

is produced and cultivated by leaders of criminal organizations. A heroic image of a bandit is created, acting with impunity and achieving significant material welfare.

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ROLE OF POLYGRAPH IN CRIME DETECTION AND INVESTIGATION

In 1996 Steven Van Aperen was the first Victorian Police Officer to graduate from Western Oregon University USA as a certified forensic polygraph examiner. After graduation he trained with and examined polygraph testing formats and behavioural interview techniques utilised by the Los Angeles Police Department Polygraph Unit, US. Secret Service, Los Angeles County Sheriff's Office and the Federal Bureau of Investigation. Mr. Van Aperen holds a degree in Criminal Justice Administration and a Diploma in Security Management and served a total of 13 years with the Victoria and South Australia Police Departments. He has received certification in advanced and specialised polygraph training whilst in Washington D.C. and has examined the Jackson County Sex Offender Treatment Program that utilises polygraph testing of serial sex offenders. Mr. Van Aperen is a professional member of the American Association of Police Polygraphists (AAPP) and the American Polygraph Association (APA). Mr. Van Aperen is now the Managing Director of Australian Polygraph Services International Pty. Ltd. and consults to numerous companies throughout Australia and overseas conducting polygraph testing, behavioural analysis interviews and investigations. Throughout history there have always been problems in ascertaining the truth. In the 1500-1600's the truth was verified by means of threat, promise and in some cases torture. However, the justices of the era soon realised that admissions gained could not be relied on because of the ways in which they were obtained, and consequently they later rejected evidence gathered in this way. By the 1700-1800's the admissibility and methods of verifying the truth had been modified. However, English judges were still loath to receive some confessions into evidence due to the fact that the accused at that time had no right to legal counsel, nor right of appeal. By the beginning of the 1800's the judges had changed their attitudes to such an extent that all

confessions were considered suspect, and as a result were repudiated if the slightest doubt existed. The problems associated with these early methods of verifying the truth led to the contemporary twentieth century methods of recording statements made by suspects, witnesses and complainants alike. Whilst technical advancements have been made in electronically recording the investigative process, little has been available to enhance the interview and interrogative procedures used in determining the veracity of statements. For years attempts have been made to find an approach which successfully differentiates between truth and deception. These have included the use of hypnosis, truth serums and voice analysis, but with few positive results. Only the polygraph, after more than 100 years, has stood the test of time.

Current Usage Polygraph testing is currently being used in more than 50 countries in the fields of corrections, criminal investigations, intelligence/counter intelligence and civil matters. In the United States alone all federal law enforcement agencies either employ their own polygraph examiners or use the services of examiners employed in other agencies. Examiners and quality control programs exist in the FBI, US. Secret Service, US Army CID, US Marine Corps CID, Air Force OSI, Navy NCIS, US Customs, US Marshals, Defence Criminal Investigation Service, Internal Revenue Service, US Capitol Police, Food & Drug Administration, Department of Energy, Central Intelligence Agency, Police & County Sheriff's departments, sex therapists and numerous other investigative bodies.

Law enforcement agencies using the polygraph do so predicated on the basis that it is an important investigative aid, but not a substitute for standard investigative techniques. For decades the law enforcement community has used polygraph testing as an investigative aid to: verify the statements of victims; establish the credibility of witnesses; evaluate the truthfulness of suspects and to help exonerate the innocent who is surrounded by circumstantial or uncorroborated evidence. During 1996, the US Department of Defence conducted over 12,000 polygraph examinations. In recent years the US Department of Defence has used the polygraph in 95% of criminal investigations pertaining to crimes for which the maximum penalty is 15 years or more. Such use accounted for the army solving 64.7% of felony cases compared with the national average of 19.5%

Polygraph technology is now also gaining acceptance in Sex Offender Treatment Programs when testing convicted serial sex offenders whilst on parole or probation. Today a very high number of pedophiles on probation in the states of Oregon and Washington are currently under polygraph surveillance and maintenance programs as part of their parole conditions. The success of the Jackson County Sex Offender Treatment

Program (JCSOTP) in Oregon has been so great that other states including California, Texas, Tennessee, Florida, Massachusetts, Indiana and Colorado have adopted the use of polygraph examinations in the supervision, treatment and monitoring of sex offenders on parole and probation.

