Expert witness in preparatory proceedings and his/her role in the investigation based on an example of a manslaughter case from 26 years ago

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Summary

The article is a case study of a manslaughter case that remained unsolved for over 26 years. In its content the role of forensic experts is emphasised as well as their significant impact on the effectiveness of conducting the preparatory proceedings under discussion. A closer look at the investigation shows that the detection process in the present case was mainly based on DNA profiling. The cooperation of police officers focusing on intelligence work and those who deal with investigative activities, the exchange of knowledge and experiences, as well as the ability to impartially once more look into the previously recovered traces and evidence was not without significance.

Key words: unsolved murder, traces, forensic expert, DNA profiling, preparatory proceedings

Every criminal act can be compared to a phenomenon that has its own genesis, may be more or less specifically defined, and the detection of which occurs in several phases. The circumstances of an incident may be predictable but sometimes they astonish the investigators and make a riddle that remains unsolved for years. In case of crimes of a significant gravity such inability to establish the exact circumstances that accompanied their committing is not only a failure of the law enforcement and the judiciary, but also offends the public faith in truth and justice. Determining how a given crime occurred, what the accompanying circumstances were and the mental processes experienced by both the aggrieved persons (victims) and the perpetrators, and therefore getting to know the motive, course and exact effect of the crime is a challenge for the law enforcement and the justice system including the policemen/ women who are involved in the criminal proceedings on the one hand and intelligence activities on the other. It is also a task for all those people and services whose work is of great importance for the process of investigation, as well as for the entire evidence proceedings. In the course of criminal proceedings, a kind of a reconstruction of an incident is carried out, certain behaviours are recreated, the factual situation and all circumstances that accompanied the committing of the crime in question are established. It will be demonstrated further that it is possible thanks to, among others, the appointed forensic experts. The main message of this article has also a slightly different context. The focus was on demonstrating the important role of experts in the course of the preparatory proceedings, which is illustrated by the specific activities conducted in a manslaughter case from several years ago. On this occasion a number of forensic opinions elaborated in the case were presented and it was made clear that DNA profiling played an essential role in establishing the suspect and leading to his confessing to the crime. That demonstrates DNA analysis now makes it possible to make an individual identification of a person from whom a biological stain comes. It has become evident that the progress in forensic technology and the development of new analytical methods makes detection of crime more effective. In some instances, like in the one discussed here progress in these investigations is a condition *sine qua non* of identifying the perpetrator. It ought to be emphasised that the solution that was not possible almost three decades ago now allows far-reaching findings in terms of the investigation and evidence, which are usually achieved by specialised police units referred to as the "X Files" (Polish: "Archiwum X").

This article is based on the analysis of the files from the preparatory proceedings in a homicide case from 1994. According to Apanowicz (2002), the method consisting in analysis is applied in the entire research process. It is especially useful in the study of the literature and files of the main preparatory proceedings, as indicated by Cieślarczyk (2003) and Pytkowski (1981). The present analysis of the files allows to describe the actual criminal case being the object of discussion in the present case study.

Due to the purpose of this article, the issues embedded in the theory of procedural criminal law and which refer to the classification of evidence, the definitions of forensic expert and forensic identification have been excluded. At this point, reference ought to be made to the criminal trial literature, since it provides an indication that binding findings during the course

of a trial are achieved basing on evidence; that has been emphasised by, among others, Wiliński (2020), Waltoś (2005) and Grzegorczyk and Tylman (2009). The classifications of the evidence are shown in Wiliński (2020), Daszkiewicz (2001) and Waltoś (2005). An exhaustive system has been built by Kmiecik et al. (2005) and Grzeszczyk (2005).

The importance of forensic opinions in contemporary criminal proceedings is unquestionable. In practice, they often constitute the basic material allowing for the findings by law enforcement and judicial authorities, and the contribution of experts both in the ongoing preparatory proceedings and in the entire criminal proceedings has become a kind of a standard.

