

The Relevance and Problems of Psychology in The Investigation of Crimes

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Abstract: This article analyzes the role, relevance, and challenges of psychology in the process of criminal investigation. The lack of scientific research in investigative psychology, the absence of trained professionals, limited technical resources, and weak legal frameworks are identified as major issues. The paper reviews international practices, particularly those from the United States and the United Kingdom, in applying psychological methods during interrogation and profiling. It also provides practical recommendations for integrating investigative psychology into Uzbekistan's legal and investigative systems.

Keywords: Investigative psychology, criminal profiling, interrogation, psychological assessment, legal framework, investigation practices.

Introduction: The Republic of Uzbekistan has set itself the task of achieving independence and building a democratic state governed by the rule of law and a free civil society where human rights and freedoms are fully guaranteed. This task, in turn, required a radical reform of every sphere of the country's life, the development of the legal, economic, organizational, and other foundations of reforms, and the systematic organization of work in each sphere. In our country, work in this direction has begun at an accelerated pace, and reforms are being implemented step by step. However, despite this, there are still shortcomings in establishing the truth during the investigation process. This creates problems in the administration of justice and the identification of the true causes of crime and their subsequent elimination. There are many cases when the majority of persons who participated in court proceedings and were interrogated give testimony completely opposite to the testimony given during the preliminary investigation. The reason for this is that they gave testimony under the influence of fear and stress during the investigation. During the preliminary investigation, investigative practice is of great importance and plays a significant role in organizing the judicial process based on the principle of fairness. However, the inability to apply investigative psychology in these processes leads to shortcomings in establishing

the truth. The following reasons indicate the relevance of investigative psychology in practice:

Firstly, over the past 20 years, no monographic research has been conducted, and no scientific works or dissertations have been written. This, in turn, led to the lack of understanding of the theory and practice of investigative psychology in the relevant authorities.

Secondly, there is no system for training personnel in this field, there are no specialists. Currently, it has not been established as a separate subject in legal educational institutions. Naturally, this creates shortcomings in determining the real facts of criminal cases. During investigations and court proceedings, individuals and individual subjects engage in interaction. Psychology naturally exists in communication. It is necessary to apply psychology in investigative processes and use it correctly. However, evaluating criminal cases without knowing it and hearing a specialist's opinion is considered biased in "finding the truth" and ensuring justice. For example, due to the lack of application of investigative psychology, cases in court cases are decided in favor of the party that convinced the judge the most, rather than "establishing the truth."

Thirdly, the lack of the necessary technical means for the correct implementation of investigative

psychology. For example, before the United States, a special detector (polygraph) was used to detect lies. The instrument typically used for polygraphic tests is a physiological recording that assesses three indicators of autonomic arousal: heart rate, blood pressure, respiration, and skin permeability. Today, most examiners use computerized registration systems. Respiratory rate and depth are measured with pneumographs wrapped around the chest of the object. Cardiovascular activity is assessed by the blood pressure cuff. Skin conductivity (called the galvanic skin or electrodermal reaction) is measured by electrodes attached to the fingertips of the subject. Currently, this tool has been improved and is being tested in certain parts of the brain. Based on foreign experience, it is necessary to enrich investigative practice with psychological and technical means.

Fourthly, there is no legal basis for the application of psychology in investigative practice. Only in the Decree of the President of the Republic of Uzbekistan dated February 7, 2017 No. DP-4947, that is, in the Decree "On the Action Strategy for the Further Development of the Republic of Uzbekistan[1]" the development of psychological science, along with other sciences, is defined as a separate task. However, no practical work has been done in this direction yet. The grounds for applying psychology in investigative activities still lack a legal basis. In practice, we have a need, but there is no systematic mechanism to regulate it/

The above factors also contribute to the insufficient formation of professional psychology among employees of investigative bodies. For example, the increased mental tension in the investigator's work, the need for constant operational reactivity, places special demands on the organization of the psyche.

The procedural independence of an investigator requires high initiative, organization, and social responsibility. To overcome nervous and psychological overloads, they must possess emotional and volitional endurance, calmness, determination, and inexhaustible confidence in the success of their work.

Important psychophysiological qualities of an investigator include:

- 1) sensitivity - increasing neuropsychic sensitivity to external influences;
- 2) optimal ratio of reactivity (impulsivity) and activity;
- 3) emotional stability;
- 4) plasticity of mental processes;
- 5) decrease in the level of anxiety - moderate emotional arousal in dangerous situations;
- 6) resistance - resistance to external and internal

conditions that hinder the implementation of the initiated activity;

- 7) tolerance - resistance to neuropsychic stress.[2]

It is also a psychophysiological characteristic of the investigator to treat the person expected to be interrogated well and give him a cup of water. However, work stresses, conflicts, long working hours, and excessive workloads fill his mind with the idea of resolving the investigation as quickly as possible.

The moral qualities of an investigator include: the uncompromising struggle against evil, lawlessness, and social injustice - these are the most important qualities necessary for a person who chooses the profession of an investigator. The investigator's action strategy should not be based on playing with the interrogated person or seeking common interests. Interrogated persons should view the investigator as an honest, principled, cultured person who knows their work, does not demean or insult their personal dignity, but protects their rights guaranteed by law.

