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INTEGRATING THE TECHNIQUE OF DETECTING SIMULATED BEHAVIOR INTO THE PROCESS OF FORENSIC INVESTIGATION OF CORRUPTION

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Abstract. Corruption crimes generate complex and far-reaching effects on the functioning of institutions, affecting not only administrative efficiency, but also social cohesion and economic stability. In the public sector, such acts undermine the integrity of decision-making processes and compromise the transparency, objectivity and accountability of the administrative act. As a result, financial and material resources may be allocated inefficiently or in a biased manner, institutional priorities are distorted, and essential public projects may be delayed or directly compromised. These effects lead to a decrease in citizens' trust in state institutions, affect the perception of the fairness of laws and social rules, and can diminish civic participation and the collaboration of communities with authorities. In the private sector, corruption creates an unstable economic environment, characterized by unfair competition, favoritism and defective business practices. Companies that follow the rules are often disadvantaged, while those who resort to corrupt practices can obtain temporary advantages, distorting market mechanisms. This leads to increased operational costs, inefficiency, reputational risks and can negatively affect domestic and foreign investments. In addition, the general economic climate becomes uncertain and volatile, which influences sustainable development and long-term social stability.

Keywords: *case study, evidence, recidivism, claim, unjustified wealth, goods and services.*

Rezumat. Infrațiunile de corupție generează efecte complexe și de anvergură asupra funcționării instituțiilor, afectând nu doar eficiența administrativă, ci și coeziunea socială și stabilitatea economică. În sectorul public, astfel de acte subminează integritatea proceselor decizionale și compromit transparența, obiectivitatea și responsabilitatea actului administrativ. Drept urmare, resursele financiare și materiale pot fi alocate ineficient sau părtinitor, prioritățile instituționale sunt distorsionate, iar proiectele publice esențiale pot fi întârziate sau compromise direct. Aceste efecte duc la scăderea încrederii cetățenilor în instituțiile statului, afectează percepția asupra echității legilor și a regulilor sociale și pot diminua participarea civică și colaborarea comunităților cu autoritățile. În sectorul privat, corupția creează un mediu economic instabil, caracterizat prin concurență neloială, favoritism și practici comerciale defectuoase. Companiile care respectă regulile sunt adesea dezavantajate, în timp ce cele care recurg la practici corupte pot obține avantaje temporare,

distorsionând mecanismele pieței. Acest lucru duce la creșterea costurilor operaționale, ineficiență, riscuri reputaționale și poate afecta negativ investițiile interne și străine. În plus, climatul economic general devine incert și volatil, ceea ce influențează dezvoltarea durabilă și stabilitatea socială pe termen lung.

Cuvinte cheie: *studiu de caz, probe, recidivă, pretenție, avere nejustificată, bunuri și servicii.*

1. Introduction

According to data presented by the National Bureau of Statistics [1], in 2023 there was a reduction of approximately 10% in the total number of crimes, including corruption.

At the same time, according to the Annual Report of the National Anticorruption Center [2], 287 criminal cases were initiated for corruption crimes.

It is worth noting that the difference between the figures reported by the National Bureau of Statistics and those reported by the National Anticorruption Center is due to the different scope of competence: the National Anticorruption Center investigates only a part of these crimes, but the downward trend is visible in both reports.

From a forensic point of view, these crimes have the following general characteristics [3, p.95]:

- High complexity. These crimes are often well planned and organized, involving multiple individuals and structures. The components are often interconnected, making it difficult to identify and prove the involvement of each individual.

- Discretion and secrecy. Corruption often occurs behind closed doors, in informal or private meetings, where decisions are made without leaving any obvious traces. Documents may be forged or incomplete, and communication between those involved is coded or indirect to avoid detection.

- Use of power. Corrupt criminals often use their positions of power or influence to achieve their illicit ends. They manipulate decision-making processes or exploit gaps in control and verification systems.

- Involvement of large sums of money or resources. Corruption crimes frequently involve substantial financial transactions, either in the form of bribes or through the misappropriation of public or private funds. These may include cash, valuables, preferential contracts or other economic benefits.