Modern criminal proceedings have been becoming more and more complicated as a result of the rapid progress of civilisation and deepening specialisation in science. This entails the need for more frequent use of highly qualified expert witnesses by the judicial authorities.

Newer and more effective methods of identification examinations are being developed with the aim of establishing the identity of an individual who has specific individual characteristics. One of the areas widely used in the 20th century in that aspect was forensic DNA profiling. It perfectly fitted into the investigative practice, and the identification of persons associated with a criminal act on the basis of a DNA profile has become a standard in the proceedings. According to Włodarczyk (2018) it is widely known that the probative value of the biological traces comprising DNA left by the perpetrator is currently the most valuable evidence for the court adjudicating in the case.

DNA analysis is of great value due to the outcome of its use: the possibility of making the, so-called, individual identification. As Hanausek (2009) points out, DNA profiling enables individual identification – it points to one and only specimen in the world. Czeczot and Tomaszewski (1999) emphasise that a forensic identification is assumed to result from an analytical process, the outcome of which is the expert's declaration of consistency or lack thereof with regard to persons, objects and traces. Below, I describe in detail how forensic DNA examination has fitted into the investigative activities in preparatory proceedings carried out in the presented case.

Case study: pointing to the role of forensic experts basing on analysis of preparatory proceedings file in a manslaughter case

The files of the case in question were subject to a renewed analysis initiated, more than twenty years after the manslaughter, by the officers of the "X-Files" – a team within the structure of the Investigation Department in Poznań Voivodeship Police Headquarters. The "X-Files" team deals with cases where the perpetrator has not been detected; these are matters of considerable importance. It should be pointed out that the case study concerns the murder of a woman.

The choice of the case to be presented was determined primarily by the significant seriousness of the crime, i.e. manslaughter the preparatory proceedings pertained to. "The life of every human being, regardless of age, health, level of knowledge, culture, family status and real social usefulness is the supreme value and is subject to equal legal protection" (Case law of the Criminal and Military Chamber of the Supreme Court – OSNKW 1989, vol. 5–6, item 42). The fact that the crime of manslaughter remained unsolved particularly harms the public's sense of justice, and the fact that such an act had been undetected for almost three decades certainly exacerbates this condition. Because, eventually, the detection process was concluded with a success, it is worth emphasising the positive result, among other things, by presenting the specific preparatory procedure as in this article.

Discussing the specific preparatory proceedings serves to demonstrate that in the presented manslaughter case forensic expert opinions in the field of DNA analysis significantly contributed to the detection of the perpetrator of the crime. It is worth paying attention to the fact that the development of this field of science in recent decades has provided new detection possibilities in cases where the perpetrator has not yet been identified. Progress in forensic research and the development of new analytical methods have made the detection work more effective and fruitful, and the specific investigation discussed below is a perfect example of that.

Facts of the case

In April 1994, a body of a young woman who had been reported missing on the previous day was discovered in the forest area. The body was revealed lying face down with the arms folded over the head, partially without clothes. There were numerous injuries on the deceased's face and traces of choking on her neck. Due to the justified suspicion that a crime had been committed, an investigation was initiated in the case.

The autopsy indicated that the direct cause of death had been choking with sand and leaves that had fallen into the trachea while the victim had been dragged deeper into the forest. The deceased's trouser belt and the top rim of her tights were cut through. According to the description in the scene examination report, the woman's body had been dragged for several meters and abandoned. The head of the victim was covered with a jacket that had been pulled out over it. During the autopsy, no sperm was revealed either on the body or in the victim's body, which, however, did not rule out the sexual motive of the murder.

The evidence items recovered in the case included the victim's clothing, nail clippings, a cosmetic packaging, an alcohol bottle, work gloves, a piece of string, cigarette ends, candy wrappers, a deodorant and a stone.

The pursuit of finding the perpetrator in the course of the proceedings in question required many activities and findings, which were mostly based on the work of experts from various specialties, i.e. in the field of biology, toolmarks examination and psychiatry.