In addition, there are various tactical and psychological methods in the investigation process, such as persuasion, the use of positive personality traits of the interrogated person, the technique of "suppression of lies" and "expectation," consistency, alleviation of stress, distraction using the person's weaknesses, creating the impression that the investigator has good information, and others. In our investigative practice, the feeling of "fear" is most effectively used. The investigator creates such an atmosphere in the interrogation room with a serious demeanor that the interrogation concludes easily, and the frightened person understands that they need to say something without thinking. Sometimes he doesn't even remember what he said later. Therefore, in court proceedings, cases of refusal of previously given testimony are often encountered.

In developed countries, the application of investigative and forensic psychology (investigative psychology and forensic psychology) is accepted as a separate science, while in our country, investigative psychology still remains a theoretical approach. Investigative psychology, mainly in the modern criminal world, has developed rapidly in states with the Anglo-Saxon legal system. "Investigative psychology is the application of psychological research and principles in the investigation of criminal behavior." This term [3] was introduced by David Cantor, Director of the Center for Investigative Psychology at the University of Liverpool, England. In short, investigative psychologists mainly conduct psychoanalysis of suspected actions and criminal approaches. In the United States and England,

criminal investigation psychologists are researchers and statistical specialists who collect information about criminals' thoughts, personal characteristics, and behavior. Moreover, crime profiling has led to significant achievements in these countries. There are four main types of crime profile: Criminal Investigation Analysis (CIA), Diagnostic Assessment (DE), Investigative Psychology (IP), and Geographic Profile. The Federal Bureau of Investigation's profiling method is considered the most common nomothetic method of crime prevention by the CIA. It defines questions about suspects, linking offenses to ordinary criminals, finding criminals' home base, and predicting where and when the next crime will occur. Investigative psychology makes logical conclusions that investigative activity not only carries out the preparation of "profiles." Evaluation typically involves creating psychological tests, providing situational tests, and providing recommendations for selection.

In conclusion, we can say that if we do not connect our investigative practice with investigative psychology, if we do not invest in it, if we do not use the experience of developed countries, we have no basis and do not have the right to confidently say that investigative actions are built on the basis of justice and honesty in "determining the truth." Information technologies are constantly developing. At such a time, it is necessary to use digital devices, special cameras, and necessary investigative-psychological tools in investigative practice. Every fact revealed during the investigation plays an important role in convicting the criminal, and determining the fate of a person by obtaining general investigative questions written on paper and their answers, printing them, and attaching them to the case is an unbiased approach to establishing evidence. To eliminate this, we considered it necessary to apply the following proposals in investigative practice:

I. Proposals for improving the national legislation of the Republic of Uzbekistan:

1. It is advisable to adopt Article 554 of the Criminal Procedure Code[4] of the Republic of Uzbekistan in the following wording:

"Article 554. Participation of a psychologist in the interrogation of a minor accused.

The participation of a psychologist in the interrogation of a minor suspect and accused is mandatory. He has the right, with the permission of the investigator, to ask questions to the accused, and upon completion of the interrogation, to familiarize himself with the interrogation record and express in writing his opinion on the accuracy and completeness of the entries in the record. These rights are explained to the psychologist by the investigator before the interrogation of the

minor, and this is recorded in the interrogation report."

2. It is advisable to adopt Article 548 of the Criminal Procedure Code of the Republic of Uzbekistan in the following wording:

"In cases of crimes of minors during the period of inquiry, preliminary investigation, and trial, except for the cases specified in Articles 82 - 84 of this Code, the following are subject to proof:

- 1) the specific age (year, month, day of birth) of the minor accused;
- 2) personality traits of the minor and the state of his health;
- 3) the conditions of his life and upbringing, psychology;
- 4) the presence or absence of adult witnesses and other participants;
- 5) the causes and grounds that led to the commission of a crime by a minor.

II. Recommendations for improving investigative practice:

3. "Psychology" should be introduced as an independent subject of study in educational institutions specializing in law and law enforcement;

4. The positions of "investigative psychologist" should be introduced, and they should mainly maintain a psychological conclusion and regularly conduct a psychological description of the criminal. It is necessary to register crimes and determine the general psychological characteristics of the perpetrator by dividing them into types. During interrogation, the investigator should use questions recommended by investigative psychologists. The investigative psychologist should formulate a list of questions for the person being interrogated, and based on their answers, compile "psychological tests" within this framework, and prepare a psychological conclusion about the interrogated person, submit it to the investigator, and this conclusion should be filed in the case file;

5. It is necessary to create a common electronic platform for the "psychological characterization of the criminal," conducted by investigative psychologists.

6. The investigation of crimes committed by minors should be entrusted to special investigators, and the age limit for them should be set at 30 years. Moreover, these investigators should be required to possess psychological knowledge. A person who has their own family and children, has work experience, and possesses psychological knowledge, when investigating crimes committed by minors, acts with caution and prevents further commission of crimes;

7. It is necessary to conduct both psychiatric and psychological examinations of minors. The reason is

that in some cases, minors think like young people about their age, and this type of examination determines whether there was intent in the minor or not. The absence of intent, in turn, leads to the termination of the criminal case.

8. Taking into account the experience of foreign countries, it is necessary to establish a path to crime prevention with the help of psychologists. In this case, it is necessary to take "psychological tests" in the following order and form a psychologist's conclusion based on them:

- 1) from the convicted person after the completion of the trial;
- 2) from a convict who has served half of his sentence in a correctional institution;
- 3) from a person released after the expiration of the sentence.

Based on these psychological tests, it is possible to determine the probability of a convicted person committing a new crime after a certain period of time. Then it will be possible to control them until a previously convicted person commits a new crime within the established timeframe.

9. The participation of a psychologist should be used in crimes against minors and women, as well as in serious and especially serious crimes.

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