

Issues of psychological training of an investigator

Abstract: It is studied the psychological aspects of the investigative activity; it is examined mental qualities necessary for its implementation.

It is offered psychological methods improvement of investigative activity.

Keywords: psychology of activity, an investigator, impact, intellect, methods of increasing, method.

An investigative activity is characterized by strict legal regulation, the presence of authority at investigators, resistance of interested persons, variety and creative character of solved informational tasks, the need to comply official secrecy, lack of time, the presence of negative emotions and extraneous irritants causing of psychological pressure.

The system of investigative activity is characterized by cognitive, communicative, organizational, educational and confirming aspects (8, p. 110).

Cognitive aspect of investigative activity is associated with solution a large number of intellectual tasks arising at the detection and investigation of crimes, and is a creative, re-creating, exploratory nature. Investigation of crimes can be presented as a kind of the process of scientific knowledge. However, unlike a general process of cognition, the process of establishing of the truth at investigation of crime has its own features.

First, the subject of a judicial investigation is illegal actions of people. Therefore, investigator works in an atmosphere of counteraction, he has to overcome the hidden and open resistance. Investigating crimes is characterized by a conflict character.

Second, the facts and events that should be defined in the detection and investigation of crimes were committed in the past.

Investigation is always referred to the past, its object is historically, and inherently is solitary and unique. Investigator on individual traces re-creates a picture

♦ **Shiraliyeva Sabina Javanshir gyzy** – PhD in Law,
a member of the International Organization for Legal
Researches (Azerbaijan)
E-mail: sid_legalservices@yahoo.com

of the crime (material ones that left on objects of the material universe and on the traces of “perfect”, i.e. those which remained in the memory of people who pass on the criminal case). Reconstruction on the traces is the basic thinking activity of an investigator.

Third, judicial investigation is different from a scientific knowledge on its targets. An investigator who carries out criminal investigation and the court which examines the criminal case do not pursue of scientific goals. They establish circumstances of a crime, including the guilt of an accused, that is, they solve practical tasks related to the administration of justice.

Fourth, a judicial investigation is different from scientific knowledge and by the conditions of its implementation. So, a judicial investigation is limited by time which is established in advance, it is necessarily required an acceptance of volitional decision, goes on at forms established by the law. It can only be done by the persons who are specially authorized by law.

Fifth, the process of investigation is characterized by a special exertion caused by the need for rapid and accurate estimates of many situations (conflictual and non-conflictual); making of decision, variety of thinking tasks that should be solved in parallel. This stress is constant. Evaluation of the evidence, comparison of versions, pondering of a further investigation cannot be limited by the working hours (8, p. 111).

Communicative aspect of activity is a system of interaction between people in a process of communication, such state between them, when people are able and willing to perceive the information emanating from each other. Exchange of information between people is already a contact between them. Contact in an investigative practice is the intercommunication between the investigator and the persons passing on a criminal case. But the psychological contact is not to be understood as a condition in which arises sympathy or state in which all contradictions are resolved.

An investigator shall possess such mental qualities that would ensure him the creation communicative connections, which protected him from professional deformation, this undesirable changes of a personality under the influence of a prolonged professional activity. So, over time, vigilance often turns into a suspiciousness and criticism in assessing of the evidence in a general distrust; volitional control over emotions, self-command - in heartlessness, callousness; thoughtless adherence the norms of law turns into the formalism and bureaucratism; the necessary manifestation of power - in the haughtiness, conceit; memory of past successes sometimes causes a faith of the infallibility in occupational activity (5, p. 86-101).

Organizational aspect of an investigator concerns detection and investigation of crime. This is a work of a whole team, not one investigator, since on the detection of a crime are working at least three professionals: an inquirer, investigator and expert - criminalist. An investigator is organizer of detection and investigation of a crime, and his activity has organizational character.

An efficiency of detection and investigation of crime largely depends on the ability of the investigator to organize cooperation, establish normal relations with the public, the leadership of a body of the preliminary investigation, the prosecutor, auditors, experts and employees of the detention facility, and even duty unit.

Educational aspect of the profession of an investigator is that one of the main directions in his work is to educate citizens in the spirit of deep respect for the law (8, p. 112).

Educational impact is carried out on both those who commit crime so and all citizens. In the first case, a goal of educational impact is re-education of a person committed a crime, correction of the negative qualities of his personality, development of the strong convictions about the inevitability of exposure and the inevitability of punishment, wrongfulness of his act and the need to correction. In the second case, educational impact has a deterrent value aimed at mobilizing activity to combat anti-social manifestations.

