

FORENSIC VICTIMOLOGY: A SHORT NARRATIVE

Forensic victimology is an applied discipline as opposed to a theoretical one. The forensic victimologist seeks to examine, consider, and interpret particular victim evidence in a scientific fashion in order to answer investigative and forensic (i.e., legal) questions. The unimpeachable philosophy of forensic victimology is that victim facts are preferable to victim fictions; that victim evidence must be gathered and examined in a consistent, thorough, and objective fashion as with any other form of evidence; and that interpretations of any victim evidence must comport with the tenets of the scientific method. The guiding principle for studying victims in investigative and forensic contexts is this: a comprehensive understanding of victims and their circumstances will allow for an accurate interpretation of the facts of a case, which will lead us to an accurate interpretation of the nature of their harm or loss, and subsequently tell us about the offender. The less we know about the victim, the less we know about the crime and the criminal. Consequently, the way we collect and develop victim evidence is just as important as our eventual interpretations: they must not be weak, narrow, or based on unproved assumptions.

Developing a clear and factually complete victim history as part of a thorough case examination is universally understood as best practice for just about any of the helping professions, as it provides a baseline against which to compare current circumstances, behavior, illness, or injury. For example, medical and mental health specialists of every kind accept that what presents in a given case is a reflection of, and can be affected by, past events. Moreover, they are mindful that any diagnosis or treatment must take into account the changes brought about by past treatment efforts. In addition, both medical and mental health professionals are trained to recognize behavioral indicators of those presenting false symptoms (e.g., drug-seeking behavior and malingering). Consequently, the failure of medical and mental health practitioners to take an adequate history prior to diagnosis and treatment is generally considered an unacceptable practice. The importance of gathering victim background information is understood within the forensic professions as well. For example, American medical examiners, coroners, and their respective death investigators understand this, as reflected in the National Institute of Justice (NIJ) manual, *Death Investigation: A Guide for the Scene Investigator* (1999, p. 39): Establishing a decedent profile includes documenting a discovery history and circumstances surrounding the discovery. The basic profile will dictate subsequent levels of investigation, jurisdiction, and authority. The focus (breadth/depth) of further investigation is dependent on this information. Sex crime investigators understand this

as well, as reflected in the importance of gathering information related to the complainant's criminal, medical, and mental health background prior to conducting formal interviews. This is because sex crimes investigators are solely responsible for investigating and determining the veracity of the complaints they receive. Without victim history, they have no context for investigating allegations of sex crimes and the forensic evidence (or lack thereof) that presents. Victim history is also a required component of sexual assault examinations, performed by medical specialists as part of their dual treatment and evidence-gathering mission. As Jamerson explained, "history information is necessary to competently inform and prioritize the physical examination. ... Each patient is unique; any treatment and forensic efforts should be individually crafted to his or her particular condition and history". Medical history is a significant component of the evaluation in the context of any suspected sexual assault, child molestation, or domestic assault. It provides a baseline of information for the examiner so that recent trauma and injury can be discriminated from past conditions and events. Therefore, it must cover all body systems. In this way, the examiner can identify any acute or chronic problems, as well as any history of past injury or surgeries. It also informs the nature, extent, and sequence of the forensic medical exam. A failure to document and report medical background information prevents informed medical treatment and leaves the forensic examiner without the proper context for accurate interpretations. Ultimately, conducting an accurate forensic medical examination in the absence of a patient medical history is not possible. This also specifically includes "recent consensual sexual activity," "post-assault activities," "history of drug abuse," history of mental health and behavioral problems, and history of STDs—all of which can be instrumental in determining whether sexual activity occurred, the type of sexual activity, the parties involved, and the reliability of the account provided. The forensic necessity for this extensive history-gathering effort is especially affirmed in the U.S., particularly by the National Institute of Justice guidelines, A National Protocol for Sexual Assault Medical Forensic Examinations which provides that informed sexual assault examinations require a complete victim history: "ask patients to provide a medical forensic history after initial medical care for acute problems and before the examination and evidence collection". This history, obtained by asking patients detailed forensic and medical questions related to the assault, is intended to guide the exam, evidence collection, and crime lab analysis of findings. Inherent in the scientific method and the professional guidelines mentioned is the understanding that evidence observed in relation to an alleged victim or crime scene may not be the result of the criminal activity being reported. Such evidence may in fact be the result of some previous and unrelated activity or event. In fact, sex crime investigators and forensic examiners will not necessarily know what features of complainant or victim history are relevant to a forensic assessment until well after they have begun their work. Because it not always possible to know which factors of victim

history are going to be relevant, professional guidelines, as well as the scientific method, require that a broad net be cast at the outset of every case. In one case the primary issue may become a question of toxicology (e.g., how many drinks and how intoxicated was the reporting party). In another it may be a question of where an alleged murder occurred (e.g., which room did the victim normally occupy, where is it in relation to location where the body was found, and could they physically occupy that space). In yet another there may be a question of sexual habits or preferences (e.g., were they virgin, did they engage in sadomasochistic activity resulting in frequent bodily injury of a sexual nature, did they often have more than one sexual partner on they day of the alleged sexual assault). All of these issues and related details have been a deciding factor in criminal cases. Each victim is different, each case is different, and therefore less victim history is not better.

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THE SCRAP METAL INDUSTRY: ECONOMIC LAW ASPECT

Scrap metal is a valuable raw material. Recycling scrap metal helps to save such resources as ore and coal, as well as to reduce noxious emissions entering the atmosphere. Recently much attention has been paid to the ecological aspect of scrap recycling, particularly to automotive scrap recycling, slag recycling as well as recycling of other metallurgical waste and waste from metal processing.

Scrap metal is often the bulkiest and heaviest material collected at municipal transfer/recycling facilities. Starting a scrap metal recycling program cannot only help save thousands of dollars in avoided disposal costs, but will conserve limited landfill and incinerator space. It also conserves natural resources by replacing the need for virgin raw materials with recycled scrap metal to produce new metal goods.

The scrap metal industry is part of the broader recycling industry that involves the collection, separation and processing of materials for manufacture into raw materials or new products.

The demand for scrap metal is a derived demand – based on the demand for steel because scrap metal is an input to steel production. Steel demand in turn is based on demand by construction, manufacturing and other industrial sectors. Hence prices for scrap metal are a function of prices for steel.

Scrap metal collection is generally a secondary economic activity undertaken by rural villagers. It is most common in the dry season and usually supplements wet season agriculture, herding and other activities. It generates cash income that can be used for immediate purchases or invested in