- Difficulty of proof. In many cases, direct evidence is rare or non-existent, and prosecutors must rely on indirect evidence, such as testimonies, document analysis and financial trail. This often complicates the investigation process and requires a multidisciplinary approach.

- Repetition and recidivism. Corruption crimes often have a repetitive nature, involving the same individuals or groups who continue to commit corrupt acts over a long period of time. Recidivism is common, as corrupt criminals rely on previous success and impunity to continue their illicit activities.

- Involvement of a wide circle of individuals. Corruption often involves a large number of accomplices, from public officials to individuals in the private sector or intermediaries. This wide circle of involvement makes it difficult to isolate individual responsibility and creates a climate of complicity and mutual cover-up.

These characteristics make corruption a major challenge for law enforcement agencies, which must use advanced investigative techniques, including the polygraph, to uncover and combat these crimes.

2. Materials and Methods

In the process of the study, the following methods were applied: analysis, synthesis, comparison and logical awareness. The materials used are the publications of scholars in the field, as well as relevant national and international legislation.

3. Results

The forensic profile of criminals involved in corruption crimes presents several distinct features, influenced by their social position, access to resources and the way they use their influence to achieve their illegal goals. Typically, these criminals fall into the following detailed characteristics [3, p.97]:

- Position of power and influence

Corruption criminals are often individuals who hold leadership or decision-making positions within public or private institutions. They may be politicians, high-ranking civil servants, company directors or influential members of interest groups.

They have direct access to essential financial, material or informational resources and are in a position to make decisions that can significantly influence economic and social activity.

Through their position, corrupt criminals have the ability to manipulate or divert resources in their favor, influence the allocation of public contracts, change regulations or exert pressure on other decision-makers.

- Extensive networks of connections

According to Peter Gottschalk, the support networks of corrupt criminals include civil servants, politicians and businessmen, which allows them to manipulate control systems and avoid detection [4].

Susan Rose-Ackerman highlights that these networks facilitate access to privileged information and the falsification of documents, thus supporting illegal activities [5, p.20]. In addition, Michael Johnston states that, in many cases, corrupt networks operate as true „mutual protection alliances” that reduce the risk of criminal sanctions [6, p.93].

These criminals may also collaborate with organized crime groups to conceal their illegal activities and maximize illicit profits. We believe that partnerships between corrupt networks and organized crime groups increase the sophistication of illicit activities, reduce the risks of exposure, and provide additional protection from law enforcement.

- Advanced legal and economic knowledge

Corrupt criminals are typically very well informed about the legal and economic framework in which they operate. They understand regulations, legislative loopholes, and administrative procedures, and use them to their advantage.

They disguise their illegal activities through complex and well-thought-out transactions, using offshore companies, secret bank accounts, or opaque corporate structures to hide the origin and destination of funds.

In addition, they are aware of the risks associated with their activities and take precautions to minimize the chances of being caught, such as hiring specialized legal advisors or destroying compromising evidence.

- Motivation based on material gains

The main motivation of these criminals is to obtain substantial material gains, whether it is money, property, privileges or other benefits. They are willing to use their position and influence to obtain such advantages illegally.

Corrupt criminals may also be motivated by the desire to maintain or expand the power and influence they hold. In many cases, corruption is used as a tool to strengthen their position within an organization or institution.

In some situations, the motivation may also include protecting a certain social status or avoiding legal or administrative sanctions. Corrupt criminals are often involved in actions of „washing” the public image or influencing public opinion to maintain their reputation and position [7, p.58-61].

The forensic profile of victims of corruption crimes is complex and includes a wide range of entities, from individuals and companies to public institutions and society as a whole. Victims of corruption are not always easy to identify, as the effects of this crime are often indirect and long-term.

- Companies and business

Companies are often forced to pay bribes to obtain contracts, licenses or to avoid unjustified administrative penalties. These additional costs can affect the competitiveness and economic viability of the business.

Corruption creates an unfair economic environment, favoring companies willing to participate in corrupt practices to the detriment of those who comply with the law. This can lead to significant losses for companies that operate fairly, affecting their ability to compete in the market.

