Committing a Crime with the Employment of a Toxic Substance

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Abstract: Poisons are harmful chemicals of all sorts. They are detrimental to health and can have deadly effects on the organism. Many poisonous substances have been used for poisoning others, deliberately. This had been done throughout the ages. In comparison to visibly violent and traumatic crimes involving bloodshed, acts involving poisons have occurred in more subtle methods and accordingly been preferred by actors somehow suitable for indirect and concealed *modus operandi*. (Doping in sports or horse racing being a lesser form of offense, it is beyond the scope of this text).

Key words: Crime, homicide, poison, toxic, wounding.

1. Introduction

Poisons are substances which disturb the body health with their toxic effects. Poisoning incidents generally occur by mistake and especially among children. Sometimes they are taken to commit suicide. Chronic poisoning means slow accumulation of a substance in body and it is common due to occupational grounds, like being subjected to lead in a printing house in former times. Here the topic pertains to criminal use of poisons.

2. An Instrument for Some Crimes

Many murders had occurred by way of poisons, in a skillful manner. Today, despite advanced research methods and laboratory techniques; dark points exist in this domain. Many homicide cases are given the appearance of accidents or suicides [1].

People used to resort to murder with poisons a lot, in the past. History books and court registers mention such incidents. The act is usually performed by a close individual, who makes the victim eat a toxic substance

without a strong odor or taste within the regular food. The actor may cause the victim to drink the poison in coffee, syrup or an alcoholic beverage. If the legal procedure is inconclusive the penalty is omitted [2].

In the case of a crime with poison, the author observe that brute force is replaced by deceit. Because of this, historically, weak men and female perpetrators might have resorted to this method. Moreover, it was likely for such a crime, especially in the past, to go unnoticed.

When the poison is administered by way of an alcoholic beverage or coffee, it is difficult for the victim to take note. Applying a toxic agent at high dose with a syringe instead of a medicament is also probable. An odorless gas or vapor may be sent to somebody's surroundings. In murderous poisoning incidents, it is later difficult to detect the presence of the poison, in the crime scene. Sometimes it is left nearby deliberately, in order to suggest an accident or suicide [3].

3. The Profile of the Cunning Offender

Even if it looks logical to regard poison-employing doers as sly and tricky, a group of French authors have their own say, in this matter: It is especially females

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and ignorant people who use poison in murderous acts. They rarely think over their choice of poison and it is usually one which can be obtained in the easiest way. It is an exception for them to consider whether or not the substance is easily detectable in analysis. One can also infer that imitating others is also significant. Accordingly, they may tend to go for something previously heard about, like arsenic. The events they cause display some awkwardness, in that respect. Nevertheless, the probability of rarely encountered “scientific crimes” should not be ruled out by the investigators [4].

4. What does the Law Say so?

—Go ahead, swallow the poison
From the hand of a wise-man.
And throw away the syrup
Offered to you by the ignorant!—

(Medieval Persian Poet) Omar Hayyam

As Lemierre et al. put it, the French penal code includes poisoning in the scope of assassination worthy of capital punishment (before the abolishment of death penalty) [4]. If the toxic substance was given by mistake, the penalty for killing by recklessness (homicide par imprudence) is envisioned [4].

Item number 81 of the Turkish penal code envisions life imprisonment for any actor who deliberately takes the life of a person. This can be interpreted as irrelevant of the method chosen, as long as the intention is present.

Item number 82 deals with the major forms of homicide and envisions heavy life imprisonment. Propagating radiation (it is considered as a type of poison) with a nuclear weapon, using toxic and/or piquant gas, solid or liquids, and chemical weapons are openly referred to.

In the code, a damage-crime is defined with the emergence of a damage whereas a danger-crime does not necessitate the actual realization of the peril involved. Item number 185 is related to danger-crimes and it envisions 2 to 5 years of penalty for anyone who

mixes toxic materials within foods and drinks. The food or the drinks may not be consumed by anybody, the crime is still valid, merely by putting poison into their contents. The second clause mitigates the penalty if the mixing deed is done through lack of attention or liability of care.

5. Injury with Toxic Materials

As for injury by poisons, this concept involves certain bodily harms or cases of sickness even though death does not occur either thanks to treatment or else thanks to a low dose of the administered poison. Deliberately throwing corrosive agents like concentrated acids or bases onto a person may result in opening wounds, as well.

From time to time corrosive agents are used to distort the face and less commonly ammonia solutions are squirted for purposes of robbery. While homicide by acids and bases are not much seen; surface burns with lysol (a strong disinfectant) may later provoke death; but such cases usually involve accidents [5].

Sulfuric acid causes black burnt spots while hydrochloric acid gives gray burnt spots and nitric acid produces yellow-brown trails. Basic burns cause saponification on the skin [6].

