# ­On-site investigation in the case of contract killing

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***Rezumat:***

*Artico­lul explorează, prin prisma legislației procesual-penale, aspectele esențiale ale cercetării infracțiunii de omor la comandă, cu accent pe utilizarea cunoștințelor criminalistice. Autorul subliniază importanța unei analize riguroase a locului faptei, unde urmele descoperite joacă un rol crucial în conturarea unei imagini clare a evenimentelor. Acesta evidențiază necesitatea implementării și respectării unor recomandări tactice de cercetare a locului faptei în cazurile de cercetare a omorului la comandă.*

*Articolul pune în discuție, de asemenea, importanța colaborării între diverse servicii pentru a crea o abordare holistică a cazurilor. Autorul oferă sugestii tactice și strategii care pot spori eficiența investigațiilor, subliniind importanța unei comunicări eficiente și a coordonării între membrii grupei operative de cercetare.*

***Cuvinte-cheie:*** *infracțiune, omor la comandă, cercetarea la fața locului, procedeu tactic.*

**Abstract:**

*The article explores, through the lens of procedural criminal law, the essential aspects of investigating the crime of contract killing, with an emphasis on the utilization of forensic knowledge. The author underscores the importance of a thorough analysis of the crime scene, where the evidence discovered plays a crucial role in shaping a clear picture of the events. It highlights the necessity of implementing and adhering to tactical research recommendations at the crime scene in cases of contract killing investigations.*

*The article also discusses the importance of collaboration among various agencies to create a holistic approach to these cases. The author provides tactical suggestions and strategies that can enhance the efficiency of investigations, emphasizing the significance of effective communication and coordination among members of the investigative operational group.*

***Keywords:*** *crime, contract killing, crime scene investigation, tactical procedure.*

*"The discovery of contract killing largely depends on the quality of the investigation conducted immediately after the crime, on special investigative measures, and on other organizational actions. Among the criminal investigation actions carried out in connection with the investigation of this type of crime, a primary role is held by the on-site investigation, the action that, as a rule, marks the beginning of the investigation of contract killing. The data obtained by the operational investigation team determines the directions of the investigation. In this regard, the development of initial forensic versions takes place, which influence the investigation of the crime at its initial stage.*”[[1]](#footnote-2).

*"On-site investigation is a heterogeneous, long-lasting activity that requires precision, calm, perseverance, caution, effort, professionalism, and sometimes even sacrifices to achieve its intended purpose. Often being a meticulous activity, the on-site investigation intensely demands the attention of those conducting it. Regardless of the conditions under which it is carried out or the initial scene presented at the location where the act was committed, this activity should not be approached with preconceived ideas. It must never be forgotten that all possible versions developed in the case have no value until they have been verified and confirmed by the results of the activities undertaken. Only in this way can the premise for obtaining useful evidence for the case be created, ensuring full consistency between the developed versions and what actually happened."[[2]](#footnote-3).*

*"Being one of the most widespread and frequently used evidentiary procedures in the criminal process, the on-site investigation is irreplaceable in the investigative arsenal of the judicial authorities."*[[3]](#footnote-4). *"In the specialized literature, it is rightly mentioned that an on-site investigation is necessary when the commission of the crime is accompanied by changes in the external environment, by physical or material alterations that can be directly observed and perceived, changes that manifest in the form of traces in the broadest sense of this term."*[[4]](#footnote-5). *"Since criminal activity is usually accompanied by certain material changes, the necessity of an on-site investigation becomes evident."[[5]](#footnote-6)*.

*"Experts in the field of forensic science mention that the on-site investigation represents the informational basis upon which the criminal investigation officer establishes their investigation outline of the crime."*[[6]](#footnote-7). However, this basis can also consist of information about the victim, which may contribute to identifying individuals possibly involved in the crime. 'The combination of data obtained from the on-site investigation and the identification of the victim provides the best results in the investigation, as it allows for the simultaneous analysis and evaluation of all the initial information. It must be emphasized that the level of information, both regarding the on-site investigation and the identification of the victim, may vary. Thus, in some cases, the informational basis obtained from the on-site investigation can be quite comprehensive, even allowing for the organization of a pursuit based on fresh traces and the apprehension of the offender; in other cases, it may be extremely limited, making it difficult to organize operative investigative measures and develop criminal investigation versions.”[[7]](#footnote-8). *"In such situations, the criminal investigation officer's attention focuses on the victim, establishing their identity, possible connections, and from there, on the motives for the crime and individuals interested in committing the offense, or on an organized criminal group.*”[[8]](#footnote-9). Lukin I. mentions that „the level of completeness of the informational basis in each of these cases determines the cognitive activity of the criminal investigation officer, as well as the direction and efficiency of its execution.”[[9]](#footnote-10).

