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TACTICAL PARTICULARITIES OF SEARCHES AND THE SEIZURE OF OBJECTS AND DOCUMENTS IN THE INVESTIGATION OF THE CRIME OF MONEY LAUNDERING

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The article explores the significance of searches and the seizure of objects and documents in the investigation of money laundering, emphasizing their role as essential tactical and evidentiary tools. When conducted in full compliance with procedural safeguards and through the application of appropriate forensic methods, searches play a decisive role in identifying assets of illicit origin and in establishing their connection to criminal conduct. A statistical analysis of judicial practice highlights the high effectiveness of these measures, with evidence obtained through such actions proving decisive in over 75% of cases. The paper also underlines the complexity of the seizure process, which – although seemingly more straightforward than a search – entails technical difficulties and often requires the involvement of experts, particularly when handling electronic data. The study draws attention to the risks associated with the voluntary surrender of targeted items, a practice frequently regarded as a deliberate procedural tactic to influence the course of the investigation. In conclusion, the article advocates for an integrated approach that combines legal precision with technical expertise in order to enhance the efficiency of criminal proceedings in the fight against money laundering.

***Keywords**: search, seizure of documents, money laundering, forensic tactics, electronic evidence, legal assistance, procedural safeguards.*

PARTICULARITĂȚILE TACTICE ALE PERCHEZIȚIEI, RIDICĂRII DE OBIECTE ȘI DOCUMENTE ÎN CAZUL INVESTIGĂRII INFRACȚIUNII DE SPĂLARE A BANILOR

Articolul analizează importanța percheziției și a ridicării de obiecte și documente în investigarea infracțiunii de spălare a banilor, evidențiind rolul acestora ca mijloace tactico-probatorii esențiale. Percheziția, desfășurată cu respectarea garanțiilor procesuale și prin aplicarea unor metode criminalistice adecvate, contribuie decisiv la identificarea bunurilor cu proveniență ilicită și la stabilirea conexiunilor dintre acestea și activitatea infracțională. Analiza statistică a practicii judiciare relevă eficiența ridicată a acestor acțiuni, probele obținute fiind decisive în peste 75% din cazuri. Se subliniază, de asemenea, complexitatea activității de ridicare, care, deși aparent mai simplă decât percheziția, implică dificultăți tehnice și necesită participarea specialiștilor, în special în gestionarea datelor electronice. Lucrarea atrage atenția asupra riscurilor generate de predarea voluntară a obiectelor vizate, văzută adesea ca o tactică deliberată de manipulare procesuală. În concluzie, articolul susține nevoia unei abordări integrate, care să combine rigoarea juridică cu expertiza tehnică, pentru consolidarea eficienței procesului penal în combaterea spălării banilor.

***Cuvinte-cheie:** percheziție, ridicare de documente, spălarea banilor, tactică criminalistică, probe electronice, asistență juridică, garanții procesuale.*

LES PARTICULARITÉS TACTIQUES DE LA PERQUISITION ET DE LA SAISIE D'OBJETS ET DE DOCUMENTS DANS L'ENQUÊTE SUR L'INFRACTION DE BLANCHIMENT D'ARGENT

L'article examine le rôle crucial que jouent la perquisition et la saisie d'objets et de documents dans l'enquête sur le blanchiment d'argent, en les qualifiant de moyens tactiques et probatoires essentiels. Réalisée dans le respect des garanties procédurales et selon des méthodes de criminalistique rigoureuses, la perquisition contribue de manière déterminante à l'identification des biens d'origine illicite et à l'établissement de liens probants avec l'activité criminelle. L'analyse statistique de la jurisprudence met en lumière l'efficacité notable de ces actions, les preuves recueillies s'étant révélées déterminantes dans plus de 75 % des cas examinés. L'étude souligne également la complexité des opérations de saisie qui, bien que perçues comme moins intrusives que la perquisition, présentent souvent des défis techniques importants, nécessitant le concours de spécialistes, notamment dans le traitement des données électroniques. L'attention est attirée sur les risques liés à la remise volontaire d'objets, qui peut constituer une tactique délibérée de manipulation procédurale. En conclusion, l'article plaide pour une approche intégrée, conjuguant rigueur juridique et compétence technique, afin de renforcer l'efficacité du processus pénal dans la lutte contre le blanchiment de capitaux.

