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## I. ANALYSIS, STUDIES, SYNTHESIS

## THEORETICAL AND PRACTICAL CONSIDERATIONS FORENSIC RESEARCH ON FIRE

**Prof. Ph.D. GHEORGHE POPA<sup>1</sup>**  
„Alexandru Ioan Cuza” Police Academy

*Unlike the conditions and circumstances that preceded or accompanied the commission of other criminal acts, if the situation on the ground fires a number of peculiarities due to the damaging effect of flames, water or extinguishing agent used, the complexity and the many traces left those that contribute to fighting fires, saving the changes made by the transaction itself in the field of crime and other assets. All this creates difficulties in finding traces.*

*Patience, thoroughness and perseverance must characterize one who does such research, and careful not to get rid of any trace of his vision must guide one all the time, knowing that everything he does is based on intended to support actions that will be taken to discover the author.*

*The following are the main activities in their sequence are carried out by the police, from the point of referral to completion of the research site.*

**Key words:** fire outbreak, field research, traces, protocol, photography judicia

**OFFENCES RELATED TO TAX EVASION OFFENCES OF LAW NO. 241/2005 IN LAW NO. 87/1994 AND  
THE AMENDMENTS IN FORCE BEGINNING WITH 01-02-2014**

**Ovidiu SANTA, Ph.D. student**

*santa.ovidiu@gmail.com*

Police Academy „Alexandru Ioan Cuza” – Bucharest,

**Associate Professor Marius PANTEA, Ph.D**

*marius.pantea@academiadepolitie.ro*

Department of Police, Police Faculty,

Police Academy „Alexandru Ioan Cuza” – Bucharest,

***The tax evasion phenomenon must be kept under control for not reaching a level which would endanger both public order and national security, by affecting the normal functioning of the economy, and business environment.***

**Keywords:** tax evasion, offense, taxes, tax obligations, budget, health insurance budget, Tax Code, Criminal Code, tax legal relations.

## CONSIDERATIONS REGARDING THE CAUSALITY RELATION AS ELEMENT OF CIVIL AND CRIMINAL LIABILITY

*Lect. DIANA-ELENA GORUN Ph.D*  
*diana.gorun@yahoo.com*  
Romanian-American University

*The cause-effect correlation is an element both of criminal and civil responsibility. Any person who commits a crime or an offense punishable by law is responsible of the damages caused by his/her action to another person, but only if it is proved during the proceedings that exists a correlation between the action and the damages.*

**Keywords:** Cause-effect correlation, civil liability, criminal liability, action, damages.



## NOTARY PUBLIC'S AUTHORITY IN THE SUCCESSIONAL PROCEDURE MATTER

*Mirea Ioana Mirela*  
*mirelaa\_me@yahoo.com*

*Inheritance law can be defined as all the legal rules which regulate the rights transmission from mortis causa. The substance of the succession comprises all the rules regulating the assets transmission of the deceased to his heirs . Civil Law gives to the Notary Public an essential role in inheritance law, offering non-contentious alternative of probate cases debate.*

**Keywords:** patrimony, succession, hier, notary public, authority, asset, territorial circumscription, successive inheritance



## II. EVOLUTION AND TRENDS OF CRIME

## DOMESTIC VIOLENCE. THE NEED FOR A NEW PERSPECTIVE

*assist. Amalia NIȚU Ph.D*  
*amalia.nitu@academiadepoltie.ro*  
*„Alexandru Ioan Cuza” Police Academy*  
*Border Police, Schengen Training and*  
*Foreign Languages Department*

***When we talk about domestic violence we have to take into consideration some aspects that may contribute to building new perspectives. Preventing violence, victim protection and prosecution of the offenders are key elements together with the change of mentality. A holistic approach would mean to think beyond the traditional solutions offered by the criminal law and to take into consideration the treatment for the victims and the aggressors as well as physical, psychological and social aspects, drugs and alcohol consumption.***