"During the on-site investigation and examination of the corpse, information can be obtained that will form the basis for the version that the committed crime is a contract killing. Thus, based on the manner in which the murder was committed and other details related to the circumstances of the crime scene, as well as initial information about the victim's personality, a version regarding a contract killing can be developed.

The accuracy of the version about a contract killing is supported by the fact that the victim was either a representative of the 'shadow' economy, a merchant, a banker, or a political figure or leader of a criminal group. Additionally, a clue is that the individuals accompanying the victim were not harmed, as the attacker did not target their lives. Furthermore, another indication of a contract killing is the execution of a control shot to the victim's head, fired by the criminal after the victim was already killed. This version may also be supported by the fact that the murder was committed by detonating a car in which the victim was present or through an attack in a crowded place using a cold weapon or firearm."[[10]](#footnote-11).

The investigation of the crime scene in cases of contract killings motivated by material interests is carried out according to traditional forensic tactics; however, it has its own particularities that arise from the specifics of the crime. Contract killings are often well-planned and, therefore, involve measures to conceal the perpetrator and their traces at the crime scene. „Therefore, the recommendations regarding the investigation of the crime scene primarily focus on discovering so-called non-traditional traces that contain information about the offender.”[[11]](#footnote-12).

According to Povolokin I., these traces can include cigarette butts with saliva traces, which can establish genetic belonging; micro-particles from clothing (fibers, lint), important for determining the perpetrator's clothing; as well as odorological traces (smell traces), which are often ignored in murder investigations, although they are of great importance in operations such as 'selection,' conducted for operative purposes to identify the offender.[[12]](#footnote-13).

„For the rapid and efficient conduct of the investigation, it is recommended that the operational investigation team, which carries out the on-site investigation, includes a criminal investigation officer, investigative officers, a forensic medical specialist or another physician, a forensic expert, as well as a canine specialist. In cases where the murder was committed using a firearm, it is necessary to involve a specialist in judicial ballistics, as their assistance can be useful in establishing the location from which the shot was fired and for subsequent examination, as well as for discovering traces of the shooting, such as bullets, cartridge casings, pellets, and similar items. In cases involving the use of explosive devices, it is necessary to invite a specialist in explosives, who can provide significant assistance during the investigation in discovering and documenting traces of the explosion and fragments of the explosive device.”[[13]](#footnote-14).

„The crime scene in the investigation of offenses of this category can be quite extensive. 'It includes: the place where the criminal act took place, the location where the offender hid while waiting for the victim, and the place of retreat (departure) of the offender (footprints, vehicle traces).””[[14]](#footnote-15). „In this context, the traces left by the offender at the crime scene and in the surrounding areas can be very varied, and their discovery and documentation require heightened attention.”[[15]](#footnote-16).

„A characteristic of the on-site investigation in cases of contract killings is the rapid and efficient collaboration between the criminal investigation officer and the operational investigation team in organizing the pursuit and search for the offender. This is due to the fact that offenders often seek to hide not only from the crime scene but also from the city or locality where the crime was committed. The coordination of actions also involves identifying the individuals who discovered the crime, as well as its witnesses. In such cases, door-to-door visits are conducted to identify individuals who possess information about the criminal event and the identity of the offender. Operative measures often prove to be very effective, as they contribute not only to obtaining information about how the crime was concealed (removal from the crime scene) but also to describing the physical characteristics of the offender, which can be used in their search and, subsequently, in the identification process.”[[16]](#footnote-17).

„The crime scene must be properly delineated. Marking the access road within the area to be investigated is the responsibility of the forensic specialist. Preserving the crime scene as faithfully as possible requires the correct selection of access routes and simultaneously limiting the number of individuals who will enter it, given the known implications of a permissive attitude that can lead to the destruction of initial traces and the creation of others that affect the correct and timely resolution of the case. In this activity, once the access route to the crime scene has been established, only members of the team (the criminal investigation officer and the involved specialists) will enter for the entire duration of the on-site investigation.”

"After the access routes have been established, the first to enter the crime scene is the forensic specialist, accompanied by the team leader and other specialists in certain types of offenses."[[17]](#footnote-18). While traversing the investigation site, it is necessary to proceed with marking and protecting the locations where traces of the offender are found (blood, urine, tubes, handkerchiefs, cigarette butts, etc.), noting their topographical arrangement in relation to nearby landmarks and traces.

