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Research Article

PSYCHOLOGICAL BASES OF INTERROGATION: ESTABLISHING PSYCHOLOGICAL CONTACT WITH THE INTERROGATED

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ABSTRACT

In the article the author considers the psychological basis of interrogation as one of the important aspects of the investigative action of interrogation. And also about the establishment of psychological contact with the interrogated to obtain more detailed information. In practice, if between the investigator and the interrogated contact was not established, the achievement of a positive result is not possible. The information field of interaction between the investigator and the questioned without establishing contact significantly reduces the amount of information obtained. In this regard, the establishment of psychological contact affects the quality of the interrogation as a whole.

KEYWORDS

Interrogation, basis, psychology, contact, trust, empathy, communication, interview, testimony, behavior.

INTRODUCTION

The psychological foundations of interrogation are an important part of conducting an interrogation. Psychology improves the technique of legal interrogation, to the maximum possible efficiency. One of the first factors in obtaining correct and true information during interrogation is to establish communicative contact with the interrogator. In practice, if no contact has been established between the investigator and the interrogated, the achievement

of a positive result is not possible. The information field of interaction between the investigator and the questioned without establishing contact significantly reduces the amount of information obtained.

Communicative contact is the establishment of a state of empathy by the investigator towards the person being questioned in the course of a mental act. Empathy (Greek *empathia* - empathy, sympathy) is a

conscious understanding of the inner world or emotional state of another person. Accordingly, an empath is a person who has the ability to determine the mood of the interlocutor. Austrian psychoanalyst Sigmund Freud was one of the first psychoanalysts to define the word "empathy," stating the need for the psychoanalyst to put himself in the patient's shoes in order to better understand him or her [1].

In the process of establishing contact with the suspect, the investigator must understand the content of consciousness and understand the intuitive processes of the interrogated person that may arise during the observation. As practice shows, the specialists who achieve the best result in the course of interrogation are the people who are able to respond to the state of the interrogated [2]. In order to justify this fact, we will refer to the relevant literature.

Professor A.B. Soloviev states that communicative contact is the process of the interrogated person's emotional trust in the investigator. In his work devoted to this study, he emphasizes that this type of contact is mostly one-sided: the investigator, after establishing contact with the suspect, extracts the information known to him as much as possible without disclosing the evidence in the case. In short, a manifestation of trust to the investigator on the part of the interrogated person is necessary to obtain the most correct testimony from him.

Solovyov also notes that psychological contact with the interrogated person generates trust, through which he or she becomes inclined to understand the information that is transmitted by the investigator. The investigator, in his turn, needs to professionally think over the tactics of conduct and behavior during the interrogation and before its beginning. He should make it clear that through the interrogation, he gets important information for the resolution of the case in

a fair way. In the same way, the person being questioned should give accurate and truthful testimony, and understand that by means of the testimony he is able to defend himself [3, p. 56].

However, it should be understood that in the course of interrogation a conflict may arise, which in itself cancels all chances of establishing contact. In this regard, it is interesting to consider the opinion of V.L. Vasiliev, who emphasizes psychological contact as the final elaboration through conversation of a line of behavior, which determines the pace, parameters of conversation, the state of interlocutors, argumentation, etc. From the words of the specialist it can be understood that during the interrogation the participants use the manner of behavior, which in that situation they consider appropriate [4].

Prof. N.I. Porubov in his works notes that psychological contact is established during the whole interrogation and for its establishment the investigator is required to perform a number of tactical actions based on the current situation, circumstances of the case, availability of evidence and personality of the suspect [5].

According to G.A. Zorin, N.I. Porubov believes that the establishment of psychological contact with the suspect is a tactical operation aimed at solving tasks. This opinion about psychological contact is quite justified, because in some sense psychological contact is still established with the purpose of solving the tasks set for the investigator. In addition, the establishment of psychological contact requires the use of techniques. But it is not necessary to perceive the establishment of psychological contact as a method of solving problems, as in this context the establishment of contact will be interpreted as a way of compulsion to communicate. As N.I. Porubov noted, psychological

contact is mutual understanding, not psychological pressure [6].

