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Editorial Words

Dear esteemed readers,

It is my great pleasure to welcome you to the latest edition of ASEJ, the academic journal that brings you the latest research in the fields of law, economics, logistics, finance, psychology, criminology, computer science, and security. This issue features a diverse range of articles from leading experts in these fields, showcasing their latest research and insights into current trends and challenges.

As we continue to face unprecedented challenges and rapidly evolving technological advancements, it is more important than ever to stay up-to-date with the latest research and trends in these fields. This issue of ASEJ offers valuable insights and perspectives that are essential for anyone seeking to stay at the forefront of their respective disciplines.

We would like to take this opportunity to express our sincere gratitude to the authors for their hard work and contributions to the advancement of knowledge. We would also like to acknowledge the invaluable support of the Bielsko-Biala School of Finance and Law for their continued commitment to publishing this journal, which serves as a platform for the exchange of the latest knowledge and insights.

Virtual reality (VR) technology has been advancing at a rapid pace, and with its growth come a range of challenges in various fields, including economics, law, security, and computer science. In the realm of economics, one challenge is determining how to integrate VR technology into existing business models. VR has the potential to revolutionize the way companies conduct business, but it also requires significant investment and infrastructure to do so. Additionally, there are concerns about how VR will impact the job market, as it could potentially eliminate the need for certain types of jobs while creating new ones in the VR industry.

In this issue, we also explore the growing significance of virtual reality in law, economics, finance, and security. As VR technology continues to evolve, it presents both opportunities and challenges in these fields. For example, in economics, VR has the potential to revolutionize the way businesses operate, but it also requires significant investment and infrastructure. In law, the use of VR raises important questions around data protection, privacy, and intellectual property rights. In finance, VR can be used to enhance customer experiences and provide new insights into investment opportunities. In security, VR presents new risks and challenges, such as ensuring the safety of users and protecting sensitive data from cyber threats.

We hope that this issue of ASEJ will prove insightful and informative for our readers, and we look forward to your feedback and contributions in future editions.

Sincerely,

Dr Muhammad Jammal
Editor of the ASEJ, Issue 4, Volume 26, 2022

Suicide by hanging - methodology of proceeding during the examination of the event

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Abstract— Suicide by hanging is a social phenomenon that is very often analyzed by police officers at the place of its disclosure. Activities carried out pursuant to Art. 308 of the Code of Criminal Procedure provide for an inspection of both the place where the corpse was discovered and the examination of the corpse. Both of these activities are classified as procedural activities and a protocol is drawn up for each of them. This article presents the activities carried out by a forensic technician at the scene of the event, aimed at a kind of reconstruction of the event by revealing traces and objects and their proper protection. The role performed by a forensic technician can definitely be considered necessary and his participation can be compared to the participation of a specialist because the conclusions drawn on the basis of his work should be considered key and often constitute the basis for further preparatory proceedings.

Keywords— suicide, hanging, organization of the examination, methodology of examination, hangman's noose, corpse, deceased.

I. INTRODUCTION

A forensics technician is an indispensable independent member of the investigation and investigation group carrying out the inspection of the event. „Inspection is a procedural act consisting in detailed observation, detection and securing of forensic traces of a place, person, thing or corpse, carried out by a human using the senses and with the use of technical means, in order to clarify the nature and circumstances of the event and to determine its perpetrator." (szkolapolicji.gov.pl)

The scope of activities of the forensic technician includes, among others: “ participation in forensic examination of the scene of events in order to reveal and secure forensic traces; preparation of technical documentation recording image and sound, such as: photographic documentation, recording in audio-video technology, plans and technical sketches for the purposes of proceedings and other law enforcement and justice authorities” (Regulations of the Discri Police Headquarters in Żywiec) Business activities carried out by a forensic technician

are dictated mainly by the place of disclosure of a criminal event and its nature. These can be not only buildings or buildings, but also an open area. In this case, the technician's work is faced with climatic conditions and the topography of the area. The events that may occur in the open space include: places of disclosure of crimes against property, revealed places of finding corpses, events in land, air and water traffic. In the aspect of this article, we will be interested in the aspects of the work of the inspection -investigative group during the inspection of the place of suicide by hanging, with particular emphasis on the work of a forensic technician as a specialist "If the inspection, interrogation with the use of technical devices enabling this activity to be carried out at a distance, experiment, expertise, detention items or a search requires technical activities, in particular such as taking measurements, calculations , photos, recording traces, specialists can be summoned to participate in them". .2021.0.534 i.e. - Act of June 6, 1997 - Code of Criminal Procedure)

The participation of a forensic technician in the activities of the inspection group in the public awareness and among some procedural authorities, despite having special knowledge in all areas of forensic technology, is underestimated, he is sometimes treated as a "photographer". This article is intended to present his work, role and tasks during the inspection, a suicidal corpse was revealed by hanging.

