

THE THEORETICAL BASIS FOR THE CLASSIFICATION OF CRIMINAL DRAMATIZATION, METHODS FOR THEIR IDENTIFICATION AND INVESTIGATION

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ABSTRACT-- *In the conditions of modernization and reforming of the country, the law-enforcement and judicial-legal reforms are primarily aimed at comprehensive protection of human rights, freedoms and legitimate interests. This is to give the state the role of a chief reformer, to ensure the rule of law, to implement strong social policies, and gradually and gradually. There are also problems with the involvement of preliminary investigations and inquiries. This article analyzes the concept and importance of the investigation, the elements of criminal instances and instances, the investigative activity, the theory of evidence, as well as the methods of detecting and investigating instances in crime investigations. At the end of the analysis, recommendations were made on the facts that should be taken into account in the case-study practice. This article deals with these issues.*

Key words-- *dramatization, investigation, theory of evidence, operational-search activity, elements of dramatization, witness, victim, interrogations.*

I. INTRODUCTION

Many countries in the world have defined their strategy of radical change and modernization of the state and constitutional system, the implementation of political, economic and social reforms based on the principles of deideologization of the economy and the priority of politics. This is to give the state the role of a chief reformer, to ensure the rule of law, to implement strong social policies, and to implement progressive and gradual reforms.

Today, different countries are aimed at creating a democratic and democratic state, a strong civil society, a free market relations, and the development of an economy based on the priority of private property, the creation of conditions for a peaceful and prosperous life, and a worthy place in the international arena. large-scale measures are being implemented. It is based on the creation of conditions for the comprehensive and rapid development of the state and society, the implementation of the priorities of modernization of the country and liberalization of all spheres of life.

Ensuring legality and further reforming the judicial and legal system in the country, which is focused on the fight against crime, addressing the problems of the second priority depends on quantitative and qualitative criteria.

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This priority of the strategy demonstrates that crime is very relevant at present because it has a negative impact on the socio-economic development of society. In this regard, the issues related to the detection, disclosure and investigation of violations determine the active use of the achievements of the legal science, ensuring compliance with the requirements of regulatory and legal documents. Special attention is paid to forensic science, whose scientific methods are based on modern achievements in the natural and technical sciences, generalization of advanced investigative, judicial and expert practices, as well as the development of appropriate recommendations for their use in the activities of law enforcement agencies.

One of the key links here is the legal priority. The concept of the rule of law is a reflection of modern civil society. The denial or oblivion of this principle in any area of the life of the state or society leads to denial of the right and, as a result, social chaos.

The objective necessity of the rule of law is explained in the legal state that failure to fulfill the obligation to ensure the rule of law leads to crisis rather than strengthening of the state power. This is because the failure to recognize the rule of law in any area of government leads to the denial of the priority of public interest, the exclusion of power from the society, and the view of the individual as an equal subject of bilateral relations.

This situation ignores the principles of the rule of law, impedes the implementation of real legal reforms, as well as the activities of judicial and legal reform, and the fight against instincts, and creates a threat of public crisis.

It should be noted that the Doctrine of Rule of Law has been shaped for centuries as a system of attitudes and views focused on legal reality. Its origin is associated with the Anglo-Saxon legal system, because it was first defined in the Anglo-Saxon system, and subsequently reflected as a fundamental constitutional principle. The first doctrinal source of the rule of law is the work of the English scholar A. Daisy "The basics of the state law of England". A. In his work, he emphasizes that the rule of law is expressed in the governing bodies to prevent abuse of their power [2].

In today's advanced world, the criminal situation in some countries has deteriorated, the number of crimes committed by women has increased, and the organizational and material basis for crimes has increased. Nevertheless, Uzbekistan has been experiencing an annual reduction of crime over the past three years, increasing the level of disclosure, and reducing the number of violations during their investigation and investigation. In addition, the practice of investigation shows that the methods of committing and concealing crimes are becoming more sophisticated, and the resistance to criminal investigations in various forms is increasing.

In addition, knowledge of the basics of the operational and investigative activity legislation contributes to the proper use of the results of investigative, investigative and judicial authorities, the proper organization of cooperation with the operational staff and, ultimately, a significant increase in the effectiveness of the fight against crime in this area. In this regard, it is important to gain an understanding of the law by operatives of the investigative agencies as they combine operational and investigative actions and criminal actions in combating criminal instances in their activities. In the early stages, it is important to improve the effectiveness of preventive and timely measures, as well as the quality of inquiry and preliminary investigation. horse.

However, there is a particular concern nowadays for using criminals to conceal criminal activity, such as instigating criminal events. As a rule, most serious and very serious crimes are concealed, which undoubtedly increases the overall risk of this method of concealing criminal activity. Some of them have the characteristics of socially dangerous acts that are fully committed to crimes.

