

**Features of occurrence place's inspection on cases about  
murders committed on hire by organized groups**

**Abstract:** Place of occurrence is considered to be suitable if there is absent possible witnesses, created necessary conditions to a fast destruction of the traces and unimpeded left of an executor.

Nature of information assisting to investigation of murders committed on order by organized groups depends mostly on place and time happened event.

Much volume information upon absent of witnesses is contained in results of inspection of occurrence place

Cases of adaptation of suicide might be presence in murders committed on hire

Inspection of occurrence place is an important informational base, which assist to an investigator in determination of scheme of crime investigation.

**Keywords:** murder on hire; organized group; place of occurrence; inspection; adaptation; an investigator; expert.

State of modern organized criminality, its various forms, expanding diapason of activity put to criminalistics new tasks on development of investigation of these crimes.

Formation of criminal groups, which from mercenary motives chosen life of people as an object of encroachment, allows accenting attention in such element of criminalistical characteristic like a personality of criminal, and in conformity to category of investigated crimes with certain portion of conditionality – organized group. Applying to this element like determining is explained with complexity of

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the ways of crime's commission, variety of concealments' types, presence of unusual traces of committed. We should note that the ways of commissions of these crimes are corrected by circumstances, have no stable nature that allows not only hide them, but also to use again in appropriate time [2, p. 216].

Criminal groups, which might be related to certain kind of crimes, are not only ramified system, but also sufficiently complex hierarchy, which presupposes distribution of role functions in compliance with status of its member, possibilities of carrying out of leadership that or other criminal operations, indication of the ways of commission and concealment of crimes. Along with persons, which fulfill certain organizational functions, some people are the members, at which are imposed so named second functions, associated with carrying out preparatory actions, and also actions proving a concealment of crime. Executors and accomplices are not often familiarized with all criminal group and its leaders. Each of participants of criminal gang executes only those actions, which authorized him/her by organizers. Assistants of the latter are so name coordinators [3, p. 112].

Typically, criminal groups, which oriented to commission of murders from mercenary motives, are divided into the clients, organizers, persons, who fulfill reconnoitering, preparatory work, and executors. Under this murders might have a nature not only "ordered", but also associated with conflict Mafioso-like groups, personal revenge or intentions to show his/her criminal prestige. Such crimes are committed in purposes of intimidation of concrete persons or even population of the regions. It is significant to note that organized groups can execute murders "on order" and carry out its criminal activity in own mercenary and non-mercenary interests [15, p. 88-89].

A. Gilman notes that level of hierarchy and, accordingly, organizing mercenary murders in similar groups is quite complex and includes considerable number of persons, who in compliance with his/her position and executing tasks must carry out their functions. Moreover, actions of all persons are interlinked, are fulfilled in advance marked consequence and subordinated to orders of organizer like a main person and coordinator [3, p. 113-114].

Figure of organizer like so named brain centre, which is modeling murder's event, is main as all actions relating to carrying out of murder, are regulated by this person, and as rule, in person. Organizer possesses with necessary knowledge and certain practice of murders' commissions, which allow him/her compiling a concrete scheme of actions directed to carrying of planned. Under this in cogitative, and later in realized scheme, a special place belongs to the actions directed to concealment of crime and all persons, having attitude to him/her. Attention is accented in the fact that all people, who fulfill their function, were separated and did not devote in those, by which other members of group are involved. So, reconnaissance group does not know an organizer (tasks are transferred on telephone), agents do not know an executor, since their duty is selection of him/her from few persons, and who will be chosen is remained for them unknown etc. [13, p. 161-162].

Criminal group is included a group of scouting , which collects information about future victim – place of work, residence, availability of transport, intimate, friendly and family ties, habits, order of day, inclinations, kind of amusements (hunting, fishing, restaurants etc.).

This information is transferred to group of preparatory, which analyzes them choosing those that can prompt simpler, safety approach to victim and carrying out of planned, and to agents, in tasks of which include providing of an executor (killer) with gun and transport means. In this context, there are conducted consultations in respect of gun and transport choice, which, according to an executor is more preferable and effective [17, p. 76-77].

An executor is a figure, who carries out a main goal of a plan, receives in his disposal all set of information, which are necessary for crime's commission. Here, it is more important psychological and organizational preparation of an executor to forthcoming actions. Therefore he/she has common idea about future victim, who is shown in person or picture, and a place of possible action in order to be easy oriented in situation. Executor may choose possible way of retreat based on his/her desire, and also with situation, which is forming in period of crime's commission,

and he/she is free to choose his/her intentions concerning a place and time of crime's commission, and in some cases to be refused from commission of planned. The latter may be unfavourably forming situation and non-desire on any reason to commit a murder [18, p. 262-264].

