

## FORENSIC PSYCHOLOGICAL EXAMINATION OF PHONOGRAPHS AND VIDEO RECORDINGS

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**Abstract.** *In this article, phonogram and video records are discussed about the forensic psychological examination, it considers the competence of the psychologist-expert and the tactics and methods of conducting research during the examination process. Examples related to expertise are provided.*

**Key words:** *court, expert psychologist, phonogram, video recording, audio recording, psychological influence.*

It is known that the development of science and the emergence of widespread technical tools have led to psychological research to determine the fact that phonograms and video recordings of interrogations and other investigative activities have a psychological effect on those questioned by the investigator or third parties. In this case, phonograms and video recordings become objects of psychological examination.

*What is the essence of expertise?*

One of the reasons for appointing such expert research is that the person being interrogated has been subjected to psychological or physical pressure during the interrogation, and therefore he has provided information necessary for the investigation. In this case, the task of the forensic psychological examination is to determine whether or not there are signs of mental influence on the subject during interrogation. In this case, the following factors are analyzed:

- the content of the interrogator's questions in terms of their impact on the subject's psyche;
- nature of intonation features;
- features of speech interaction;
- the components of non-verbal communication are studied in the analysis of the video recording.

Psychological examination of phonograms and video recordings, as well as identification of persons participating in conversations or recorded in video materials, is also carried out when necessary. Such materials may be provided during criminal investigations and civil proceedings.

In recent times, the provision of video recordings of operational and investigative activities in the conduct of forensic psychological examinations (FPE) has increased significantly. Special knowledge is used in the following cases:

1. The fact that the interrogated person gave his testimony not independently, but at the direction of the interrogator ("they gave the answers themselves, auxiliary questions were asked");
2. The interrogated person says that the testimony was given under pressure (coercion), in fact he does not know what happened or knows something completely different;
3. When the investigation doubts the authenticity of the testimony, the interrogated person slanders or slanders himself (signs of non-independence of the formation of the testimony);
4. Internal or external contradiction of the testimony, inconsistency of the interrogator's testimony with previous testimony or other evidence in the case.

Undoubtedly, if the examinee says that he gave the testimony under mental pressure, in this case the task of the forensic psychological examination is only to determine whether there are signs of psychological influence on the subject during the interrogation. At the same time, factors such as retention of interrogative questions in terms of their impact, intonation characteristics of speech interaction and, if video recordings are analyzed, nonverbal communication components are analyzed.

It should be emphasized that within the framework of psychological study of audio and video recordings, an expert's experimental-psychological examination should be conducted, in which intellectual, personal, emotional-will characteristics of the subject, as well as such qualities as imagination and susceptibility to influence, are determined.

*An example of this type of expertise can be given the following study (V.F. Engalichev, S.S. Shipshin).*

So, B is accused of sexually assaulting a minor with a group of peers. During the preliminary investigation, he was questioned twice with the help of an audio recording. In court, B said that during the interrogation, the investigator put him under psychological pressure, forcing him to give information that incriminates the other accused and himself. Two audio recordings obtained during the preliminary investigation were submitted to the expert for review.

In the course of experimental and psychological studies, developed memory, absence of deviations in the perceptual field, stability of attention, average level of intellectual development were determined in B. He was distinguished by such qualities as high self-confidence, determination, and the ability to act proactively in conflict and difficult situations. It is not characteristic for him to fantasize and give in to influence.

During the analysis of the content of the phonograms of the interrogation process, it was found that B testified in the form of a monologue and a dialogue in both cases. The speed of speech is very fast, speech reactions are lively, emotionally colorful. The examinee used slang expressions and peculiar turns of speech. B yawned twice during the instruction. During the first interrogation, the investigator asked him 125 questions directly related to the situation under investigation. Most of these are for clarification purposes and are derived from information provided by B. The intonations were neutral, most of the questions were objective in form (e.g.: "Who sat in the front seat?") and they were free of affect (90 questions). 26 questions can be considered as influential to one degree or another (from weakly suggestive<sup>1</sup>, which includes answers such as "yes-no", to moderately suggestive, which requires the choice of two alternatives, "or" - "or").