Unfortunately, in any of the regulations of the Republic of Uzbekistan, which regulates the legal regime of the names of instances, it is not clearly stated that the name of the instrument is a means of individualization. Research on the topic and analysis of published works. It should be noted that many problems related to the various aspects of scripting investigations have been explored in criminological literature (usually Uzbek textbook).

Инсценировкаларни фош қилишга бевосита алоқадор жиддий ишлар чел эл олимлар - Д.А.Бурыка, Д.А.Глотова, С.В.Маликова, А.И.Маркова, М.Е.Степанова, Д.Г.Федотенкова, Н.В.Шувалова, С.С.Арсентьева, Р.В.Тимшин, Н.В.Ханинойларнинг илмий мақолалари., В.В.Дементьева, И.А.Николайчук, В.А.Овечкиналарнинг тезислари., В.И.Фадеева, Д.А.Бурыка, Е.В.Егоровой, М.В.Меркуловой, Г.А.Зорина, Ян Цзун Хуэй, В.А.Образцова, А.А.Протасевичларнинг монографиялари., ҳамда Р.С.Белкина, В.С.Бурдановой, Г.А.Густов, В.Н.Куклина, И.В.Куборева, А.М.Ларина, С.Ю.Макарова, Н.Г.Мудьюгин, Е.Б.Серовой, В.И.Фадеева, А.В.Шмони́на[3]ларнинг илмий ишлари орқали ҳамда бошқалар томонидан ўрганилган.

Serious work that is directly related to the discovery of plugins is by foreign scientists – D.A. Buryka, D.A. Glotova, S.V. Malikova, A.I. Marekova, M.E. Stepanova, D.G. Fedotenkova, N.V. Shuvalova, S.S. Arsenteva, R.V.Timshin, N.V.Kaninoy. Also, theses of V.V. Dementeva, I.A. Nikolaychuk, V.I. Ovechkin, V.I. Fadeeva and monographs by D.A. Buryka, E.V. Egorovoy, M.V. Merkulovoy, G.A. Zorina, Yan Tsun Hui, V.A. Obratsova, A.A. Prototasevich, and R.S. Belkina, S. Burdanovoy, G.A. Gustov, V.N. Kuklina, I.V. Kuboreva, A.M. Larina, S.Yu.Makarova, N.G.Mudugin, E.B. Serovoy, V.B. It was studied by I. Fadeeva, AV Shmonina [3] and others.

However, it should be noted that criminal instances are a very rare problem in our country today, and the criminal instances of concealment and methods of crime, criminal scenarios of alleged crimes, as well as forensic scientists are not well understood. aggravating the rights and freedoms of citizens.

In addition, well-known scholars of our country, including G. Abdumajidov, L.P. Bakanova, A.K Zakrulaev, A. Zakutsky, D.Mirazov, B.Muradov, F.M. .Muhitdinova, B.H. Pulatov, J.S. Pulatov, Yu.Rahimov, M.H.Rustambaev and others.

II. REASULT

In foreign countries, criminologists O.Ya.Baev, R.S.Belkin, V.S.Burdanova, A.N.Vasilev, I.A.Vozgrin, G.A.Gustov, V.E.Konovalova and need to be pointed out of the research of M. Luzgin, GN Mudyugin, VA Obratsov and VI Shikanov.

However, it should be noted that many of them are long-published cases and, for objective reasons, do not fully reflect the qualitative and quantitative changes that have taken place in the type of criminal activity under investigation in the last decade. In addition, these authors and other researchers have traditionally focused on “classic” scenarios, ie, masking scenarios of previous crimes, when considering the problem of disclosure of instincts.

We have referred to the scientific work of these researchers in the preparation of this article.

The purpose of the article. The purpose of this article is to study the theoretical and practical problems of criminal instincts, the development of the basics of the classification of criminal instincts, methods of their detection and investigation.

Description of the main material. At this point, we found it necessary to briefly dwell on the concept of staging before analyzing the names of criminal staging. Instinction is the artificial creation or alteration of the state of the scene by stakeholders to mislead the investigation.

In particular, according to the Russian scientist RS Belki, staging is a form of creating an atmosphere of reality at the scene of the accident and combating the investigative actions carried out by law enforcement agencies in the framework of a criminal case [4].

Also, according to VA Obratsov, staging is an action against a law enforcement officer by a person interested in determining the truth in a criminal case. Scenario is a means of preparing for and committing a crime [5].

Instinction is a form of concealment (alteration) of a crime. VI Fadeev found that the act of concealment (alteration) of the crime committed in the staging is the purpose of concealing the actions of the subject of the crime or the perpetrator of the crime, as well as the creation of a deliberately false environment [6].