So, before murder of prosecutor Aliyev A.R., Mammadov H.T., a head of gang, showed to Dabuyev, an executor, a flat of victim, his appearance, said about habits, daily routine, provided with gun, woman's clothes, wig and bag, and discussed a sum of fee [1].

In opinion I.S. Yaschin, a group of cover might be included in criminal group, which provides more safety way of delivering of an executor to an occurrence place and makes distracting actions: it might be a walking of friends, expecting of transport, intention of visiting a bar etc. this group is quickly dispelled, when crime's commission time is coming and leaving a killer with victim [20, p. 121-123].

Figure of a client falls out from hierarchy of common scheme. He/she does not include in criminal group, but at the same time plays main role in crime's event. Clients may be different – this is a client-individual, who is trying to carry out his/her criminal intentions on various motives: from revenge, jealous, remove a business or policy competitor. Clients might also be acted criminal groups, conflicts between of which happening at various grounds, as rule, and are resolved by murders, which are committed by organized groups. In their “orders” these people directly point out to necessity of life's deprivation of one or few persons, in dependence on their intentions; along with this it might also be said the ways of murder, which they consider more suitable and in compliance with forming situation, providing their visible non-involvement in crime [7, p. 300-301]. In these occasions, the ways of murders' commission linked with choice of gun and other items, and also with choice of place and time fulfillment of criminal intentions. Place of crime's commission is considered to be suitable if there is absent possible witnesses, created necessary conditions for fast obliteration of footprints and

unobstructed escape of an executor. As rule, these roads to a victim's house, porch, entrance and exit from flat [7, p. 302].

There are occasions of extraordinary carrying out criminal intentions. Which are distinguished with special insolence – this is shooting at streets and roads, in shops, cafes, restaurants, when expectation is made in stress state of people, who are presence in these actions, their fear, disorganization of psychics, desire to be hidden from possible consequences of an event. R.K. Wagner writes that criminal group undertakes actions directed to covering of an executor in open places through rush in street crowd, in closed spaces – through concealment or destroying of remained footprints, and creation of different adaptations, in particular of accident, suicide, violation of accident prevention etc. [15, p. 209-210].

Nature of information, which assists to investigation of murders committed on hire by organized groups, mostly depends on in what conditions of place and time has been happened this event. In criminalistical and criminal procedural literature, like in practice of investigation, are used the notions: “event happened in conditions of obviousness” [4, p. 51]. Content of these notions in first and second occasions is determined by presence of information about personality of criminal and committed by him actions. The latter finds its reflection in testimonies of witnesses, who saw a killer in period of his approach to place of occurrence, retreat, committed criminal actions. It might be information about signs of criminal's appearance applied or left instruments of crime, footprints. Data received in result of conducted operational searching actions adjoins to such information. In particular, information about preparation to crime of certain person or conducting of reconnaissance actions, associated with clarification of data on personality of future victim. Presence of such information qualifies crime like happening in condition of obviousness.

Other situation is formed, when information about criminal is completely absent: nobody saw, there is no any information about crime's event, the latter committed at night, detected few hours or days later etc. In these situations information about an event and criminal might be received by common ways, and

mainly – with production of inspection of occurrence place and assignment of forensic expert examinations of evidences, which are found in course of it.

In these occasions the most volume information is contained in results of inspection of occurrence place. Footprints of footwear (feet), traces of applied gun (shoot bullets, cartridges), possible traces of resistance or fight (micro traces, traces of overlay), traces of odorological (science of smells) nature (traces of smell) are might be related here. In these occasions, together with common traces the investigators and detectives should be directed to search of uncommon footprints (soil overlays from footwear, pieces of cloth, threads), expanding an inspecting territory up to discovering the footprints of escape of criminal from place of occurrence [6, p. 91-93].

Practice of investigation of murders from mercenary motives testifies that just surface, negligent inspection of place of occurrence leads to loss of valuable information, which is necessary for effective disclosure of crime. At murders committed on hire by organized groups there might be occasions of adaptation under suicide. Gun, which is put in hand of killed man, destroying of the traces of other person at place of occurrence targeted to create a picture of suicide. Therefore careful inspection of place of occurrence and an instrument of murder, inspection of corpse with participation of forensic medical expert allow detecting so named negative circumstances and forming sufficiently grounded investigative versions [8, p. 121].