II. SUICIDE IN CRIMINALISTIC TERMS, TYPES OF SUICIDES DUE TO THE MANNER OF COMMITTING THE MOTIVES FOR COMMITTING SUICIDAL ACTS

Based on the forensic definition of suicidal behavior formulated by Hołyst, suicide should be understood as "a conscious action on one's own body or organs important for its functioning by means of external factors in order to exceed the limits of the body's physiological endurance or adaptability to changed conditions" (Hołyst, 2002; Flis- Swieczkowska 2022).



According to police statistics (www.statystykapolize.pl), the types of suicides are distinguished according to the modus operandi, and so:

- gas/exhaust poisoning,
- Poisoning with chemicals, including drugs, sleeping pills, psychotropic narcotics, legal highs,
- Damage to the circulatory system.
- Jumping from a height
- drownings
- Hanging
- Throwing yourself under the means of transport
- Shooting myself
- Suffocation
- Self-immolation.

According to the same statistics, the reasons for committing suicide are:

- Mental illness/nervous breakdown
- Physical illness
- HIV carrier
- Permanent disability
- Family disagreements/violence
- Mobbing / cybermobbing / bullying
- Conflict with people from outside the family
- heartbreak
- Problems at school or work
- Sudden loss of livelihood
- Bad economic conditions
- Commitment of a crime or offence
- Unwanted pregnancy
- Death of a loved one
- Threat or loss of residence
- Deterioration or sudden loss of health
- Others not listed
- Reason undetermined

While in this study we will be interested in suicide by hanging, the reason for committing suicide is important to us because it is a kind of motive for the act, and according to the methodology, the motive is an important and even indispensable element of the perpetrator's actions. When examining the circumstances of the event, one of the basic tasks is to determine the motive for the action, reasoning based on the stimulus justifies or negates the premises for the legal qualification of the act.

In the years 2017-2020 according to of the previously cited sources in Poland, the following were committed:

The motive for choosing this method of taking one's own life may be: ease of obtaining a suicide tool, silence during the commission of the act, ease of access to the place of committing the act, wrong idea about the speed of death, painlessness of death, spectacularity.

III. INFORMATION ABOUT THE DISCLOSURE OF THE PLACE OF THE SUICIDE ACT, PREPARATION FOR THE INSPECTION

If the content of Art. 207§1 of the Code of Criminal Procedure says about the optional inspection "If necessary, a place, person or thing is inspected" (Article 207§1 of the Code

of Criminal Procedure - Legal status as of: January 22, 2022 - Journal of Laws 2021.0.534 , i.e. - Act of June 6, 1997 - Code of Criminal Procedure) is already an article of art. 209. § 1 makes it obligatory to carry out an inspection if: "there is a suspicion of criminally causing death, an inspection and opening of the corpse is carried out" (ibidem).

"The basic principle is that the performance of procedural activities is possible only after the decision to initiate preparatory proceedings has been issued, however, within the limits necessary to secure traces and evidence of a crime, an inspection may be carried out even before the initiation of preparatory proceedings pursuant to Art. 308 § 1 of the Code of Criminal Procedure under the so-called necessary activities (Kozmiński, Miś, Szplit - 2015)

Reference to the provisions of Art. 308§1 of the Code of Criminal Procedure emphasizes the need for urgent actions to apply the principle of prompt action, which states that the inspection of the scene of the incident should be carried out immediately after reporting the incident. Such a delay often causes irreversible consequences in the form of destruction or obliteration of traces of the crime.

However, in order for the aforementioned principle to be applied, it is necessary to collect all necessary information about the notifying party, sources of information, the event itself, as well as the terrain and weather conditions prevailing at the site of the event. In practice, such information is obtained: from the person informing about the discovery of the corpse, in the form of a proper interview conducted by a police officer, from social communicators, weather stations - electronic, GPS stations, services cooperating with the Police and confirmed by officers making preliminary findings. Obtaining the above information initially allows for the appropriate personnel and logistics organization, starting from the selection of appropriate clothing, inspection tools, means of transport, providing support from other services, to determining and gathering the inspection group, which most often includes: depends on the type of forensics technician acting as a specialist. The rules of investigative activities are defined in detail in Guidelines No. 3 of the Police Commander-in-Chief of August 30, 2017 on the performance of certain investigative and investigative activities by police officers (Official Journal of the Police Headquarters.

