

DESCRIPTION OF THE WAYS OF MANIPULATION USING BY CRIMINALS DURING PRE-TRIAL INVESTIGATION

Olena M. Tsylmak,
doctor of legal sciences, professor,
Odessa state university of internal affairs

Lada M. Rostomova,
candidate of psychological sciences, associated professor
Odessa state university of internal affairs

Annotation: In this article co-authors defined the notion «manipulation», determined the technology and stages of manipulation and revealed the tactical-psychological features of using manipulation during pre-trial investigation by criminals which are suspected in crime committing.

Key words: influence, pre-trial investigation, criminal, manipulation, method, investigator, way.

Problem setting: Investigators during pre-trial investigation meet the various ways of manipulation using by persons which are suspected in crime committing. A criminal-manipulator leads the double life and very skilfully wears the mask of normality. He is a professional, a very skilful actor who can play different social roles and represent different emotional states. Using the diverse ways of manipulation he demonstrates socio-adopted and very often exemplary conduct which helps him to commit crimes not to arouse the least suspicion.

Criminal manipulation could be used by criminals in the file of very useful and violent offences. So every investigator must be armed with knowledge on psychological features of manipulation and should master the ways of their discovering, stopping and counteracting.

Analysis of the last researches and publications: Manipulation as a kind of psychological influence penetrates almost into all the spheres of people cooperation and in some cases stays as socio-adopted and even approved. Many works are dedicated to the research of this phenomena in the field of philosophy, psychology, pedagogy, political sciences, sociology, jurisprudence. Among them we should stress the works of: E. Aronson, D. Bezlatniy, M. Borishpoletz, R. Broudy, A. Voevodina, G. Grachev, E. Dotzenko, E. Druziak, S. Zelenskiy, S. Murza, M. Larionova, S. Lisova, S. Lisovski, A. Misnichenko, I. Melnik, S. Nicolaenko, M. Odintzova, V. Packard, E. Pratkanis, M. Prisiazhniuk, O. Pismen, V.

Sorochenko, T. Tepenchak, X. Fekseus, O. Filatov, G. Shiller, A. Tsuladze, O. Yatsunskaya and many others.

A lot of dissertation research works are dedicated to the questions as to the manipulation of swindlers, such as: G.V. Bembeev, R.O. Bazarov, O.V. Volochoy, I.V. Ilyin, A.O. Melnikov, K.V. Michaylov, R.V. Shagiachmetov, S.V. Fomov and many others. Such sciences as criminology, criminalistics, juridical psychology are dealt with the studying of problems of criminal manipulation as a hidden, conscious and purposeful, illegal, psychological influence upon the victim for mercenary aims.

The stressing of earlier unsolved parts of general issue to which the article is dedicated. However, the tactical-psychological features of manipulation which are used by a person who is suspected in crime committing during pre-trial investigation were not examined by the scientists, it will be **the aim and task of our article.**

The exposition of basic material of research with a complete ground of scientific results. The notion «manipulation» derives from the Latin word «manipulare». Its primary contents is a positive significance "to manage", "to manage with knowledge of business", "to give help" and others like that. In scientific literature different authors give their own determinations as to the definition of "manipulation". On their opinion, the manipulation is:

- form of spiritual influence of the hidden domination, carried out by a violent way (B.M. Bessonov);
- domination above the spiritual state, management of the change of the inner world of a person (D.A.Volkogonov);
- hidden application of power (forces) contrary with the predictable will of the other (R. Gudin);
- type of psychological influence, skilful implementation of that leads to the hidden origin in the other person of intentions not coincided with his topically existent desires (E.L. Dotzenko);
- hidden influence on the realization of a choice (L. Proto);
- motive of behavior by means of deception or playing the predictable weaknesses of the other (Dj. Rudinov);
- skilful management and using of people (P.U. Robinson);
- attitude toward the other persons as to the means, objects, instruments (V.M. Sagatovskiy);
- hidden compulsion, programming of ideas, intentions, feeling, relations, options, behavior (G. Shiller);
- variety of the hidden speech influence, directed to the achievement of influence of the own aim that does not coincide with the intentions and conflicts with desires and interests of the object of influence (U.V. Shipitzina);

- management and control, exploitation of other person, attitude toward him, as to the object, "thing" that is a subject of the use and control (E.Shostrom);

- deceptive, indirect influence for the benefit of a manipulator (O.T.Yokoyama).