However, VV Dementiev said that the staging was "as a result of intentional exposure to material objects, misrepresenting the nature, essence and circumstances of the incident in order to change them and mislead law enforcement officers carrying out investigative actions." creating an artificial system "[7].

In addition, G.A. Zorin and Ya.Ts. An unusual description has been given by the Hui. According to scientists, criminal staging is a multifaceted phenomenon, which includes: distraction, demonstration of false evidence, reflective play and illusion created for the subject of the investigation, the form of criminal risk, imaginary lies, changes in the traces of crime and others.

Well-known American psychologist Paul Ekman shared his thoughts with the students: "For decades, he wrote in one of his books that the Soviet people understood that in order to achieve anything, they had to avoid and circumvent the rules by any means. As a result, lies and deception have become commonplace in some areas. "[9] The detained criminal resolution is a wrongful action and decision made by the offender himself and in his best interests. is a product of false information provided for the understanding and consumption of those who apply with the intention of accepting and implementing.

The staging is determined by the following conflicting situations, the facts of artificially changing the situation, the presence of various criminal elements, the vivid demonstrative nature of personal traces, and so on. Information about adverse events, especially instincts, allows us to more accurately determine the nature of the incident, to determine whether it is a criminal case.

Today, the study of criminal cases and the analysis of the results of preliminary inquiries by investigators show that investigators face certain difficulties in investigating the staging, which covers a variety of criminal acts. This is partly explained by the fact that investigators and inquirers are not adequately equipped with methodological developments to investigate criminal instincts.

It can be said that it is not always possible to expose and investigate every crime and identify the perpetrators. According to the Statistics Committee of the Republic of Uzbekistan.

2000	2001	2002	2003	2004	2005	2006	2007	2008	2009	2010
7390	7431	7719	7892	7912	7988	8235	8390	8800	8938	9005
4	4	9	5	9	3	2	5	7	8	0

2011	2012	2013	2014	2015	2016	2017	2018
9061	9066	9015	8936	8794	8741	7369	4901
7	0	2	0	6	2	2	1

Criminal proceedings were instituted against him. In particular, as a result of comprehensive measures taken by the Prosecutor General's Office and the Ministry of Internal Affairs of Uzbekistan to organize operational and investigative measures to prevent crime, the total number of crimes in the first 5 months of 2019 increased by 12,171 or 30.4% compared to the same period last year. 17,484) decreased, 1,759 of the 3,737 crimes not detected in 2018 were detected, 11,906 or 97.8% of the 12,171 crimes recorded in 2019 were solved, while the number of unsolved crimes this year (265) decreased by 74.1% compared to 2018. blood (1,026); An example is the report of the press service of the department [11].

From this point of view, it can be said that the concealment and commission of crimes, many criminal staging, which serve as methods of criminal staging of criminal events, are left out of the legal field. This, in turn, significantly complicates the work of law enforcement and the judiciary, negatively affecting the rights and freedoms of citizens. Demonstration of criminal instinct has previously been the subject of scientific research in the writings of many well-known criminologists. Most of the authors who studied this problem studied the criminal world a few years ago in the light of the requirements of the time, but today there is no in-depth study of new types of staging that have emerged in the age of advanced technology. In this regard, there is no doubt that such instincts need to be studied.

Today, in the practice of combating crime, it is important to develop theoretical rules that reveal the purpose of the gradual definition of a criminal case, on the basis of which to justify and formulate this type of criminal instigation on the basis of a typical program of investigation.

In particular, it is necessary to identify what is needed to expose the crime, that is, the different ways of concealing the committed crimes, forensic methods of proving them and the information obtained during the investigation [13].

There is a deep understanding of the issues involved in the study of various ways of concealing crimes committed and other forms of resistance to the investigation process, as well as the adequacy or inadequacy of the level of information on these cases.

The problem under consideration is that the nature of crime has changed dramatically in recent years, and criminal methods are being updated on a daily basis. It should not be overlooked that the main feature of modern crime is the increasing use of various complex methods of crime as a result of the strong emphasis on the level of secrecy by criminals.

This is why one of the most difficult ways to conceal a crime is instincts. It takes skill and experience in uncovering such instincts from an investigator to detect this type of crime and to clarify what actually happened. Unfortunately, not every investigator is able to quickly and professionally detect the existence of instincts, which in some cases leads to the non-disclosure of crimes and, as a result, the avoidance of criminal liability by those responsible for these crimes. This is especially the case due to the incompetence and inexperience of the investigators. All of this requires the investigator to develop reliable ways to identify criminal instincts and to recognize them in complex crime investigation processes.