Educational influence turns out by a whole course of the preliminary investigation, strict protection of the rights of participants in the criminal process, the personal example of an investigator. The slightest violation of law during a preliminary investigation reduces its educational impact. The other hand, active measures to solve the crime, identify the culprits and finding out all circumstances of a case on the basis of strict observance of laws promotes that it is created a strong belief of the citizens in a reasonable and impartial nature of the court proceedings (3, p. 358).

Confirming aspect of an investigator carries out on the basis of requirements of the norms, regimes, regulated by the system of various provisions in the form of internal regulations, official instructions, manuals, orders. It is always organized in a certain way, that is, it has a structure, the interconnection of elements. None of professions has detailed regulation of the labor process and the content of work activities and operations, as in the legal professions.

Criminal Procedure Code is the main legal document determining a way of action for the detection and investigation of crime. It regulates the rights and obligations of participants of criminal proceedings, establishes certain procedures for investigation and all process of disclosure and investigation as a whole, and governs relationship between the participants in criminal proceedings. Means and methods used by an investigator is legitimate, his work is the simultaneous implementation of

rights and obligations. Labor investigator is clothed with the relevant provided by law protocol forms, which gives his activity confirming, normative character.

The feature of the professional activity of an investigator is a strict observance of law which is understood steady adherence to the requirements of law in the fight against crime while respecting the rights and interests of citizens. Legality is possible in the case when the existing laws constitute its foundation and when the laws are consistently complied, executed and applied by all authorities, institutions, public organizations, officials and citizens of the Republic. Lawful state is characterized by equality before the law. Violation of the law does not let anybody, including those who have services to country. A rapid and complete investigation of the crime, identify the culprits are the main tasks of criminal proceedings and its execution depends on an investigator. In order to perform this task an investigator should have a lot of patience, perseverance, knowledge, intelligence, and, finally, a special feeling of a psychologist and teacher. He is in the important area an offensive on crime, and this demands a great responsibility. In order to efficiently, thorough, completely and objectively to disclose and investigate a crime it is need to have professional skills and great responsibility. It is required a high awareness, faithful performance of his duty to the state and the people. Those who devote themselves to investigative work, fighting crime, must first of all understand the need for the profession, this work directed to protect individuals and society from criminal attacks.

For activities of an investigator are important high professional qualities such as exceptional honesty and objectivity, an untiring search for the truth, an ability to make decisions corresponding to the law and his own conviction, sense of responsibility, a strongly developed sense of justice, and the ability to recognize good and evil, perseverance, internal goodwill, business optimism and more.

The results of the work of investigators directly depend on possession of these qualities. It can be clearly seen at all else being equal external condition the results of activity of individual investigator are differed. This is explained by subjective moral qualities. It is necessary to possess not only the professional knowledge and skills but also cultivate and educate such qualities as integrity, fairness, justice and without of which it simply cannot work by an investigator.

The personal qualities of an investigator can be distributed to groups according aspects of an indicator of the professional qualities of their activities.

To mental quality, providing cognitive aspects of activity belong to mind, thinking, imagination, attention, observation and memory, providing an objective course of thought processes. Thus, for the thought activity of an investigator is most preferred the following qualities of mind: flexibility, rapid switch from one mental activity to another. It is important to have these qualities because an investigator has to evaluate the evidence bearing a different volume of information, to continually

work with unreliable, probabilistic information. Independence of mind means the ability to resist an influence of other, suggestion, everything to check; breadth of mind and ability to understand the essence of a subject with the help of a large number of facts; the depth of mind is an ability to find the underlying causes, to understand the basis of the essence of a subject; quickness of mind is an ability to solve thought tasks in a minimum time; purposefulness of the mind is a consistent and systematic comprehension of the problem, the ability for a long time to keep it in mind.

To mental qualities, providing the communicative aspect of activity is relate sociability, emotional stability, mental balance, the ability to talk to people, “speak effectively”, listen to others, culture of speech, correctly written, manner of behavior and appearance. An investigator should inspire the confidence by his external appearance which is absolutely necessary in the relationship between public authorities and citizens.

Mental qualities, providing of an organizational aspect of the activity include: businesslike manner, initiative, organizational skills, and adherence to principle, determination, vigilance, self-control, perseverance, and self-criticism. Multiplicity of the operations performed during the investigation, the lack of public criticism and public control, the limited of elements of competition, the autonomy and independence in the presence of wide powers increase the possibility of errors, contribute to the fact that the person does not work in full force. That is why each investigator has to have high consciousness, self-criticism and self-control.

Quality, providing an educational aspect of an investigator, provide for certain legal and moral duties.