***Mots-clés**: perquisition, saisie de documents, blanchiment d'argent, tactique criminalistique, preuves électroniques, assistance juridique, garanties procédurales.*

ТАКТИЧЕСКИЕ ОСОБЕННОСТИ ОБЫСКА И ИЗЪЯТИЯ ПРЕДМЕТОВ И ДОКУМЕНТОВ ПРИ РАССЛЕДОВАНИИ ПРЕСТУПЛЕНИЯ ПО ОТМЫВАНИЮ ДЕНЕГ

В статье рассматривается ключевое значение обыска и изъятия предметов и документов в процессе расследования дел, связанных с отмыванием денежных средств. Эти действия выступают в качестве фундаментальных тактических и доказательственных инструментов. При соблюдении процессуальных гарантий и использовании адекватных криминалистических методик, обыск способствует выявлению активов незаконного происхождения и установлению их связи с противоправной деятельностью. Анализ судебной практики демонстрирует высокую эффективность этих мер — в более чем 75% случаев собранные таким образом доказательства имели решающее значение для установления фактов преступления. В то же время, подчеркивается сложность процедур изъятия: несмотря на их внешнюю простоту по сравнению с обыском, они нередко сопряжены с техническими трудностями и требуют участия специалистов, особенно при обращении с электронными данными. Отдельное внимание в работе уделяется рискам, связанным с добровольной передачей предметов, подлежащих изъятию. Подобное поведение зачастую рассматривается как осознанная тактическая стратегия, направленная на влияние на ход расследования. В заключение подчеркивается необходимость интегрированного подхода, сочетающего юридическую строгость и техническую экспертизу, что обеспечивает повышение эффективности уголовного преследования в сфере противодействия легализации преступных доходов.

***Ключевые слова**: обыск, изъятие документов, отмывание денег, криминалистическая тактика, электронные доказательства, юридическая помощь, процессуальные гарантии.*

Introduction

The investigation of money laundering offences requires the application of complex and multidisciplinary methods, given that the underlying criminal activity is typically concealed through seemingly lawful economic mechanisms. Within this framework, searches and the seizure of objects and documents emerge as primary procedural actions, bearing substantial evidentiary value. The present study aims to analyze the forensic-tactical particularities of these activities, focusing on their operational and legal significance in the context of criminal prosecution.

The central challenge addressed lies in the difficulty of identifying authentic evidence within a sophisticated concealment scheme – especially when such evidence is distributed across both physical locations and digital media. The scientific hypothesis underpinning this analysis is based on the premise that applying a rigorous tactical framework and an integrated methodology – including the involvement of technical specialists – maximizes the effectiveness of these actions and contributes to the strengthening of the evidentiary process.

The methodology adopted is exploratory and analytical in nature, relying on the examination of judicial practice, the interpretation of procedural law, and the assessment of forensic expert contributions. The structure of the paper reflects this approach, being organized around the analysis of procedural components, tactical conditions, evidentiary implications, and vulnerabilities identified in practice.

Main content analysis

One of the most effective criminal investigation actions conducted in the initial phase of money laundering investigations is the search. The high efficiency of this procedural action, as a means of evidence, is explained by its procedural and forensic-tactical unity, developed over decades of evolution in legal science. The search incorporates a complex of procedural, technical, and forensic-tactical conditions necessary for preparing, conducting, and recording the results of this procedural activity [2, p. 242; 9, p. 223-225].