I.P. Lukin fairly notes that inspection of place of occurrence constitutes informational base, on basis of which an investigator determines a scheme of crime's investigation [10, p. 15]. But, personality of a victim might also be such base, information about which will be assisted for determination of the person possible involved to a murder. Collection of information received in result of inspection of place of occurrence and establishing of personality of victim give the best results of investigation as it allows simultaneously subjecting to analysis and evaluation all primary information. Along with this we should note that a level of information in context of inspection of place of occurrence and establishing of

personality of victim might be differed. So, in ones occasions informational base, which received in course of inspection of place of occurrence, might be quite completed and sometimes allows arranging a chase on hot traces, detention of criminal, and in other occasions, it seems rather limited, therefore it becomes difficult to arrange operational searching measures and to design investigative versions. In these situations investigator's attention is concentrated in crime's victim, establishing his/her personality, possible ties, and from them to motives of commission of crime and persons, who are interested in committed, or organized criminal group. I.R. Lukin notes that completeness of informational base in each indicated occasions determines a cognitive activity of an investigator, it directness and effectiveness of fulfillment [10, p. 16-17].

During inspection of place of occurrence and a corpse might be received information, which will lay in base of version about that committed crime is a murder on hire. So, on murder's way and other data of environment of place of occurrence, initial information about personality of victim is designed a version about assassination.

Correctness of version about assassination committed by organized group is supported by the fact that a victim was either representative of "shadow" economy, businessman, and banker or politician, or leader of criminal group, and if accompanying his/her persons have no suffered since killer did not attempted to their life. Moreover, "insurance" shot in a head made by criminal is one of the evidences of assassination. About assassination nature says the fact that murder was committed through disruption of a car, in which a victim was, or in result of attack with cold arms or gun in crowed places [12, p. 211-213].

Inspection of place of occurrence on cases about mercenary murders on hire is conducted on common for criminalistical tactics scheme, but it has its peculiarities coming from specifics of criminal deed. As rule, assassinations committed by organized groups are well-prepared and therefore presuppose a concealment of criminal and footprints of his/her presence at place of occurrence. Consequently, recommendations, relating to inspection of place of occurrence, directed mainly to

discovering of so named uncommon traces, which contain information about criminal. In opinion of I.S. Povolokin, they might be the following: cigarette butts with traces of saliva, on which might be established genic affiliation; micro-particles of clothes (threads, fuzzes), which have significance for establishing of criminal's clothes; odorologic traces (traces of smell), which sometimes are ignored in course of investigation and meanwhile they have great significance during conducting such operation like sampling, conducting in operative purposes for establishing of personality of criminal [14, p. 101-104].

In purpose of rapid and effective investigation it is reasonable to include in investigative operational group, which conducts an inspection of place of occurrence, the following persons: an investigator, detectives, forensic medical expert, technician-criminalist with camera and video, sentry dog handler. In those cases, when murder committed with firearms, it is necessary to include forensic ballistics expert for establishing a place of shot, discovering bullets, cartridges etc. [17, p. 106].

There is necessary participation of two investigators, when it is applied the explosive devices. It can be explained by considerable expanding of place of occurrence and necessity its careful inspection. In addition, specialist in explosive matters should be invited, who may assist in discovering and fixation of explosion and fragments of explosive device.

Place of occurrence under investigation of crimes of named category might be quite extensive. It includes: a place of criminal event, space, where criminal was in wait, place of leaving of criminal (footprints of footwear, traces of transport means). In this connection, the footprints of criminal at place of occurrence and close areas might be very various, and there is required especial attention to detect and fix them [2, p. 201].

According to I. Cabart, particularity of place of occurrence's inspection at assassinations is fast and correct interaction of investigator and operational group in arrangement of pursuit and search of criminal, conducting of barrage measures in railway stations, airports, in and out of any settlement, where crime was



committed. Coordination of actions of investigator and detectives also presupposes establishing of persons, who first found a crime, and witnesses of the crime. In these occasions are conducted door-to-door rounds in order to find the persons, who have any information and crime and personality of criminal. Operational measures are quite effective as often assist to obtain information about concealment of crime and signs of criminal's appearance, which might be used in his/her search and forthcoming bringing for identification [8, p. 99-101].