Some articles of the Criminal Procedure Code expressly provide norms of moral behavior of an investigator. For example, the article 238 on examination and the article 262 on a procedure for holding of the investigatory experiment should be attributed to such. Meanwhile, in a professional activity of an investigator are existed the scope of possible and the scope of proper. Officials of law enforcement bodies should guide by these ethical norms which are especially necessary here. Professional skill and the highest culture in the work can be realized only by the cultural and competent employees. The very position of an investigator requires him to be an example of culture. His work goes in constant communication with the people, affects their interests, so it is important that the actions of an investigator to be fair, understandable to the masses, imbued with high culture. This is not only correctness, smartness, austerity and modesty of appearance, but above all this is a work style (3, p. 361).

Scientific studies show that almost during all human activities, including investigatory is used no more than 10-15% of the capacity of human organism and

especially its key element - the brain. One of reason for this is the ignorance of capacity of the human brain and ways of its full and complete use.

Meanwhile, the modern psychology contains a number of recommendations in this field, which can be successfully applied as during preparation of investigators so and at the performance by them of functional duties. At the same time it should be used with certain adjustments and in view of features of processes, which constitute an activity to investigate crimes.

The proposed method of psychological training of investigators and streamline of activities on a crime investigation does not claim to comprehensive coverage of all aspects of the problem. Our task is to define the contours of the methods and ways to improve it, to investigate the controversial provisions and non-standard situations, to propose the ways of solutions of problems arising in this connection.

Until the recent past, the mind meant the ability of man to think logically and creatively, the highest stage of human cognitive activity, the mind, the intellect (4, p. 568). In turn, intellect was defined as the thinking abilities, mental beginning in man, and the mind - a person's ability to think, the basis of his conscious, rational life (4, p. 216, 722).

According to the "American Dictionary of the English Language", the mind (intellect) is an ability to form concepts, solve problems, obtain information, to reason and perform other intellectual operations (1, p.96).

As a result of this approach to the concept of "mind", most scientific research in this direction have been fully formulated on the conscious, logical thinking, and the other five forms of mind remained undeveloped. This led to the formation and spread of erroneous concept that only a small proportion of people have sufficient intellect (mind), and the others are not enough smart.

In turn, the awareness of the existence of such a concept and mediocre results at testing definition of intelligence, led to various kinds of phobias, complexes of low self esteem and negative view of own abilities.

The situation changed dramatically in the late 90s of the 20th century after the introduction the theory of G. Gardner on the existence of six independent, separate types of intellect, each of which has its own system of programming, processing and storage of information, i.e. learning, thinking and memory (2, p. 76-82).

From a practical standpoint, this means that every person has the equivalent of six separate brain centers, which possess inherent to them mental power, hidden inside people.

In the theory of "multiple intellect" is allotted the following six types, although disputes about their exact number among the scientists are continued:

1. Logical intelligence - covers the area of reasoning, conscious, managed thinking and some aspects of problem solving;

2. Emotional Intellect - covers the area of feelings both their own so and feelings other people, including all internal and interpersonal interconnections;
3. Physical intellect - covers the area of the human body, coordination, agility, and an acquisition of physical skills;
4. Creative intellect - covers the area of originality of innovation, thoughts and generation of new ideas;
5. Verbal intellect - covers the scope of use of the words: speaking, reading, writing, listening;
6. Visual intellect - covers the area of vision and visual images.

The types of intellect are listed in random order, because, as noted, they are equivalent.

A previously existing system of views on the nature of human intellect led to the fact that only logical intellect developed and encouraged and the other five types remained an unused and underestimated; were reason a wrong estimation by people their abilities and capabilities. Meanwhile, the discovery of multiple nature of intellect under certain conditions, allows the individual to identify and fully to use the most developed type of his intellect, to develop other, critically evaluate actions, his abilities and capabilities. These conditions are the constant development and use of all types of intelligence, a real self-esteem.

Before to develop any type of intellect or rely on the existing level of development, it is necessary to determine this level. To determine the level of development (coefficient) of a particular type of intellect, the psychological science developed and we further elaborated and modified the respective tests that applicable to investigative activity. Analysis of the tests allows determining the coefficient of a particular type of intellect, which is subdivided into low, average, above average and high (7, p. 14-17).

It is necessary to mention that the program is designed to obtaining of truthful answers of tested person, but with some additions can be used otherwise.

To determine the coefficient of a particular type of intellect is offered 25 questions that can be asked in any sequence. Positive answers only to five questions allow to attribute the coefficient of intellect to the low level; 5 to 10 questions - to the average; 11 to 20 questions - to above average; 21 to 25 questions - to high.

Determination of the coefficient is carried out by using different tests that characterize a specific type of intellect. Thus, to determine the coefficient of logical intellect may be asked the following questions:

1. Do you carry a calculator or use as such a mobile phone (watch)?
2. How often do you notice the logical contradictions in literature works, movies, advertising, in explanations of people?