To date, the essence of this type of instincts has been considered by several scientists in different years. In particular, G.Gross (1908), I.N.Yakimov (1925), B.C.Burdanova (1966), D.P.Rassekin (1967), S.I.Medvedev (1973), G.N.Mudyugin (1973), V.A.Ovechkin (1975), R.S.Belkin (1979), E.V.Baranov, Yu.G.Torbin (1981), I.Ya.Moiseenko, A.G.Bronnikov (1988)) and others.

The research of these scientists, of course, made a great contribution to the development of the conceptual apparatus of instincts, the study of its various aspects.

In addition, the problem of opposition to the investigation in the existing forensic literature has been analyzed by S.Yu. Juravlev (1992), V.N. Karagodin (1992), I.A. Nikolaychuk (2000) and others. However, although they have made significant contributions to the study of counterintelligence issues, these studies have not paid enough attention to defining instincts as an integral part and type of influence, they have not focused on the relationship between counterintelligence, crime concealment and instincts.

It should be noted that there is very little scientific research on the problems of this staging, and in the existing special literature, staging is mentioned separately and in relation to certain types of crime.

Science has shown the general concept of “criminal instincts” but the development of the conceptual framework of this institution is not yet fully in place, which has had a negative impact on the practice of combating crime.

As a result of the adoption of the new version of the Code of Criminal Procedure, the circumstances that must be proved as a method of committing a crime, the circumstances that characterize and aggravate the suspect, as well as their relevance to the commission of a crime.

In this regard, during the in-depth study of this staging, it is necessary to develop the essence of the crime, its main features, methods of disclosure and a set of related problems, as well as to develop the necessary recommendations for investigators and detectives to detect and investigate concealed crimes. became the basis.

In particular, the initial operational information on offenders obtained in the course of operational search activities serves as a guide to the correct selection and staging of future investigative hypotheses and actions aimed at gathering and verifying evidence in a criminal case.

Materials of operative-search activities are collected only in accordance with the norms of the Criminal Procedure Code of the Republic of Uzbekistan on the collection of evidence (Article 87), investigation (Article 94), assessment (Article 95) and inadmissibility of evidence (Article 951) [14] they can be used to prove a criminal case or to expose a criminal instinct.

The results of the operational search activities that meet the requirements of the evidence in the criminal procedure legislation, can have real information to identify significant circumstances, what operational evidence was obtained as a result of the operational search activities and information that allows to obtain evidence in criminal proceedings, it may be used in evidence in criminal cases only if it is formed as evidence relevant to the case, considered acceptable and credible.

In this case, I found it necessary to dwell briefly on the evidence. In particular, the classification of evidence is the division into groups, categories, according to certain criteria, criteria. Evidence against the subject of the accusation is divided into accusatory and acquittal [15].

Accusing evidence is evidence that confirms the guilt of the accused and aggravates his responsibility. Such evidence includes evidence that is the basis for the charge or information that aggravates the defendant's liability.

Defendant's evidence is information about circumstances that refute the charge, confirm the innocence of the accused, mitigate the defendant's liability, as well as evidence that casts doubt on the charge against the accused.

The division of evidence into accusatory and acquittal evidence is conditional in nature, as one piece of evidence may change its nature during the proceedings.

The law stipulates that in each criminal case, the defendant must determine not only the evidence that accuses him, but also the evidence that acquits him, as well as the circumstances that mitigate and aggravate his responsibility. An indictment can be considered proved only if the acquittal evidence available in the case in each criminal case is examined and rejected. In order for the court to acquit the defendant and acquit him, the accusatory (disclosing) evidence gathered in the case must be examined and rejected (or deemed insufficient).

Depending on the source of the evidence, the evidence is divided into primary and secondary evidence.

Preliminary evidence is evidence from the first source of information about the situation that needs to be determined.

Derivative evidence, on the other hand, is evidence that information about a fact that needs to be proven comes from another source, not the first.

The difference between primary and secondary evidence depends on the process of formation of their source. There will be an intermediate source in the process of formation of derivative evidence. For example, between the stage of receiving the information of a witness who is a witness to a crime and the receipt of this information by the investigator, another source may be the hearing witness. It is natural for information to change as it moves from one source to another. The more intermediate sources, the greater the likelihood of change, distortion

III. Derivatives are important in proving evidence. Their importance is as follows:

- 1) Derivative evidence can be used to find initial evidence.
- 2) Used to verify primary evidence.
- 3) When the original evidence is lost.

In relation to a proven thesis, the evidence is divided into straight and curved evidence.

If the correct evidence is evidence that reflects information about the circumstances in which it must be proved, the crooked evidence reflects information about intermediate facts.

