

# CRIMINAL LAW, CRIMINAL PROCEDURE, CRIMINALISTICS

UDC 342.1

## HISTORICAL ASPECTS OF CRIMINOLOGY IN UKRAINE

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*This article attempts to analyze the historical formation and development of criminology in Ukraine.*

***Criminalistics, methods, techniques, technological equipment, examination, identification.***

In recent years, Ukraine has undergone historical, political and economic change. With the revival of independent Ukraine and the formation of new social and economic relations, the reform of public institutions of legislative, executive and judiciary, problems arise in establishing a legal basis of the rule of law and improving enforcement activities to secure the protection of constitutional rights and legal interests of citizens, society and the state from criminal offenses.

Among jurisprudence that need to develop and create the legal framework to strengthen the rule of law and improving enforcement and advocacy not least the criminalistics – special jurisprudence that equips law enforcement with effective methods and means of detection and investigation of criminal offenses and promotes the principle of inevitability of punishment, objective use of the criminal law and prevent exposure.

Origin and development of criminology is associated with the social order of the state and society science, as in the emergence of professional and organized crime have to develop new tools and methods for investigating and solving crimes. [1, p. 16].

The origin and design of criminology as a special legal science was preceded by long and persistent search for ways to use in the fight against crime information science, victories and defeats, mistakes and achievements of researchers in the field of criminology and forensics.

Since the second half of the nineteenth century, due to the rapid development of science and technology, famous foreign scientists develop and apply new tools and methods in criminology and forensics.

For the first time the idea of criminology as a system expertise was unveiled by Austrian investigator Hans Gross in the fundamental work «Handbook criminology» (1893), what is actually put at the service of crime all the achievements of science and technology of its time.

In his next work «Table book for the investigator» G. Gross summarized all the scientific methods of examination of firearms that were known at the end of the nineteenth century. There was a section dedicated to firearm. Gross recommended that investigators acquire the necessary knowledge of firearms. However, the Gross confined himself more or less accurate description of his well-known types of weapons, abilities of investigation of their barrels using the «screen» of the white paper, the definition of the direction of the shot, the quality and strength of the dust, and emphasized the need for careful handling of each detected weapons to save its tracks [2, p. 384–385]

Among researchers around the world who have made a significant contribution to the development of scientific bases of criminology as a talented experts we can mention A. Bertilyona, W. Herschel, H. Fulusa, F. Galton, R. Reysa who discovered different ways to identify the person: measurement and pictures of criminals (Bertillon system), fingerprinting (later became the only means of identifying the police) and others.

Completely forgotten the name of Juan Vuchetycha, police officers in Argentine province of Buenos Aires, who managed to invent the world's first usable fingerprint registration system and its application in practice. His inventions highlighted by the books «Fingerprinting» (1894) and «System of identification». [2, p. 61].

In the U.S., the introduction of means and methods of criminology and forensics is developed hampered by police, lack of centralized (federal) system that had unparalleled throughout the civilized world. The country operated community management, whereby police leaders locally elected on universal elections which were held not to meet the needs of cities and population, and based on the interests of the two political parties.

Only this can explain that the idea of American criminology in the world shaped not police work and activities of private detectives, including a prominent place occupied Allama Pinkerton. In the mid-nineteenth century, he founded a national detective agency of his name, emblem of which was wide open eye image and the slogan «We never sleep».

A. Pinkerton and its employees, as a businessman, but unlike the police, not corrupted and dedicated to work perfectly possessed weapons

were connoisseur psychology masters of transformation and so on. [2, p. 93–95]

Considering the stages of development of forensic medicine, not to mention forensic.

A. Lakassan developed questions about corpse spots, cooling company, determining human growth on certain parts of the skeleton, etc., as reflected in «Essays on forensic medicine» (1878).

P. Ulenhutu the discoverer of the method of diagnosis of human blood, which was a landmark in the history of forensic medicine.

B. Spylsbern, star of English forensic science, excelled in pathological and histological studies.

Forensic chemists P. Yezerih, R. Kokel, M. Orfilo (in passed called King toxicology) are prominent experts in the field of forensic toxicology. They have developed methods for determining the presence of chemical in the poisoned body and later spectral and structural analysis of crystals and melting point, chromatography.

Further development of forensic ballistics acquired in studies of R. Kokelya, Baltazera, Ch. Uayt (developed heliometer – a device for the study of the bore) and others.

In the U.S., was designed and developed by F. Kravellom comparative microscope (1925), which allowed time to consider and compare the two balls after repeated increasing and which are in the 30s of the last century is widely spread and used in Europe [2, p. 400–403].

We can not achieve in silence domestic scientists. Back in the days of empire contribution to the development of criminology made V. Molchanov and N. Skonin (X-ray, spectroscopic, chemical and biological analysis of gunshot wound channels), I. Burynskiy (founder of forensic photography), tasting room, Mendeleev (research documents chemical methods), Yu. Frytst, I. Zinin, Yu. Trapp and others [3].

