

Basic Stages of the Crime Scene Investigation

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ABSTRACT: In the present paper were analyzed aspects regarding the tactical activity of the crime scene investigation. The purpose is to present, from a procedural point of view, the way of carrying out this activity, the importance of carrying it out, the presentation of the two stages of the research on the spot, including the activities and the way of carrying them out.

KEYWORDS: scene, forensic investigation, *iter crimini*, static stage, dynamic stage

Introduction

Crime scene investigation is a predominantly technical activity, but with tactical components carried out by specialized criminal investigation bodies that allows direct perception of the situation of the place where the event occurred, often criminal, determining the circumstances in which it was committed and revealing material evidence in order to expertise and interpret them, with the aim of identifying the author and proving his guilt (Buzatu 2013, 27).

Crime scene investigation is the first forensic investigation activity in the case of facts that present a special danger: homicide, rape, robbery followed by the death of the victim, catastrophes or serious accidents, organized crime (Ciobanu and Stancu 2017, 5).

With regard to the meaning of the term “Crime scene” or “Place of the crime”, this expression refers not only to the actual place of the crime, but also to the nearest areas or other places from which it can be deduced data on the preparations, commission and consequences of the deed, including the ways of access and withdrawal of the perpetrator in the criminal field (Bercheșan 2001, 251-252).

The importance of the crime scene

Crime scene investigation is one of the most important activities carried out by the judiciary in order to achieve the purpose of the criminal process (Olteanu and Ruiu 2009, 9).

The crime scene is the most important place for the criminal investigation, being most of the time, the starting point of the forensic investigation. Here are the traces of criminals and victims, visible or in a latent state, left intentionally, through negligence or ignorance. The traces are waiting to be discovered and interpreted according to scientific criteria, established by the practice and theory of Forensic (Buzatu 2013, 27).

The main purpose of this activity is to discover, fix and remove the traces created by the perpetrator, the means and tools used, as well as to clarify the circumstances in which a crime was committed or an event with judicial implications occurred.

The place of the crime is the most important source of obtaining objective information about the deed, the perpetrator and the circumstances in which he acted and therefore the crime scene investigation contributes decisively to finding out the truth (Ruiu 2013, 15).

The crime scene investigation ensures the direct perception of the ambiance of the place of crime, even if its commission was not accompanied by material changes, or although accompanied by such transformations, they were the subject of direct findings in the initial phase of the criminal process (phase tracking) (Ciopraga and Iacobuță 1997, 238).

It offers the criminal investigation body or the court (when the latter shift to the crime scene) the opportunity to form an accurate picture of the particularities of this place and the circumstances in which the deed or event occurred (Ruiu 2013, 15).

The actual investigation of the crime scene

The crime scene investigation is carried out in compliance with the following general rules (Grofu 2019, 29):

- Crime scene investigation is carried out immediately, avoiding haste and superficiality (Alămoreanu 2000, 164);
- The actual duration of the crime scene investigation will be adequate, reasonable, without limitations in time and space;
- Crime scene investigation must be carried out meticulously, in its entirety and objectively (Grofu 2019, 29).
- Crime scene investigation will take place on the basis of a carefully developed plan (Cârjan 2005, 462);
- The forensic equipment will be used depending on the nature and characteristics of the crime scene;
- during the crime scene investigation, all the findings made, as well as the data of interest to the case, will be noted and taken into account to be recorded in the report that will be drawn up at the end of the crime scene investigation (Pletea 2003, 37-39).

In organizing the activity, the head of the research team will have to consider the application of other tactical rules specific to the research as such:

- a) *Limiting the number of people* entering the researched area to what is strictly necessary. In the preparation phase, only the team leader will enter the crime scene, possibly accompanied by an assistant or a forensic doctor, if the crime resulted in human casualties;
- b) *Prevention of any change in the state or position of things*, in parallel with the preservation of traces and avoiding the creation of other traces that may disorient the research;
- c) *Fixing the access and movement ways* of the team members in the perimeter of the crime scene, as well as in the place where the discovered material means of evidence are to be stored, of other objects to be picked up and transported to the specialized laboratories;
- d) *Wearing protective equipment* (suit, gloves, and mask) to protect traces and prevent their contamination, especially in the case of biological traces.
- e) *Prohibition of comments, assessments or discussions* on the nature of the act, the circumstances in which it was committed, the state of the traces, so as not to influence, in one way or another, the conduct of the investigation, as well as witnesses present at the scene (Stancu 2015, 368 -369).

The investigator must be an intuitive observer and have thorough technical knowledge.

The investigation of the crime scene, which largely amounts to the discovery and interpretation of the traces, must be systematic. The elaboration of a research plan on geometric-spatial bases will allow the choice of the most indicated positions for photographing and locating traces (Ionescu 2007, 28).