**Key words:** domestic violence, prevention, rights of the accused, rights of the victim, legal framework

## THE PRE-EXISTING CONDITIONS OF THE MONEY LAUNDERING CRIME

**Ionuț Andrei BARBU, Senior Lecturer, PhD**  
*mailto:ionutbarbu@yahoo.com,,A.I.Cuza*  
„Alexandru Ioan Cuza” Police Academy, Police Faculty

*The phenomenon of money laundering gained a special importance nowadays. Being tightly bound with the fiscal evasion and corruption, it must be treated with great attention by the authorities. The good functioning of the financial market determines, obviously, the paying of the contributions at the state budget, but also the safety of the operators in this domain. The study presents aspects regarding the pre-existing conditions of the money laundering crime regulated by the Law no.656/2002 in article23 line (1)*

**Key words:** Money laundering, juridical object, material object, active subject, passive subject.

**QUELQUES ASPECTS CONCERNANT L'IDENTIFICATION DES CADAVRES D'ORIGINE INCONNUE  
SOME CONSIDERATIONS ON THE IDENTIFICATION OF BODIES WITH UNKNOWN IDENTITY**

*Lector univ. dr. Marin-Claudiu Țupulan,  
claudiu.tupulan@academiadepolitie.ro  
Academia de Poliție „Alexandru Ioan Cuza”*

*The issue of identifying corpses should be linked to complaints regarding disappearances in suspicious circumstances, as objectively, bodies with unknown identity are found in the position of missing persons. By establishing the identity of the body it comes to solving cases of disappearances or clarifying many possible versions when there is evidence or suspicion that the person was the victim of a crime, but, for all these there are necessary a number of measures and specific activities carried out by specialized police officers. This study analyzes in detail the judicial activities circumscribed to the identification of unknown corpses.*

**Key words:** corpse, homicide, investigation, identity, judicial photos.

## Welche sind die Folgen der Abwanderung von rumänischer Intelligenz?

**Iuliana JIDOVU**

*iulianajidovu2000@yahoo.de*<sup>1</sup>

„Alexandru Ioan Cuza“ Police Academy

*In the article titled "What are the consequences of the brain drain in Romania?" I have started from the general context created after the fall of The Iron Curtain that led to the movement of persons; this phenomenon has occurred in several countries, Romania included, being generated by the economic crisis and its negative consequences will gradually emerge in all social areas unless upheld by the education, health and research systems.*

**Keywords:** brain drain, labour force, specialists, professional development, opportunities.

## CONSIDERATIONS ON THE SANCTION OF NULLITY AND EXCLUSION OF UNLAWFULLY OBTAINED EVIDENCE

Lecturer Ph.D. Mihai OLARIU  
avmihaiolariu@yahoo.com  
Romanian American University

*Nullity is the main effect of the principle of lawfulness in a criminal lawsuit, and it may be defined as a trial-related sanction which may be ordered by a judicial body, resulting in the cancellation, in full or in part, of the trial-related or procedural acts conducted in breach of the legal provisions regulating the performance of the criminal proceedings, if a significant and substantial injury (either proven or presumed) of the legitimate rights or interests of the parties or of other lawful procedural guarantees was caused and it may only be removed by the cancellation of the unlawful act.*

*The sanction of exclusion of unlawfully or unfairly produced evidence has a special area of application (matter of evidence), and, thus, it is different from the sanction of nullity which only applies to trial-related or procedural acts. If a prosecutor or a court of law orders the exclusion of a proof, establishing that it was not lawfully or fairly produced, such proof may no longer be used within the criminal lawsuit.*

**Key words:** absolute nullity, relative nullity, exclusion of unlawfully obtained evidence.



### III. RESEARCH AND CRIME PREVENTION



## POSSIBILITIES AND LIMITS OF THE MICRO-TRACES RESEARCH OF BALLISTIC NATURE

*Prof. Ph.D. Popa GHEORGHE*

*The ballistic micro-traces play a significant role in the solution of the offences committed using a fire arm. That is the reason for which we intend to show the research possibilities and limits of this micro-traces category that can be used in order to set out the arm used in the offence perpetration but also of the circumstances in which the shots have been done.*