As V.I. Shirikov notes (this is confirmed with information of mass media), in 1995-2007 in some countries of CIS (RF, Ukraine and others), at assassinations committed by organized criminal groups were applied explosive devices and explosive substances. Fortunate, there were no such facts in Azerbaijan. We should note that specifics of inspection of place of occurrence in these occasions is manifested as in organization of investigative operation group so in actions, which are undertake at place of event. First is an inspection of place of occurrence should be produced with group of investigators, employees of criminal investigation with participation of forensic medical expert, specialists-criminalists and bomb-disposal experts since various destroying of buildings and human victims are the consequences of explosion [19, p. 122-124].

Action at place of occurrence directed to clarification of picture of event, detection and collection material evidences, including those, which might later be used for production of explosive technical expertise.

Place of explosion as an object of criminalistical investigation presents a combination of traces of high explosive, high-capacity, thermic and splinter action of separate elements of blasted explosive device and secondary splinter action caused by recession of particles of destroyed environment objects [16, p. 96-97].

Explosive device, using as an instrument of crime's commission, is limited by sizes. Therefore, a place, where it was relatively the objects of environmental position, is always a center of explosion, determining a initial position of recessed splinters of explosive device, particles its charge, distribution of shock wave and

compressed gases, which caused destructive impact in environmental objects in radial directions [11, p. 55-57].

On this reason, it is reasonable to begin detailed inspection of territory, where explosion was happened, from presupposed its centre, i.e. a zone of much destroying of material objects.

Explosive device might be located not far an object of hitting. In these occasions, in order to establish place of explosion it is conducted line-of sight view, initial points of which are become making into surrounding subjects of explosive device [20, p. 200-202].

In dependence on kind of applied explosive device, there are remained that or other traces of various nature. So, at high-explosive action of explosion at considerable distance from centre the traces present themselves destroying of glasses of windows and doors with formation of cracks. Thermic influence of explosion is forming the traces in form of smoke, flashing, burning [3, p. 205].

Signs of high-explosive and thermic impact of explosive device are fixed in a record of inspection of place of occurrence with name of broken object, its location with indication of level of location of damage in form of cracks, splinters, holes and other. In the occasions, when explosion happens at open area, it is accompanying with formation of crater. In a record of inspection is fixed a form of crater, its depth, and also the actions linked with seizure of soil from crater for consequent expert examination in order to establish particles of explosive substance.

In opinion of A.I. Zolotova and I.M. Shmelev, traces of explosion should be fixed with indication of nature of damage or destruction, type of material of object, its initial shape, size and location. At qualitative description of destructions there necessary to indicate their sizes, volume of holes, number of cracks, length, volume and direction of separate elements, sizes of fragments of destroyed objects, distance, at which separate subjects moved [7, p. 210-213].

When splinters of explosive device are found then a record of inspection of place of occurrence is described the way of their extraction and material, shape, sizes, thickness, particularities of edges and other individual signs [5, p. 62-63].

In the occasions, when explosion is happened in close space or a vehicle, gaseous products of explosion are moved in chaotic. Particles of explosive substance might be found on fragments of the windows, doors, air gates, blinds, curtains, walls. Regardless of the particles of explosive substance found or not, there is necessary to conduct the wipe sampling of the objects' surface, where the particles might probably be available. The wipe samplings are produced with cotton or gauze tampons, which are moistened with acetone, and then with other tampons moistened with distilled water [13, p. 299-301].

One should take into account that in course of inspection of place of occurrence, which is associated with usage of explosive device or explosive substance, there have mandatory to participate specialists-experts, as rule, the employees of expert-criminalistical departments, who help to an investigator in discovering and seizure of footprints of hands' fingers, footwear, instruments of crime and others, which are requiring application of special devices for fixation and packaging of seized.

Inspection of a vehicle, which was blasted through explosive device with clockwork fuse or camouflaged at a road, is recommended to conduct at place of occurrence. Along with it is an important to concentrate an attention in all available damages, positions of corpses, state of a cabin's details, baggage and engine compartments, bottom part of a body [17, p. 121].

It is reasonable to conduct a vehicle's inspection with participation of an employee of traffic police, who may assist in determination of the objects, concerning on their constructive particularities to details and parts of car or to details of explosive device. Wherein, an attention of criminalist and investigator should be paid to searching in a car body of the splinters of explosive device, which might be appeared in seat covers, blinds and material of interior cladding of a body and also discovering of possible micro-particles of not exploded substance.

Found objects should be inspected, carefully packaged for further expert examination. Information on found objects must be included in inspection record [3, p. 195].