Involvement in a corruption scandal can seriously compromise a company's reputation, affecting relationships with customers, business partners and investors. Renowned authors in the field, such as Murphy and Harris, have shown that reputational damage due to corruption has a major impact on the market value of companies and can generate long-term negative effects on business relationships [8, p.275-298]. This reality is also confirmed by recent empirical studies, which demonstrate that public exposure of corrupt practices leads to a decrease in investor confidence and a deterioration in relationships with strategic partners [9, p.581-611].

In the context of the Republic of Moldova, a regrettable experience is the „theft of the billion”, a corruption scandal that seriously tarnished the country's international image and affected foreign relations, the investment climate and the trust of development partners [10, p.72].

- Lower-level civil servants

Lower-level civil servants may be forced to participate in corrupt activities by their superiors or by circumstances at work. In many cases, they are put in a difficult situation, having to choose between keeping their jobs or denouncing illegal practices, at the risk of losing their livelihoods.

Although they are not the initiators of the corrupt acts, civil servants who agree to participate may be held criminally liable, with an increased risk of being punished in the event of an investigation, which leads to significant psychological and financial trauma.

Engaging in corrupt practices can lead to a deterioration in ethics and morale within the public service, affecting trust in public institutions and the efficiency of administration.

- Society as a whole

Corruption diverts resources that should serve the public good, leading to the inadequate provision of public services such as health, education and infrastructure. This reduces the quality of life for all citizens and exacerbates social inequalities.

Corruption undermines public trust in government and state institutions, which can lead to civic apathy, diminished respect for the law and reduced involvement in democratic processes. In the long term, corruption can discourage investment, both domestic and foreign, and can lead to economic stagnation, inflation and financial instability, negatively affecting the entire economic system.

We observe that the profile of victims in corruption crimes reveals a variety of negative consequences that extend beyond the immediate impact on the affected individuals, creating ripple effects that weaken both the social structure and the ethical foundation of a society. Corruption not only damages resources and trust, but also amplifies the climate of distrust and vulnerability that, ultimately, affects social cohesion and the long-term development of communities. These systemic effects emphasize the need for rigorous prevention and investigation measures, aimed both at combating the phenomenon itself and at protecting those affected by this scourge. In this regard, it is worth noting the position of Daniel Kaufmann, who, in an article published in the Brookings Institution, highlights that the reputation of a state affected by corruption suffers not only economically, but also in terms of the perception of international partners, the level of foreign investment and political stability [11].

Corruption crimes frequently occur in contexts characterized by a significant imbalance of power and a pronounced lack of transparency, creating an environment conducive to the abuse of authority. One of the most common scenarios is represented by opaque decision-making processes, in which decisions are taken without a clearly defined framework of oversight or control. In such contexts, the lack of effective monitoring allows personal or group interests to prevail over the public interest, facilitating the emergence and perpetuation of corruption.

In this direction, the position expressed at the 7th Conference of States Parties to the United Nations Convention against Corruption (UNCAC) [12], held in Vienna in 2017, under the coordination of the President of the conference, Ambassador Gillian Bird (Australia), is also relevant, where the need to strengthen transparency in decision-making processes and to establish effective monitoring mechanisms to prevent corruption in contexts characterized by imbalances of power was emphasized.

A common circumstance is the lack of transparency in public procurement. The award of public contracts often becomes a fertile ground for corrupt practices, especially when the selection process is manipulated to favor certain companies or individuals. This manipulation can manifest itself by eliminating fair competition, awarding contracts in a discretionary manner, or adjusting specifications to suit the capabilities of a preferred bidder [13].

Direct interactions between the corruptor and the corrupt are also a central element in the dynamics of corruption. These interactions often take place in spaces that ensure discretion, such as private offices, social events, or seemingly official meetings. In these contexts, discussions and agreements take place in an informal setting, where mutual trust is reinforced by material benefits or mutual advantages.