The equipment necessary to carry out these activities is usually an individual forensic kit that is equipped with each forensic technician. For example, in a mountainous area that is difficult to access, having comprehensive information from the scene of the incident, the technician can limit himself to the necessary equipment, not taking full versions of the equipment with him, but only an inspection backpack with basic tools.

IV. THE COURSE OF THE EXAMINATION - THE FEATURES OF DEATH BY HANGING, THE METHODOLOGY OF ACTIVITIES AT THE SCENE, THE ROLE AND TASKS OF THE FORENSIC TECHNICIAN

The statutory duty of the police is to protect the life and health of people and property against unlawful attacks affecting these goods; detecting crimes and offenses and prosecuting

their perpetrators; (Act of 6 April 1990 on the Police. 1990 No. 30 item 179)

In accordance with this obligation and the above-mentioned provisions of the Code of Criminal Procedure, the Police inspect the scene of the incident in order to:

- Determining the causes of the event
- Incident notification verification
- Answer the seven golden questions of forensic science: "What?, Where?, When?, How?, What?, Why?, Who?,"

These activities are particularly relevant to law enforcement in the event of a violent death." Violent death is a result of trauma, lethal events that do not occur in the case of natural death or death as a result of disease. Such a fatal descent should be classified into one of the three possible groups (created as a result of isolating the probable cause) - an accident, descent as a result of a suicide attempt, and death inflicted by another person (Jakliński et al. 1972).

The role of a forensic technician in practice is to investigate the event in terms of revealing and securing traces of objective truth. Due to the possessed theoretical and practical knowledge, inter alia, in forensic medicine, and due to the frequent lack of a "forensic" doctor, the specialist is obliged to conduct a detailed examination of the corpse, in addition to carrying out the technical part of the site inspection.

After examining the condition of the external security of the property, examining and selecting possible traces, he proceeds to examine the security of the building - windows, entrance doors, paying attention to the features that may indicate forced entry to the premises. Next, he examines subsequent rooms looking for traces of third-party activity, and only then proceeds to examine the corpse.

A different situation is when the event takes place in the open air, in a forest complex, or in an open area. Then, after penetrating the area, they mark the area for close inspection, usually a 25x25 meter square with the location of the corpse as the epicenter.

The scheme and method of detailed inspection of the area or rooms are decided by the technician independently, depending on the conditions prevailing on site.

"Inspection schemes concern the way of moving and performing individual technical and forensic activities in the area subject to inspection. Two schemes are most often used - centripetal (leading from the entrance to the center of the area by recreating the path of the perpetrators and centrifugal (initiated from the central point, e.g., the place of discovery of the corpse, to the exit, covering the entire area along the way). In the case of inspection sites covering a large area and requiring the inspection to be conducted by an extended inspection team, other schemes are used, e.g., with a division into sectors and a cross way of moving." (Kozminski, Miś, Szplit 2015).

"The objective method consists in a detailed, systematic and gradual examination of all elements of the scene, regardless of their presumed connection with the event. The subjective method consists in directing the inspection activities only to those elements of the scene of the event, which are obvious and visible in connection with the event under investigation

(Kozminski, Miś, Szplit 2015)

It is a good practice to make a preliminary photographic documentation of the existing situation.

In accordance with the principle of documenting the activities, the technician cooperates with the teacher and the recording clerk in defining and providing specialist nomenclature. The central object of the action is the corpse. In the case of a suicidal corpse by hanging, there are three situations: when the corpse hangs, when the corpse is cut off when resuscitation was performed on the corpse

In the case of hanging corpses, the first task of the technician is to take an illustrative and detailed photograph. The detailed photograph includes detailed documentation of the course of the hangman's loop, the hangman's knot, and the method of attaching the rope.

In two other cases, the activity that the specialist must absolutely ensure is a record in the inspection report of the corpse at the place where it was found, so that there is a record of cutting the corpse, resuscitation, moving and laying the corpse.

Examination of the corpse consists not only in the diagnosis of the corpse itself, but also in examining the clothes lying on the body. Clothing and objects are analyzed for unnaturalness of clothing, abrasions and abrasions on the upper part of shoes, socks, trousers. In addition, all kinds of interruptions in the fabric structure are examined, traces of biological substances are revealed and secured. When examining items found with the corpse, we pay special attention to notes and documents. Handwritten notes can be a suicide note in which the suicide explains the reasons for the act. A handwritten farewell letter can be a verification material, for example, when determining the investigative version of the event. The documents revealed with the corpse serve mainly as the basis for identification activities.