Crime scene investigation goes through two stages, namely: the static stage and the dynamic stage. This distinction has a conventional, scientifically useful character, but it should not be accepted as something rigid and absolute.

The multitude and diversity of situations that can be encountered in practice, may require that some of the activities in the static stage be performed in the dynamic stage and vice versa, the two stages can intertwine, the reason being given by the need to quickly obtain results that to be able to constitute a starting point of the investigation (Olteanu and Ruiu 2009, 40).

Crime scene investigation in the static stage

The static stage represents the first contact with the crime scene, without touching anything, the research being limited to observation (Buzatu 2013, 37).

The investigation can start from the center and continue to the edge of the crime scene or from the main object. In closed places, on well-defined portions of land from the center to the edge or vice versa (Ciobanu and Stancu 2017, 26).

In an open place (yard, field, forest) the research is performed by moving in a spiral from the main object (corpse, fire, crashed car) to the edges - eccentric or vice versa - concentric. Depending on the specifics of the case and the topography of the place (access roads, natural barriers), the examination can be performed by dividing the land into squares. The search for traces will be oriented in all directions, including upwards (roof, poles, and trees). It is important that the research is done or redone as much as possible in daylight as the artificial one can leave certain parts in the shade or darkness.

In a closed place (apartment, warehouse) the observation starts from a fixed point, continues by moving along the walls, usually clockwise and finally to the main object (victim's body, money box) together with the objects and the surrounding traces (Buzatu 2013, 37).

The static stage involves carrying out the following activities:

1. Observation of the crime scene

It will be carried out by traversing the perimeter of the crime scene (in the case of open spaces or large spaces), or by surveillance, from a single well-chosen point, performed on the crime scene, with the naked eye or with optical devices, in order to obtain data (in the case of closed places).

2. Orientation of the crime scene

Orientation of the crime scene involves finding or recognizing the direction and direction in which the cardinal points are in relation to the crime scene, as well as determining the positioning of the crime scene in relation to its neighborhoods (Grofu 2019, 30).

This activity also involves the topographic survey of the relief characteristics (necessary for the elaboration of the sketch), as well as the establishment of the distances between the traces and the material means of evidence discovered, specifying their reciprocal position (Bercheșan 2006, 65).

3. Entering the place of the deed and going through it

The activity is carried out exclusively by the persons with attributions on the line of the investigation on the spot, the penetration being made only through the access points and traversing the crime scene, only on the route marked by the forensic specialists. It is forbidden the access of persons not related to the crime scene investigation activity (Grofu 2019, 30)

Depending on the particularities of the crime scene, such as, for example, an apartment, warehouse, factory hall, yard, public road, etc., the judicial body has the obligation to fix the exact image of the whole picture of the crime, by establishing the condition and position of the doors and windows, furniture, appliances and installations (domestic and industrial), various objects, traces (Stancu 2015, 369).

Work procedures in the field of the crime scene investigations require the wearing of special protective equipment designed to prevent contamination of the crime scene. The first to enter the crime scene are the forensic specialist, accompanied by the head of the research team and, if necessary, other specialists. Also within this activity, the access road in the research area will be marked (Grofu 2019, 31).

4. Activities concerning traces and material means of proof

These activities lie in: searching, discovering, marking, numbering and protecting places where traces are found; selecting the traces to be removed immediately, in order to prevent their modification or alteration; selection of traces and material means of evidence that must be fixed immediately due to their condition, or taken quickly as a result of their transient characteristics (Grofu 2019, 31).

5. *Establishing iter criminis*

The establishment of the *iter criminis* has a specific value for investigation, allowing both the determination of the circle of suspects and the discovery of the traces created by the perpetrator and the tools used to commit the crime and, implicitly, their operative identification (Ionescu 2009, 41).

6. *Orientation photography and video recording, sketch photography and video filming and main object photography and video filming*

The activity is carried out mainly by forensic technicians, because it requires specialized knowledge. When the situation requires it, the execution of photographs and video recordings can be done by other people with a minimum of knowledge in this regard, which must be emphasized that it is absolutely necessary to train all police officers on this line, regardless of specialization.

7. *Development and verification of initial versions*

In this stage of the research, hypotheses are elaborated, based on the first obtained data, in connection with the nature of the deed, the participants, the mobile, the mode of operation, the way of forming traces (Grofu 2019, 32).

The dynamic stage on crime scene investigation

The dynamic stage is distinguished by complexity, involving the participation of all team members in conducting investigations and the full use of forensic technical-scientific means at their disposal (Olteanu, Ruiu 2009, 44).