Specialised biological examinations were performed on the clothing of the victim and other items recovered in the course of the investigation. It should be emphasised that in the 1990s, the routinely used biological tests were performed by serological and enzymatic methods which enabled the species and genre identification of biological traces and were characterised by a low discriminatory power. Identification based on DNA profiling was implemented into routine work in Polish forensic laboratories only 10 years later, at the beginning of the 21st century.

As part of the discussed preparatory proceedings, an institution: the Forensic Laboratory of the Voivodeship Police Headquarters in Poznań was appointed as an expert witness. The forensic expertise of May 12, 1994 issued by that Forensic Laboratory confirmed that blood traces revealed on the stone from the scene were human blood belonging to the A (beta) GM (1) (plus) system, while presence of human blood containing agglutinogen B was determined on the gray denim jacket. No agglutinin or GM (1) characteristic were observed on the jacket, and the tested stain was caused by blood containing agglutinogen B. Moreover, in the analysed stains on the navy blue corduroy jacket and navy blue denim trousers the presence of blood was detected but species identity was not established. The presence of haemoglobin was not confirmed in the stains on the braided rope.

In another opinion, a complex one, of July 21, 1994, consisting of serological analysis and toolmark examinations, it was found that the analysed stains on the woolen sweater, olive green jacket, and violet blouse revealed the presence of human blood, belonging to the A (beta) GM (1) (plus) system. In the tested dirt found on the black undershirt, the brown scarf, the presence of human blood was revealed, including agglutinogen A and the GM (1) (plus). Agglutinin was not detected. The tested stains were made of blood in which agglutinogen A and the GM (1) (plus) trait was present. Human blood was revealed on panties and tights, and agglutinogen A in it. No tests for agglutinin were made due to the lack of sufficient material. The GM (1) has not been detected; this may be due to insufficient amount of material for testing or the fact that this feature is not present in the blood found in the stains. The presence of traces of blood on the burgundy trousers and the black bra, the species association of which could not be determined. No presence of blood dye was revealed on the leather boots, the work gloves, the woollen glove and the two pieces of string.

As a result of toolmark examination, it was found that the trouser belt and the elastic rim of the tights had been cut, and the splitting of the tights and the damage to the jacket resulted from tearing the material.

At the same time, in the course of the proceedings an investigative hypothesis was tested suggesting the perpetrator of the attempted rape and killing was the same person who had a record of having made several rape attempts. By a decision of August 29, 1994, two psychiatrists and a psychologist from the Voivodeship Mental Health Clinic in Poznań were appointed to act as expert witnesses. The version was not confirmed, therefore the expert opinion in this regard will not be presented. However, the mere fact of selecting a man who was charged with attempted rape of other women proves the work of policemen dealing with the case, and the exclusion of one of the versions brings us closer to discovering the perpetrator of the crime.

After that another individual was suggested to be a potential perpetrator. On February 8, 1995, a search of the premises and vehicle belonging to the suspected was carried out. During the inspection of the car, a trace which might have been a blood stain was revealed and recovered. It should be noted that this person did not obtain the status of a suspect in this case, either. By the decision of February 8, 1995, the Forensic Laboratory of the Voivodeship Police Headquarters in Poznań was once more appointed the expert witness. The forensic examination of February 15, 1995 showed that the unknown substance of a rusty brown colour on a piece of upholstery revealed traces of blood the species identification of which could not be established.

At that time, the preparatory proceedings did not lead to the detection of the perpetrator, and on February 28, 1995 it was concluded with by issuing a decision to discontinue the investigation due to the failure to identify the perpetrator.

In 2018, officers of the “X Files” team of the Investigation Department of the Voivodeship Police Headquarters in Poznań selected the case for a re-analysis. The evidence in the case recovered at the beginning, the quality of the procedures carried out at the scene, as well as the extensive procedural material in the form of, among others, numerous witness interview protocols evoked hope that looking at the case in a new light would have led to a detection of the perpetrator of the crime from the past.

