

In practice, it is emphasized that if a person is identified only by general characteristics of their appearance, the results of such identification cannot be grounds for accusation. Undoubtedly, a simple investigative situation has more evidentiary significance than a complex investigative situation, but based on the psychological characteristics and operating patterns of psychological phenomena, it is difficult to agree with these opinions. Recognition is one of the important mental processes in object identification. For the correct interpretation of the recognition results, it is necessary to understand the structure of this process. Traditionally, two types of identification are distinguished in psychology: the first is simultaneous identification, in which the individual recognizes the object as a whole, without distinguishing individual elements and features (this is the complex investigative situation we

mentioned). The second is sequential identification, in which the general image of the object is formed on the basis of the identification of individual external features (this is the usual investigative situation, which we mentioned). This type of identification indicates the need to obtain information about the identifying features and properties of the object. Undoubtedly, a detailed description of the object's identification features in advance facilitates the recognition process. However, it is necessary to agree with the opinion of scientists dealing with the conceptual problems of recognition, taking into account the peculiarities of human mental processes. In particular, according to T.P. Budyakova, "in criminalistics, there is an incorrect approach to defining specific identification criteria. The established order does not reflect the natural nature of perception as a holistic process" [11].

D.A.Stepanenko and I.M.Yegerev emphasize that "even in the absence of a detailed description of a person's characteristics, the identification process should be carried out" [12].

V.S.Burdanova also notes that "recalling an image is possible without expressing its features in words. In fact, he believes that the percentage of errors is the same both in the preliminary description of features and in recognition without features". A.R.Ratinov concludes that "the inability to describe an object does not preclude the possibility of its error-free recognition, just as correct description does not guarantee the possibility of recognition" [13].

Y.P.Dubyagin, O.P.Dubyagina, S.G.Loginov also share this opinion, believing that "even if a witness, victim, suspect, or accused person cannot describe the characteristics and properties of an object in advance, but is convinced that it can be recognized, the identification process is permitted" [14].

A.M.Stolyarenko and A.R.Ratinov [15] revealing the psychological problems of identification, emphasize that the most psychologically effective method is sequential identification, but procedural legislation requires the need for detailing before presenting the object, which in some cases is practically impossible. It is necessary to agree with the opinion of L.F.Ivanova and D.S.Ivanov that "the inability to describe an object does not preclude the possibility of its error-free recognition, just as correct description does not ensure the possibility of recognition" [16]. Perception is the processing of information, which is a multi-stage process, in which "images formed in the process of perception, passed through the process of receiving impressions, acquire individual individuality".

Therefore, simultaneous recognition can be used in the process of determining the identity or difference of the object presented for recognition. Accordingly, it is necessary to recognize this type of recognition as acceptable in the recognition process. Information obtained during the identification without a preliminary description of the object is subject to assessment in conjunction with other investigative actions conducted.

In general, to improve the effectiveness of recognition, the following is necessary:

- 1) when conducting a pre-recognition interrogation, take into account the individual characteristics of the person, their mental state at the time of the incident, as well as the specifics of their sensory systems;
- 2) analysis of the features of the initial perception of the object (the situation, the duration of perception, the time elapsed since the event occurred, etc.);
- 3) attempts to identify the characteristic features of the object of identification through clarifying questions for recording in the interrogation record, if simultaneous identification is possible. In this case, it is necessary to avoid excessive psychological pressure in memory, which can lead to a misrepresentation of the object or the fabrication of signs;
- 4) when assessing the results of identification, the witness's confident identification of a person or object should not be determined by speed, and doubts should not be considered as a sign of error. Such doubts can arise in the process of step-by-step recognition.

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