Inspection of place of occurrence at blast of aircraft has also its specifics. First of all, it consists on that common inspection of place of occurrence is produced from height (as rule, from board of helicopter) with purpose of determination of its borders for further searching of material evidences. At burst if aircraft is happened considerable dispersion of the fragments, many of which may have significance for definition of nature of explosion and explosive devices used for crime's commission [9, p. 221-228].

After determination of approximate borders of place of occurrence, there is produced detailed grounded stage of inspection. In course of inspection together with discovering of explosion's fragments, specialists should pay attention of detection of "black box" – a device fixing communications of cockpit crew in pilot cabin. Later in course of their decoding might be received information, which assists to establishing of data about possible troubles, happened during flight, and also determination of explosion's time [9, p. 229].

In the named occasions, in participation of place of occurrence inspection there are involved specialists in aviation technology and blasting work, who may help in sorting of found blasting fragments and separation of aircraft's parts, thereby assisting to find particles of explosive device. The actions of specialists make easy an investigator's work and provide qualified inspection of place of occurrence.

All seized items should carefully be inspected, described in a record, packed and qualified like material evidences. Separate fragments, which received in process of inspection, can be materials for further expert examination. Especial attention should be paid to application of criminalistical technique and the methods of its using, in particular, such kinds of photographing like front and detailed one, which made by scaled method. It is significant to be consulted with specialists relating to choice of the objects, which are more informative for investigation.

It is reasonable to use video if place of occurrence has considerable extent that inherent to aircraft's blasting. But, main method of fixation of results of occurrence place is a record, in which should be reflected detailed description of the results of inspection and separate material evidences.

So, in particular, applicably to explosive devices and their parts a record should be fixed the following: name and producing method; material, colour, shape and sizes; state of object, presence, character and disposition of damages; availability of remakes and rework, used for that materials; having dents, scratches, attritions, traces of corrosion, pollution and layers of foreign matters, and also other individual signs. With regard of found micro-particles, record should have: an object-carrier, disposition of the particles, their numbers, method of seizure [10, p. 205].

In addition with such additional instruments of fixation like photography and video, certain significance has compiling of schematic (scaled) plans of place of occurrence. The latter quite completely orients all participants of both in investigation and judicial proceedings in respect of environment of place of occurrence, disposition of separate objects, points of discovering of material evidences.

Using of recommendations, relating to production of inspection of occurrence place under investigation of murders associated with explosive devices and explosive substances, considerably makes easy a production of this investigative action, gives landmarks in respect of the objects, which have more important evidential significance for establishing of crime's event, its mechanism and in some occasions - a source of producing and receiving of explosive device, i.e. in certain extent, orients into detection of criminal and his/her accomplices. Just therefore, inspection of occurrence place has primary significance [9, p. 99].

We should note that more significant information, which assists investigation murders committed on hire by organized groups, is received in course of inspection of place of occurrence, where is concentrated most number of various traces. Analysis and evaluation of them is a presupposition for arrangement of

investigation – bringing of investigative actions and operation searching measures. According to fair remark of V.I. Shirikov, an inspection of occurrence place allows receiving information about number of persons, who committed crime. This is determined with few circumstances: a) commission of some crimes presupposes participation of few persons; b) application of number of techniques, methods of crimes' commission includes peculiar division of the functions between its participants; c) commission of some crimes with using of certain ways requires physical efforts or professional techniques, which might not be done by one person; d) commission of some crimes connecting with necessity for criminals to overcome of resistance of victims and persons, who protect an object from encroachment; e) about participation of one or few persons one may also judge on number and nature of footprints left [19, p. 171-175].

Establishing of group nature of crime is an important diagnostic task of inspection of occurrence place, determines further investigative, operation searching actions, tactical operations. Signs testifying on commission of murder on hire by organized group might be: insolence of deed, its planning nature on place and time; complicated way of crime's commission, possibility its safety commission; availability of material results, testifying about high technical equipment and armament of executors; purposeful choice of an object of criminal encroachment; presence of criminal nature and other [4, p. 112-114].

Inspection of occurrence place may act as isolated action so a constituted part of tactical operation directed to detection of criminal. In the last occasion, parallel with inspection is produced such investigative and operation searching actions like interrogations and questionnaires of eyewitnesses and victims (if they are alive), watching for buildings, collection of information etc. Tactical operations, which are organized in compliance with found explosion's event and its specifics is more effective instrument of investigation of blasts. They can be carried out not only in the beginning of investigation but in subsequent stages in compliance with those tasks, which come from investigation plan.

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