After analysing the case files, in March 2019, the officers from the Investigation Department in the Voivodeship Police Headquarters in Poznań first indicated that it was justified to take additional steps and establish the victim’s DNA profile and to re-examine the material evidence in order to extract biological material and determine DNA profiles as well as perform comparative tests (upon collecting samples from the victim’s family and all the persons selected in the investigation so far). A decision was also taken to conduct a criminal analysis based on the testimony of witnesses in order to determine who could have been present at the time and place of the killing of the woman and who did not have an alibi for the time when the crime took place.

Once more, the Voivodeship Police Headquarters in Poznań was requested to detect and recover biological traces, and determine DNA profiles from the evidence in the form of hair found on stone (material evidence recovered during forensic examinations at the Voivodeship Police Headquarters in Poznań on May 12, 1994), a rust-brown substance recovered in the Mercedes car on February 8, 1995, a string recovered during a visual inspection of the place where the body had been found, and the stone. The opinion of 9 October, 2020 revealed a mixture of DNA from at least three people, including a male, suitable for comparative analysis in a sample taken from the surface of the string. On the other hand, the sample taken from the stone revealed human DNA in a scarce amount which did not allow for an identification. DNA analyses of the samples (the one collected entirely from the human hair, and the one collected entirely from particles of a dark gray substance) gave a negative result. The fibres looking like animal hair from the stone (20 pieces) did not show characteristics of human hair and were not qualified for human DNA testing.

By a decision of February 6, 2019, the Jan Sehn Institute of Forensic Expertise in Cracow was appointed to conduct a psychological analysis of the evidence collected in the manslaughter case in terms of recreating the psychological situation, determining the psychological profile of the perpetrator(s), credibility of the testimonies of witnesses and other aspects that might have contributed to identify the perpetrator. That opinion was issued on October 31, 2019.

By the decision of June 5, 2019 to request an expert opinion, the Department of Molecular and Forensic Genetics of the Dr Andrzej Jurasz University Hospital No. 1 in Bydgoszcz in order to determine the DNA profile of the victim on the basis of the evidence (nails and nail scrapings, panties) and comparative material collected from the victim's parents and her sister, as well as to re-examine the recovered evidence by means of DNA analysis methods. The examination report issued by this institution on April 6, 2020 turned out to be a landmark in the case. DNA analyses of nail clippings from the deceased and her trousers made it possible to isolate component profiles, which with a probability bordering on certainty came from the victim and an unknown male: the potential perpetrator. For the unknown male also the haplotype of the Y chromosome was determined. The presence of blood on the sweater was confirmed and with probability bordering on certainty it came from the victim. No blood or human DNA in sufficient quantity to obtain a profile was found in the traces recovered on work gloves. There was not enough human DNA on the panties and bra to conduct identification tests. The sweatshirt and jacket showed the presence of biological material which from the victim with probability bordering on certainty, and a small amount of DNA that may have come from the woman was revealed on the T-shirt. On the other hand, there was no sufficient amount of human DNA to carry out identification tests in the stains from the string, from the surface of the lighter, from the top edge of the bottle and on the hair clip.

Thanks to the determination of the DNA profile of the potential offender, it was possible to carry out a verification of the persons selected as suspects in the case. According to the analysis report of April 8, 2020 issued by the Nicolaus Copernicus University in Toruń none of the biological stains whose DNA profiles were determined for the purposes of the report, showed the presence of DNA coming from the four suspects.

On July 6, 2020, a decision was taken to consult the Biological Analyses Section in the Forensic Laboratory of the Voivodeship Police Headquarters in Poznań in order to determine the Y-STR haplotypes from the ten attached samples.