3. Do you get a satisfaction from the successful resolution of problems, despite their number?

4. Do you read daily in newspapers sections on science and economics, and etc?

To determine the coefficient of visual intellect among the 25 questions should be asked the following:

1. Do you like to study the information contained in graphics, charts, and diagrams?

2. Do you easily imagine the form of the object from the top, from a great height?

3. Do you like to solve scanwords?

4. What was easier for you in learning at school the geometry or algebra, etc?

To determine the coefficient of physical intellect may be asked the following questions:

1. Do you have a talent and love to imitate movement, manner of speech, etc. of other people?

2. Do you have symptoms of hyperactivity?

3. Do you regularly visit the gym, do exercise on simulators?

4. Do you like to watch comedy with elements of farce, or arrange jokes over the other and etc?

Similarly are compiled tests to determine the coefficients of other types of intellect.

Now turn to methods for increasing the coefficients of certain types of intellect in relation to an investigative activity.

Thus, it appears that the increase in the coefficient of verbal intellect will allow an investigator: to compile laconic documents (protocols and resolutions), containing all necessary details and obligatory requisites; quickly and efficiently establish psychological contact with the interrogated person; quickly view documents and keep in mind the important facts; to listen carefully and remember hearing; to notice and detect deception in the testimony; to use words with high accuracy to formulate thoughts and beliefs, etc.

This can be achieved by using the following methods:

a) "Sentence – exciter". It is well known that there are words that set in motion excite, stimulate. This fact was discovered by linguists in the early twentieth century, but the methods of drawing up of proposals exciter has long been practically unknown outside of the narrow circle of psychologists and linguists. Some of the scientists involved in the problem, called such sentences (under the sentence is understood grammatically and intonation decorated combination of words or a single word that expresses a complete thought) (4, p.501), "Highly efficient phrases", "Strong phrases", "Alarm", "Capture", "Energetic words", but we prefer the term

“sentence – exciter”, since, from our point of view, it more accurately reflects the essence of a phenomenon, as means the degree of impact on people, and the word “sentence” means the words are always used in a certain combination but not in free form (6, p.16-19).

Sentence – “exciter” is a lively combination of words that is immediately passed their meaning and so different from others, that it renders immediate impact on a listener or reader.

Sentences gain a force of “exciters” when they possess at least three of the following qualities: brief and expressive, excites interest, vivid and bright, easily perceived and understood; contains a direct statement, it contains important information and a call to action.

We offer the following algorithm for drawing up sentences – “exciters”:

1. To expound the circumstances of which need to inform, with your own frequently used words.
2. To paraphrase of obtained statement by giving it a more strong, positive momentum.
3. To create several more positive laconic sentences.
4. To select in the sentences most impulsive, meaningful words.
5. To create from the selected words a new sentence.
6. To mark in the new sentence the qualities of exciters.
7. To analyze the results, finalize them by the same methods.

b) “Speech - exciter”

Speech will have the character of an exciter if the following conditions are met: to speak naturally; it reflects of the past of narrator; contains facts that are well known to a narrator; a narrator admits in it that he does not know an answer to the questions asked; narrator shows a clear disposition to the subject of speech.

c) Super hearing. Ability to listen has a great value, since more than 60 percent of the information which an investigator receives at the investigation of specific criminal case is submitted in the form of spoken words.

There are several levels of auditory perception: not to listen, listen superficially, selectively, attentively or tensely - all of which have their pros and cons.

Particular interest is the method we called super hearing. It includes remembering of the key facts and figures, even when they are spoken fast; extraction of essential from heard; filtering and analyzing repetitive information.

This method is implemented by means of a careful hearing, introduction and conclusion, special attention to the key words, words - signals and ignoring of unnecessary details.

d) Super reading. This method allows reducing essentially the time required to study of the material and eliminating the negative processes arising from monotonous activities.

Reading speed will be increased, if not accompanied the words with your fingers and head movements, not to say the words out loud and not to whisper, not to return and re-read that has already been read.

Bibliography

1. American Dictionary of the English Language. Group of authors, Boston, 1999, 1260 p.
2. Gardner G. State of mind: the theory about multiple intellect. New York, Academic Press, 1998, 376 p.
3. Criminalistics. Textbook for the High Schools. Edited by Suleymanov J.I. Baku, Ishig, 2000, 680 p.
4. Ozhegov S.I. Dictionary of Russian language. M., Russkyi yazik, 1985, 797 p.
5. Ratinov A.R. Forensic psychology for investigators. M., Yurlitinform, 2001, 352 p.
6. Richard K. Wagner. The structure and development of practical intellect. Cambridge, University Press, 2001, 309 p.
7. Stein D. Expanding of capabilities of intellect. M., Exmo, 2002, 384 p.
8. Shiraliyeva S.J. Psychological training of the investigator. Collection of articles "Science and Education", No. 5, Baku, 2003, p.p. 110-123.