



IMPROVING THE USE OF TECHNICAL MEANS TO INSPECT THE SCENE

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ABOUT ARTICLE

Key words: inspection of the scene, special technical means, photography, video recording, procedural action.

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Abstract: The article provides an in-depth analysis of the need to use special technical means when inspecting the scene, the requirements for them, as well as some problematic situations that arise during their application in judicial practice. In addition, the effective use of special technical means in the investigation of the scene, in turn, will serve to expand the range of information that can be used as evidence, improve the quality of inquiries and preliminary investigations, and thus increase crime detection.

VOQEA JOYINI TEKSHIRISH UCHUN TEXNIK VOSITALARDAN FOYDALANISHNI TAKOMILLASHTIRISH

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MAQOLA HAQIDA

Kalit so'zlar: asenani tekshirish, maxsus texnik vositalar, fotosuratlar, videoyozuvlar, protsessual aktsion.

Annotatsiya: Maqolada voqea joyini ko'zdan kechirishda maxsus texnik vositalardan foydalanish zarurati, ularga qo'yiladigan talablar, shuningdek, ularni sud amaliyotida qo'llash jarayonida yuzaga keladigan ayrim muammoli vaziyatlar chuqur tahlil etilgan. Shuningdek, voqea joyini tekshirishda maxsus texnik vositalardan samarali foydalanish, o'z navbatida, dalil sifatida foydalanish mumkin bo'lgan ma'lumotlar ko'lamini kengaytirish, surishtiruv va dastlabki tergov ishlari sifatini oshirish va shu orqali jinoyatlarning ochilishini oshirishga xizmat qiladi.

**СОВЕРШЕНСТВОВАНИЕ ИСПОЛЬЗОВАНИЯ ТЕХНИЧЕСКИХ СРЕДСТВ ДЛЯ
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О СТАТЬЕ

Ключевые слова: осмотр места происшествия, специальные технические средства, фото-, видеофиксация, процессуальные действия.

Аннотация: В статье проводится углубленный анализ необходимости применения специальных технических средств при осмотре места происшествия, требования к ним, а также некоторые проблемные ситуации, возникающие при их применении в судебной практике. Кроме того, эффективное использование специальных технических средств при осмотре места происшествия, в свою очередь, послужит расширению круга сведений, которые могут быть использованы в качестве доказательств, повышению качества дознания и предварительного следствия, а значит, повышению раскрываемости преступлений.

INTRODUCTION

Investigative action is important for quick and complete solving of crimes, identification and exposure of guilty persons, and for finding information of evidentiary value in the case.

It is known that each committed crime has its own characteristics and characteristics. Therefore, in order to find traces of the crime scene and not to lose physical evidence, it is necessary to inspect the scene of the incident. In many cases, material traces and other physical evidence of the crime remain at the scene of the incident. It is important to search for them and add them to the criminal case, formalizing them in accordance with the requirements of the current legislation. Because physical evidence serves to identify the person who committed the crime and prove his guilt. In addition, the traces, physical evidence and other information about the case obtained during the inspection of the scene of the incident will allow the investigator to solve the crime, plan the investigation and determine the extent of the investigative actions that should be carried out.

THE MAIN RESULTS AND FINDINGS

In our opinion, it is necessary to correctly apply the content of the following concepts in judicial investigation practice in order to ensure that the investigation of the scene of the incident is carried out on the basis of the requirements of the current JPK:

incident - natural and man-made disasters, accidents, human-related accidents, epidemics, epizootics, fires, disappearance of citizens, finding of citizens in need of help, and cases that require investigation and investigation;

the place where the incident took place - the place where there is information about the crime or incident or their previous existence;

inspection of the scene of the incident - an investigative action conducted by an official of the body conducting the pre-investigation investigation, an investigator, an investigator or a court in order to find traces of a crime, physical evidence, the circumstances of the incident and other circumstances important for the case.

The main purpose of inspecting the scene of the incident is to find the existing traces and physical evidence with a direct view of the origin of the incident. Inspection of the scene of the incident can be carried out only if there is information that a crime has been committed in this place or there are traces of it. That's why the legislation stipulates that in cases where it cannot be delayed, the scene of the incident can be taken before the initiation of a criminal case, that is, during the investigation period.

Based on the requirements of Article 91 of the Criminal Procedure Code, during the inspection of the place where the incident occurred, recording, video recording, filming, photography, making templates, making copies, preparing plans, schemes, and other methods of displaying information are used in addition to making a report to record evidence. possible The investigator has the authority to engage experts to perform these actions or to assist in their performance.

