

## **THE INTERROGATION TACTIC IN EXPOSING THE FALSE ALIBI**

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### **Abstract**

*The institution of alibi occupies a special place in the theory and practice of criminal proceedings, being closely linked to the exercise of the right to defense of the suspected or accused person. Despite numerous scientific studies devoted to this issue, aspects related to the verification and unmasking of false alibis continue to arouse particular interest among both researchers and practitioners. The present study aims to examine, in a complex manner, the interrogation tactics used to verify and unmask false alibis. The tactical peculiarities of the interrogation of the perpetrator who declares an alibi, as well as of the interrogation of witnesses who support him, are analyzed. The main effective tactical methods are also identified and systematised, such as the presentation of contradictory evidence, the formulation of unexpected questions, the progressive detailing of statements, and the exploitation of contradictions. Special attention is paid to complex tactical combinations that integrate interrogation with other criminal prosecution actions.*

**Keywords:** *false alibi, interrogation tactics, exposure, criminal prosecution, presentation of evidence, tactical combination.*

### **Introduction**

The alibi occupies a special place in the architecture of the criminal process, being closely linked to the effective exercise of the right to defense of the suspected or accused person. From the perspective of the criminal prosecution bodies, the rigorous verification of the alibi invoked is a task of decisive importance, since its confirmation necessarily leads to

the categorical exclusion of the possibility of the person's participation in the commission of the crime under investigation.

Judicial practice frequently reveals situations in which the suspected or accused person claims that, at the time the act was committed, he was elsewhere, thereby invoking an alibi. Such a statement may correspond to objective reality or, on the contrary, may represent an artificial construction intended to mislead the criminal prosecution body. In the latter case, the false alibi is defined as a specific form of obstruction of criminal prosecution, used to avoid or postpone criminal liability (Andreev 2001, 13-14). Forensic doctrine (Zelensky, 1973; Belkin, 1997; Safronova and Turkina 2019, 473) delimits the alibi in two complementary meanings: on the one hand, as a simple statement or version regarding the person's presence in a place other than the place where the crime was committed, and on the other hand, as an evidentiary fact established following a complex verification process. Regardless of the meaning used, unmasking a false alibi is among the most difficult and laborious tasks of criminal prosecution.

The hearing is the fundamental criminal procedural action through which the verification of the declared alibi is primarily conducted. Within the framework of this activity, several categories of procedural subjects are subjected to hearing: the person invoking the alibi, the witnesses indicated in support of it, as well as other persons capable of providing relevant data to clarify the factual circumstances. Each category requires the application of differentiated interrogation tactics, adapted to both the procedural status of the person being heard and the particularities of the situation under investigation.

The efficiency of the process of unmasking the false alibi depends, essentially, on the level of tactical training of the criminal investigation body and on its ability to judiciously use the available forensic means and methods. Practical experience demonstrates that in such situations, tactics such as the gradual presentation of contradictory evidence, the formulation of unanticipated questions, the progressive deepening of the details of the statements, and the highlighting and exploitation of inconsistencies between the different accounts are frequently used. The hearing is usually correlated with other criminal prosecution actions — confrontation, judicial experiment, presentation for recognition — which are integrated into complex tactical combinations intended to significantly increase the effectiveness of exposing the false alibi (Nikolaeva 2005, 151).

The specifics of the hearing in the context of verifying the alibi are determined by a plurality of factors, among which the nature of the crime investigated, the personality traits of the person interviewed, the degree of elaboration and coherence of the false alibi, as well as the presence or absence of the defense attorney are distinguished. In this framework, the criminal investigation body has the obligation to identify and analyze the contradictions in the statements, to verify the concordance between the different versions formulated and to corroborate the information obtained with the entire body of material evidence administered in the case. At the same time, it is necessary to make a clear distinction between the bona fide witness, whose errors can be explained by the limits of memory or perception, and the lying witness, who deliberately supports a version that is not in accordance with reality, in order to support a false alibi.

