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FORENSIC AND MEDICAL EVALUATION OF CAPABILITY TO PURPOSE ACTION AFTER DAMAGE OF DIFFERENT CHARACTER

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Introduction. The question of the possibility of movement and the performance of targeted actions after causing damage before death, is often put before forensic experts by law enforcement agencies during forensic medical examinations. The solution of this issue is necessary in order for the investigation to determine whether the victim could have injured himself or herself after the injury, at the crime scene or elsewhere.

Materials and methods. A retrospective study was conducted and 20 archival reports of the forensic medical expert for 2013-2017 were analyzed. The selection criteria was the presence in the decision on the appointment of a forensic medical examination, the question of law enforcement agencies about the ability of the victim to commit active acts after injury. During the examinations, the experts established the following groups of injuries: craniocerebral trauma in 52.5% of observations, skeletal bone fractures in 10.4% of observations, traumatic shock in 17.9% of observations, other types of damage in 19.2% of cases. After the analysis, the circumstances of obtaining injuries to the injured, the mechanism, dynamics and sequence of infliction of injuries, forensic medical expert criteria are established.

Results. The probability of targeted actions by the victims was established by forensic experts in 65.3% of cases, excluded - in 20.5% of cases, clearly not established - in 14.2% of cases. The practical application of the criteria used by the forensic expert in formulating the conclusions is not scientifically justified. Difficulties in drawing conclusions from forensic experts are due to the inadequacy of medical data (violation of the integrity and function of the main organs and systems, a meager description of the algorithm and mechanism of injury and the nature of the bodily injuries).

Conclusion. Based on the materials of forensic experts, the following conclusions were drawn:

- 1) The question of the possibility of committing active actions after receiving injuries for law enforcement agencies is important for establishing the truth in the course of the pre-trial and judicial investigation.
- 2) When solving this issue, experts rely mainly on the nature of the damage and their severity. Based on these data, it is possible to commit various injuries to the injured himself or someone else.
- 3) It is necessary to continue research in this direction to improve the quality of forensic diagnostics for an objective resolution of the issue of the possibility of performing active operations after causing bodily harm.