6. A Case History about a Killing Attempt with Poison

In spite of everything, statistics reveal that crimes by poisons comprise only a small percentage among other methods.

For Turkey, here are some quantitative data: in Turkey, 57.1% of all killings occur with firearms. Toxic substances, string/tightrope, and other tools (like pickaxes or shovels) are used much less than firearms (firstly) and other types of cutters (secondly). The tools employed do not differ between males and females. Both genders use firearms mostly [7].

An example of a poison-involved killing attempt against a European female is put into registries as a terror crime in Algeria, during the independence

struggle, by two experts from the French Scientific Police Laboratory:

(1) In an eastern Algerian town, a European woman bought some cake from a traveling peddler's stand. While eating it she located a suspicious brown-black granule inside. Having eaten just one morsel already, she felt nausea, bellyache and she vomited. When a sample came to the authors for analysis, they located fifteen intact seeds of jimsonweed (*Datura stramonium*) at 2.5 to 3.5 mm diameter, ten more seeds with their husks removed and more or less pulverized other seeds. 2 Grams of the sample yielded ten milligrams of pure alkaloid, following grounding and extraction with ether and chloroform.

(2) The investigation revealed that the cookie was sold by an unidentified Moslem, the grains included knowingly but with an unknown ulterior motive. The amount contained would have sufficed to kill an adult and if it were not for the whole, unmilled grains, the victim would not have taken note of the situation. As a matter of fact, the seeds do not taste bitter or sharp, rather they taste pleasant and aromatic.

(3) The plant in question is as common as the *jusquiames* in North Africa. Its narcotic and toxic traits are well-known by the Moslems (local people) and it is known under other suggestive names like "chedecq el-jemel" (the jaw of camel) because of the special look of its open capsule, "cheyrat el-jenna" (tree of paradise), "jahannama" (hell) or "Mouskira" (that which makes drunk). Because of its high toxicity, it is never used for therapeutic aims. It is used for criminal purposes (at certain amounts), to provoke erotic deliriums, or for providing a dizziness proper for theft or rape [8].

7. Case Histories Involving Multiple Killings with Poisons

Some new cult-movements, which are entirely different from mainstream religious beliefs prevalent in human societies, may sometimes tend to attract world-wide attention by deadly acts.

In Japan, the guru of the cult of Aum *Shinrikyo*, Shoko Asahara, (following his unsuccessful try of spreading anthrax/charbon disease around), ordered a release of sarin gas in Tokyo subway, in March 1995. Ten people died and more than five thousand people got wounded [9].

Other new so-called-religious sects may also display such absurd behavior patterns of giving harm to people in the society they live in.

In late 1970s, American cult leader Jim Jones obtained a base in Guyana in South America in order to remain away from American official posts, even though his disciples were recruited mostly from American people. When the sect organizations and activities became a matter of complaints due to informing knowledge and whistle-blowing; a congress member came for an inspection with his associates. Jones then realized that he couldn't conceal his activities any more. The sect decided for a mass-suicide, which caused great sensation all over the world. Dead bodies of hundreds of people, children included, were discovered prostrate. All had taken cyanide salts. (The cyanide anion CN^- is very toxic. In the form of an entirely water-soluble salt like KCN or NaCN it is fatal).

Former teacher Odell Rhodes survived. Camp physician (Larry) Schacht formulated the poisonous mixture with his nurses and asked Odell to go to fetch his stethoscope. He went but did not return. He watched the awful developments from his hidden location in the forest. It took five minutes for the cyanide salt to display its effects, enough time for the families to take the embraced position among themselves. As Odell narrates, only one woman tried to protest, but she got hushed up. How could she dare disobey the Father's order? The Father's own son was at a basketball match at Georgetown and was spared [10].

8. Conclusions

Committing a crime by using toxic material is

usually a more indirect, patient, planned, and possible-to-conceal method with respect to sudden and violent acts. Historically this method had been widely employed.

9. Notes

(1) In the southeastern region of Turkey honor killings are preferred to be done with the appearance of suicide, instead of openly killing the involved girl, if the event is not publicized. With this horrible purpose, it is common to resort to pesticides.

(2) In the sixteenth century poison-using killers were many. Arsenic was common. In the seventeenth century in France, arsenic and corrosive sublimate, less commonly opium and even less commonly toxic grass extracts were used [11].

The corrosive sublimate mentioned above is HgCl_2 : Mercury and its compounds were used in the treatment for syphilis^(*), skin diseases, or as antiseptics. Mercury (II) chloride or mercuric chloride was the most often used salt of mercury. It is water-soluble, odorless, with a metallic taste. Its absorption (*Einsaugung*) through the skin was low; but its absorption through the mucous membranes (inside of the mouth, the walls of the vagina) was high, with 15-30 centigrams constituting the toxic dosage [12].