### **Materials and methods**

The present research is grounded in the systematic examination of authoritative doctrinal sources from the field of forensic science and criminal procedural law,

corroborated with comparative analysis of relevant judicial practice. From a methodological perspective, the study employs the method of critical analysis of specialized literature, the dialectical method of investigating the correlation between theoretical aspects and the applicative dimension of interrogation tactics, as well as the inductive-deductive method for identifying, classifying and systematizing effective tactical techniques in the process of verifying and exposing false alibi. The methodological toolkit also includes the inter-doctrinal comparative method and the method of conceptual synthesis, designed to ensure a comprehensive approach to the issues under investigation.

## Results and discussion

A false alibi is an untrue statement by a suspect or accused person that he or she was somewhere else at the time of the crime, usually supported by false witness statements or other false or distorted evidence. In essence, a false alibi is a method of obstructing criminal prosecution and evading criminal liability.

From a forensic point of view, the development, advancement, substantiation, and support of a false alibi must be considered an autonomous means of concealing the crime and, accordingly, an autonomous method of obstructing the investigation (Safronova and Turkina 2019, 476). Thus, the false alibi is part of the general system of methods for obstructing criminal prosecution, with specific features that distinguish it from other concealment procedures. Also, the activity of preparing, advancing, substantiating, and supporting the false alibi constitutes a manifestation of the "internal" form of obstruction of criminal prosecution, thereby constituting a procedure thereof (Nikolaeva 2005, 62).

The relationship between false alibi and other related forensic concepts, such as the manner of committing and concealing the crime, obstruction of criminal prosecution, self-incrimination and false accusation, is an essential aspect for understanding the complexity of this phenomenon (Nikolaeva 2005, 61). Most criminologists believe that the notions of "obstruction of criminal prosecution" and "concealing the crime" are related as general and particular, and that a false alibi can be examined both as a means of concealing the crime and as an autonomous procedure for obstructing criminal prosecution (Andreev 2001, 60-63).

The establishment of the falsity of the alibi is based on the identification of significant contradictions that cannot be explained by accidental causes. Thus, the alibi is considered false in the following situations: in the objective reality there are objectively missing important facts, circumstances, traces that the declarant of the alibi stated that they took place; the facts and circumstances indicated by the declarant at the hearing took place in reality, but their characteristic differs significantly from that presented by the declarant; important elements of the factual pattern were established that the declarant should have known about, but at the hearing he excluded the possibility of their existence or did not say anything concrete about them (Safronova, and Turkina, 2019, 476).

Forensic doctrine identifies different ways in which a false alibi can be constructed and supported. Thus, a false alibi can be achieved by: hiding information, material evidence, and other objects; destroying traces; masking information and its carriers; falsifying information and its carriers; and using mixed methods (Nikolaeva 2005, 63-64). In the case of advancing and supporting a false alibi, concealment can take both active and passive forms. The active form includes the concealment of documents that refute the alibi, the concealment of objects and traces that confirm the person's presence at the scene of the crime at the time of its

commission, while the passive form is manifested by the witness's refusal to testify regarding the stated alibi (Nikolaeva 2005, 64).

The hearing is the primary criminal investigation action through which the declared alibi is verified. The specificity of this action derives from the need to obtain and verify information regarding both the circumstances invoked by the person declaring the alibi and the credibility and veracity of these circumstances. Unlike other criminal investigation actions, the hearing allows the criminal investigation body to engage in direct dialogue with persons who possess relevant information, evaluate their behaviour, and apply specific tactics to obtain the truth (Filishchenko and Gusakov 1993, 71).

During the process of verifying the alibi, several categories of persons are heard, each with a distinct role in establishing the truth. The first category is the suspect or accused person who declares the alibi. The hearing of this person must be extremely detailed, with the investigative body obligated to clarify all the circumstances related to the place, time, and conditions under which the person was at the time of the crime. It is necessary to establish precisely where and with whom the person was, what the travel itinerary was, the means of transport used, the duration of stay in the indicated place, as well as the persons or documents that can confirm these statements. The second category of persons heard is the witnesses indicated by the person who declares the alibi in support of his statements. The hearing of these witnesses is of particular importance, as it allows verification of the concordance between the different accounts. The criminal investigation body must establish whether the witnesses actually confirm the presence of the person at the indicated place and time, whether the description of the circumstances coincides with that provided by the person previously questioned, as well as whether there are details or elements that could indicate a prior understanding between the witnesses and the person declaring the alibi.

