



CRIMINALISTIC DESCRIPTION OF ROBBERY CRIME AND ITS SIGNIFICANCE

Rakhmatullaev Muzaffar Talgatovich

Academy of the Ministry of Internal Affairs of the Republic of
Uzbekistan

Independent researcher in postgraduate education

100197, Tashkent, Intizor Street, 68

E.mail: muzaffarraxmatulayev@icloud.com

ORCID: 0009-0009-0266-5616

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Abstract: This article thoroughly examines the specific forensic characteristics of robbery crimes. The author has developed a detailed forensic description of these crimes based on their criminalistic features. Additionally, a comparative analysis of various approaches and views of scholars on the forensic characteristics of robbery crimes has been conducted, revealing the scientific-theoretical and practical significance of this research work. In particular, the article analyzes the role of forensic techniques and tactics used in conducting investigative actions, as well as their importance in preventing and combating robbery crimes in cooperation with law enforcement agencies and the public.

Keywords: Robbery, forensic description, elements, investigation, detection, evidence.

Ensuring peace and tranquility in our country, preventing and combating crime, as well as upholding justice and the rule of law in society, is a constitutional duty not only of law enforcement officers but also of every citizen. This responsibility is particularly crucial in relation to violent crimes, especially serious offenses such as robbery.

Robbery is distinguished by its complex nature, element of violence, and high level of risk to the victim. Therefore, it is extremely difficult to carry out such crucial tasks as preventing, uncovering, and effectively investigating robbery crimes without thoroughly studying their criminalistic characteristics.

In the swift and thorough investigation of robbery crimes, and in proving the guilt of each person who committed the crime in the manner prescribed by law, the investigator must, first and foremost, have a deep understanding of the forensic characteristics of the crime they are investigating. This is of particular importance in the investigation of robbery. Knowledge of the forensic characteristics of robbery serves as a crucial factor in distinguishing it from other types of crimes, such as simple theft or extortion, and in providing an accurate legal assessment of the act.

The distinctive features of robbery, including the use of violence or threats of violence, the intent to seize property, the possibility of being committed by a group, and the use of weapons or other objects that can be used as weapons, play a crucial role in forming its forensic profile. A deep understanding and analysis of these characteristics not only enhances the effectiveness of investigations but also contributes to improving strategies for combating crime.

R.S. Belkin pointed out that there is ambiguity in understanding the concept of the method of committing a crime and that the terms can be confused. He noted that the method of committing a crime refers to both the action of directly carrying out the crime and the entire range of activities related to preparing, committing, and concealing the crime. [1]

Therefore, we aimed to study the forensic characteristics of robbery crimes in two directions: theoretically, to analyze the concept of forensic characteristics and its structural elements; practically, to develop forensic characteristics of this category of crimes through the study of statistical data and investigated criminal cases.

To effectively investigate robbery cases, it is necessary to pay special attention to the following aspects: the circumstances of the crime (place, time, method); the number of perpetrators and their characteristics; information about the victim; details of the seized property; other important circumstances.

It is crucial for the investigator to effectively use specialized forensic knowledge and methods to identify this information, define the scope of circumstances that need to be proven, and develop a sequence (algorithm) of investigative and procedural actions that need to be conducted to establish them. This approach allows for the swift and effective detection of robbery crimes.

It should be noted that in the field of forensic science, there is still no consensus among scholars regarding the forensic characteristics of crimes. This indicates the relevance of the topic and the need for further in-depth research.

Some scholars view forensic characterization as a system of information that serves to detect and investigate certain types of crimes [2], while others define it as a theoretically developed system of information about the characteristics and features of a specific group of crimes. [3] Another group of scientists considers the forensic characterization of crimes as a probable model of events related to criminal incidents. [4]

In our opinion, the approaches of the above-mentioned authors to the issue under analysis are somewhat debatable. This is because the forensic characteristics of crimes consist only of signs of significant circumstances, and their list is unique for each type (group) of crimes. Therefore, while certain circumstances may be significant for the forensic description of one group of crimes, entirely different circumstances may be significant for another group. Each individual circumstance "can be significant for one type of crime and neutral for others."

The opinions of the following authors, who approach the concept of forensic characterization from this perspective, deserve attention. In particular, G.A. Abdumajidov defined the forensic characteristics of crimes as "a system of generalized evidentiary data on the most important aspects of the types of crimes under consideration and scientific conclusions based on them" [5], while L.Ya. Drapkin stated that it includes "typical signs and features of events, situations, methods and mechanisms of committing socially dangerous actions of a certain qualification group, the process of forming evidence, and typological qualities of the personality and behavior of criminals and victims."