Several conclusions can be drawn based on curved evidence. For example: the fact that the stolen items were found in A. is explained by the fact that he bought or stole these items or found them.

In the right argument, however, the conclusion is only one. For example: What is found in A. is a drug, this drug is the correct physical evidence.

For example: footprints or shoe prints, fingerprints or handprints are only seen as curved evidence.

Evidence that directly demonstrates the innocence of the accused, that is, that his actions do not constitute a crime or that he has not committed a socially dangerous act, is called correct acquittal. Evidence that does not directly demonstrate the innocence of the accused, but denies the accusation, and defines the factual basis in favor of the accused, is the curve-defining evidence.

Properly justified evidence - 'alibi' - means 'elsewhere'. It is important to evaluate the source of this evidence when using the correct evidence. For example, whether the witness testified correctly, whether there was an error

or a lie in the testimony. If the evidence is evaluated correctly, the underlying fact is considered to be correctly identified. The use of curved evidence will be different. In this case, after the source of the curved evidence has been assessed and the evidence has been found to be reliable, the evidence fact determined by that curved evidence must be evaluated, and the relationship between the factual evidence and the underlying fact must be determined.

Personal evidence is evidence that reflects information obtained from a person (for example, testimony from a witness, victim, suspect, accused, defendant, etc., expert opinion).

Physical evidence is evidence obtained from objects in the material world.

The information reflected in personal evidence is initially reflected and processed in the human mind. Therefore, there will be subjective elements in such evidence. People receive and convey the same information differently. The information in the physical evidence is objective. Information reflected in personal evidence is expressed in any or conditional symbols or codes (protocols, schemes, phonograms). In physical evidence, however, information is expressed naturally and is visualized.

Based on the above information, in the course of the search operation, evidence related to the crime (instinct) or an object or document of immediate interest may be identified, and it is recommended that non-interested persons be involved in the process of obtaining it. In such cases, acts are drawn up. The participation of non-interested persons increases the reliability of the information (evidence) in the submitted documents, and then allows the interrogation of the persons involved in the receipt of the object and documents as witnesses [16].

The most convenient way to include them in the criminal process is to formalize what was obtained as a result of the search operation and the documents through the notification of the operative. In accordance with Article 202 of the Criminal Procedure Code of the Republic of Uzbekistan, the investigator draws up a report on the receipt of the object and the document submitted by the operative.

One of the operative-search measures, ie to be used as the main evidence in the disclosure of circumstances that are difficult to prove during the operative-surveillance activity, is to identify the place or building where valuables, belongings and documents are stored, when it is necessary to collect extensive and accurate information about the actions of persons suspected of committing a crime. The results of such a rapid action can be used to prove and corroborate the evidence through the testimony of witnesses.

The object of the article is to clarify illegal actions in the creation of crime staging, as well as on the basis of investigation, operational and judicial practice, to identify signs of staging in the investigation and trial of criminal cases and to reveal the true nature of the crime.

It is expedient to take a comprehensive approach to the problem of disclosure of instincts as a way of concealing crime. During the study of several aspects that unite this problem system, the preparation of the crime should first determine the method of opposition to the investigation of the criminal case and its concealment. At the same time, emphasis on a comprehensive definition of the stage of the crime, its criminal law and aspects of criminal procedure can achieve effective results. Soda using staging

Sophisticated organized criminal staging is one of the most difficult forms of deliberately concentrated forms of expression aimed at deceiving, misleading with words and actions by the "heroes" of the criminal world: intentionally false information i.e. verbal and written speech information, spreading false messages and so on. . It is also one of the stages in which the minds, emotions, decisions, actions and activities and behaviors of officials and citizens are affected by misleading false information [18].

This means that this doctrine is a highly developed and sufficiently comprehensive, coherent field of scientific knowledge. The process of its formation is not yet complete. The accumulated potential requires a broader understanding, deepening, and development of a wide range of issues. Given the fact that from year to year there are many mistakes in the process of inquiry and investigation, as well as its negative impact on the construction of civil society, the legal regulation of staging requires the requirements of today's evolving period. At this point, we will focus on the problems of defining the concept of criminal staging.

Analyzing the above data, it can be understood that criminal instinct is a specific feature of false information, and it can be concluded that it is partially and completely related.

As for the essence of criminal staging, the following elements of staging activity can be noted [19].