The analysis of judicial investigation practice shows that the use of scientific and technical means, especially video recording, in gathering evidence today serves to protect the rights and freedoms of the participants of the proceedings more effectively. Therefore, with the Law of the Republic of Uzbekistan dated May 14, 2020 "On Amendments and Additions to the Code of Criminal Procedure of the Republic of Uzbekistan aimed at strengthening the protection of the rights and freedoms of citizens participating in criminal proceedings" O'RQ-617 the range of actions has been expanded. Now, according to it, the following procedural actions must be recorded by video recording:

- 1) inspecting the scene of an incident in the case of serious crimes;
- 2) search;
- 3) checking the reports at the scene of the incident;
- 4) investigative experiment;
- 5) arresting a person;
- 6) waiver of the defender;

7) personal search and seizure carried out during the arrest of a person.

The issue of recording the remaining procedural actions through video recording is solved independently by the official of the body conducting the investigation, the investigator or the investigator.

Expanding the possibilities of using modern technical means in judicial investigation practice serves to make the activity of investigative bodies more effective. Because they save the time and effort of investigative bodies that should be spent on quickly and fully solving crimes, create additional conveniences for our citizens, further improve the procedure for formalizing evidence, strengthen evidence in the implementation of investigative actions, and most importantly, ensure the maximum protection of human rights.

Photographing at the scene of the incident is carried out in order to determine the nature of the incident, to reflect the consequences and characteristics of the actions, to show the traces, objects and physical evidence left as a result of these actions, as well as to show that the investigation was carried out based on the requirements of the law and the rules on the admissibility of evidence.

In almost all cases of inspecting the scene of an accident in investigative practice, in order to clarify the circumstances of the incident and other circumstances important for the case, to change the situation of the scene of the incident, to prevent the loss or destruction of evidence, the scene of the incident should be photographed and a drawing of the scene of the incident should be attached to the report. we all know it is done.

In compliance with legal requirements, the situation at the scene of the accident, traces and physical evidence important for the case, as well as all things taken from the scene of the accident and indicated in the report, must be photographed with the presence of witnesses (they are also visible in the photo). This action should make the group and specific features of the photographed objects as visible as possible and should be objectively recorded in the report accordingly. For this purpose, it is necessary to take not only the general view of the object, but also additional photos that note some of its features.

In our opinion, the use of photography alone during the inspection of the scene of the incident will not be sufficient to achieve the stated goal. That is why it is advisable to use video in all cases. Because the use of video recordings allows for a more complete reflection of the process and results of the inspection, the actions and voices of the participants, which should be seen, are clearly and completely recorded.

But at the same time, it should be noted that there are some difficulties in video recording and using technical means. For example, it can be said that the simultaneous inspection and recording of traces, the sequence of actions related to the acquisition, and the continuous,

uninterrupted video recording of the various situations that occur during the investigative action, when examining the scene of the incident, create a problem. Also, another problem in the video recording process is the recording of both visual and audio information in the video. In this case, the audio speeches of the participants of the investigation, in particular, the investigator, are recorded along with the implementation of certain activities, search, organizational and other activities. In this case, the official conducting the investigation should comment in front of the video camera on the process and results of the inspection of the place where the incident occurred, as well as on each of his actions. In addition, the procedure for copying the video recording from the memory card of the video camera, shortening and editing the video recording are not regulated in the current laws and regulations. Modern video cameras allow you to record to USB flash cards or directly to SD disks. But it can not be re-recorded, otherwise it can be doubted that the video recording was taken objectively.

Although the current legislation states that the process of conducting procedural actions and its results can be recorded with the help of photo and video recording tools, and in some cases it is necessary to record them on video, but their procedural order is not fully explained, which causes different interpretations of the requirements of the law in the judicial investigation practice. For this reason, we believe that it is expedient to legally define the procedural actions in which video recording is used, in particular, the examination of the scene of the incident, eliminating the following circumstances:

Firstly, the technical description of video recording devices and setting the requirements for it;

Secondly, in cases where video recording tools are used, the participants of the process should be warned about this, the sequence and order of commenting on the actions being performed, the video recording shown to the participants after the procedural action is completed, the video recording from the memory card of the video camera to a device that carries electronic data (CD disk, USB flash drive, etc.) development of rules defining the procedural procedures of issues such as copying and attaching to the report, wrapping and sealing the electronic data carrier attached to the report;

Thirdly, measures to prevent the loss, damage, destruction, mixing of video recording with other data, the conditions and procedure for their recovery;

Fourthly, in all cases where procedural actions must be recorded on video, establish a system of training officials in special training courses in order to legally determine the full participation of an expert working with a video camera or to learn the procedure for using technical means.

CONCLUSION

Summing up from the above, it is worth noting that the use of modern technical means when examining the scene of the incident, in our opinion, can change the crime scene, prevent the artificial destruction of traces and physical evidence, and expand the range of evidence, during the investigation and preliminary investigation, and the future investigation. activities, i.e. checking the evidence at the scene of the incident, reconstructing the situation during the investigation experiment and helping to plan these investigative actions. This will help in the investigation of crimes and the detection of crimes.

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