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The need of legal psychology in investigating violent crimes

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Abstract

Legal psychologists called as witnesses, experts, key diagnostic elements of investigating criminal offenses and violent to express their opinion in relation to scientific offenders, both in prison and when they are released, but called as descriptive of the personnel evaluation system of justice. It is clear that these psychologists should have a very good training in abnormal psychology or psychometric testing, and social psychology. Moreover the criminal profile makers other cognitive personality of individuals, should have additional knowledge in criminology. Paying attention, specifically the special character and personality of the perpetrator of the crime, legal psychologist offers a great help for judges, prosecutors, judicial police and lawyers. Through the report that they develop, define in detail the criminal character traits that make us understand more clearly how his mind works. Consequently it also affects the development of a right trial. Given that work of legal psychologist and justice complement each other, then necessarily, legal psychologist is necessary to intervene more in the justice system.

Keywords: Legal psychologist, Psychologist testimony, Investigative psychology, Legal psychiatry.

1. Introduction

Regarding clinical characteristics, most professionals, when called upon to deal with a simulation patient regardless of their professional, usually not evaluate the data obtained from the analysis of the crime scene, or evidence of subjects involved in a violent crime.

So, examination tends to focus precisely the aggressor, excluding the area of interest the details of the modus operandi of the perpetrator. It is often associated with great ease in hearing the aggressor, the task of examining the process difficult for minutes and descriptions, by comparing them with attitudes and subsequent claims of suspected author.

Its understandable how this can lead to serious errors in estimates related to future investigation. However, it often happens that the assessments meet in the field of psychology and psychiatry to set aside or blame poor assessment at the scene of the crime, committed and behaviors identified

in this country from aggressors, the particular characteristics of the relationship between aggressor and victim.

Referring to **legal psychology**, which plays an important role in the analysis of criminal profile, noting that it is related to the resolution of issues in which legal assessment, it is estimated that the psychological aspect is very important. The role of *legal psychology* until recently has been largely restricted to minors, while the role of psychiatry was highly praised in the resolution of civil and criminal cases in adults, and is involved in resolving all legal situations that have problems about psychological and physical characteristics of individuals of other deformations associated with psychosis. For example: issues of psychological damage compared with biological damage), in terms of maintaining adequate psycho-physical development of minors (*family, guardianship, adoption*), the rehabilitation and re-socialization (*prison rules*)¹.

As above, current practice shows up in particular in Albania this discipline is still in its infancy and requires a comprehensive commitment of specialists in this field to create a strong autonomous discipline....

2. Investigative Psychology

Paper is accomplished according to the method of questionnaires. In this questionnaire are included field studies of research and investigative psychology, involving all aspects of psychology to running civil or criminal investigations. In the strict sense basically has to do with setting the modalities through which criminal actions can be examined and understood the purpose of the perpetrator individualization. Essential elements can be summarized in the analysis and evaluation of sequences of actions that make up the investigative process, starting from the moment in which the crime is committed until the matter is taken to court. This makes evident that other investigators and authors involved in the investigation must operate for adequate solutions, namely "undertaking an action weighed on the basis of information provided by that moment"².

Example, when committed a theft, they may try comparing fingerprints, found at the crime scene with those suspects already known precedent for theft of a certain category. This is a relatively simple process that allows identifying the potential culprit, ranging from information obtained from an examination of a fixed trace the scene. Action to stop and question suspected person is the result of logical deduction.

However, in many cases, the investigative process is not so direct. Investigators can happen not to possess an accurate information, to suspect modalities with which it is performed and a typical theft attributable to a number of people already arrested in the past, or in a more complex situation as it's a murder, where conclusions can be drawn from the observed irregularities in the scene that the potential offender has been an anxious person (excited) in criminal activities. Such deductions can be lead in seeking information to other data, whether the choice between a more

¹ Roland Holmes, *Serial murder. 2 nd ed (1998), Thusand oaks. Sage. Trad.it (2000). Omicidi seriali: Centro Scientifico Editore*

² M. Picizzi, A. Zappala. Torino "Dalla'analisi della scena del delitto al profilo psocologici del criminale". - Italy , 2001

acceptable opportunity regarding conducting procedural actions, detention or indictment of a possible suspect.

The process of decision-making in the field of investigation involves individualism and choice between different options, selection of potential suspects or adoption of appropriate methodologies of investigation, which may contribute to narrowing the field of research space. Hypotheses and processing operation in selecting among them, requires the ability to investigators and a reasonable understanding of the author's actions involved in crime investigation object. They should know the typical modalities in which concrete behavior of the aggressor; So that such behavior can put them in terms of attribution of significant information obtained by integrating them with a coherent construct. Through such a proceeding, evidence must be gathered in order to identify appropriate offender and proven guilty at trial, etc.

But it is evident that three processes are present in any investigation, and this can be done efficiently with the help of disciplines, which are elaborate below³:

- A. *Collection and evaluation of information extracted from reports on crime.*** Such reports may be notes, process-verbal or other records, photographs, video recordings taken from crime scenes. Certainly have value as records or telephone banking movement, or the caste certificates. Often these will be witnessed, or will lead us to other evidence of the crime, which should be examined.

