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## **FORENSIC TACTICAL RECOMMENDATIONS ON PLANNING, ORGANIZATION AND TACTICS OF INSPECTION OF THE SITE OF A MAN-MADE ACCIDENT**

**Annotation.** The article reveals the features of the inspection of the site of a technogenic criminal incident. Suggestions are given in the form of forensic recommendations for the full-fledged conduct of this investigative action in the form of an inspection to consolidate objective and complete material trace information containing specific signs of a technogenic criminal offense. In particular, forensic tactical recommendations on planning, organization and tactics of inspection of the site of a man-made accident are proposed.

**Keywords:** inspection of the scene, technical means, investigator, criminal technogenic incident, pre-trial investigation.

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## **Техногендік оқиға болған жерді жоспарлау, ұйымдастыру және қарау тактикасы бойынша криминалистикалық тактикалық ұсынымдар**

**Аннотация.** Мақалада техногендік қылмыстық оқиға болған жерді тексеру жүргізудің ерекшеліктері ашылады. Техногендік сипаттағы қылмыстық құқық бұзушылықтың нақты белгілерін қамтитын объективті және толық материалдық із ақпаратын бекіту үшін тексеру түрінде осы тергеу әрекетін толыққанды жүргізу бойынша криминалистикалық ұсынымдар түрінде ұсыныстар берілді. Оның ішінде техногендік оқиға болған жерді жоспарлау, ұйымдастыру және қарау тактикасы бойынша криминалистикалық тактикалық ұсынымдар ұсынылды.

**Түйін сөздер:** оқиға орнын тексеру, техникалық құралдар, тергеуші, қылмыстық техногендік оқиға, сотқа дейінгі тергеу.

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## **Криминалистические тактические рекомендации по планированию, организации и тактики осмотра места техногенного происшествия**

**Аннотация.** В статье раскрываются особенности производства осмотра места техногенного уголовного происшествия. Даны предложения в виде криминалистических рекомендаций по полноценному проведению данного следственного действия в виде осмотра для закрепления объективной и полной материальной следовой информации, содержащей конкретные признаки уголовного правонарушения техногенного характера. В том числе предложены криминалистические тактические рекомендации по планированию, организации и тактики осмотра места техногенного происшествия.

**Ключевые слова:** осмотр места происшествия, технические средства, следователь, уголовное техногенное происшествие, досудебное расследование.

In the pre-trial investigation of criminal offenses against technogenic safety, the implementation of a forensic tactical operation, which is an integral part of the investigator's search and cognitive activity at the stage of pre-trial investigation, becomes essential. The

effectiveness of a tactical operation largely depends on compliance with forensic requirements. Thus, each forensic tactical operation should be aimed at: solving a specific tactical task and have a clearly defined goal; optimal use of forces and means; time planning,

which will allow to link together the conduct of both a number of tactical operations and activities included in the complex of tactical operations; the formation of conditions for centralization and unified management of the inspection of the scene.

Man-made accidents occur unexpectedly for law enforcement officers, as a result of which they encounter events that are subject to clarification. In many cases, there is no data on persons, intentional or careless actions were committed by the alleged person involved, which have a causal relationship with the incident and its consequences. The pre-trial investigation of such incidents is further complicated by the fact that emergency, rescue and repair and restoration work is being carried out simultaneously, in which the forces of the Ministry of Emergency Situations of the Republic of Kazakhstan, the National Security Committee of the Republic of Kazakhstan, the Ministry of Internal Affairs of the Republic of Kazakhstan, and units of medical rescue services participate. They are also characterized by the territorial scale to be surveyed to establish the facts. As a rule, during the pre-trial investigation, there is not enough necessary forensic equipment and special equipment to work in conditions of man-made accidents and catastrophes. There is no proper level of ensuring the safety of the work of investigators in extreme conditions.

N.A. Selivanov, V.A. Snetkov, developing the discussion about the content of the initial stage, are of the opinion that this stage should comply with the principles of the methodology of pre-trial investigation of criminal offenses. A mandatory beginning is the regularity, conditionality, dependence, consideration of the investigative situation, the optimal set of actions, the sequence of investigative actions – urgent, initial and subsequent. In general, this creates the structure of the methodology of pre-trial investigation of criminal offenses, which consists of blocks and is mobile, dynamic [1, p.23-26].

M.Ch. Kogamov defined the initial stage of the investigation as the correct organization and interaction of the investigator with the body of inquiry [2].

According to K.V. Kim– this is "... a

complex method of preliminary investigation, which is the use of a set of forensic investigation methods according to a single program for the purpose of multilateral, coordinated and simultaneous study of a complex of sources of forensic information as an integral complex organized object in the process of evidentiary establishment of individual circumstances of the crime under investigation [3, p.20].

Analyzing other opinions of individual authors in the legal literature, we define this stage as an independent stage of pre-trial investigation, at which urgent investigative and covert investigative actions, urgent organizational measures arising from the current situation are carried out.

Being a structural element of the methodology of pre-trial investigation of certain types of criminal offenses, the initial stage is a complex system of elements combined into a kind of block or modules of forensic research, a type of which is the pre-trial investigation itself. Thus, the investigator of the territorial police units needs to choose the optimal algorithm of preventive actions. The algorithm is understood as: "A system of calculations according to strictly defined rules, which, after their sequential execution, leads to the solution of the task" [4, p.31].

