

THE METHODOLOGY OF THE INVESTIGATION OF MURDER CRIMES

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ABSTRACT

This article addresses the methodology of homicide investigation, focusing on the operational and scientific stages required for identifying perpetrators, establishing the circumstances of the acts, and obtaining evidence with probative value. It analyzes first-response procedures at the crime scene, scene protection and documentation, evidence collection and preservation, forensic examinations, interviews, and crime scene reconstruction. The paper also proposes practical recommendations for increasing the efficiency of criminal investigation, such as the use of modern scientific methods and the strengthening of institutional cooperation.

KEYWORDS

homicide, crime scene, forensic expertise, reconstruction.

J.E.L. Classifications: K14, K42, K41

1. INTRODUCTION

Homicide offenses represent some of the most serious and complex criminal acts, having a major social impact and high investigative requirements. The methodology of investigating these crimes involves a combination of legal procedures, investigative techniques, and scientific methods in order to obtain evidence admissible in court and to ensure the clarification of the factual reality.

Although the Criminal Code does not explicitly refer to “simple homicide,” considering the subsequent provisions regarding the aggravated forms—namely “qualified homicide” and “particularly aggravated homicide”—the use of the expression “simple homicide” is accepted.

Homicide is provided for in the Criminal Code under Article 174, and Article 175 regulates qualified homicide.

The purpose of this paper is to present a synthetic guide to the essential stages of homicide investigation, oriented toward practice and applicable at the level of university training.

2. LITERATURE REVIEW

The specialized literature on the *“METHODOLOGY OF HOMICIDE INVESTIGATION”* has highlighted the importance of these methodological rules for precisely determining the direction and extent of investigations, with the aim of fully clarifying the circumstances of the homicide and identifying the perpetrator.

Within the planning process, a central role is held by the development of investigative hypotheses concerning the nature of the violent death (homicide, suicide, or accident), the perpetrator, the motive and purpose of the crime, and the circumstances or conditions in which it was committed. To develop these hypotheses, the prosecutor leading the investigation must have a minimum amount of precise and concrete data regarding the act. These data are obtained procedurally during the crime-scene investigation, technical-scientific examinations, as well as from extra-legal sources: investigations, rumors, anonymous letters, etc.

3. OBJECTIVES AND METHODOLOGY

The main objective of the methodological research is the identification and description of the essential stages and techniques used in homicide investigation, as well as the identification of common practical challenges.

The methodology adopted in this paper is descriptive-analytical, based on theoretical synthesis of specialized sources and analysis of current operational procedures. The paper aims to offer practical recommendations for investigators at the operational level.

4.MAIN ISSUES IN THE “METHODOLOGY OF HOMICIDE INVESTIGATION”

A. Nature of death*

Regardless of the manner of commission, the investigation must determine whether the death was the result of homicide, suicide, or accident. To establish the nature of death, and implicitly its causes and mechanisms, medico-legal investigations play a crucial role. Thus, forensic medicine holds a primary role in such cases.

B. Determining the direct cause of death*

This issue is solved through the collaboration of both the forensic physician and the criminal investigation body. To prove the existence of the homicide, investigators must clarify whether there is a causal link between the perpetrator’s actions, the means used, and the resulting outcome.

C. Identifying the place and time of the offense*

The time of the homicide has multiple implications. Knowing—even approximately—the moment of the act enables investigators to establish the victim’s route and activities prior to the crime, the last persons who saw the victim, the belongings in their possession, and their condition at that time.

D. Determining the methods and means used to commit and conceal the homicide*

Determining the methods and means used to take the victim’s life is possible through interpretation of a complex set of data and traces concerning the perpetrator’s entire activity.

E. Identifying the victim*

Establishing the victim’s identity is the starting point for all subsequent investigative activities. Once identified, investigators can determine the circle of suspects and the legal classification of the act depending on the status of the passive subject.

F. Identifying the perpetrator*

Identifying the perpetrator and any possible accomplices (accessories, instigators, concealers) is one of the essential investigative tasks, due to the many issues it raises. The proper conduct of the criminal process and the correct legal classification depend on this.

G. Determining the motive or purpose of the offense*

Homicide may be motivated by hate, jealousy, revenge, desire for enrichment, fear, etc. Therefore, it is crucial for investigators to determine what led the offender to conceive and carry out such actions.

5.MEASURES FOR EVIDENCE ADMINISTRATION AND PROVING HOMICIDE

To classify the case in all its aspects and solve all issues relevant to proving homicide, investigators must use the full range of technical-scientific, tactical, and methodological means. Crime-scene investigation is one of the fundamental activities contributing substantially to discovering the truth. It has two phases: STATIC and DYNAMIC.

• Static phase: focuses on determining the location where the body was found, its position relative to traces and surrounding objects, the distance to them, as well as the sex, stature, and approximate age of the victim.

Dynamic phase: consists of examining the victim's body.

6.PARTICULARITIES OF HOMICIDE INVESTIGATION DEPENDING ON THE MEANS AND METHODS USED BY THE PERPETRATOR:

- A) Homicide committed by shooting
- B) Determining the distance and direction of fire
- C) Homicide committed with cutting-stabbing weapons or blunt objects
- D) Distinguishing between homicide and suicide
- E) Infanticide
- F) Determining the crime scene

7.CONCLUSIONS

The methodology of homicide investigation is multidisciplinary and requires consistent application of criminalistic, medico-legal, and investigative procedures. The success of the investigation depends both on the quality of physical evidence and expert analyses, and on the rigor of documentation and the competence of investigators.

The implementation and use of modern scientific methods are essential for the efficiency of criminal investigation and for ensuring justice.

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