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FEATURES OF INTERROGATION OF A SUSPECT (ACCUSED) WHEN INVESTIGATING SERIAL MURDERS

Abstract: the article is devoted to the controversial aspects of law enforcement practice during individual investigative actions. The authors consider the features of the interrogation of a suspect (accused in the context of the investigation of serial murders, determine the algorithms for obtaining the necessary evidence in the case.

Keywords: criminal case, investigation, serial murders, investigative actions, evidence, interrogation, suspect, accused.

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ОСОБЕННОСТИ ДОПРОСА ПОДОЗРЕВАЕМОГО (ОБВИНЯЕМОГО) ПРИ РАССЛЕДОВАНИИ СЕРИЙНЫХ УБИЙСТВ

Аннотация: статья посвящена дискуссионным аспектам правоприменительной практики при проведении отдельных следственных действий. Авторы рассматривают особенности допроса подозреваемого (обвиняемого) в условиях расследования серийных убийств, определяют алгоритмы получения необходимых по делу доказательств.

Ключевые слова: уголовное дело, расследование, серийные убийства, следственные действия, доказательства, допрос, подозреваемый, обвиняемый.

Interrogation, as an investigative action, is complex, since its effective conduct requires not only knowledge of the criminal procedure law, but also the fundamental foundations of other sciences (criminology, psychology, psychiatry). As you know, the purpose of the interrogation is to obtain complete and truthful information about the event under investigation. However, it should be noted that when interrogating a suspect in the commission of episodes of serial murders, the investigator does not always achieve this goal: the suspect gives false testimony or refuses to speak at all, because he understands that responsibility for the criminal acts committed is especially great. When investigating serial crimes, it is required to establish the actual picture of the event for each episode of the series and find out all the circumstances of the execution of the committed acts. A special role in this activity is assigned to interrogation. The effectiveness of the interrogation depends, first of all, on the level of training of the investigator and the optimal use of a set of tactical techniques. Of great importance are the competence and personal qualities of an official who can influence the interrogated person, encouraging him to testify.

First of all, careful preparation is required for carrying out this investigative action, which includes several components.

1. Information preparation. Here, the investigator needs to thoroughly study the materials of the criminal case in order to clarify the data directly related to the subject of the interrogation, to identify in advance what evidence the investigation has that confirms the guilt of the suspect (accused). To do this, it is recommended to make separate extracts from the case materials, which systematize evidence relating to the circumstances included in the subject of interrogation; prepare photocopies of individual materials of the criminal case; place bookmarks in the case materials for quick information retrieval. The information training also includes the collection and study of information about the identity of the interrogated. The better the official knows the interrogated person, the more correct and effective tactics and methods of influence he will be able to use during the interrogation. The investigator needs to obtain data

characterizing the demographic, intellectual, and psychophysical properties of the interrogated. Traditionally, the methods of obtaining such information are: requesting characteristics, viewing photos and videos to study signs of appearance, viewing personal records, etc.

When studying the identity of a suspect (accused), the most important source of information about his identity, in addition to those mentioned, will be a specialist's consultation. Persons suspected of committing a series of crimes often have painful mental disorders that distort its functioning, excluding the ability to adequately display the environment and consciously manage their behavior. In this connection, in our opinion, an official preparing for an interrogation needs to get advice from a psychologist (a professional profiler, which we mentioned earlier) to develop the tactics of interrogation of the suspect (accused). We believe that the psychologist, taking into account the analysis of the criminal case and the mental disorder of the interrogated, will be able to offer the most effective methods of influencing the interrogated person.

2. Organizational preparation. This includes: determining the time and place of interrogation; the method of summoning for interrogation; determining the circle of persons participating in the interrogation; determining the order of interrogation of individuals.

3. Technological preparation. This stage includes the following actions: preparation of case materials and evidence that can be presented during interrogation, determination of the sequence of presentation of evidence, selection of tactics used, as well as questions that can be asked to the interrogated. We believe that at this stage it is necessary to include forecasting of possible mistakes that the interrogated and the investigator may make and the formation of tactical means of correcting and correcting such errors; analysis of the upcoming interrogation and possible reactions of the interrogated [1, c. 28]. All this is of great importance during the interrogation of the accused in the commission of a series, since the effective production of this investigative action is complicated by a number of features inherent in the interrogated: he has a great interest in the outcome of the case, therefore, he observes an active defensive position, is in a state of increased mental tension and shows increased self-control to testify.

4. Technical training. This is the preparation of means of recording the received readings. In our opinion, it is advisable to record the entire interrogation process using audio or video recordings. The use of technical means during interrogation will allow to avoid the possibility of changing the testimony of the interrogated in the future. One of the important elements of technological preparation for interrogation is the preparation of its plan. Note the issues that are subject to mandatory inclusion in the interrogation plan of the accused (suspect): а) the number of criminal episodes; б) conditions and circumstances of the commission of each episode of a criminal act; в) motive for committing crimes; г) the method of committing the act and the instrument of its commission; д) a way to conceal a crime; е) the attitude of suspects (accused) to the results of the committed act. This list of questions to be clarified is approximate.

It should be noted that a voluntary confession from an experienced criminal can be achieved, as a rule, only if he is exposed with the help of irrefutable evidence during red-handed detention. However, this also happens infrequently. In this connection, the investigator must make every effort to obtain truthful testimony from the interrogated. After all, often the testimony received during the interrogation from the suspect (accused) allows you to combine the individual fragments of information collected during the investigation, since only he has complete information about the crimes committed. A serious obstacle to mutually beneficial cooperation during interrogation is the system of psychological protection, which is developed by the interrogated in the face of a threat. In this connection, a special approach of the investigator is necessary, which is expressed in an emotional, volitional or intellectual impact on the interrogated person in order to overcome his negative attitude and obtain truthful information. One of the tasks of interrogating a suspect in a series of murders is to establish communicative contact with the suspect. So, the famous investigator I. Kostoev shared the tactics of exposing serial killer Andrei Chikatilo in the crimes committed. He attracted a psychiatrist A.O. Bukhanovsky, who, on the instructions of I. Kostoev, inspired Andrei Chikatilo that he was suffering from a mental anomaly and to confirm the mental illness, he should tell in detail about the crimes committed [3].

As a rule, during the investigative action, two types of mental state can be detected in the interrogated person: emotionally negative (short temper, anger) and emotionally depressed (apathy, despondency). In order to establish a communicative contact, it is necessary to increase the level of mental activity of a person due to information that can cause an increased reaction. When meeting with the opposition of the interrogated, expressed in giving false testimony, the investigator has the right to use techniques of mental influence on the person in order to overcome his negative attitude.

In the case of a complete refusal of the suspect (accused) from cooperation with the investigation, expressed in the refusal to testify, the investigator needs to explain to him the consequences of such a refusal, expressed in the deprivation of the possibility of self-defense from the suspicion that has arisen. At the same time, it is important that this situation does not escalate into a conflict.

The effectiveness of the interrogation directly depends on the effectiveness of the use of tactics developed by criminology, the choice of which depends on the nature of the emerging situations. In addition, the use of permissible tactical means by the investigator expands his cognitive capabilities, thereby ensuring the successful achievement of the objectives of the investigation.

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