A distinct category, often neglected in practice, is the entourage of witnesses confirming the alibi. Hearing these people has a special tactical value, since they, as a rule, are not aware of the need to provide certain statements and are not bound by testimonial immunity, so they often provide information that refutes the statements of false witnesses. Neighbours, colleagues, and acquaintances of the witness can provide information about the place and time when he was, thus allowing the identification of contradictions in the statements provided by the false witness (Nikolaeva 2005, 142).

The interrogation tactics for verifying alibi must be adapted to the particularities of each category of persons being interrogated. In the case of interrogating the person who declares the alibi, the criminal investigation body must apply tactics aimed at maximum detailing of the statements, identifying inconsistencies in the account and verifying the concordance between different fragments of the statement (Safronova and Turkina, 2019, 475). In the case of witness interviews, the emphasis should be on obtaining an independent description of the events, avoiding formulating questions in such a way that the person being interviewed can deduce what the favorable answer would be.

Forensic Doctrine (Timerbaev and Serdyuk, 1987; Jitariuc, 2025) stresses that the hearing must be conducted in a manner that enables the identification of specific details known only to a person who was actually present at the indicated place and time. It is also necessary for the criminal investigation body to formulate questions moving from the general to the particular, to request a description of events in reverse chronological order, and to verify the knowledge of the person being heard about secondary circumstances that should have been observed if the person had actually been at the declared place.

However, the hearing is not the only criminal investigative action applicable to verifying the alibi. It must be combined with other actions, such as the criminal investigation experiment to verify the physical possibility of moving between two places within a certain time interval, the confrontation to highlight contradictions between the statements of different persons, and the presentation for recognition to identify or deny the presence of the person in certain places (Filishchenko and Gusakov 1993, 71). However, this complex approach, which integrates the hearing with other investigative actions, enables exhaustive verification of the alibi and significantly increases the likelihood of unmasking a false alibi.

## **2.1 The tactic of questioning the person who declares an alibi**

### **Preparing for the hearing**

The efficiency of the hearing of the person who declares an alibi depends decisively on the quality of the preparation of this criminal investigation action. As a form of organisation, the preparation of the hearing involves first determining the purpose of the hearing based on the content of the materials in the file and second creating optimal conditions for the conduct of this procedural action. Thorough preparation for the hearing is the key to success (Osoianu et al. 2020, 159).

Preparing for the hearing is not limited to simple organisational and technical aspects but requires an in-depth analysis of criminal prosecution, a thorough knowledge of the personality of the person to be heard, as well as anticipating possible behavioural and obstruction scenarios (Dospulov 1976, 76).

First of all, the criminal investigation body must carefully study all the circumstances of the criminal case, analyze the available information about the time and place of the crime, identify possible contradictions in the case materials and determine the issues that require additional clarification through the hearing (Jitariuc and Rusu 2025, 427; Ishchenko and Toporkov 2010, 398). This stage also involves a careful examination of any preliminary data on the alibi to be declared, including information obtained from non-procedural sources.

An essential element of preparation for the hearing consists of studying the personality of the person to be heard. Knowledge of the psychological and psychophysiological peculiarities of the person being heard allows the criminal investigation body to select the most appropriate interrogation tactics and to anticipate the person's possible reactions in conflict situations (Nikolaeva 2005, 182). In this regard, biographical data, level of education, professional experience, possible criminal record, character traits, as well as circumstances that could motivate the person to declare a false alibi must be analyzed.

