

## **Issues of criminalistic examination of non-lethal weapons**

V.A. Fedorenko

*Saratov Law Institute of the MVD of Russia*

*Chair of Criminalistic Weapons Studies*

*Sokolovaya St., 339, Saratov, 410034*

Analyzed in the report are technical and criminalistic aspects of legal definition of the notion non-lethal weapons (NLW) or the notion “special tools”, whose action is based on direct physical impact on the human body causing no irreparable injury to the health.

NLW or special tools have recently fallen under close interest from persons inclined for illegal action. One more reason accounting for the special tools coming under intense scrutiny is their special technical and criminalistic property. On the one hand, they carry enough destructive force to temporarily disable a person, on the other – if the crime was committed with the use of special tools, the fact of their use cannot serve as a qualificatory aggravating element, since such special tools do not imply destructive force related to objects that might be used as weapon.

Immensely complicated is also the issue of establishing criminal liability to illegal manufacture of NLW (special tools). Primarily, to this end a system of criminalistic techniques shall be designed for diagnostic testing of the tool in order to include it into the category “Special tool”. One of the most technically complicated issues here is medical and biological definition of the upper and lower threshold affection level.

The necessity of introducing criminal liability for illegal use, purchase, sale and manufacture of all currently known types of NLW is substantiated in the report.

The methodology of diagnostic testing of the tools in order to include it into the category of NLW is also proposed. At the basis of this methodology is the estimation of the destructive force of the weapon, determination of its functional designation and evaluation of its reliability.

**Keywords:** Special tools, non-lethal weapons, destructive force, criminalistics methodology, diagnostic testing.

**Topic:** effects on targets