The expert opinion of October 28, 2020 from the forensic DNA analyses indicated, as follows:

– Y-STR test results were obtained from five samples (taken from the cigarette end with a filter and from the outer surface of the textile glove). It was emphasised that the analysis was possible upon to the submission of the appropriate comparative material,
– two samples (recovered from the inner surface of the textile glove and from the surface of the textile scarf) revealed DNA mixtures that were unsuitable for identification,
– in three samples (swabs from the entire surface of the string, from the surface of the stone, from the white cigarette end with a filter), DNA was detected in small amounts which did not allow its identification.

According to the opinion issued by the Department and Faculty of Forensic Medicine of Karol Marcinkowski Medical University of in Poznań the DNA profile of the unknown man was not consistent with any of six given/proposed suspects' profiles elaborate by the Department of Forensic Medicine in Bydgoszcz. It is worth mentioning here that the name of the suspect still was not among the persons mentioned in the decision.

In subsequent opinions of September 29, 2020 and October 29, 2020, issued by prof. (…) from the Laboratory of Forensic Biology and Genetics of the Medical University of Gdańsk, the DNA profile of the unknown man determined in the opinion of the Department of Forensic Medicine in Bydgoszcz was verified with the DNA profiles of thirteen and fourteen given/proposed persons (names were given) or their relatives, respectively. The name of the suspect was still not mentioned the individuals mentioned in the decision to request an opinion.

The opinion mentioned below proved to be crucial and its result was of particular importance for the investigation process of the discussed preparatory proceedings. This will be discussed in more detail later in this article, but at this point it is worth to emphasise, firstly, the significance of the opinion, and secondly, the role of policemen dealing with the detection

process in the discussed case. That appeared to be important because at one point they reached a possible perpetrator of the crime that had been a mystery for almost three decades. It should be noted that every time "AA" appears, the perpetrator of the manslaughter – the suspect in the case – is being referred to.

In the forensic expert report of December 15, 2020 in the field of DNA analysis issued by the Department and Faculty of Forensic Medicine, Laboratory of Forensic Biology and Genetics of the Medical University of Gdańsk, it was found that the DNA profile of a man (the suspect in the case) was consistent with the dominating profile in the mixture in the stain, "which with a very high probability indicates the origin of the investigated trace" from the suspect. Moreover, the presence of the suspect's DNA in the mixed autosomal profile obtained from the stain (details of the trace given) cannot be excluded because all suspect's DNA characteristics are present in the profile. Therefore, according to this comparative opinion, the DNA profile of the suspected man is consistent with and identical to the evidence established in the proceedings in question as part of the opinion issued by the Department and Faculty of Forensic Medicine in Bydgoszcz, and above all with the DNA profile recovered and detected from trace 004-1 (a blood stain from the victim's trousers), which, according to the experts, indicates with a high likelihood its origin from AA, and whose probative force was considered extremely high (the value of the likelihood ratio LR was 6.91×10^{26}). Moreover, in the report the experts concluded that the presence of AA's DNA in the mixed autosomal profile obtained for trace 002 (scrapings and nail clippings from the victim) could not be ruled out, since all the features of AA's DNA were found in that profile. For trace 002, the force of evidence was calculated on the basis of the ratio of conditional probabilities: LR was 2.7×10^{16}, which, according to the experts, means that it is 2.7×10^{16} times more likely that the analysed mixture contains the DNA of the deceased woman and AA than if the tested mixture consisted of the DNA of an deceased woman and one unknown man.

At the same time, in the course of the investigation, opinions of the Forensic Laboratory of the Voivodeship Police Headquarters in Poznań of December 14, 2020 were obtained. They indicated that in the sample marked No. 1222/2/1 taken from the "external" surface of the textile glove (trace No. 3 the victim's glove recovered at the crime scene) DNA mixture from at least three people including one male was detected. Based on the statistical analysis, it was found that with the estimated value of the likelihood ratio LR of 5.97226×10^{11}, the DNA analysis result obtained for sample No. 1222/2/1 strongly supports the proposition (HP) that the DNA revealed in the analysed sample came from AA (6132/P1) and random, unrelated people from the population (the victim), as opposed to the alternative proposition (Hd) that the DNA comes from three other, random, unrelated people in the population.