(3) CO is a product of incomplete combustion. It is colorless and odorless. Its affinity (ability to attach to) the hemoglobin of the blood is much higher than that of oxygen and this is the mechanism of intoxication. In winter circumstances, in cold and stuffy garages many people have a hard time starting their cars and get poisoned by the exhaust gases.

Carbon monoxide can also cause chronic poisoning. Çaya [13] refers to this point regarding the patrolling controls of forestry officials against illegal hunting

(poaching) activities, in old-fashioned government cars with bad smell from abraded brake linings and carbon monoxide leakage from exhaust gases. He says that it also distorts a person's psychology, rendering him quarrelsome and grumpy. He adds: As our then-associate professor boss Vedat F. Belli once specified in one of his scientific causeries; customers mistakenly attribute the constant euphoric states of some garage craftsmen due to continuous carbon monoxide poisoning, to their tough and bullying manners [13].

(4) Once a macabre short story by William Faulkner became a topic of study in the author's English class. A weird spinster with almost no social relations in a southern town (Emily) gets interested in a northern road worker, Homer. Later Homer disappears. The townsfolk discover only after Emily's own death that the corpse of the man had been a source of consolation and a kind of toy for her for years. When Emily realized the young man's intention to leave her, she preferred to keep his dead body rather than losing him entirely. Only then the townspeople remember her buying mice poison from the pharmacy and the stinking smell originating from her house for a time. Emily had taken her lover in her monopoly as if he had been a rose petal, which teenage girls like to keep in the pages of their book. Indeed, the title of the story is "A Rose for Emily".

In a movie titled "The Beguiled" the hero is poisoned by mushrooms. The plot unravels during the Civil War in America. A girl in an all-female boarding school in the South finds, a wounded corporal (Clint Eastwood represents him) and carries him to the dormitory. The directress and other female teachers regard this handsome man as a treasure in the scarcity of men (even in the external world of theirs, young men are conscripted to the front). They collectively conceal him, cure him and feed him.

Now, the corporal has enough potential to satisfy all his feminine admirers, either platonically or physically. He is good and communicative to them all. However,

* Mercuric chloride was used to disinfect wounds by Arab physicians in the Middle Ages. (In the Western World) Syphilis was frequently treated with mercuric chloride before the advent of antibiotics. It was inhaled, ingested, injected, and applied topically (locally). Poisoning was so common that its symptoms were confused with those of syphilis (from Wikipedia).

most of them sense that he is about to escape and they are afraid of all probable consequences. One day; the directress; in collaboration with the other leading staff, carry the man in an unconscious state into the Biology laboratory: There, by consulting the available surgery books, the feminine team effectuates an amputation of one leg.

After his recovery from the narcosis the corporal is horrified. His behaviour soon deteriorates into an aggressive, cantankerous mood full of hatred for everybody around. They finally take a collective decision to get rid of him. One of the girls is an expert on wild mushrooms. This time she goes to the meadows to pick up the toxic ones, knowingly.

(5) This is usually observed in crimes of love and passion. The availability of acids in houses in the form of cleaning agents (vitriol, spirit of salt) facilitates the act. It is possible to come across such news clippings occasionally on papers. Sometimes the corrosive agent is used against property. Hydrofluoric acid (HF) etches glass and is kept in plastic vessels. In 1960s it used to be thrown against shop windows by the members of the youth gang, Black Panthers, as the author recall from the footnote of a Chemistry book in English.

A milder form of the aggressor's throwing poison onto the face of a determined victim, used to occur in 1930s in Turkey; whereby the pickpockets were using powdered pepper. In some cases, the robber is obligated to squirt pepper powder onto the face of his victim, in order to achieve his theft and escape easily. Some keep the stuff in a paper cone which is open at the top or else in a minute box. When the pockets of such an individual are carefully searched; one absolutely encounters such powders on the pocket lining within the fibres of the texture; no matter how carefully the pockets had been cleaned beforehand [14].

(6) Based on the remembrance of some former followers who had left the order, Jones claimed to be the inheritor of the souls of Lenin, Jesus Christ and Buddha, simultaneously. He, supposedly, represented

the brotherhood of humanity. In the eyes of his disciples, his presence was godly and his deeds were not to be questioned. According to Dr. J. Thomas Ungerleider from UCLA Neuropsychiatry Institute, the far-flung location among the rain forests had a lot of significance. In isolated circumstances; there was no feedback from the outside world. The group pressure and the continuously-fed paranoid understanding; eventually, could lead to such incredible events [15].

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Appendix: Some Visual material

Fig. 1 A poisonous chemical: HgCl_2 (internet).

Fig. 2 Cult leader Jim Jones (Internet).

Fig. 3 Guyana Tragedy in Written Media.

Fig. 4 The Aftermath in Guyana: Dead Bodies of Suicide-Committers (Internet).

Fig. 5 Sarin gas in Tokyo in Written Media.