However, it should be noted that they were clarifying questions arising from B's testimony. Only 8 questions can be considered directly influencing, because they were information that the interviewee did not remember and did not say. At the same time, most of these questions were actually additional questions that did not involve the acquisition of principled information (it should also be remembered that the level of influence is reduced if the events in question actually happened and the person questioned could be a direct participant or witness of them. ) during the second questioning, the influencer asked one question.

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<sup>1</sup> Suggestion (from Latin suggestion - influence) is a term that defines various forms of emotional verbal (verbal) and non-verbal influence on a person to create a certain state (including motivation for certain actions).

Thus, the research made it possible to conclude that, taking into account the individual-psychological characteristics of B listed above, and despite the existence of important questions that have an impact on B, the presence of questions that have a decisive impact is not enough.

*Another example of expert learning of the content of video recordings is of interest.*

*Example.* V was charged with robbery with accomplices. In the initial investigation, several handwritten instructions were given by him (expert psychologists and the author also conducted a comprehensive psychological and linguistic examination of these documents, according to their conclusions, the author of all texts was V). V's testimony at the scene of the crime was videotaped (the videotape was made available to the expert). Also included in the study was a video recording of an interrogation conducted one month after the crime scene.

The analysis of the video recording of the visit to the scene of the crime showed that initially in the investigator's room, V narrated the incident in detail in the form of a free story and answered the questions. At the same time, despite the presence of many people (an investigator, a lawyer, two guards and two witnesses, as well as a video recording specialist), V remained calm. Directly at the scene of the incident, the examiner freely and reliably directed, where and how he walked with the other accused, how he opened the door, how he hit the person who left the room, etc. He told everything in detail, in detail, and clearly showed the sequence of his actions.

In answering the investigator's questions, there were no signs of uncertainty, lack of confidence, no pauses and seizures. The emotional state of V's mood when he went to the scene was appropriate and adequate for the situation. The analysis of the investigator's questions from the point of view of suggestiveness showed that they cannot be considered exactly suggestive, since most of them arose from V's instructions (both in the room and on the scene), and did not involve a choice between clarifying and alternative answers.

Based on the conducted research, the expert came to the following conclusion: it is very unlikely that psychological pressure will be applied to V during the investigation (going to the scene). A video recording of the interrogation conducted a month after the incident has become of great interest for psychological analysis. Before the interrogation, it was announced that in addition to V and the investigator, there was also a videographer. During the interrogation, V was relatively free and answered the questions in substance, but presented a different interpretation (version) of the events, not within the framework of his testimony in his handwriting and during the previous visit to the scene.

The analysis of this video recording showed that the establishment of visual contact with the interlocutor at the non-verbal level was characteristic of communication in V. This is reflected in the stability both during the interrogation and when going to the scene, during the interrogation V chose three points with stable localization.

The first corresponded to the location of the video camera (his gaze was directed at the lens); the second point coincided with the questioning voice source (investigator); the third point was between the first and second. When describing events and answers to questions, V's views, as a rule, are recorded alternately in the second and third points. At the same time, V's emotional response was often shifted in the direction of looking at the third point. This was manifested, first of all, by the establishment of clear visual contact, the presence of pauses, looking with clarification, some changes in the tempo of speech.

Thus, when giving instructions about how the door was opened, there was a certain change in the speech dynamics and behavior of V, namely:

- a relatively long pause was observed;
- his questioning look is directed towards the third point;
- V shook his head a little and started talking about the bar on the door;
- averted eyes;
- a smile appeared on his lips.

In addition, when talking about the behavior of partners in the house of the victim V (searching for gold objects), it was again noted that the attention of his gaze increased with several quick movements in the direction of the second and third fixation points (detection-fixation gaze). An analysis of the investigator's questions showed that most of them were free of influencing questions (except for two questions that included a choice of three alternative answers).

Taking into account the above, the expert came to the conclusion that it is not important that V was psychologically influenced by the investigator during the interrogation. At the same time, the features of V's non-verbal interaction listed during the analysis revealed that during the interrogation there was another person in the room (besides those mentioned at the beginning of the interrogation), whose reactions had emotional significance for V. It was concluded that V was being non-verbally influenced by a third party during his instructions to enter the house and search for valuables.

Of course, it should not be forgotten that the tactics and methods of conducting such research are constantly improved as the level of information and technical equipment of citizens increases. Therefore, it is an important issue to further develop this type of expertise, to conduct scientific research and to apply it more deeply to practice within the framework of the current demand.

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