In this context will join and transcripts, interviews and various experts relations. Latter had be used the information to the police. First need to individualize the suspects, the most useful information in their charge will be issued directly by the question, either indirectly through a third party testimony. And the main task of a special investigation among other things is the collection, use and connectivity to multiple databases and different coming from different sources that can provide the possibility of interpreting the occurred crime.

- B. *The process of decision-making*** and further actions leading to the arrest and conviction of perpetrators. In general, there are few studies that take into analysis decisions taken during a specific investigation, and as such decisions are formulated, what information, data and evidence used during this process. From the importance of the information collected should be possible to draw conclusions that will guide investigators in subsequent actions.

- a) ***Conclusions that can be drawn from the heart of police investigations.*** These conclusions are based on analysis and understanding of criminal behavior. More analytical, it has become possible to determine investigative psychology as scientific systematic study:

- I. Investigative information, its finding, evaluation and use in the investigation process. The crucial point during the investigation, is forecast, preparation and development of procedures to be more careful, so the accuracy of information obtained during the further preliminary investigation.;

³M. Picizzi, A. Zappala. *Torino-Itali*, *Criminal profiling*. "Dalla'analisi della scena del delitto al profilo psocologici del criminale", 2001

- II. The upgrading and supporting the actions and decisions of the judicial police forces. One of the most important aspects of the analysis of information gathered in the investigation stage is that these represent a large number of possible details. Above all, the police requirements for interviewing, questioning persons, psychology has consistently contributed toward the evolution of modalities to improve the quality of received information. All those have as main objective improvement of criminal investigations.

3. Legal Psychiatry

Legal Psychiatry is the branch of psychiatry that deals with the relationship between a person with mental illness and the law. At the same time legal psychiatry, clinical psychiatry is, that the way of formation and perfection and specialization of forensic psychiatry. Street looks without objectionable formation, particularly for field position just moving the clinic, but should keep in mind in order rigorist two basic points: a cultural (criminology) and a methodological (medico-legal). According to Italian researchers in this field (Fornai -1997), can identify legal psychiatry through its field of application. As follows:

1. **Legal Psychiatry**, which translates into a technical assessment to formulate a fundamental understanding and predictive diagnostic evaluation. Such a judgment understood closely related to the following elements:
 - a. *Technical consultancy for prosecutor.*
 - b. *Official expertise required by the preliminary investigation judge or the judge at the stage of reviewing the evidence in court.*
 - c. *Consultancy requested by the defense perpetrator or the victim, or civil plaintiff..*
 - d. *Conclusions, under the form of technical -official advice, representatives of justice operating in civil or customary law.⁴*

Subject of the evaluation can be: Minors author of crime⁵, victim, the defendant, the sentenced persons and witnesses. The purpose of the evaluation is to determine the mental condition of the examination object (passive or active subject).

The judicial psychiatry-, object of study is concerned with the problems of mental disorders associated with retention (treatment), close to the hospital and implementation of alternative measures.

Legal - Medical - Psychiatry. Has as its objective, some relative problems in respect of deontological norms, and the responsibility of mental health workers, experts and technical consultants in the evaluation of mental illnesses, the physical damage estimates Component (disorder) biological, etc..

⁴ Roland Holmes - Profesor in University of Florida, research in the field of criminal profilin serial violent crimes and sexual crimes

⁵Based on article 35of Criminal Procedures Code,

Contribution that psychologist and psychiatrist can give to the criminal profile design seems essential. The role of mental illness in crime is the subject of controversy, continuous study, some researchers suggest that psycho-pathology can lead to an increase in illegal acts, others deny this fact.

The situation is different when the violent crime especially murder committed in series with a special ferocity or in appearance without any motive. In this case the contribution of psycho-pathology, the choice of the victim and the modalities, the execution of the victim, becomes more important, the relationship between mental disorders (deviation in behavior), and crime more directly, for example in the case of schizophrenia that kills under the hallucinations command which has taken the task to "deliver world" by a group of subjects as prostitutes.

Psychiatrist and psychologist, in this case can demonstrate their competence in providing useful estimates for an unusual feature, or a strange case, which features scenes not usually encountered in criminal behavior. While the media may interpret or consider the subject as "crazy", as the case of "non-sense", the psychiatrist can provide cryptology element, based on the original disorder mentally ill criminal....

4. Conclusions

The questionnaire method it's a productive methods in social geography identifying some of the problems that accompany the inhabitants in area. The connection between geographical study and questionnaire methods are really closed. This methodological study leading to the identification and interpretation of more abstract elements associated with rapid identification of perpetrators of violent crime. Without doubt the biggest advantage is the exact meaning of the dynamics of the event, allowing us to establish oriented based versions of potential authors on the basis of psychological characteristics of their personality, while the disadvantage is the lack of processing general rules used in other situations. A clear example of how a legal psychiatrist can just put his experience in service of investigation has to do with those cases where it is suspected that might be present a mental pathology to the author of violent crime. Also it should be noted that one of the problems or major obstacles in Albanian judicial system is that police, judicial police officers, prosecutors and judges look the role of legal psychologist with disregard, indifference, or the role of this occupies a negligible weight during police process and judicial investigation.

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