Also, preparing the hearing involves developing a detailed plan that includes the main and additional questions, the order of their presentation, the evidence that will be used during the hearing and the time of their presentation, as well as the specific tactics that will be applied depending on the behavior of the person being heard (Safronova and Turkina 2019, 475). However, hearings without a plan will inevitably lead to a lack of systematisation, incompleteness and unjustified repetitions of hearings (Luzgin 2009, 215). The plan must be flexible enough to allow tactics to be adapted as the hearing unfolds.

### **Establishing psychological contact and conducting the hearing**

Psychological contact with the person being questioned is a necessary objective element of questioning any person, regardless of their procedural position (Nikolaeva 2005, 182). Forensic doctrine defines psychological contact as harmonious business relations between the investigative body and the person questioned, which arise based on the correct position

adopted by the criminal investigation body and the behavior of the person questioned (Dospulov, 1968, p. 105).

Psychological contact needs to be established not only before the hearing, but also maintained throughout it, as well as in other criminal prosecution actions carried out with the participation of the person concerned (Kukharev 1983, 67). The loss of psychological contact or, conversely, its absence at the preliminary stage and the subsequent establishment of a strong psychological contact, characterised by effective corroboration, is not excluded (Osoianu et al. 2020, 169-170).

Establishing psychological contact is particularly difficult in conflict situations, characteristic of cases where a false alibi is declared. In such situations, the criminal investigation body must demonstrate professional competence, objectivity and respect for the rights of the person being questioned, assuring him that all his arguments and explanations will be carefully examined and that the requirements of the law will be strictly observed (Nikolaeva 2005, 183).

An important role in establishing psychological contact is played by choosing the right conversation topics (Leinova et al. 2020, 157; Gheorghita 2017, 547). Events known to the public, socially significant phenomena at the time, and neutral aspects of the life of the person being questioned that are not directly related to the crime under investigation may be addressed. Also, the investigative body's interest in the legitimate personal interests of the person being questioned helps create a favourable atmosphere (Leinova et al. 2020, 183).

After establishing psychological contact, the interview continues with free narration, in which the interviewee presents the information he or she knows in the order he or she deems appropriate. This stage has particular advantages, as fewer errors are made in a free narration and it is more difficult to communicate false information than when the person answers direct questions (Dospulov 1968, 76).

### **Tactical methods for exposing a false alibi**

Forensic doctrine identifies several categories of tactics used in interrogating a person who declares a false alibi: tactics of establishing psychological contact, tactics of emotional influence, and tactics of logical influence (Andreev 2001, 107).

Logical influence tactics play a central role in exposing false alibi. As forensic scholars emphasise, these tactics are particularly effective at exposing false statements by the suspect or accused regarding their alibi (Belkin and Lifshits 1997, 117). Among the most important tactics of logical influence are: detailing statements in order to identify contradictions; using contradictions in statements; clarifying control information that allows verification of statements; logical analysis of contradictions between the interests of the person being questioned and the interests of his accomplices; logical analysis of contradictions between the interests of the person being questioned, contradictions that cannot be explained from the point of view of his explanations of the events (Belkin, and Lifshits, 1997, p. 117).

A special place in the system of logical influence tactics is occupied by the presentation of evidence. This tactic can be applied in various ways:

1. Presentation of evidence in order of increasing evidentiary force from the least conclusive to the most convincing. This method is used for persons prone to firmly denying established facts. The criminal prosecution body starts with weaker evidence and gradually moves to the strongest to gradually undermine the resistance of the person being questioned.

2. Immediate presentation of the strongest evidence. This method is recommended when the person being questioned, who has committed a crime for the first time, experiences a crisis of conscience and feels guilt and uncertainty. A decisive piece of evidence can stimulate the presentation of truthful statements.

3. Presentation of evidence in cases with several episodes. In such cases, solid evidence from a series of well-documented episodes can convince the person being questioned of the futility of denying the less obvious ones (Jitariuc and Rusu 2025, 453). The choice of method for presenting evidence depends on the specific circumstances of the hearing and the personality characteristics of the person being heard.