*After the brief description of the judiciary ballistics tasks, we have defined the general notion of micro-trace and then we have shown the micro-traces of ballistic nature, respectively the physical-chemical ones created as result of phenomena produced inside the barrel after the percussion cap striking and the powder initiating for the projectile throwing out or on the target when the shot was made at short distance (burned and unburned powder, burns, grease, metallisation ring) and the micro-traces of mechanical nature created by the mechanism of ignition or by certain parts of the arm on the cartridge tube or on the bullet.*

*In the same time we have described the mechanism of microwaves of ballistic nature formation, methods and procedures for making evident and examination thereof, the possibilities and the limits of their utilisation and also the modern, actual, automate systems of ballistic identification.*

**Key words:** judiciary ballistics, micro-trace, ballistic micro-traces, cartridge, tube, bullet, automate systems of ballistic identification.

## "SÂRCĂ" CASE – SERIAL KILLER

*Prof. PhD. Tudorel BUTOI*

Forensic expert and university professor  
at the "Spiru Haret" University of Bucharest

*Type of criminal (for those times) organized: The plausible legend; The Convincing speech; Attracting victims in isolated places; Immobilization backed by preparatory acts (buying drinks and preparing the pieces of string); Sexual instinctuality of pederast type; Violent Raptus epileptoide type (choke); Repeatability of the operating mode (expression of positive behaviors successful attachment).*

*Selecting this case is not random. It is important for early concerns focused on identifying the serial killers. The operating mode becomes the precursor of what today, after 36 (thirty six years), we understand to be in the American concept, the "serial killer".*

**Keywords:** *crime, murder, criminal, serial killer, modus operandi.*

## THE ROLE OF JUDICIAL GENETIC EXPERTISE WITHIN THE APPLIANCE OF THE CRIMINAL LAW

**PhD. Cristian-Eduard ȘTEFAN**

“Alexandru Ioan Cuza” Police Academy of Bucharest  
*cristian.stefan@academiadepolitie.ro*

**Ilie VOICA**

*ilie.voica@vl.politiaromana.ro.*  
Deputy Chief Inspector

*In this study, the author examines the role and importance of genetic expertise in the criminal trial. In this context discussions will focus on: the role and evolution of DNA within genetic identification, the scientific basis and the stages of genetic expertise, regulations and judicial cases arised in practice and resolved through such expertise.*

**Keywords:** DNA, gene, judicial genetic analysis, biological profile.

## TRENDS OF TOBACCO PRODUCTS SMUGGLING AT THE EUROPEAN UNION LEVEL

*Asist.univ.dr. Amalia NIȚU*

*amalia.nitu@academiadepoltie.ro*

*Asist.univ.drd. Cristian-Paul MATEI*

*crisian.matei@academiadepoltie.ro*

*„Alexandru Ioan Cuza” Police Academy*

*Departamentul Poliție de frontieră,*

*pregătire Schengen și limbi străine*

***According to the estimates of the European Anti-Fraud Office (OLAF) the illicit trade in cigarettes causes annual financial losses of over 10 billion euro in the budgets of the European Union and its Member States. These losses come from unpaid customs duties as well as taxes, including value added taxes (VAT) and excise duties. Cigarettes constitute the biggest share of illicit tobacco trade, but other tobacco products (such as hand rolling tobacco) are also traded illegally.***

***Keywords:*** smuggling of cigarettes, illicit tobacco market, genuine cigarettes, cheap whites, counterfeit cigarettes, illicit trade, large-scale smuggling, anti-fraud measures

## CONSIDERATIONS ON THE OFFENCE PROVIDED BY ART. 6 OF LAW NO. 241/2005 ON PREVENTING AND COMBATING TAX EVASION

*Assistant Professor, Ph. D. candidate Stefan BOBOC*  
*stefan.boboc@boboc.biz*  
*Faculty of Law,*  
*Bioterra Bucharest University*  
*Attorney-at-law, Bucharest Bar*