- subject (staging, staging);
- the subject of the activity (appearance of the alleged action, appearance of a non-criminal event);
- Objectives: the main thing is to hide the true nature of the incident, secondary reasons to avoid criminal prosecution, complicate the investigation, facilitate liability, prosecute an innocent person, etc. ;
- Motives for staging: revenge, self-interest, desire to attract attention. However, the main reasons for instincts are fear of exposure (loss of reputation) and criminal liability [20];
- Ways to achieve the goal (false information, false behavior, etc.). The said behaviors and misinformation help to increase the reliability of the instinct. Therefore, individuals acting under instincts are often forced to combine false information with false verbal information in an appropriate manner;
- Mechanism of achieving the goal (development of a staging plan). It makes sense to show some information about the methods of setting instincts in the goal achievement mechanism.

According to IM Luzgina and VV Kuznetsov, the appearance of the staging depends on the place, time, conviction, professionalism and knowledge of the person who organized the event, his real potential [21].

- The choice of method of influencing the staging activity depends on the number of participants;
- the result of staging;
- Consequences (moral, material damage) as a result of the specified activity.

Target factors include the following aspirations [22]:

- 1) protection from the liability of other persons as a result of the personal decision of the defendant;
- 2) protection from liability of other persons as a result of conspiracy, bribery, incitement, coercion;
- 3) not to influence their criminal activity, recognized as insignificant, imaginary crime;
- 4) failure to disclose sincere circumstances in the life of the person under investigation or his relatives;
- 5) concealment of the existence of the original perpetrators by sentencing another person
- 6) to take revenge on someone by slandering oneself and others;
- 7) having a criminal reputation (boasting, nonsense);
- 8) mitigation of the investigation situation, alleviation of his situation.

In addition, the actions of the instigator may be aimed at concealing the criminal event, changing the event, its personal status (concealment, falsification) (method, time, place, identity of the participants, etc.).

According to VM Shevchenko, the process of development of staging goes through the following stages [23]:

- Defining the purpose of staging;
- conscious modeling and planning of staging;

- making a decision on staging;
- selection and preparation of methods of concealment, options to confirm that they are not related to the crime;

- staging; evaluation of the results of staging by the subject;
- selection of the subject's behavioral direction after staging.

Criminal instincts are classified on various grounds.

- in order to conceal a crime or non-criminal incident;
- the stage of the crime, the event or incident of an unbiased nature, the stage of its personal details or components, staging;

before, during or after the commission of the crime;

on instigation committed by a criminal (persons) or other persons;

- at the scene of the accident or elsewhere;
- intended for detection by unauthorized persons, in order to be identified by the notification of the contractor or related parties, according to the method of legalization;

- on the duration of exposure, based on the fact that the actual event is not established at all; taking time (creating a fake alibi, seeking asylum, hiding the abducted, etc.) or gaining temporary advantages other than investigation;

- from a structural point of view, the material traces, along with the provision of appropriate behavioral and false information, are the only material traces of the event.

This classification seems to be one of the best for us. However, it is, in our opinion, not without some shortcomings in the conceptual and private order.

As one of the first and foremost views, R.S. Belkin proposed the title “crime staging”, although as we can see, in fact it is not only the classification of crime staging, but also the staging of certain elements of crime, as well as the staging classification of non-criminal events [24]. .

As a result of the analysis of the criminological literature, it is possible to distinguish five features between traditional forms of crime staging, i.e. staging aimed at concealing a crime that actually took place (imaginary staging) [25].

1) According to the instructions of the perpetrator of the fake staging, the difference is made as follows. The purpose of traditional instincts is to hide the crime, its individual elements, and to participate in the crime itself. The instinct here, on the contrary, is aimed at creating the appearance of a crime. If the subject of the traditional staging tries to convince the person applying for the staging that the crime is not detected by law enforcement officers or that it is not dangerous, the staging will try to convince the investigator that an imaginary criminal incident has occurred and actively search for it.

2) According to the structure of actions aimed at creating a scenario, it is divided as follows. The staging, which was carried out in order to conceal the crime that actually took place, includes two sequences: - the activities of the accused aimed at committing the crime; - the activity of the accused aimed at creating an instinct. Each of these types of actions leaves a unique mark at the scene. As a result, there are two complementary states at the scene. There will be no “competitive” event in the crime scenario and it will be reflected in a single situation. In

this case, the staging tries to prove that the incident is real and tries to show that this is exactly the case as a crime. Here, this situation, which leads the investigator astray, seems very plausible.

3) According to the level of preparation and execution. The crime scenario is different from the traditional high-level preparation and execution. Over time, the culprit carefully develops the script and prepares it for execution. At the same time, he often seeks the help of partners, using them as script consultants or as executors in execution.

4) There is also a difference in the level of social danger of crime, ie staging. The traditional instinctive crime is concealed under the guise of no crime or when a crime is committed. The crimes that were successfully committed by such an instinct still remain secret today. Again, the danger of this is that the event occurs during the staging. In such cases, the probability that an innocent person will be charged and convicted is high enough.