In relation to the specific characteristics of the crime scene and the personality of the killer, efforts are made at this stage to determine the path taken by the offender—inter crimes—by segmenting it and applying knowledge from the fields of psychology and logical analysis. The importance of this issue lies in establishing how the offender entered, moved, and exited the premises. This problem can be resolved when there are eyewitnesses who indicate important aspects. Conversely, if there are no witnesses, it is recommended that the determination of the path taken by the perpetrator be conducted at the end of the on-site investigation when the team has all the information related to this activity in its complexity.

A distinct aspect of this stage is the use of a tracking dog to detect a trace of human scent. We believe that this action should be a priority and carried out without delay, immediately upon the team's arrival at the crime scene.

In order to accurately assess the situation, the representative of the criminal investigation authority will pay attention to:

* the time of entry into the crime scene;
* the condition of installations and devices;
* the condition of doors, windows, and lighting systems;
* the atmosphere within the victim's family, at the workplace, and the social relationship map;
* the state of access routes;
* the placement of various objects;
* the position of the corpse, etc.

It is important during the investigation of the crime scene to establish the boundaries of the investigation. This is related to the fact that criminals use modern weapons that allow for their use from long distances (from stairwells, basements, rooftops of nearby buildings, parked cars, etc.). In these cases, the operational officer must take measures to determine the location of the perpetrator at the time the crime was committed. In this location, we can discover:

* the weapon (traditionally, the killer throws the weapon at the crime scene);
* cartridges, cartridge cases;
* means of surveillance (night vision devices, binoculars, etc.);
* personal items of the killer (mask, car, gloves);
* the criminal's notebook where they made various notes;
* a sketch plan of the crime scene (map);
* a photograph of the victim;
* various remains (food scraps, blood, urine, saliva, hair, etc.)."\*\*

„The investigation of the murder scene will begin with the preparatory measures taken by the officer in charge of the investigation team.”[[18]](#footnote-19). „The preparation aims, among other things, to complete or verify the initial measures taken by the law enforcement personnel who arrived first at the scene, an activity that falls under the first actions undertaken in such cases”[[19]](#footnote-20).

„The investigation of the crime scene, in the case of violent death (contract killing), will begin with:

a. Establishing the victim's death, carried out by the forensic doctor.

b. General examination of the scene.

c. Gathering information regarding the victim, the act, and the individuals who have knowledge of the murder and its perpetrator, focusing especially on eyewitnesses.

d. Identifying any changes that occurred at the scene after the murder was committed.”[[20]](#footnote-21).

e. „Delimiting the point from which the investigation will begin, typically starting from the victim and moving towards the periphery of the crime scene.

f. Selecting witnesses during the investigation of the crime scene."[[21]](#footnote-22). *„*In this preliminary phase, for the success of the investigation, we remind one of the important rules of the crime scene investigation, according to which only *the officer in charge of criminal prosecution, the forensic specialist, and the forensic doctor will enter the crime scene at the beginning.* This way, the possibility of destroying evidence and altering the position of objects around the corpse is avoided.[[22]](#footnote-23). We emphasize this final aspect because positional evidence (such as overturned tables or chairs, open drawers, the telephone receiver fallen from its holder, etc.) plays a crucial role in elucidating how the crime was committed. Any change, even if accidental, caused by the presence of a large number of people entering the scene of a contract killing can lead to erroneous conclusions about the circumstances surrounding the commission of the crime. Additionally, the access of many people to the investigated area can create significant difficulties in the effective use of olfactory traces.

We also insist on adhering to the requirements for preventing contamination of the crime scene with biological products from the investigative team or 'curious onlookers' so that future DNA expertise opportunities are not compromised.

„In terms of access for other individuals, apart from those authorized to conduct the investigation, we also refer to journalists or reporters who, even acting in good faith, can negatively impact the progress of the investigation.”[[23]](#footnote-24).

„The investigation in the static phase concludes with the documentation of the position in which the body was discovered, as well as the other objects located within the crime scene. This documentation is carried out through photography, using specific techniques of operational forensic photography or through judicial video recordings «[[24]](#footnote-25).

„We emphasize the importance of video recording the process of investigating the crime scene due to its efficiency and ability to capture the complete image of the crime scene as it appears at the moment the operational research group arrives. In specialized practice, there may be situations where video recordings are used to examine the crime scene in detail and to formulate objective versions regarding the perpetrator, the mechanism of committing the crime, etc.”[[25]](#footnote-26).