During the interrogation, it is possible to establish psychological contact without obtaining any specific testimony, or to obtain information without establishing contact. Therefore, it should be realized that psychological contact is only a tool with which the investigator can possibly obtain the information he or she needs, and not a magical move that encourages the interrogated person to give truthful testimony. This is why the assessment of the impact on the interrogated person is particularly complex and the process requires careful analysis.

A.V. Dulov interprets psychological contact as an activity that creates circumstances that ensure the development of communication and the achievement of the goals and objectives of the investigation and requires in turn purposefulness and careful preparation of the interrogation plan. In addition, the scientist draws attention to the fact that it is necessary to take into account the mental phenomena arising before communication [7].

One of the tasks of the interrogator during the preparation is the step-by-step discovery of behavioral traits for each interrogated person. At this stage, psychological contact, on the one hand, assists in improving the communication process and, on the other hand, provides arguments for certain actions of the interrogator with whom psychological contact has been established during the interrogation.

The investigator, in the course of establishing contact, the trust of the interrogated person not only provides the necessary information, but also becomes a channel for transmitting confirmed information to the interrogated person. This information can be obtained by the interrogated person based on the investigator's

questions, or in the evaluation of the interrogator's statements, in the evidence provided by the investigator, which are aimed at changing the judgment of the interrogated person. A warm relationship between the investigator and the subject of the interrogation should be established from the very beginning of the interrogation and strengthened during the interrogation.

K.S. Stanislavsky believed that psychological contact is a cunning device applied by people to each other for a satisfactory outcome of communication. In this regard, it is worth emphasizing that the investigator should be not only a competent tactician, but also a good actor, since during the interrogation he improves the attitude towards the subject and should be kept impartial [8, p. 211].

Communicative contact is not created by means of concessions on the part of interrogation participants, on the contrary, after the birth of contact, a situation of struggle is created, aimed at retaining the initiative in the interrogation. Each of the interrogation participants starts to think for the interlocutor in order to achieve tactical advantage.

In this regard, the scientist A.R. Ratinov said that psychological contact generates psychological struggle, and requires the manifestation of subtlety in relation to the interrogated person. At this stage, the investigator becomes a participant in the internal psychological struggle of the suspect [9, p. 32]. With what V.F. Glazyrin's point of view is quite controversial, as he in turn believes that psychological contact is the readiness of the interrogated to give truthful testimony [10, p. 56]. The decision of the interrogated to testify is the result of interaction, which then flows into the giving of truthful testimony.

In legal science, psychological contact is the readiness of the interrogated person to cooperate with the investigation on the conditions of the investigation, which the investigators emphasized during the interviews. Accepting the fact that the investigator controls the interrogation, the consent of the object of interrogation to give the testimony desired by the investigator only confirms the above judgment.

Interviews with competent persons show that positive relationships that produce the desired results arise from the creation of a sense of common interest. In this case, the interrogated person falls under the influence of the interrogator. From the side of psychology, it would be incorrect to call it a psychological contact, but in the legal literature it is a formulated term. Here it would be correct to say that it is a contact of specific persons, that is, not a contact that is psychological in nature, but a contact of psyches.

Otherwise, the whole process of interrogation, which can be described in the language of psychology, will have to be interpreted on the basis of psychological principles. Therefore, the most logical solution would be to interpret this process as a contact between the investigator and the psyche of the person being questioned.

Establishing psychological contact during interrogation is divided into three stages:

1. Establishment of psychological contact between the participants of interrogation;
2. Suppression of the will of the interrogated, by means of moral position, human charm, intellectual capabilities and other qualities of the interrogator;
3. Establishment of psychological contact: the stage of consent to expansive communication in the

process of interrogation on the terms of the interrogator.

First, at the beginning of the interview, the interrogator should inform the interviewee of his or her social position. For example, he or she should explain that he or she is not a bribe taker or bribe-taker, that it is important for him or her to get to the truth, and explain that he or she has no dislike for the subject of the interrogation. Then, based on the situation, the investigator should explain the prospects for the interrogation and the goals of the investigation as a whole.