Species determination of blood was made in 1889 by Russian scientist F. Chystovych, finding that whey obtained in rabbits which was injected horse blood, caused precipitation of the so-called (sediment loss) in solutions of protein species, whose blood was injected to them [4, p. 42].

In the Soviet period, a significant contribution to criminology made R. Byelkin, M. Bronnikova, V. Kolmakov, Yu. Sapozhnikov and others.

At the time of independence, the emergence, development and implementation in practice of forensic investigative knowledge in Ukraine directly related to the scientific and practical activity of the department of criminology National Law Academy of Yaroslav the Wise of Kiev and

Odessa universities, research institutes of forensic examination of the Ministry of Justice of Ukraine, Kiev, Kharkov, Odessa, Lviv, Donetsk, which have their branches in Simferopol, Sevastopol, Odessa, Poltava, Cherkasy and Ternopil, Luhansk, Mykolaiv, Chernigov, Vinnitsa.

Scientists who headed the department of criminology (in Kiev – S.I.Tyhenko in Kharkiv – M.M.Hrodzynskyy, V.P.Kolmakov) produced a galaxy of young professionals, who now constitute a new school of Ukrainian criminologists – are L. Yu.Arotsker, V.H.Honcharenko, O.N.Kolesnychenko, V.S.Konovalova, V.K.Lysychenko, H.A.Matusovskyy, M.V.Saltevskyy, M.Ya.Sehay and others.

In addition to expert agencies of the Ministry of Justice of Ukraine operates a system of expert forensic departments of the Interior and the Security Service of Ukraine [5].

Expert organizations and forensic units perform different types of expert studies on the treatment side of the criminal proceedings or on behalf of the investigating judge or court to determine if the circumstances relevant to the criminal proceedings require special knowledge:

1) All kinds of forensic: handwriting, authorknown, forensic trasological, ballistic, identification on the grounds of appearance, photo-technical, technical and forensic examination of documents, examination of knives;

2) economic planning;

3) merchandising;

4) technical (fire-technical, Auto and Technik, construction);

5) technology;

6) examination of materials, substances and products, including drugs, metals and alloys, paints and varnishes, fuels and lubricants, fibers, glass, ceramics, plastics and polymers;

7) pharmaceutical and pharmacological;

8) food;

9) soil science and forensic biological – only to vegetation (leaves, stems, bark, fruits, seeds) and synthetic origin, animal origin (feathers, fur, scales), by-products of plant and animal materials (fur, leather , cloth), waste products (honey, resin). [6, Articles 242, 243]

Recently, the theory of forensic science and investigative practices, new types of forensic examination:

1) forensic speakers ( phonetic, electro);

2) odorological;

3) examination of computer hardware and software.

These types of forensic examination still in its infancy and procedural regulations.

In the above institutions and forensic departments conducted intensive research and scientific and methodical work, their staff offered a number of new techniques, and expert methods.

In addition to research and scientific and technical staff of expert forensic departments of the Interior and the Security Service of Ukraine carry out various types of expertise and research involved in conducting investigations in a professional and leading education and training of the personnel departments and agencies.

Now criminology – a clearly defined legal science, although the initial stage of its formation and the mid-twentieth century, it has consistently considered technical, natural and technical sciences, which is part of the criminal process. In fact, criminalistics is originated and evolved into an independent science from the depths of the criminal process, like forensic medicine, forensic psychiatry, forensic psychology, and many other industries that are involved in solving crime control.

Thus, based on the foregoing, criminology – a jurisprudence of the objective pattern of criminal activity mechanism, and display information about it and its participants, the use of forensic techniques, methods and techniques of investigation and detection of crimes, which studies ways of committing crimes, forensic investigating the practice of investigation and crime detection, advanced engineering natural sciences as well as patterns of collecting, research, evaluation and use of evidence for the purpose of investigation, detection and prevention of crime [1, p. 23].

#### **References:**

1. Маркусь В.О. Криміналістика [Текст] : навч. посіб. / В.О. Маркусь. – К. : Кондор, 2007. – 558 с.
2. Торвальд Ю. Сто лет криминалистики [Текст] / Ю. Торвальд. – М. : Прогресс, 1975. – 439 с.
3. Дулов А.В. Об истории криминалистической экспертизы в России [Текст] : моногр. / А.В. Дулов, И.Ф. Крылов. – М. : Госюриздат, 1960. – 148 с.
4. Бронникова М.А. Судебно-медицинское исследование вещественных доказательств [Текст] / М.А. Бронникова. – М., 1960.
5. Салтевський М.В. Криміналістика [Текст] : підр. / М.В. Салтевський. – Х. : Консул, 1999.

6. Кримінальний процесуальний кодекс України [Текст] : Науково-практичний коментар / за заг. ред. В.Г. Гончаренка, В.Т. Нора. – К. : Юстініан, 2012. – 1328 с.