Analyzing these aspects, we observe the following: corruption thrives in environments where lack of transparency, weak control and personal relationships influence official decisions, and reward and sanction systems are hijacked to support and protect corrupt behaviors. Identifying and understanding these circumstances is essential to develop effective strategies to combat corruption and restore institutional integrity.

Behavioral analysis of criminals involved in corruption reveals a complex set of motivations and behavioral patterns, which reflect both individual desires and the power dynamics in the environment in which they operate.

- Financial motivation

One of the most obvious motivations of criminals in the sphere of corruption is the desire for quick and illicit enrichment. This type of criminal sees corruption as an efficient way to accumulate wealth without making legal or ethical efforts. Obtaining substantial financial gains in a relatively short time becomes an end in itself, which prevails over any moral considerations. This motivation is fueled by the socioeconomic context in which large differences in income and lifestyle create constant pressure for material accumulation, and the system of illegal rewards offers a seemingly easy and risk-free way to achieve these goals.

- Lack of remorse

Another characteristic aspect of the behavior of corruption offenders is the complete lack of remorse or empathy for the consequences of their actions. These individuals display a profound insensitivity to the negative impact of corruption on society, on direct victims, or on their colleagues. Instead of taking responsibility for their actions, they often minimize the seriousness of the facts or even justify them through a distorted perception of reality, in which corruption is considered a necessary evil or a legitimate way to “survive” in certain environments. This lack of moral conscience is often associated with narcissistic or antisocial personality traits, which allow them to engage in illegal activities without feeling remorse or questioning their actions [14, p.151].

- Recidivist Behavior

Success in corruption creates a dependency on the flow of illegal income and an exaggerated confidence in their ability to avoid legal sanctions. In the absence of effective control measures and adequate sanctioning, these individuals are prone to continue and expand corrupt activities, thus becoming recidivists. Each successful act of corruption reinforces the belief that they can continue without being caught, which encourages them to explore new opportunities to exploit the system and maximize their illegal gains.

Based on the behavioral analysis of corruption offenders, we found that they display a dangerous combination of financial motivations and a desire for power, associated with a complete absence of remorse and moral responsibility, as well as a pronounced tendency to recidivism. In our opinion, understanding these complex dynamics is essential for the development of effective investigative and preventive strategies aimed at combating corruption and protecting institutional integrity.

According to the observations made by V.A. Varlamov in his research on the application of psychophysiological polygraph testing, the results obtained revealed that approximately 80% of the people assessed consider money, jewelry, shares, real estate and other valuables as determining factors of their behavior, which makes them more prone to acts of corruption. At the same time, approximately 20% of those tested showed an increased attraction to other types of benefits, such as personal relationships, paid vacations, access to exclusive events or career promotions [15, p.112-113].

Therefore, it is important that investigations and the application of the polygraph take this wide range of motivations into account. Understanding the diversity of value systems can help to more accurately identify potential sources of corruption and to develop more tailored and effective prevention strategies.

The theft of the billion in the Republic of Moldova is one of the largest financial scandals in the country's recent history and an emblematic case of high-level corruption. It could serve as a case study to analyze the potential role of the polygraph in investigating complex corruption and financial fraud crimes.

Case context and circumstances

In the period 2012-2014, three of the largest banks in the Republic of Moldova – Banca de Economii, Banca Socială and Unibank – were defrauded through a complex fraud scheme. It is estimated that approximately one billion dollars was stolen from the Moldovan banking system, equivalent to 12% of the country's GDP at the time. The money was transferred to offshore accounts and, in many cases, disappeared without a trace.

The ensuing investigation involved both national authorities and international organizations, such as Kroll [16], which produced a detailed report on how the fraud was carried out. However, despite the reports and efforts to recover the money, many of those involved were not brought to justice and the funds were not fully recovered.

- Verification of witness and suspect statements

In the criminal prosecution, one of the main challenges was to identify and confirm the individuals involved in orchestrating the fraud. In this regard, the application of the polygraph could have helped to validate the statements of witnesses and suspects, providing additional clues about their knowledge of the fraud scheme. The analysis could have aimed to identify the level of awareness and involvement of those questioned in the illegal transfers of funds in the banking system. It would also have been relevant to assess the extent to which they actively participated in the organization and facilitation of these illicit operations.