Manipulation in the social interpersonal sphere of cooperation differs from the criminal manipulation. To the opinion of O.U. Fedorov, criminal manipulation is publicly dangerous, an illegal, hidden influence upon people's psychology with the aim to manage individual, group or mass behavior that causes harm to the rights and legal interests of people and threatens to safety of personality, society and state.

To our opinion, *manipulation* is a method of a purposeful psychological, hidden influence upon mental states, processes and properties of a person for their exploitation.

The main aim of manipulation is an achievement by a subject the influence of certain mercenary aim that does not coincide with intentions of a person and conflicts with his necessities, desires and interests.

The technology of manipulation are the ways, methods and facilities of a hidden, purposeful, psychological influence upon the psychology of a person by means of which there is a motive of an object of influence to certain his activity or inactivity; behavior changes for him, or the certain state is caused for him.

Manipulation foresees the hidden use by the subject of influence of certain human weaknesses - hostility, timidity, indecision, mercantileness, avidity, incompetence, dependence on praise, egocentrism, suspiciousness, vindictiveness, aspiring to power, to popularity, vulnerability, sensitiveness, lack of restraint, id est the use of certain "targets of influence".

Thus, manipulative influence could be sent to:

- necessities, reasons, interests, world view, persuasion, inclinations; belief, vital options;

- group norms, subject relations, self-appraisal (self-respect, self-esteem, pride);

- way of thinking, style of behavior and communication, abilities, skills, habits and others like that;

- various mental conditions (emotional - an alarm, fear, love, dissatisfaction, contempt and others like that;

- volitional - a decision, confusion, uncertainty and others like that;

cognitive - a concentration, reverie, pride, incompetency and others like that, id est on the certain "targets" of victim of influence.

Manipulative, purposeful, hidden psychological influence upon the psychology of a person takes place in a few stages. The first is a *preparatory stage*. Its aim is:

a) skilful tuning of a subject under an object of influence (by means of technique of joining, id est being of general interests and looks, creation of atmosphere of frankness, giving the favorable impression about itself; printing-down of gestures, mimicry, acceptance of alike pose and others like that);

b) collection of necessary information as for individually-psychological qualities, features of behavior, character, temperament, weak parties of an object of influence, finding of "targets" of influence;

c) thinking over of terms, at that it is better possible to use the one or the other ways, facilities and methods of manipulation.

The second stage of process of manipulation is *basic*. Its aim is the directly hidden, purposeful, psychological influence on the psychology of a person, by flexible application of arsenal of ways, facilities and methods of manipulation.

The third stage is *consolidative*. Its aim is a reinforcement of desire at the object of influence to operate or do just like this, as advantageously to the manipulator.

The fourth stage is *supervisory*. Its aim is to control the result of manipulation and positive psychological reinforcement of an object of influence as praise, compliment, flatteries. It should be noted that a quality of manipulation depends on mastery of manipulator.

During the pre-trial investigation, the investigators often run into manipulative technologies of persons which are suspected in crime commission. Criminals, during investigative actions, use the entire arsenal of various ways of manipulation for their sake to distract from their attention, to justify themselves, to direct pre-trial investigation in a very advantageous way for them.

As a manipulation carries secret character mostly, it is far not always possible exactly to define the fact of its existence in some certain event.

For systematization and specification of ways of manipulation by criminals, 132 investigators were questioned by us, the analysis of their answers gave us the possibility to distinguish such kinds of **ways of manipulations by persons which are suspected of a crime commission:**

- "*simulation of innocence*" - a person which is suspected of a crime commission, tries to prove that harm is caused by him was unintentional, or that he did not do what he is accused in. He can assume an air of surprise or indignation. This tactics makes an investigator to expose to the doubt his own judgement and may be his reasonableness and proofs;

- "*simulation of mess*" - a person which is suspected of a crime commission, pretends that he entangled something or did not pay attention on something, trying to tangle the investigator;

- "*timely lie*"- a person which is suspected of a crime commission , reports quite lying, but the information extraordinarily expected in this moment("hot"). A criminal takes into account that the more is the contents of the report answers the moods of investigator, the more effective will be its

result. A lie opens up then, but for this time the sharpness of situation will fall or a certain process will purchase irretrievable character;

- *"semi truth"* - a person which is suspected of a crime commission, objectively and thoroughly lights up certain, unimportant details and suppresses more important facts;

- *"dosage of information"* - a person which is suspected of a crime commission, suppresses important information; he gives that information to the investigator which is advantageous to him; shines part of data only, and hides the others carefully. It results that the picture of reality is distorted in the one or the other side or in general becomes incomprehensible;