5) Depending on the method of staging, the incidence of crime also varies significantly. To be sure, the subject of the instinct often demonstrates the consequences of a “crime,” simulates a painful situation that corresponds to the severity of the “violence” committed against him, may even call him “guilty,” and so on. These characters allow this phenomenon to be identified in this way. The staging of an imaginary crime is an attempt to create an artificial trail environment (fabrication, falsehood) that mimics the story of a crime that did not take place, misleading the offender and misleading the fact of the crime. As a result, law enforcement officials are encouraged to make decisions that are acceptable to stakeholders.

It should be noted that an instigator who has not previously been in contact with law enforcement officers is unaware of their personal psychological characteristics and professional experiences. In this regard, as a rule, the average statistical model of law enforcement agencies is obtained. At the same time, instincts can affect not only investigators, inquiry officers, operatives, but also specialists, experts, victims and witnesses by their actions.

Thus, as an example, witnesses can testify in favor of the instigators as a result of a mistake made as a result of a conscientious approach and convince the investigator that the incident is not a criminal case.

AIMarkov identifies the most probable signs of criminal instinct as follows: demonstrative nature, the presence or absence of various crimes, contradictions in the circumstances of the incident, and negative circumstances [26].

I would like to emphasize the dual nature of criminal instinct: on the one hand, it contains elements of a real event, on the other hand, it is an artificially created state that reflects the intent and actions of the instinct [27].

The essence of criminal instinct is not to intentionally change the appearance of an event, but to change certain elements of the existing situation [28].

The character of the staging is understood as external signs aimed at creating a form that accurately reflects the stylist's views on the event.

Signs of instigation identified during the investigation of the scene of the accident include:

- Detected traces, if the event under investigation is not imaginary, but real, there should be no excess traces;
- traces that are not identified due to the absence of traces, but the instincts should appear when the event occurs;
- When traces specific to the staging event are found, their condition must be inconsistent and in their current state (appearance, quality, quantity, etc.).

General methods of detecting and opening scenarios

In a broad sense, a method is a way to achieve a certain result.

The positive result of our article is the successful detection and disclosure of the criminal instinct.

The theory offers a large number of investigative methods, but the question of the effectiveness of their application in practice remains open in many cases.

For the diversity of all forensic situations, criminal instigation and detection and investigation of related events are carried out on the basis of taking into account and applying the general rules that are the same for all cases (approaches, principles, technological schemes, etc.). One of the main ones is that the task of the investigator in each case is to creatively interpret the problem of goals and means related to the process of knowing a particular case.

This principle is applied in cases where it needs to be proven, i.e. to identify different tools, methods and technologies. Currently, information on crimes concealed using instincts is at the stage of collecting and systematizing knowledge about the incident under investigation. Therefore, effective algorithms, programs, science to combat these crimes have not yet been developed. Nevertheless, the accumulated experience of the investigation for certain types of crimes, the volume of data allows us to identify the usual programs, schemes, methods for detecting and investigating instincts.

In this case, in cases where it reflects information relevant to the instigation, it means criminal instigation. A variety of behaviors before or after a crime can be signs of instinct. In this case, it is based on the contradiction between how the actual event took place, what happened in the staging, and in what order it was reflected by the appropriate means. Therefore, the investigator's knowledge specific to certain categories of staging characters is of great practical importance in successfully identifying and disclosing staging. Only then is the in-depth, fast, and high-quality review of the configured version. As an object of criminal liability for these purposes

- analysis and assessment of the situation at work;
- study and compare the characteristics of the built models, study the results obtained from them and check their samples;
- to determine the reality of some consequences and the unreality of others;
- conduct a comparative analysis of models and traces that were not removed as a result of the inspection, to form a conclusion on the relevance of any model to the actual event;
- take measures to obtain additional information that confirms the truth of this model or excludes the possibility of inaccuracy;
- to make a decision on the gradual termination of the event with all the legal consequences arising in the determination of the original state of affairs.

The concept of a "universal method" applied in all investigative situations is nothing new to anyone. Proponents argue that due to the socio-economic crisis, it was not possible to respond to all changes in society, and in this case the "universal method" would become an integral method of investigating unsolved crimes [29].

In this regard, a typical program is not an investigation plan but a means of creating it [30].

The "program-targeted approach" is based on the organization of an investigation and the acquisition of new knowledge about a criminal case using pre-developed forensic programs.

An investigative program is a system of information on the sequence of investigative actions that is most characteristic for the investigation of this category of criminal cases [31].

However, a typical program is not the investigation itself, but the means of creating it.

The program-based approach allows to prevent excessive subjectivity by the person involved in the investigation.