Elaborating on statements is a fundamental tactic for exposing a false alibi. Through detailed questions, the criminal investigation body can identify aspects of the event that the person should have known if he were actually at the declared location, but which he does not know because the alibi is false. Also, excessive elaboration of secondary circumstances, unnatural for a person who naturally remembers the events, can be an indication of the prior fabrication of the alibi (Safronova and Turkina 2019, 475).

Emotional influence tactics complement logical influence tactics and aim to: convince the person being interviewed about the wrongness of the position adopted; influence the positive personality traits of the person being interviewed, capitalizing on information about their attachments and interests; use the surprise factor by asking unexpected questions in situations where the person being interviewed does not expect such questions (Andreev, A. S. False Alibi and Forensic Methods of Its Exposure. PhD Dissertation in Law (12.00.09). Rostov-on-Don, 2001, 107).

The effectiveness of tactics increases significantly when they are used not in isolation, but in complex tactical combinations, adapted to the specifics of each case and the personality characteristics of the person being questioned. In all cases, the application of tactics must comply with the requirements of legality, ethics and selective influence, so as to produce the desired effect only on the person who holds the information sought, without affecting innocent persons (Nikolaeva 2005, 145-146).

## **2.2 Tactics of witness interrogation in verifying alibi**

### **Categories of witnesses and the particularities of their hearing**

Verifying the alibi involves hearing several categories of witnesses, each presenting specific tactical peculiarities. Forensic doctrine emphasises that the tactics of hearing witnesses are largely determined by the particularities of their procedural position, these being persons who are not involved in the commission of the crime and who perceived the events and facts relevant to the case under investigation (Vasiliev and Karneeva 1970, 105).

Research on the subject highlights the existence of three main categories of witnesses in the context of alibi verification (Andreev 2001, 84). The first category comprises witnesses who knowingly confirm an alibi they know to be false. This category includes both accomplices – persons who have entered into a prior agreement with the person stating the alibi – and false witnesses who, for various reasons such as conviction, corruption, blackmail or psychological or physical violence, agree to support the false statements. The line of behavior adopted by such witnesses during the hearing does not consist of cooperation, but of active obstruction of the efforts of criminal investigation bodies to establish the truth (Andreev 2001, 84-85).

The second category comprises witnesses who were deceived by the perpetrator regarding the date and time they were with him. They are not interested in supporting the false alibi, since they have real information about a joint presence in a certain place at a certain time, they are not aware that they have been manipulated regarding the date or time of this joint presence. Such witnesses are usually acquaintances or colleagues of the person declaring the alibi, who were actually with him, but at a time other than the one claimed.

The third category comprises witnesses who refute the false alibi, including eyewitnesses and injured persons, as well as persons from the witnesses' entourage who confirm the alibi. Forensic doctrine recommends that, in order to verify the statements of persons who confirmed the alibi of the suspected or accused person, the persons from the entourage of these witnesses should also be heard (Andreev 2001, 94). From neighbors, colleagues, acquaintances of the person confirming a false alibi, information can be obtained about how the false witness spent his time and where he was, thus allowing the identification of contradictions between his statements and those of bona fide witnesses regarding the joint presence with the suspect or accused person. The false witness's entourage, including friends, colleagues and other close people, is usually not aware of the need to provide certain statements about the actions carried out at a certain time and, not being bound by testimonial immunity, often provides statements that refute the information provided by the false witnesses (Nikolaeva 2005, 142).

### **Preparing and conducting witness interviews**

Preparing for the hearing of witnesses confirming a false alibi requires the implementation of a complex of measures aimed at two interdependent directions: neutralizing the influence exerted by the perpetrator on the witness and establishing the actual location of both the suspect or accused person and the witness at the time of the crime. If there are indications of a false alibi, the typical version regarding the possibility of exerting influence on the witness in order to support the false alibi must be verified, which implies the implementation of a complex of special investigative measures and criminal prosecution actions aimed at identifying indications of influence and neutralizing it, as well as establishing the actual location of the suspect and the witness at the time of the crime (Andreev 2001, 85).