***The special social hazard of tax evasion of the huge increase in the number of cases of violation of the provisions of tax laws and the severity of the sanction imposed as drastic need of that. This was realized by Law no. 241/2005 on preventing and combating tax evasion resulting in measures to prevent and combat crime and tax evasion offenses in connection therewith.***

**Keywords:** Law no. 241/2005 on preventing and combating tax evasion, tax evasion, non-payment of contributions, tax, contribution, withholding

## CERTAIN ASPECTS CONCERNING THE PREVENTIVE MEASURE OF HOUSE ARREST

Lecturer Ph.D. Mihai OLARIU  
avmihaiolariu@yahoo.com  
Romanian American University

*Preventive measures are exhaustively listed in the New Criminal Procedure Code (Article 202(4)): detention, judicial control, judicial control on bail, house arrest, preventive arrest. Therefore, no other procedural measures are included in the category of preventive measures, even if they are restricting liberty.*

*House arrest is the most recent preventive measure introduced in the New Criminal Procedure Code. The house arrest measure involves deprivation of liberty, its term being deducted from the conviction term applied following the criminal lawsuit (one day of house arrest equals one day of deduction, like in the case of preventive arrest).*

*As per the criminal procedural rules, during the criminal proceedings, the authority to adopt the house arrest measure lies with the rights and liberties judge, in the pre-trial chamber the authority lies with the pre-trial chamber judge, and during the judicial process the authority lies with the court of law.*

**Key words:** unlawful detention, restriction of liberty, preventive measures, house arrest.

The image features a 3D rendered mechanical assembly, possibly a turbine or engine component, with a blue translucent overlay. A light blue rectangular box is positioned horizontally across the middle of the image, containing the text "IV. MANAGEMENT OF CRIME INVESTIGATION".

#### IV. MANAGEMENT OF CRIME INVESTIGATION

**THE ORGANIZATIONAL DECISION AND ITS ESSENTIAL IMPORTANCE IN IMPROVING THE EFFICIENCY  
OF OPERATIVE ACTIVITIES IN MAINTAINING PUBLIC ORDER IN EMERGENCY SITUATIONS**

*Cristian Dumitru Bonci*  
steicra@yahoo.com

*"The decision making process is the most fundamental and challenging aspect of the commander's task. It is the result of a fusion among the officer's will, his / her professional knowledge base, and the foundation passed on from the supreme authority." (Gheorghe Vizanti).*

**KEYWORDS:** management, leadership, reform program, leader, operative activities



## GENERAL CONSIDERATIONS AND CHARACTERIZATION OF CRISIS COMMUNICATION

*Assist. Ph. D student Ligia Cristina Maria Stancu*  
*ligistancu@yahoo.fr*  
Police Academy, Bucharest

*In a time when Europe settles and the new Member States join the European Union, at the political level, there are new risks and, after September 11 the citizens have to expect the unexpected<sup>1</sup>. Threats, accidents and natural disasters which inevitably require the intervention of the media.*

**Key words:** communication, crisis, public relations, media, organization



## V. SCHENGHEN ISSUES

**APETENȚA UNIUNII EUROPENE PENTRU UN CONCEPT COMUN DE SECURIZARE  
A FRONTIERELOR IN CONTEXT SCHENGEN**

**Eduard IVAȘCU**

Romanian Border Police

*eduard.ivascu@yahoo.com*

**assist. prof. Ph.D Sergiu Adrian VASILE**

"Alexandru Ioan Cuza" Police Academy

*sergiu.vasile@academiadepolitie.ro*

*Currently, national border surveillance systems cover only a few selected areas of the external borders of the EU<sup>1</sup>. BORTEC study showed that eight Member States with external borders at the Mediterranean and the southern part of the Atlantic are involved in border surveillance about 50 authorities from 30 institutions, sometimes with parallel competencies and systems.*

**Key words:** Schengen area, common security, Lisbon Treaty