- Identifying accomplices and corruption networks

Another important application of the polygraph in this context would have been in determining complicity within financial institutions and the political environment. Given the complexity and scale of the fraud, collaboration between different actors was essential for carrying out these illegal transfers. Thus, the use of the polygraph could have clarified the extent to which government officials or civil servants contributed to the fraud. In this way, a more precise assessment of the corruption networks and the mechanisms through which these groups managed to manipulate the banking system would have been possible.

- Details about the route of the embezzled funds

One of the most critical aspects of the criminal prosecution was identifying the route of the embezzled funds [16]. The polygraph could have been used to deepen the investigators' understanding of the financial transfers and the final beneficiaries of these amounts. This would have included a detailed examination of the suspects' knowledge regarding the locations and methods by which the funds were transferred and hidden. Thus, the application of the polygraph could have contributed to elucidating how these amounts were distributed and subsequently used.

Another relevant case, in which the polygraph was used in a corruption investigation, is that of the former governor of Illinois, Rod Blagojevich [17]. He was accused of multiple acts of corruption, including the attempt to sell the vacant seat in the US Senate left by Barack Obama. During the investigation, Blagojevich was subjected to a polygraph test to assess the veracity of his statements, especially regarding the discussions and arrangements related to the Senate seat. The questions focused on details about potential buyers and the involvement of his accomplices. The test results revealed significant discrepancies between the governor's answers and the facts established by investigators, which strengthened the case against him.

These results were later used in the judicial process, providing a clearer picture of Blagojevich's involvement in corrupt activities and contributing to his conviction. The polygraph thus provided additional support in dismantling his defense and facilitating the justice process.

A representative case of corruption investigation is the actions carried out by the NAC officers and the prosecutors of the municipality of Balti on a group of eight customs employees from the Centru Customs Office and the Leușeni Customs Post, identified by the initials D.V., C.I., R.M., S.P., L.N., A.G., B.O. and T.C. They were suspected of having demanded and received illicit remuneration from carriers for facilitating the crossing of goods across the border without declaration and without paying customs duties, for accelerating control procedures and for other illegal services. During the investigation, five of the employees were subjected to polygraph testing. The results indicated significant reactions to the relevant questions in the case of D.V., R.M. and A.G., suggesting active involvement in committing acts of corruption. In contrast, the testing of B.O. and T.C. did not reveal relevant physiological responses, which led investigators to pay differentiated attention to the hypotheses of involvement. This procedure contributed to the consolidation of working versions and the delimitation of individual roles within the investigated group [18].

In corruption crimes, there are certain frequently encountered forensic models and patterns, which can provide valuable clues in the investigation of these facts. A specific *modus operandi*, also noted by conf. univ. dr. Gheorghe Alecu, is the use of intermediaries. Corrupt people prefer to operate through intermediaries to reduce the risk of being directly associated with acts of corruption, so as to maintain their appearance of innocence. These intermediaries can be trusted individuals, consulting firms or even family members [19, p.67-72].

Another common tactic is document falsification. In corruption schemes, false or altered documents are often created to hide the real nature of transactions and to justify the legality of decisions or resource allocations. This practice, also highlighted in the Guide prepared by experts coordinated by Unit D.2 Fraud Prevention of the European Anti-Fraud Office (OLAF), includes the falsification of contracts, invoices or financial reports, in order to mask illegally obtained funds [20].

Also, means of evasion are frequently used by persons involved in acts of corruption. They resort to advanced techniques to avoid detection and prosecution, including the use of off-shore companies, the opening of bank accounts in jurisdictions with favorable tax regimes and the implementation of complex networks of financial transactions, designed to complicate the tracking of money flows. These practices, also reflected in Sandu Dumitru's analysis of forensic methods for detecting and combating forgery, highlight the degree of sophistication to which concealment strategies used in the field of corruption have reached [21, p.228].