- *"device"* - a person which is suspected of a crime commission, loads an investigator by various information with his own deductions, by suppositions and imposes a certain algorithm to him. It is used by a criminal for introduction the investigator in an error; for that it will be impossible to distinguish the truth from a device;

- *"manufacturing of facts"* - a person which is suspected of a crime commission, first tells the truth, thus the such one that could be easily tested. An investigator makes sure that a person who is suspected of a crime commission, cooperates with him and begins to believe him. On the next stage of application of this way, a criminal provides information for his own sake. A criminal counts on that the investigator trusts him on the basis of his subconscious stereotype "he talks the truth";

- *"specific terminology"* - a person which is suspected of a crime commission at the grant of information uses difficult, incomprehensible to the investigator terminology. As a result the investigator because of his erroneous modesty or the lack of confidence, feels shy himself to ask again the meaning of that or the other term and it gives possibility to the criminal-manipulator to turn a situation for his sake, referring if it is necessary to the compatible approved decision. This way is counted on the provocation of a feeling of inconvenience, incompetence, humiliation;

- *"informative overload"* - a person which is suspected of a crime commission, supplies a giant quantity of information, a basic part of which is presented by an abstract reasoning, unnecessary details, different trifles and others like that. As a result an investigator cannot understand the main point of the problem. This way is used by a criminal for tangling the investigator;

- *"hidden intimidation"* - a person which is suspected of a crime commission, makes the investigator to carry out the role of a side which defends himself using the veiled (thin, indirect or taciturn) threats. It is used by a criminal when the investigator has some certain weaknesses and he has a fear to lose something or someone;

- *"blackmail"* - a person which is suspected of a crime commission by application of the formula of blackmail : "if you are not..., then I..."(for example

"... I am going to commit suicide".) wants to avoid punishment or tries to get what he wishes;

- *"reference to authorities"* - a person which is suspected of a crime commission by reference to the enough authoritative people, tries to influence on the course of the criminal investigation or on the decision of investigator;

- *"a search of general lines"* - a person which is suspected of a crime commission, finds or invents any likeness between himself and investigator, unobtrusively pays attention on this likeness and partly weakens the protective functions of the psychology of investigator, then after pushes through an idea of his own or infuses with information which is advantageous for him;

- *"time delaying"* - a person which is suspected of a crime commission, intentionally delays time, on various pretexts prevents a disclosure of really important information till that moment when it would be already late to change something;

- *"hold a thief"* - a person which is suspected of a crime commission intentionally draws attention of an officer to the other person for the purpose to take off the suspicion from the offender himself. It is used by a criminal for drawing away the attention of investigator from the criminal himself;

- *"simulation of illness"* - a person which is suspected of a crime commission, pretends to be a patient, demonstrates an illness attack, requires treatment;

- *"a fool"* - a person which is suspected of a crime commission, tries to pretend to be a little fool pretending that he does not know what he is told about, pretends that he nothing understands. Used by a criminal for getting an extra-time;

- *"a servant"* - a person which is suspected of a crime commission, hides his own mercenary intentions under the guise of service to more good purpose, for example, asserting that he operated in a certain way through "obedience" or "service" to God or some authoritative figure;

- *"a person with hard luck story"* - a person which is suspected of a crime commission, pretends to be poor and helpless, presses on pity; represents himself the victim of circumstances or somebody's behavior; tries in every way to accuse vital circumstances, other people. For him all are "guilty", only he is a victim of circumstances or events. It is used by a criminal to obtain pity, sympathy and thus to attain a desirable aim by deceiving the investigator;

- *"seduction"* - a person which is suspected of a crime commission, uses the ambitions of investigator, he does compliments to him, praises him. A criminal uses psychological "subornation" for forming for the investigator of lenient positive attitude toward the criminal himself.

Thus, all these ways of manipulation of a person which is suspected of a crime commission can carry out in a great number of different ways. The degree of success of manipulation largely depends on that, as far as the wide arsenal of

facilities of the hidden psychological influence is used by a criminal and as far as he is flexible during their realization.

Summary. The list of different manipulative ways by persons which are suspected of a crime commission during pre-trial investigation is described and exposed by us, and it is not exhausted. There are a great amount of different methods (ways). That is why during pre-trial investigation, the investigator must clearly determine and differ the one or the other way of manipulation and must be able to stop and resist to the manipulative influences.

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