It is the most complex and laborious stage of crime scene investigation (Buzatu 2013, 38).

After performing the activities specific to the static stage, a thorough examination of all traces and material means of evidence discovered in the investigated perimeter is carried out, which are estimated to be related to the possible illicit activity carried out, with the possibility of moving trace objects, depending on the technical possibilities of the endowment.

Each object, possibly the corpse or corpses, will be carefully examined in the case of illicit activities that have resulted in the death of one or more persons, with the aim of discovering all traces of interest to the research and clues, in connection with the training, position and other elements, in connection with the traces, likely to explain the development of criminal activity (Olteanu and Ruiu 2009, 44).

The dynamic stage involves moving objects, looking and examining them on all sides. Latent traces (digital impressions) are sought and highlighted by illuminations with sources equipped with filters with various wavelengths (Ionescu 2007, 29-30).

This moment of investigation involves:

1. *A thorough examination of the body of the victims*, of any object allegedly bearing traces or which served to commit the crime, being allowed to reach or change their position. Particular attention is paid to the discovery, fixation and removal of traces of crime, according to their type and nature (handprints, footprints, biological traces, traces of burglary tools, microtraps), in this category including material evidence (Stancu 2015, 370).

2. *Photographs, detailed video recordings are made*, the sketch of the crime scene is finalized and the drafting of the report begins (Buzatu 2013, 38)

We mention the fact that in this phase investigations are made to obtain complete data about the victim regarding concerns, circle of relationships, relatives, the place where the crime was committed, the possible perpetrators (Ciobanu and Stancu 2017, 29).

3. *The first statements of witnesses, victims and suspects are taken separately*, respecting the tactical rules of the hearing specific to the investigation stage (Buzatu 2013, 38).

It is recommended that the statements be recorded on tape. Assuming that video recordings were made on the spot, it is advisable to check the quality of the recording, for a possible resumption of it, if it is not successful (Stancu 2013, 370).

4. *Clarification of the negative circumstances* - non-existence of what should have existed if the deed had actually been committed, as was deduced from the first findings (Buzatu 2013, 38).

The need to clarify the negative circumstances is an argument for a thorough examination of each piece of land, each object, even if, apparently, it has nothing to do with the deed under investigation.

We mention the fact that in many cases, the negative circumstances reveal the intention of the perpetrators of some crimes to mask the character of their deed or to confuse the investigations (Ciobanu and Stancu 2017, 29).

5. *Packing traces and objects separately* so as not to contaminate them. The envelopes, containers and packages will be sealed and will bear identification labels, including the content, order and nature of the sample, the name and signature of the person who took the sample (Buzatu 2013, 38).

The dynamic stage of the crime scene investigation is a natural continuation of the activities carried out in the static stage and is characterized by detailed analysis of each trace or means of evidence discovered, being possible the movement of objects, increasing the intensity of the complex elaboration process and verification of the versions, both on the basis of the results of the technical activities and on the basis of the results of the other activities carried out on the spot, such as hearings, reconstructions, judicial experiments, presentations for recognition, body searches etc., continuation and reevaluation of the interpretation discovered on the spot, in order to elaborate and verify versions, outlining a socio-psychological profile of the perpetrator and ascertaining the negative circumstances, related to the clarification of possible concealments (Olteanu and Ruiu 2019, 47).

Conclusions

The crime scene investigation stages occupies a very important place in Forensics, offering the possibility to the criminal investigation bodies, which travel to the crime scene, to obtain information on the commission of offenses provided by the Criminal Law.

If in the static stage the criminal investigation body becomes directly and completely aware of the place where the crime was committed, taking the first measures consisting in delimiting the place or finding the victims, in the dynamic stage, the whole team must participate and conduct the investigation. Allowing the movement of objects, as well as the thorough search lead to the realization of the premises of finding the truth.

It can be observed that this stage, of the crime scene investigation, can offer various possibilities for solving the case, through the technical-scientific means that Forensic discipline makes available to the criminal investigation body.

From the point of view of legal regulation, the research on the spot can be ordered, according to art. 192 paragraph (1) in the New Code of Criminal Procedure, by a reasoned resolution of the criminal investigation body, and in the trial phase, by the court, by a conclusion. We can also talk about the tactics of conducting the research on the spot, taking a series of specific measures for a more efficient and correct development of the activity.

In order for the criminal investigation body to travel to the crime scene, it must be notified in one of the ways established by the legislator and, in turn, the criminal investigation body will have to identify the person who made the complaint or denunciation, to determine the place committing the act and ordering urgent action with regard to travel to that place.

Thus, the circumstances and consequences of the crime can be assessed, as well as the identification of the perpetrator of the crime in question. It can be said that crime scene investigation is a probative process in finding out the truth.

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