This means that the forensic characterization of crimes is presented by these authors as both a theoretical and practical concept.[3] Another group of scientists considers the criminalistic description of crimes as a possible model of events related to criminal events. [4]

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When determining the forensic characteristics of a robbery crime, it is necessary to consider the opinions of the aforementioned authors and rely on the most important theoretical principles of forensic science. In this regard, it is advisable to pay attention to the following key principles:

First, it is necessary to reflect the characteristics of this type of crime in the forensic description of robbery as a set of generalized information. This allows for the identification of stable elements of the forensic characteristic. It should be noted that since each crime has its own characteristics, its signs and features may not be repeated in other crimes of the same type. As it is impossible to include the characteristics of all crimes in the forensic description, it is advisable to highlight the most important ones by summarizing them. On this very issue, V.P. Bakhin noted that "a generalized set of forensic descriptions is formed from 'units included in it,' and in relation to information about individual crimes, it would be correct to speak of its description." [6]

Second, information of forensic significance, that is, information related to the detection and investigation of crimes through tactical methods, combinations, and operations, should be reflected in the forensic description. It is known that crimes are exposed through information collected by both procedural and non-procedural means. Considering that the detection and investigation of crimes in forensics is carried out through investigative actions provided for by criminal procedural legislation, elements of the forensic description should serve this purpose.

Third, it is necessary to take into account the specific characteristics of crime in a particular territory. Crimes committed in urban areas and densely populated regions differ significantly from those committed in rural areas and sparsely populated regions. Therefore, to develop a comprehensive forensic description of robbery, it is necessary to consider both general aspects and territorial specifics.

Fourth, another important feature of the forensic description of this type of crime is that it contains information about the causes of the committed crime and the conditions that allowed it to occur. Special attention should be paid to this aspect, as it is important not only for the detection of crimes but also for the prevention of similar crimes in the future.

Fifth, it is necessary to consider the possibilities of using modern technologies and methods in the forensic description of robbery. This will serve to increase the effectiveness of crime detection and investigation. Юқорида санаб ўтилган тамойилларга риоя қилиш босқинчилик жиноятининг криминалистик тавсифини янада такомиллаштиришга, уни амалиётда самарали қўллаш имкониятларини кенгайтиришга хизмат қилади.

The forensic characteristics of this type of crime hold both theoretical and practical significance. Its theoretical importance lies in shaping specific methods for investigating these crimes, while its practical value is demonstrated by its role in determining the direction of investigation through the synthesis of forensically relevant information.

Scholars have expressed varying opinions on the elements of forensic characterization. In particular, G.A. Abdumajidov proposed including the range of circumstances that need to be proven [7], while A.M. Khlus suggested incorporating typical investigative situations [8] as elements of forensic characterization. V.L. Grigorovich emphasized that "information about the victim of a crime should be recorded as a separate element of forensic characterization." [9]

V.F. Yermolovich [10] and I.I. Rubsov [11] considered the causes of the crime and the conditions that enabled its commission as one of the elements of forensic characterization. A.M. Khlus, disagreeing with these opinions, stated that identifying the causes of the crime and the conditions that enabled its commission is one of the directions of criminal investigation activity, and it is not advisable to consider it as an element of forensic characterization. [12] In this regard, A.M.Khlus's views are justified, and it is not appropriate to designate "the causes of the crime and the conditions that enabled its commission" as an element of forensic characterization for all types of crimes.

Based on a thorough analysis of the aforementioned scholars' opinions and investigative practice, we have developed the following author's definition of the concepts of investigating robbery crimes and the forensic characterization of robbery. According to which:

Investigation of a robbery crime is the activity of specially authorized state bodies carried out in accordance with the criminal procedural legislation of the Republic of Uzbekistan to collect information about events and circumstances with signs of an attack involving the use or threat of violence dangerous to life or health in order to seize another's property, to determine the specific features of the robbery (the degree of violence or threat used, the nature of the attack, the weapons or means employed) and the amount and significance of the seized property, to establish the causal relationship between the act and its consequences, to prove all elements of the crime, to expose the perpetrators, to take measures to compensate for material, physical and moral damage caused to the victims, as well as to identify and eliminate the causes and conditions that enabled the commission of the crime.

The forensic characterization of a robbery crime is a scientifically substantiated and systematized complex of interrelated, forensically significant information about the motive, methods of preparation and commission of crimes involving an attack with the use or threat of violence dangerous to life or health in order to seize another's property, the weapons or means used, time, place and conditions, the mechanism of trace formation, the subject of criminal activity, the characteristics of the offender's personality and the victimological aspects of the victims. It serves as a generalized information model necessary for the effective organization and conduct of investigative activities, the detection of the crime, and the identification of the perpetrators.

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