„Documenting the position of the corpse, the objects, and the traces discovered at the crime scene, correlated with the operational information obtained by the research team, including through tactical-operational methods, contributes to the formulation of versions regarding the nature of the act, the moment, and the circumstances in which the murder may have occurred, as well as the possible motive that led to the commission of the crime”[[26]](#footnote-27).

The dynamic phase of the crime scene investigation is, as is known, the most complex stage; it is precisely this phase that determines the process of examining, collecting, securing, and packaging the discovered traces. „The investigation will typically begin with the corpse”[[27]](#footnote-28), by examining the body of the victim, as well as the area under the corpse, and then continuing with the investigation of the surrounding terrain. There are situations where the investigation may also involve the use of other methods, such as the concentric circular method.

Signs that provide reasons to support the assertion that a contract killing has been committed can also be discovered during the examination of the corpse:

• When the murder is committed with a firearm, the shots are often fired from behind, targeting the nape of the neck or the left shoulder, and the trajectories of the projectiles are precise. Sometimes, the shot is fired from a short distance, but usually, the perpetrator shoots from a greater distance, especially if there is prepared cover.

• When murders are committed with cold weapons, the most characteristic are the strikes from behind, to the temple or in the area of the heart. The blows are usually delivered with significant force. The skill used in applying cold weapons, taking into account the situation (for example, in a crowded place), may indicate that the criminal is a professional. In such cases, the strikes are applied intensely, quickly, and unexpectedly for the victim; in contrast, the multiplication and chaos of the cuts will indicate that the criminal does not have a good command of the weapon and has made efforts to ensure that the victim does not survive. Contract killings involving blows with various hard objects are not very common and may suggest that inexperienced individuals were involved. Sometimes, contract murders are committed by strangulation. The strangulation mark in such cases is characteristic of a knot pulled from behind, almost continuous and horizontal.

• In cases of contract killings using toxic substances, there may be no visible injuries on the victim's body. The typical plan for these crimes involves inviting the future victim to a communal meal, where they will receive poison in food or drinks. In such situations, attention should be paid to the color of the skin, the specific shade of livor mortis, lesions on the mucous membranes of the mouth, larynx, and nose, aspects that can be indicated by a forensic specialist participating in the examination or observed by a law enforcement officer familiar with forensic medicine.

During the examination of the corpse, attention should be paid to the following circumstances:

* The presence of signs of torture: burns, extensive bruising on the skin and soft tissues, burns with clearly defined outlines (for example, from an iron or welding equipment), burns in the anal area with rectal penetration, on the genital organs.
* The corpse is tied up and thrown into a body of water (in such situations, the victim may have been submerged in water while still alive, with death occurring by drowning).
* The body temperature and the position of the livor mortis indicate the movement of the body, possibly with the intent to conceal it.
* Facial deformation, destruction and obliteration of documents, complete undressing of the body—all these aspects indicate an attempt to hinder the identification of the victim.

A separate issue that arises during the on-site investigation is the interpretation of the discovered traces. This activity primarily aims to:"

* „Establishing the relationship that exists between them and the committed act;”[[28]](#footnote-29);
* • Their origin;  
  • The mechanism of formation of various categories of traces;  
  • The relationships between different traces and the material means of evidence present at the crime scene.

The correct interpretation of crime traces provides answers to a multitude of issues, including:

* The nature of the committed act;
* The time and place of the commission;
* The manner of execution;
* The number of participants;
* The activities carried out by the killers after committing the murder, etc.

An important task for the criminal investigator at the crime scene is to create a sketch that graphically records the crime scene and its surroundings. This sketch will contribute to analyzing the situation and forming a complete and objective image of what happened at the scene of the commissioned murder.  
Thus, in cases where the killer has not been apprehended on fresh trails, criminal investigators can use the sketch to discover various clues related to the mechanism of the crime, the participants in the crime, the profile of the perpetrator, etc. When creating this sketch, the following rules must be observed:

* Accuracy of the sketch;
* Scaling of the sketch;
* Orientation of the sketch;
* Clarity of the sketch;
* Representation using conventional signs (these signs allow the operational worker to understand the sketch more clearly);
* Individualization of the sketch.

„Another important issue that needs to be addressed during the investigation at the crime scene is the existence of negative circumstances characterized by discrepancies between the condition of the victim, the injuries they present, and the actual situation”[[29]](#footnote-30).

**Conclusions.**

Each individual case of conducting an investigation at the crime scene, including in the case of investigating a contract killing, depends on the specifics of the crime scene, its context, structure, and size -- there can be numerous situations and variations in how this is carried out. However, it is crucial to adhere to the fundamental rule: to examine all elements important from a criminalistic perspective discovered at the crime scene.

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