The complexity of using these methods in detecting and exposing criminal instincts is that they have not developed standard programs (algorithms) that can rely on the subject of investigation in planning.

In this regard, we can try to identify the stages of development of typical programs (algorithms) for the detection and disclosure of criminal instigation: to collect practical data on criminal investigations and identify typical investigative situations specific to instigating activities, setting tasks for each typical investigative situation, identify the tools to solve the task, build an algorithm (program) and then test it in practice [32].

IV Kubaraev made an interesting proposal, that is, to solve the problem of the investigation through collective planning. The effectiveness of this form of interaction depends on whether it allows the parties to combat the factors that complicate the investigation (insufficiency and misinformation, actions of stakeholders), the intellect of several people (a group of 5-7 people) [33]. This method also applies if a formal investigation team is formed, otherwise there is a risk of disseminating important information to an unreasonably wide range of people, which could lead to a violation of the rights and freedoms of the participants in the process.

Types of models: mental, mathematical, information-cybernetic, graphic, material.

Mental modeling is done when creating versions and plans at the scene.

Mathematical and information-cybernetic modeling is more widely used in production during the examination.

Graphic and material modeling occurs in the production of investigative actions and search operations [34].

For example, material modeling can be considered as a practical use of mannequins and various modeling objects.

When using the modeling method in the doctrine, it is necessary to create a data table in which all the information about the crime is divided into specific groups and classified. This helps to identify missing elements and contradictions [35].

The basis for the classification of cases related to the detection and disclosure of a criminal instinct may be: the subject of the instinct, the subject of activity, the purpose and motives of the instinct, the means and mechanisms to achieve the goal, the conditions of the instinct, the result of the instigator's actions trace patterns and consequences resulting from the activity indicated in the staging.

Thus, among the general methods of detecting and opening the instinct can be distinguished: universal, goal-oriented (programming and algorithm), planning, modeling.

The universal method is utopian in nature. Due to the diversity of forms of criminal activity, the same tools are ineffective.

Other methods (goal-oriented, planning, modeling) need to be seriously reconsidered as they require accountability, as they are all based on investigation and case law and have not yet been systematized to identify and expose criminal instincts.

Therefore, to date, it has been very difficult to develop methods of combating this type.

IV. SUGGESTIONS AND RECOMMENDATIONS

Based on the above analysis, we would like to make the following suggestions. First, in determining the criminal instinct, it was considered that the staff of the preliminary inquiry and investigation body and the court should have psychological information. The reason is that in many cases, in the course of inquiries conducted by law enforcement officers who do not have the skills, experience or psychological knowledge, it is possible that criminal instigators fall into the mountain and act according to their wishes without realizing or understanding them. Second, it is advisable to have served as an investigative or prophylactic inspector for at least 5 years before becoming a responsible officer of the investigative body. prevents decisions in favor of criminal instigators based on evidence presented in an organized manner. Third, to introduce a system of proper distribution of serious and very serious types of criminal cases among investigators, taking into account their experience and skills among investigators. In such cases, the fact that some young investigators decide at the expense of the interests of the participants in the criminal staging due to the low level and inexperience in handling serious or very serious criminal cases has a negative impact on the rule of law. Fourth, it is necessary to organize an investigation program and a mechanism for compiling a reference on this criminal case as a result of the actions of investigators in the case of serious and very serious criminal cases conducted by highly qualified and experienced investigators. The investigative software and references created as a result of this mechanism will serve as a quick detection and prevention of crimes for young investigators and other law enforcement officers in the future as a result of sewing from separate files. In addition, in order to prevent criminal instincts and prevent any violations, the groundwork will be laid for appropriate propaganda and agitation. Fifth, in connection with the significant contribution of the investigator in the fight against criminal activity in Uzbekistan, it is expedient to establish a special title of "coach investigator." In order to obtain this title, the investigator has to be recognized by the "special commission" as a useful document in the fight against crime for future generations, as well as to make suggestions to our legislation, both practical and theoretical, based on the investigation of serious and very serious crimes. requires a PhD in order to demonstrate their knowledge. Sixth, it is advisable to transfer some measures to the electronic system in order to ensure that the staff of the investigative body does not spend paperwork or extra time and saves money. For example, investigators serve to prevent excessive material resources, paperwork, as well as the impact on the duration of the criminal case in the process of separate submission or provision of such documents. Seventh, in order to simplify the process of obtaining a sanction in the application of precautionary measures against criminal instigators by the staff of the investigative body, the transfer of the procedure of direct appeal to the court to the electronic system should be taken as a requirement of the time. In this process, it serves to prevent the acquisition of various forms of corruption, excessive time spent by the investigator, and retaliation by the court for the prosecutor's actions.

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