As a rule, upon the fact of an incident that entailed the onset of socially dangerous consequences, the start of a pre-trial investigation is immediate. Thus, the beginning of the pre-trial investigation of man-made accidents is the registration of a message in the unified register of pre-trial investigations and the immediate conduct of urgent investigative actions.

The initial investigative action after the start of the pre-trial investigation of this type of criminal offense begins with the inspection of the scene of the incident. This investigative action has a huge evidentiary value, especially at the initial stage in conditions of a shortage of information about the incident, it is during the inspection that important data can be obtained about the circumstances of the event that occurred, to identify its cause.

R.S. Belkin points out that "... first you need to inspect the area where the object is located, which allows you to determine the boundaries of the territory to be inspected and

approaches to it." This is the main difference from inspections of other criminal offenses, as it is "...time-consuming, in difficult and sometimes dangerous conditions, since it usually involves disassembly and clearing of remnants, burnt and destroyed building structures, equipment, with careful viewing" [5].

Having received a message about a man-made emergency, it is necessary to find out in as much detail as possible the place and time, the type of man-made object and the sources of increased danger of man-made nature located on it, the approximate number of employees of the enterprise, the organization, to clarify the number of victims and what is happening at the moment at the scene. The information obtained will allow us to determine: the scale of an emergency of a technogenic nature; to resolve the issue of the number of investigators, forensic experts and other specialists necessary for the inspection of the scene of the incident; to determine technical and forensic and scientific and technical means.

It is necessary to understand that the pre-trial investigation of technogenic criminal offenses is a rather complex process that has both strengths and weaknesses. This applies to criminal procedural methods and forensic techniques, in conjunction with scientific and technical means that are used during the inspection of the site of a man-made accident. In our opinion, an integrated approach to identifying the causes of a man-made accident can be provided by involving specialists from different branches of knowledge in the pre-trial investigation, who during the inspection will assist the investigator and explain the structure and content of the man-made object.

Before going to the scene of an emergency, the investigator must prepare technical means by which the progress and results of the inspection of the site of a man-made accident will be recorded. Such means are audio, video equipment and related additional devices, which can be placed on a protective headdress in the form of a helmet.

In such dangerous conditions for the life and health of the investigator or members of the investigation team, it is necessary to observe safety precautions. The investigator and the persons participating in it must be equipped

with protective clothing, protective gloves, helmets, etc. In addition, be equipped with sensors or devices for measuring temperature, radiation and other harmful substances in the inspected area.

An emergency of a technogenic nature can often be accompanied by difficulties in finding and detecting material evidence. This is caused by significant destruction and a large spread of parts and fragments of structures or inaccessibility associated with the risk of radioactive contamination. In this regard, it is possible to travel to the place of an emergency of a technogenic nature on a mobile forensic laboratory. The mobile forensic laboratory must be equipped with forensic and biological compartments in which the detected fragments must be placed. Then, as samples for comparative research, they must be sent for DNA analysis and subsequently form a database of them [6].

In addition to the above, at the preparatory stage, if a decision is made to involve witnesses, it is advisable to involve them before going to the scene of an emergency of a technogenic nature. The selection of witnesses can be difficult, since the inspection of an emergency technogenic incident during the pre-trial investigation of man-made accidents or catastrophes, as a rule, is characterized by a significant duration of time, takes place in difficult conditions and is difficult in psychological terms.

Upon arrival at the place of inspection of a man-made accident, the investigator conducts a general review together with a specialist employee associated with a man-made object. Further, the investigator determines the limits of the inspection of a man-made accident and its method of conducting this investigative action. Interrogate eyewitnesses, with their contact details recorded. After determining the method of conducting an inspection of the incident, the investigator proceeds to it. For man-made accidents related to fires, explosions or the collapse of a structure, in most cases, the following methods are characteristic: the concentric method - with a gradual spiral movement from the periphery to the center of the source of increased danger of a man-made nature or vice versa. You can use a linear method of inspection and move along the lines

from one border, taken as the starting point, to another. Determine the cordon line of the man-made accident site, and the location of special vehicles for the removal of material evidence, remove all unauthorized persons not involved in the inspection. This action will not destroy the available trace information. Pay attention to the weather conditions if the inspection is carried out in an open area, since traces can be destroyed under the influence of natural objective factors in the form of precipitation: fog, rain, snow. To establish cooperation with bodies performing specific tasks at the site of an emergency man-made accident: Ministry of Emergency Situations of the Republic of Kazakhstan, Ministry of Internal Affairs of the Republic of Kazakhstan, National Security Committee of the Republic of Kazakhstan, Ministry of Health of the Republic of Kazakhstan and others.

It is recommended to inspect the site of an emergency of a technogenic nature in parallel with the members of the commission of the authorized body in the field of industrial safety, since the members of the commission are highly qualified specialists in various fields, know the rules of conduct at the scene, observe the order of static and dynamic inspection methods, they have established methods of performing a number of operations.

If the inspection is accompanied by disassembly of fragments in the form of remains of previously integral structures, then it is necessary to lay out their belonging and number them sequentially so that confusion does not occur in the future. The inspection should cover the entire area of a man-made accident, no site should be left unattended, and everything should be methodically subject to inspection. It is necessary to find out during the inspection information about: what sources of increased danger of a technogenic nature were at the facility: equipment, mechanisms, machines, substances. Potential physical evidence must be seized and properly packaged.

During the inspection of a man-made accident, one of the tasks is to fully document the detected objects and traces at the scene. The inspection is necessarily accompanied by drawing up a large-scale plan-scheme, video and photography in digital format.

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