Validity and Reliability In the past 75 years over 250 studies have been conducted on the accuracy of polygraph testing. Since 1980, 10 separate studies based on 1,909 real cases showed that the accuracy rate for truthful subjects was 97% and for deceptive subjects, 98%. There have been more published studies done on polygraph accuracy, validity and reliability than on handwriting analysis which is routinely admitted into evidence on a daily basis.

Although skeptics of polygraph techniques have expressed concern that polygraph testing is not 100% accurate one needs to consider that there is no one scientific technique in dealing with humans that is 100% accurate including psychiatry and psychological assessments regarding clinical diagnosis. Classification of psychological disorders, although subjective, are often challenged by other experts and, at times, incorrectly diagnosed. Cross contamination has occurred in DNA testing, fingerprints have been wrongly classified, handwriting evidence has been misinterpreted and eye witnesses make mistakes. Furthermore, admissibility does not necessarily mean that evidence is valid. Note how invalid eyewitness and psychiatric findings can be, and often are, legally and judiciously recognized as admissible evidence.

Polygraph principles and procedures Investigators should be aware that there are two primary applications of the polygraph in criminal investigations; Diagnostic and Interrogatory. Diagnostic applications seek as their ultimate goal, a successful determination of truth or deception.

Interrogatory polygraph is less concerned with the issue of truth and usually seeks a confession of wrongdoing from the suspect. Diagnostic polygraph requires an examiner with considerable training and education using carefully constructed questioning techniques that provide scientific analysis of data while interrogatory techniques essentially use the polygraph instrument or even non-functioning boxes with lights and wires as a prop to induce sufficient fear in the suspect so that his only recourse from emotional anguish is confession. Diagnostic polygraph examinations have been admitted into court as evidence, while interrogations using polygraph as a wedge to confessions frequently have been ruled as inadmissible in court.

A rule that investigators may want to follow is to choose the polygraph examiner as if yourself were going to be requested to submit to take an exam. As many of you have heard, the polygraph is only as good as the examiner.

Current usage within criminal & private investigations.

Polygraph usage has proven successful in:

- Eliminating suspects
- Recognising false complaints
- Testing informants to determine the veracity of information provided

– Providing a new "key" to an investigation when all other standard investigative techniques have been exhausted

- Narrowing the focus of enquiry
- Gathering additional information and evidence
- Assisting to focus the investigation on particular suspects

In one interesting case which involved a polygraphist with the Oregon State Police USA investigating a theft a polygraph was used to conduct a searching peak of tension test. It was learned that the suspect's wife had mysteriously disappeared but he claimed that she had returned to her family in Mexico. When a control question technique showed him to be responding deceptively in this matter, a Peak of Tension Test was administered to determine if the location of the body could be discovered. The first searching peak asked the following questions:

- Is your wife's body in the river?
- Is your wife's body by the railroad tracks?
- Is your wife's body in the potato field?
- Is your wife's body by the farm buildings?
- Is your wife's body by the house?

When strong autonomic reactions occurred in response to question 4, the man was presented with another series of questions worked in a similar manner but relating to the specific farm buildings. Large responses were found to questions associated with the shed. While spectators waited in suspense, a bulldozer cleared the area around the building where his wife's body eventually was found. Dramatic results have also occurred whilst looking for weapons and other exhibits used in a crime. Another case in point was the murder of two girls, Kynara Carreiro and Krisin Wiley, aged seven and ten years respectively, in Houston, Texas in 1992. A 34 year old neighbour, Rex Mays, had long been suspected of stabbing and slashing the two girls to death, but there was insufficient evidence to charge him. Mays consented to a polygraph examination, and when told that he had failed the test, Mays confessed.

In the infamous Sharon Tate murder case, the Los Angeles Police Department administered polygraph examinations to William Garretson, the 19 year old caretaker, and to Sharon Tate's husband, Roman Polanski. Both passed the tests which showed they had no knowledge of, or involvement in the murders, Police continued the investigation which resulted in the arrest

and conviction of Charles Manson and members of his "family". The Los Angeles Police Department Scientific Division which incorporates the Polygraph Unit has 5 qualified polygraph examiners. The work load of this unit consists mainly of major felony cases including homicide and child sexual abuse investigations.

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HISTORY OF FINGERPRINTING

There are records of fingerprints being taken many centuries ago, although they weren't nearly as sophisticated as they are today. The ancient Babylonians pressed the tips of their fingertips into clay to record business transactions. The Chinese used ink-on-paper finger impressions for business and to help identify their children.

However, fingerprints weren't used as a method for identifying criminals until the 19th century. In 1858, an Englishman named Sir William