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**FEATURES OF CONDUCTING AN INVESTIGATIVE
EXPERIMENT UNDER MARITAL LAW**

Ensuring the fulfillment of the tasks defined in Article 2 of the Criminal Procedure Code of Ukraine (hereinafter the Criminal Procedure Code of Ukraine) is guaranteed by timely, successful and high-quality conduct of investigative (search) actions. Investigative searches are a key method of gathering evidence in criminal proceedings [1].

The investigative experiment is a unique investigative action aimed at the practical reproduction of possible ways and methods of committing certain acts under specific conditions. Its Latin roots ("experimentum") reveal the essence as a test and research, where changes in the conditions of the phenomenon and its interaction with other factors are artificially simulated.

This type of investigative action has a significant psychological impact on the participants, because the obtained results clearly demonstrate the possibility or impossibility of a certain phenomenon or event. This makes disproving these results a difficult task for suspects [2].

Thus, the investigative experiment becomes a necessary and often integral way of checking and obtaining new evidence, which makes it a valuable tool in the investigation of criminal proceedings.

Verification and specification of important information for establishing the circumstances of a criminal offense is the main purpose of conducting an investigative experiment. The essence of this process consists in the exact

reproduction of the actions, situation and conditions of a specific event, as well as in the implementation of the necessary research or expert tests. The initiation of an investigative experiment is conditioned by the availability of information, the verification and clarification of which is of crucial importance for revealing the circumstances of the crime.

The factual basis for conducting an investigative experiment is the need to verify and detail experimentally the actual data received during the investigation, as well as a well-founded belief that its goal can be achieved. The investigative experiment has a number of unique characteristics: 1) procedural regulation: it is possible to conduct it only under clearly defined procedural conditions; 2) partial reproduction: not the phenomenon as a whole is studied, but only the individual conditions under which it occurred.

The main tasks of the investigative experiment are:

- reconstruction of the mechanism of the crime: a detailed understanding of exactly how the crime was committed;
- verification of versions: research and assessment of the plausibility of various investigative hypotheses;
- analysis of causal relationships: identification of factors that contributed to or, on the contrary, hindered the commission of a crime;
- clarification of factual data: verification and correction of information obtained in the course of other investigative actions;
- collection of new evidence: expansion and strengthening of the evidence base;
- detection of discrepancies: analysis of contradictions in the testimony of event participants;
- assessment of awareness of criminals: understanding the level of their awareness of the circumstances of the crime [3].

In the conditions of martial law, conducting an investigative experiment has a number of features related to risks to the life and safety of the participants.

It is important to note that the CPSU defines the general rules for conducting an investigative experiment, but does not give clear instructions for conducting it under martial law.

The main changes that relate to the conduct of investigative (search) actions under martial law are defined in Article 615 of the Criminal Code, but this article does not specify specific restrictions or additional powers for an investigative experiment, so we will list the main features that apply to all procedural actions [4].

In accordance with paragraph 4 of Article 223 of the Criminal Code of the Criminal Code, it is generally prohibited to carry out investigative (search) actions at night (from 10:00 p.m. to 6:00 a.m.). This ban is designed to protect the rights and freedoms of citizens.

However, in the conditions of martial law, the legislator made changes to the Criminal Code of Ukraine, giving investigators and prosecutors the right to

conduct procedural actions around the clock. This allows them to respond more effectively to crime and enforce the rule of law.

According to Article 240 of the Criminal Procedure Code, a victim, a witness, a suspect, a representative, and a defense attorney may be involved in an investigative experiment. Article 615 of the Criminal Procedure Code stipulates that in case of impossibility of the presence of the defense counsel directly during the investigative action, remote participation of this participant in the criminal proceedings is possible.

Therefore, after analyzing these limitations, we can come to the conclusion that with constant rocket fire, which creates an immediate danger for the participants of the investigative experiment, it would not be possible to carry out this investigative action. Instead, if there is a need to conduct an investigative experiment, the investigator must direct all efforts to avoid endangering the participants of its conduct. In places close to the combat zone, the investigative experiment is carried out in exceptional cases, at a time when there is no shelling, with compliance with safety measures.

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FEATURES OF THE APPOINTMENT OF FORENSIC PSYCHOLOGICAL EXAMINATION IN THE INVESTIGATION OF INTENTIONAL MURDER COMMITTED IN A STATE OF STRONG MENTAL EXCITEMENT

It should be noted that the investigation of an intentional murder committed in a state of strong mental excitement may be associated with some difficulties both in the qualifications and in the investigation process itself. Therefore, in cases