Plotting parameters and examining early and late signs of death allows for the initial determination of the time and causes of death, revealed injuries or features characteristic of a given type of event - hanging, carbon monoxide poisoning, and interruption of the circulatory system allow you to draw up and select and authenticate forensic versions. In activities with corpses from suicide death by hanging, the most important factor is the identity of the features of the "hangman's noose" with the features of the hangman's groove. In this check, the course and length are measured, the furrow width is determined and the characteristics of the "cord" are defined. Particularly individual characteristics such as fiber twist, weave characteristics, width, furrows must correspond to the characteristics of the material forming the loop. Another important research feature is the rain stains, their arrangement and saturation. Rain stains are formed when the circulation stops and the blood, under the influence of gravity, moves to the venous capillaries in the lowest parts of the body. The first spots (neck and auricles) appear after about 30 minutes, after about 2-4 hours the spots are fully developed, but they fade under the influence of pressure and are displaceable. wum.edu.pl) Rain stains, in accordance with the principle of gravity, in the case of hangman corpses should form the so-

called "gloves" and "dead socks", "fall stains" on the corpse.

In people hanged in the "vertical" position, they take on the characteristic appearance of "gloves" and "socks", which is the result of blood flowing to the lowest parts of the body. The position of the corpse must correspond to the location of the rain spots. Thus, when they are found in other parts of the body, e.g., the back, they may suggest moving the body after death and subsequent hanging" (Gawliński-2015).

V. VERIFICATION ACTIVITIES – INFERENCE

One of the basic inspection rules is the principle that all doubts arising during the inspection must be rigorously clarified. A corpse is not released for burial if any factor gives rise to suspicion of a criminal act. Releasing a corpse to the family despite raising doubts and not ordering an autopsy meets the criteria of an act specified in Art. 231. § 1. "A public official who, by exceeding his powers or failing to fulfil his duties, acts to the detriment of the public or private interest, is subject to the penalty of deprivation of liberty for up to 3 years." (Article 231§1 of the Penal Code - Legal status as at: January 22, 2022 - Journal of Laws 1997 No. 88 item 553 Act of June 6, 1997 - Penal Code). This provision obliges the person conducting the inspection to perform an initial and in the longer term, however, in the necessary time, full verification of traces and evidence related to the event in question.

An initial positive-confirmation-verification of the investigative version can be done on the spot according to the uncodified but often used sentence "When you reject the impossible, everything else, however improbable, must be true." An example of a credibility test may be the act of verifying the identity of a corpse by presenting it to the nearest person. In this examination, special attention should be paid to respecting the corpse and the mental state of the person to whom we present the corpse. Such an activity should be preceded by an introductory conversation, choosing a person with high mental strength, if possible, observing them during the presentation, asking questions that exclude confabulation. As part of the check, a simple mechanoscopy test for the effects of gravity and friction can be performed. The secondary research is the study of the document - the farewell letter in terms of language and construction.

Properly conducted activities during the inspection of the place of suicide by hanging, as already mentioned, should answer the 7 golden questions of forensic science and verify the information provided by the notifier. The beginning of the above course is the determination of the investigative version. The forensic version is the result of thought processes in the form of a guess, which is an alternative attempt to explain an event, its cause, circumstances and course. (Hanausek 2005) Rejecting the impossible, the others are accepted as true. One of the impossible things is the traceless violation of the integrity of the building's structural elements and mechanical protection by third parties. Therefore, if there are no traces of unauthorized

entry to the building, no external traseological traces, no traces of looting, no traces of a fight, it is difficult to talk about the forceful action of third parties against the deceased. Investigative versions built on the statements of third parties have a lot of flaws, both on the part of the speaker and also on the part of the listener. Often, those who explain their observations impose the course of the statement, the lack of correction of the statement, lack of verification, for example, of the visual abilities of an elderly person is a basic mistake of the person conducting the inquiry. The inquiry supported by the collected material evidence can be the foundation of the correct and real version of the event.

The developed and verified investigative version must exclude and give one hundred percent certainty that the apparent suicide death is not caused by the actions of third parties.

VI. CONCLUSION

The extensiveness of the issue did not allow to include all aspects of the examination of the place where the suicide corpse was found by hanging. Technical and procedural activities such as the methodology of technical preparation of photographic documentation, its correlation with the inspection report of the place where the corpse was found, the technical protection of forensic traces, and the preparation of sketches were omitted. The focus was on the outline of activities performed at the site of the inspection. at the same time pointing to several important unconditional actions. In conclusion, it can be said that regardless of the equipment owned, various non-process conditions, the most important tool is the knowledge, experience and common sense thinking of the members of the inspection groups.

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