The hearing of all categories of witnesses must be carried out with increased attention and in detail, aiming to identify all the persons with whom the witness came into contact during the period, place and time whose veracity is being verified, in order to confirm by hearing these persons the authenticity of the statements regarding the time, place and duration. Forensic doctrine emphasizes that the wider the circle of witnesses heard regarding the circumstances related to the declared alibi, the more convincing and credible the establishment or refutation of this alibi will be (Nikolaeva 2005, 142).

### **Witness interview tactics**

The tactics used in the interrogation of witnesses to expose false alibis are diverse, reflecting the variety of criminal prosecution practices. Forensic doctrine provides practitioners with a range of interrogation tactics designed to elicit truthful statements and expose lies.

In principle, the tactics used in interrogating suspected or accused persons who offer a false alibi can be applied to expose false testimony. Among the most effective tactics are: encouraging the interrogated person to repent and make a sincere confession by explaining the negative consequences of denial and lying and, on the contrary, the favorable

consequences of confession and active cooperation with the criminal prosecution body; using the antipathy of the interrogated person towards other persons involved in the case or his dependence on them; influencing the positive personality traits of the interrogated person (Nikolaeva 2005, 142-143).

Important interrogation tactics include presenting evidence that proves the lie, though this tactic must be applied with caution to avoid prematurely revealing the entire evidentiary base (Belkin and Lifshits, 1997). Also effective are tactics based on: logical analysis of the contradictions in the statements of the person being questioned that cannot be explained from the perspective of the position he adopts; logical analysis of the contradictions between the interests of the person being questioned and the interests of his accomplices, contradictions that cannot be overcome without providing truthful statements; convincing, through logical arguments, of the futility of the position adopted, which will not be able to prevent the establishment of the truth.

Forensic doctrine recommends applying tactics not in isolation but in complex tactical combinations, adapted to the particularities of each case, to achieve maximum effect in unmasking the false alibi (Nikolaeva 2005, 145). The classifications of interrogation tactics developed in the forensic literature are numerous, but the common element is the need for all tactics used to be legal, ethical and to contribute to achieving the fundamental goal of the criminal process – establishing the truth (Vasiliev 1970, 208).

### 3. Conclusions

The research conducted reveals the complexity of the alibi issue in criminal proceedings, highlighting the importance of interrogation tactics in verifying and unmasking false alibi.

Alibi represents a complex legal reality that must be approached from both criminal-procedural and forensic perspectives. The current legal definition, although relevant, does not fully capture the essential properties of the concept, requiring a more nuanced doctrinal approach that integrates the epistemological dimension of alibi as a notorious fact grounded in the physical impossibility of a person being simultaneously in two different places. The clear distinction between true and false alibi is a fundamental premise for the correct application of interrogation tactics; a false alibi is a complex of false information regarding the circumstances of place and time, presented to avoid criminal liability.

The hearing of the suspect or accused person asserting an alibi is the cornerstone of the verification process, requiring rigorous preparation and tactics tailored to the specific situation. Establishing psychological contact is a *sine qua non* for the success of the hearing; this contact is a dynamic process that accompanies the entire procedure and presupposes a bilateral relationship grounded in legal and ethical principles.

The hearing of witnesses in the context of the verification of the alibi presents particularities determined by the category to which they belong. The classification of witnesses into three categories – witnesses who knowingly confirm a false alibi, witnesses who are deceived regarding the date and time of their being together with the person declaring the alibi, and witnesses who refute the false alibi – provides a coherent conceptual framework for developing hearing strategies. The doctrinal recommendation to also interview people from the entourage of witnesses who confirm the alibi represents a significant contribution to the verification methodology, as these people are not aware of the need to provide specific statements and often provide information that contradicts false witnesses' statements.

The practical application of the conclusions of this research requires a deep understanding of the theoretical foundations of the alibi, rigorous preparation for each hearing, and flexible, creative application of forensic tactics. However, criminal prosecution bodies must exercise special vigilance in identifying indications of a false alibi and judiciously use the full arsenal of available tactics, combining them according to the particularities of the case and the psychological profiles of the persons interviewed.

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