

Investigation Team in Looting Investigation: Organization and Equipment

Yevheniia Murzo

adjunct, National Academy of Internal Affairs, Kyiv, Ukraine,

ORCID: <https://orcid.org/0009-0000-4409-0560>, e-mail: yevheniamurzo@gmail.com

The paper studies the organization and equipment of investigation team to investigate looting during martial law. International approaches, including the use of modern technologies (unmanned aerial vehicles), are analyzed.

Keywords: martial law; modern technologies; UAVs; scene inspection.

Слідчо-оперативна група в розслідуванні розграбування: організація та оснащення

Євгенія Мурзо

Досліджено організацію та оснащення слідчо-оперативної групи для розслідування розграбувань під час воєнного стану. Проаналізовано міжнародні підходи, зокрема використання сучасних технологій (безпілотні літальні апарати).

Ключові слова: воєнний стан; сучасні технології; БПЛА; огляд місця події.

The topic of looting has gained a special importance on the territory of Ukraine, because the public danger of such actions began significantly to increase precisely in the conditions of martial law (Fig. 1). Ukrainians faced the problem of preserving their property during military operations. But, as history shows, the problem of looting has been in other different countries, such as: Bosnia and Herzegovina, the Balkans, Ethiopia. There is a need to fight against this type of crime, due to the impact

of military operations on the spheres of life in states where there are currently conflicts.

When the territory is under occupation, the infrastructure, the inhabitants and their property fall under the control of the enemy's military forces. Arbitrary acts as revenge, looting and destruction have been carried out by marauding armies, throughout the history of warfare resulting in immense suffering among the civilian population. This only deepened the damage caused by the war and put obstacles

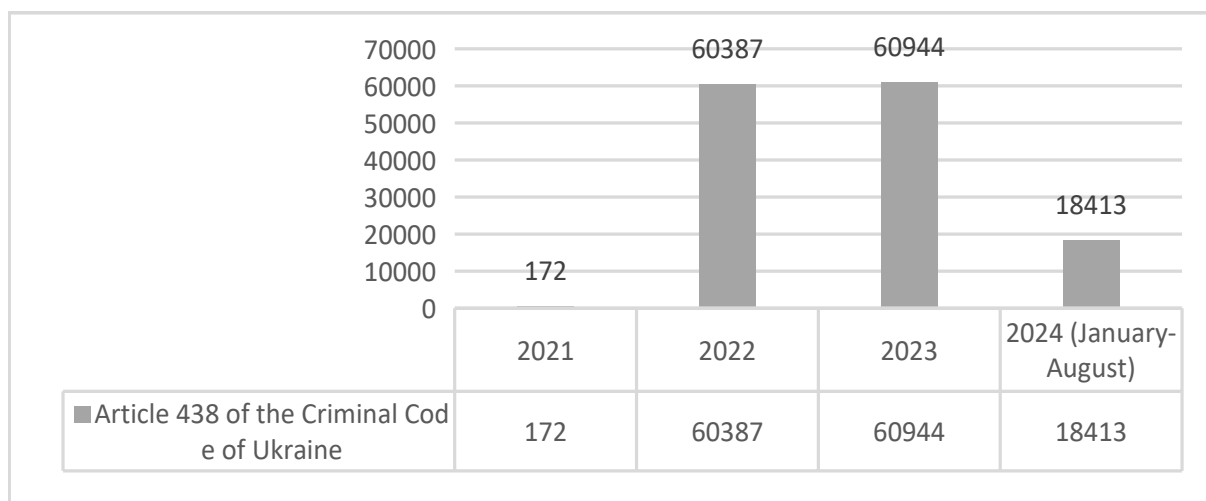


Fig. 1. The number of registered criminal offenses under Article 438 of the Criminal Code of Ukraine, 2021—2024

in the way of recovery, reconstruction and possible peace agreements [1, p. 274].

According to the Kulikiv District Court of Chernihiv Region verdict, a Russian serviceman in violation of the requirements of Articles 27, 31, 32, 33, 147 of the Convention on the Protection of the Civilian Population in Time of War dated August 12, 1949, Articles 51, 52, 75 of the Additional Protocol to the Geneva Conventions dated August 12, 1949, which concerning the protection of victims of international armed conflicts (Protocol I) on 08 June, 1977, with the purpose of unlawfully taking possession of someone else's property, openly took possession of the victim's property for selfish reasons. The actions of the accused PERSON_7 qualify under Part 1 of Article 438 of the Criminal Code of Ukraine [2].

In order to carry out an effective looting investigation, the investigative team is involved in the process during the inspection of the crime scene. The inspection of the crime scene is one of the most important investigative steps in determining the circumstances of the crime.