Second, an important part of effective interrogation is the respect and trust of the object of interrogation for the investigator. It is very difficult to underestimate this fact, as any person willingly answers questions put to him by a person who is socially responsible. The investigator must get a large amount of attention of the interrogated person. Every action and suggestion of the interrogator must be perceived by the person being questioned. The investigator must obtain the responsiveness of the person being questioned.

For example, when presenting evidence, reaching important points in the interrogation and in other sensitive moments of the interrogation, the investigator must be able to bend the point of view of the interrogated person in the right direction. The importance of the psychological authority of the investigator is also important at the moment when the object of interrogation cannot remember the moments significant for the investigation. A definite impact on the course of the interrogation is possible in the case of feedback from the interrogated person.

For example, a case study examined a case of a robbery attack on a truck driver who was a tobacco trader and was killed in the attack. After a thorough search, the

investigation found an eyewitness to the murder 5 months after the incident. During the interrogation, the witness explained that he happened to be at the scene of the incident and only saw the perpetrator's face for a second, and claimed that he could not remember the killer's appearance in any way, to which the investigator during the interrogation suggested the witness to discuss his possibility or impossibility to refresh his memory. In the course of the discussion, and consistent application of the cognitive interview method, the witness was able to describe the perpetrator's appearance, after which he was identified and apprehended.

The cognitive interview is a method of obtaining reliable, exhaustive personal (subjective) information from victims and witnesses of crime about the appearance, behavior of the offender(s) and the circumstances of the crime committed by him/her (them) on the basis of the implementation of a system of techniques based on the achievements of cognitive psychology [11].

Thirdly, it is worth remembering that it is not difficult to deceive an initially gullible person. But it is worth noting that the interrogator cannot in any way apply lies during the interrogation, but may well conceal the facts known to him or create in the object of interrogation a wrong opinion about the vastness of the accumulated facts. It is interesting that the interrogator is not able to fully assess the situation and its significance.

For example, interrogators believe that they can hide the truth and avoid punishment. After the investigator realizes that the subject of the interrogation misjudges the situation, he or she should spin this erroneous opinion in the interrogated person, with the purpose of its further application. This technique consists of strengthening the doubts of the interrogated in the

impeccability of his point of view. As an example, we will consider a case from practice.

During the investigation, the investigator determined that the prime suspect in the case was the killer in the case at hand, but lacked sufficient evidence to fully solve the case. During the interrogation, the investigator noticed that the person being questioned was persistent in his desire to find out the basis of the accumulated evidence in the case. At the next meeting, the investigator stated that he was glad that the suspect refused to testify, and stated that he was now able to conduct a more detailed interrogation, and during the interrogation, the investigator paused for long periods of time, and after some time, the suspect confessed to what he had done and gave accurate testimony in the case.

Fourth, it should be remembered that the suspect may have an inflated self-esteem, and this can be effectively used against him or her. An inflated ego contributes to an incorrect assessment of the situation. As an example, the case discussed is the murder of a businessman. The scene of the crime was a rented apartment, the reason for the murder was to take possession of the deceased's money intended for the purchase of a motorcycle.

An air pistol was found at the scene of the crime. The rent of the apartment was registered on the data of a homeless man who had sold his passport the day before. The technicians were able to obtain data on calls to and from the scene. Among the calls made, a number was identified that did not belong to any of the deceased's close relatives and acquaintances. The investigator summoned the owner of the number for questioning.

The suspect was a middle-aged man who appeared to be an intelligent and self-assured person with

introverted (sociophobic) traits. Once the investigator realized that the interrogator thought he was special, he demoralized him by telling him that he had made a serious mistake, and eventually the suspect began to give extended statements that helped to expose him.

In the above case, the suspect not only does not realize that it is a mental contact, but also does not understand the reason for the confession. As noted earlier, everyone experiences stress during interrogation. Stress manifests itself in dry mouth, clumsy movements, stiffness, etc. [12]. The task of the investigator is to determine the situations in which this stress is manifested, in order to understand that the interrogated person feels discomfort or hides something.

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