As indicated above, as a result of tests carried out by experts from the Institute of Forensic Medicine in Bydgoszcz, within the opinion of April 6, 2020, it was found that under the fingernails of the victim and on her trousers there was biological material from one man. The DNA profile was submitted for registration and search in the DNA database, as it was suitable for categorical identification.

At this point, the role of policemen dealing with intelligence work should be indicated and appreciated. At the said time, the policemen had a DNA profile of one man, but had no one to take a comparative sample from. Thanks to their enormous effort, however, it was possible – although not the first time and not from the first selected man – to collect a sample and then submit it for analysis. According to the materials of the case, many such samples were taken. Therefore, a question should be asked: "Is the previous selection of suspected males, which did not lead to the result of the examination that might have boiled down to the conclusion about the compliance and identity with the DNA evidence determined in the proceedings in question a failure of the law enforcement agencies, or rather attempts to identify the perpetrator in the course of a regular the process of detection?". It should be emphasised that the process of selecting perpetrators, although painstaking and requiring patience, first of all brings you closer to the right perpetrator and often turns out to be not only necessary, but even purposeful, and leads to the conclusion that if it were not for the naming of previous suspects, then the right perpetrator might not be detected. It certainly cannot be viewed in terms of a failure of the efforts of the policemen, in this case those dealing with intelligence work.

Returning to the discussed preparatory proceedings, it should be added that the official note of 9 December 2020 appeared in the case files; it follows from its content that officers of the "X Files" team of the Investigation and Investigation Department of the Voivodeship Police Headquarters in Poznań, in the course of performing extra-trial activities in the manslaughter case determined that the man named AA for the purposes of this article was related to the incident. Subsequently, DNA sample had to be collected from the mentioned material in order to be able to compare it with the evidence material. On December 10, 2020, a decision was issued to resume the investigation that had been discontinued.

The investigation found that AA was not known to the victim's family or herself. Therefore, he had not been able to leave traces on the body and clothing of the victim in other circumstances, and thus the presence of his biological material on the clothing and body of the deceased confirms the findings that it was AA who was guilty of the killing and the attempted rape of the victim. Due to the above, the incident in question was classified as a crime of manslaughter and attempted rape, which is penalized in Art. 148 § 1 of d.k.k (translator's note: previous criminal code in force until 1998) and

Art. 11 § 1 d.k.k. in connection with Art. 168 § 1 d.k.k. in connection with Art. 10 § 2 d.k.k. Transferring the legal qualification defined in this way to the facts established in the case, it should be pointed out that AA "by force consisting in knocking a woman onto the ground, striking blows on the head, strangling her, slitting the belt and unfastening the trousers zipper, and pulling the shirt and bra to a height above the breast, attempted lead the victim to sexual intercourse, but he did not achieve the intended goal, and by causing craniocerebral injuries, he brought her to a state of defencelessness, and then leaving the victim lying face down to the ground, caused her death by asphyxiation in the mechanism of aspiration of soil and fragments of forest groundcover into the respiratory tract, where he acted with direct intention and led to the killing of the woman".

As a result of the established facts and after gathering the necessary evidence, on December 10, 2020, AA was presented with a charge of manslaughter and attempted rape of the woman. Interrogated as a suspect, AA fully admitted to the charges against him and presented his own version of the course of the event, confirming both the earlier findings and those made by the experts in the forensic opinions and conclusions contained therein.

In the course of the investigation, expert psychiatrists were asked to subject AA to a one-time examination, because the nature of the committed crimes, which are highly probable, absolutely required an examination of the suspect's mental state. In their report the experts concluded that basing of the forensic-psychiatric-psychological evaluation, attached medical documentation and data from the case files, no mental illness or retardation was determined in the suspect. However, the characteristics of dissocial personality, alcohol addiction syndrome and simple alcohol intoxication *tempore criminis* were found. According to the opinion of expert psychiatrists, the suspect, at the time of committing the crime, had possessed the ability to recognise the meaning of the crime he was charged with and to control his own conduct. It was also found that the mental health of the suspect allowed him to participate in the criminal proceedings as both suspect and accused. AA was found to be capable of conscious and reasonable defence.