According to the Philippine National Police Manual, the investigation team consists of a team leader; investigator/recorder; photographer; evidence custodian; and composite illustrator/artist. Investigator must also have the equipment, such as: 1. Police line; 2. Video camera; 3. Voice recorder; 4. Camera; 5. Measuring device; 6. Gloves; 7. Flashlight; 8. Fingerprint kit; 9. Evidence bag; 10. Evidence tag; 11. Evidence bottles/vials; and 12. Investigator's tickler (contains the following) a) Investigator's checklist b) Anatomical diagram form c) Evidence checklist d) Turn-over receipt [3, p. 1-2-].

The Manual of Investigations developed Independent Investigations Office of British Columbia talks that the Investigator is a member of the investigative team who supports the Command Triangle (consists of a Team Director (TD), a Primary Investigator (PI), and a File Coordinator (FC). All three members have a comprehensive knowledge and understanding of an investigation in its entirety. They work closely together to ensure a complete and thorough

investigation is conducted) by completing and documenting assigned tasks. In addition to the investigator, the members of the investigative team are the Forensic Investigator and Investigative Assistant (IA) [4, p. 8, 16].

The number of investigators appointed to conduct any investigation depends on the available resources, the size of the investigation, the need for speed, the impact of the investigation, the location of the accident, and the individual skills and strengths of the investigators [5, p. 23].

Field Guide for Civil Society Documentation of Serious Human Rights Violations contains, in addition to the above, the following tools and equipment: notebook, pocketknife, audio and/or video recording device, all-weather gear to protect from the sun, cold or rain, plastic sealable bags, encrypted list of important phone numbers (preferably memorized), watch (preferably with compass), local maps, disinfectant, hand lens (magnifying glass), and waterless hand wash [6, p. 13].

In Ukraine, an investigator carries out a pre-trial investigation of criminal offenses. A pre-trial investigation is conducted by a group of investigators and in the case of complexity and a large volume of criminal proceedings. The creation of a group is formalized by a special resolution. In addition, an investigative and operational team is the first to go to the scene of the incident. This group includes an investigator (researcher), an employee of the operative unit, a forensic inspector (a forensic technician), as well as (if necessary) a dog handler with a service dog.

The task of the group is to identify, record, remove and pack traces of a criminal offense, material evidence, identify witnesses and victims, find out the circumstances of a criminal offense that are important for a comprehensive, complete and impartial investigation and identification of the persons who committed it [7].

The investigator must have the following equipment and documents with him, going to the scene of the looting investigation: 1) identification documents – service card, badge

confirming his status and authority; 2) protocol forms, notes on rights and obligations for participants in the criminal process, a pen; 3) a video camera, a charger for it and several flash drives — for recording the crime scene search and possible evidence; measuring 4) tools — measuring tape, laser meter or combined tool for measuring distances, dimensions and other parameters; 5) compass or GPS device — for orientation on the terrain and determination of directions; 6) means for fixing traces — film bags for storing samples, containers for storing soil or other materials that may be important for further analysis; 7) gloves and a mask — to protect against contamination and preserve possible traces; 8) means of lighting — a flashlight or lantern for lighting dark or inaccessible places; 9) map of the area and plan of the event for a better understanding of the context and the area; 10) walkie-talkie — for communication with other members of the investigative or rescue crew, as well as for sending urgent messages; 11) means for preserving evidence — containers or bags for storing the collected evidence in a safe condition until their further analysis; service leave to leave, if such leave is required by service procedure or rules. We emphasize that it is allowed to conduct an inspection of the scene of the incident on the territory only after confirmation by relevant specialists of the absence of dangerous explosive materials. Before starting investigative actions, the investigator must make sure that the area being inspected is safe.

An unmanned aerial vehicle (UAV) is a very important tool while inspecting the scene of a looting investigation. The tasks of the UAV for recording and inspecting the scene during the investigation of looting are the reconnaissance of the area in order to detect explosives or other objects that may pose a threat to representatives of law enforcement agencies; video and photo recording of the scene in hard-to-reach places, general situation, position and location of bodies; determination of places and their coordinates on the battlefield where property was stolen. Al-Iqubaydhi et al. (2024) conducted a study which showed that the use

of UAVs or drones has many benefits and advantages, such as ensuring energy efficiency by reducing the transmission power consumption, reducing pollution, reducing labor costs, and operating with an unlimited working time. These benefits have rendered drones viable for various applications, such as monitoring and surveillance, traffic tracking, military, weather observation [...]. [8, p. 1].

To sum up, successful investigation of crimes, in particular looting, requires a proper coordination of actions among investigators, operative units, other participants in the criminal process, as well as the use of modern equipment and technologies. The successful operation of the group is based on a clear division of responsibilities, effective exchange of information and the ability quickly to respond to changes in the situation.

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