We note that the application of the polygraph in the investigation of corruption crimes brings significant advantages from a forensic point of view, which can positively influence the results of the investigation. An important aspect is the ability of the polygraph to verify the sincerity of the statements provided by the suspects. In corruption cases, where obtaining direct evidence is often a challenge, the polygraph becomes a valuable tool to assess the veracity of the suspect's answers, which is of major relevance in the forensic analysis of these crimes. Thus, well-formulated questions can reveal discrepancies between the suspect's statements and the information already known to the investigators, bringing clarity to the investigation. We also note that the polygraph can facilitate the identification of accomplices

within corruption networks, which is a central element in the forensic approach to these cases. These networks, often complex and well-organized, can be revealed by specific questions asked during the polygraph test, which can reveal the involvement of other individuals, either inside or outside the organization, who contributed to the acts of corruption. Identifying accomplices expands the forensic investigation and provides a more complete perspective on the entire criminal network.

In the complex context of investigating corruption crimes, the use of the polygraph should not be isolated, but strategically integrated with other forensic methods. This combination of the polygraph and techniques such as document analysis, electronic surveillance or behavioral profiling provides a multidimensional approach, thus strengthening the evidentiary foundation and creating a more robust framework for elucidating complex cases. Thus, by combining these tools, investigators can obtain a more complete and detailed picture of the modus operandi of criminals, identifying with greater accuracy the veracity of information and the involvement of suspects in corrupt activities.

- Analysis of documents and financial records

Classic police action: financial experts examine accounting documents, contracts, invoices and bank transactions to discover irregularities, suspicious transactions or falsified documents.

Role of the polygraph: the polygraph can be used to test the sincerity of suspects regarding their involvement in these transactions or their knowledge of falsified documents. For example, if a suspect claims to be unaware of a suspicious transaction, the polygraph can be used to verify that his or her answers are truthful.

- Electronic surveillance and wiretaps

Classical police action: Wiretaps or electronic surveillance can provide crucial evidence of a person's involvement in an act of corruption. These methods are often used to obtain information about the planning or execution of corrupt acts.

Role of the polygraph: The polygraph can be used to verify whether the person being tested recognizes the voice on the wiretapped recordings or whether he or she is directly involved in the conversations captured. It can also be used to validate or invalidate alibis or statements made by suspects following wiretaps.

- Digital evidence analysis

Classical police action: Specialists examine data from computers, mobile phones, and other digital devices to identify evidence of communications, money transfers, or other activities relevant to the investigation.

The role of the polygraph: The polygraph can be used to test whether a suspect has knowledge of certain files or electronic communications discovered during digital analysis. For example, questions can be tested regarding who initiated a particular communication or what the purpose of a specific file is.

- Reenactments and simulations

Classic police action: Reenactment of a crime, often used to verify the versions provided by suspects or witnesses, can provide important insights into how the crime was committed.

The role of the polygraph: during or after a reconstruction, the polygraph can be used to test the suspect's emotional reactions when asked about critical details of the reconstruction. This can help identify moments or details with which the suspect is familiar, even if he tries to hide his involvement.

4. Conclusions

Following the analysis of the specialized doctrine and judicial practice, we conclude that the polygraph can be considered a valid tool for forensic investigation, since the recorded physiological reactions reflect memorial traces relevant for establishing the truth. Thus, the method of testing with the application of the polygraph should be viewed not as an alternative to traditional means, but as a valuable complement, which deserves to be integrated in an argumentative and professional manner into the investigative process.

We conclude that the integration of knowledge from forensic methodology into the logic of forming the polygraph test battery allows adapting the questions to the psychobehavioral specificity of the subject and the particularities of the investigated case, thus increasing the overall accuracy of the testing and the relevance of the conclusions obtained.

The application of the polygraph technique in the investigation of crimes provides the opportunity to verify information and tactically direct investigative activities. Even if it does not currently constitute a means of evidence in the criminal process, it can be applied as a tool that allows obtaining auxiliary or orientation information.

Conflicts of Interest:

The authors declare no conflict of interest. The funding sponsors had no role in the design of the study; in the collection, analyses, or interpretation of data; in the writing of the manuscript, and in the decision to publish the results.

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