According to the background survey completed by the probation officer, AA is a person of a calm character and with no additions. He always actively participated in the family life, he kept involved, e.g. he helped his daughters with their homework and showed interest in their affairs. None of his family members made any critical comments about his way of functioning.

In his place of dwelling A.A. had a positive opinion and showed no aggressive or brutal behaviour. The "Blue Card" procedure (translator's note: designed for families with a violence problem) has never been implemented against him. AA had not been of interest to local law enforcement authorities, and he was not a part of or subject to any investigation. There had been also no interventions with him involved. Moreover, no contacts with persons from the criminal circles had been found on his part. He led a rather solitary lifestyle, centred around the family affairs. He did not socialize. He did not have a certified degree of disability and did not have any restrictions to work. He has not been found to undergo any addiction therapy, abuse alcohol, take drugs or other psychotropic substances. He was not receiving psychiatric treatment.

As a final remark that may prove interesting in retrospect and add to knowledge about the investigation it may be added that AA was interviewed as a witness in the case on September 28, 1994.

Summary

Presenting the collected material in its entirety, as much as it was possible considering the capacity and intention of this article served two main aims.

Firstly, it was supposed to show the work of experts of various specialties in order to argue for the necessity of collecting a variety of comprehensive material. While discussing the work of the experts, a fundamental conclusion emerged, which is summarised by the statement that the progress in forensic examinations and the development of new analytical methods enabled making investigative and evidential findings which were not possible even 26 years earlier. The example of the presented preparatory proceedings proves that in cases of criminal offences there is a need to use a wide range of the achievements of science, as indicated, among others, by Hołyst (2000) and Jerzewska (2002).

Secondly, it was intended to demonstrate that the suspect in this particular case is a person who, taking into account his social background, acquaintances, family life, personality as externally manifested, contacts, or rather lack thereof, with the criminal world, and the context of the interest of law enforcement agencies, might have remained anonymous to the authorities forever. In this particular case, we are dealing with a perpetrator who may not have committed any other crime before or after the one in question. He was therefore not, of course up to a point, of interest to the law enforcement or the judiciary. Only deliberate, intentional activities focusing on that individual led to the hypothesis that he could have been the perpetrator of a homicide that had not been solved years ago, and subsequently to the recovery of material, and finally to the forensic analyses, which, without any doubt, allowed to transform this hypothesis into a proven thesis supported by forensic experts conclusions. Thus, it should be pointed out and emphasised that it took all the activities, the involvement of many people and authorities to guarantee the success of the preparatory proceedings, which was the detection of the perpetrator of the crime.

The presented preparatory proceedings, its nuances, numerous questions and doubts that arose in the course of its conduct, and finally the depiction of the work of law

enforcement authorities and the judiciary, have shown how important the work of experts is. Establishing the fact of committing a crime, designating the people who took part in it, and explaining all other circumstances that could affect the scope of their responsibility would not have been possible without the advancements in science, in this case, forensic DNA analysis, which constituted a quantum leap in the detection process of the discussed preparatory proceedings and its final shape. This would also not be possible without the creative involvement of policemen who deal with both the investigative proceedings and the intelligence work in continuous cooperation with the prosecutor's office. Once again, it turns out that the involvement of many authorities acting with mutual support and trust, gives the most positive, even spectacular effect of the preparatory proceedings, which is equally the detection and, if necessary, arresting of the perpetrator, as well as collecting, recovering and, to the necessary extent, making records of the evidence for the court, which is, after all, the legislator's intent highlighted in the content of Art. 297 § 1 of the code of the criminal proceedings.

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