One of the essential prerequisites for achieving the goal and fulfilling the objectives pursued through this investigative action is the strict compliance with the procedural form provided by law and the optimal valorization of the forensic-tactical potential of this action [11, p. 173]. In our view, this general principle is fully applicable in establishing, through search, the circumstances related to the illicit acquisition of sums of money or other goods resulting from the commission of the offence of money laundering.

In money laundering investigations, the search plays a vital role both in obtaining evidence and in identifying assets of illicit origin. By respecting the legal requirements and applying effective criminalistics methods, clear connections can be established between the offence and the hidden assets, decisively contributing to the clarification of complex cases.

Case analysis reveals that in 82.5% of the files, searches were conducted with seizures of objects and documents, confirming the importance of these measures in money laundering investigations [12–35]. Comparatively, other types of evidence, such as the examination of documents (100%), witness statements (85%), or financial-accounting expert reports (60%) were used at different rates, while interceptions appeared in only 30% of cases [12–35].

Courts have authorized searches mainly at the suspects’ homes (70%), company headquarters under their control (60%), financial institutions (22.5%), workplaces (15%), notary offices (10%), vehicles (7.5%), and storage units (5%) [12–35]. The most frequently seized items included: banking and accounting documents (80%), IT devices (55%), mobile phones (50%), commercial and notarial documents (47.5%), notebooks and auxiliary records (32.5%), cash (25%), bank cards and company seals (17.5%), and internal notes and documents (15%) [12–35]. These items were later analyzed by specialists to verify the origin and flow of the funds.

Courts have consistently confirmed the high evidentiary value of evidence obtained through search in money laundering cases, where criminal activity is frequently concealed. In 75% of the cases, such evidence was decisive in proving the offence; in 62.5%, it led to the extension of the criminal investigation or

the identification of other participants; in 55%, it had a confirmatory role when corroborated with other evidence; and in 32.5%, it allowed the identification of assets subject to confiscation [12–35].

Money laundering involves deliberate actions to conceal the illicit origin of funds, which requires the full use of search as both a tactical and evidentiary instrument [36, pp. 75-82]. It offers increased effectiveness through its surprise execution—preventing the destruction of evidence; through its coercive nature—allowing access to restricted areas and the use of technical tools [38, pp. 48-49]; through the imposition of communication and movement restrictions; and through its wide applicability, regardless of the procedural status of the person or the location, within the limits of the law [5, p. 95].

Although the search is intrusive in nature, it is regulated by procedural guarantees that protect the rights of the persons concerned. Thus, a search is conducted with the authorization of the investigating judge, based on a reasoned order issued by the criminal investigation body [1, Article 125(3)]. In urgent cases or when caught in the act, it may be ordered by the prosecutor, and its legality must be verified by the investigating judge within 24 hours [1, Article 125(3)].

Another essential safeguard is the right to legal assistance. The defense counsel may represent not only suspects and accused persons, but also individuals without a clearly defined procedural status. This protection ensures a balance between the public interest and the observance of fundamental rights [1, Article 127(7)].

Criminal investigation bodies must ensure the exercise of the right to legal assistance from the moment they enter the premises. Any request for legal counsel must be resolved prior to the beginning of the search. The failure to respect this right constitutes a serious procedural violation, especially in high-tension situations [8]. This obligation begins the moment investigators enter the searched premises, namely upon the communication of the procedural documents, the explanation of the rights and obligations of the persons present, or at the moment a person requests the presence of a lawyer—i.e., from the first request [7]. If no such request is made at the time of arrival, or if it is made only by some of those present, this does not prevent the search from being carried out, including body searches [1, Article 130(2)(3)], provided that the legal conditions are met.

We support the view expressed by author Iurie Crăciun, who identifies the typical objectives of conducting searches in money laundering cases as follows: *"the discovery and seizure of objects and documents proving the criminal origin of funds and other material goods; the discovery and seizure of objects and documents showing attempts to assign legal origin to the source of funds and goods; the discovery and seizure of objects and documents demonstrating the involvement of illicitly sourced assets in financial operations and civil transactions; the discovery and seizure of objects and documents proving the use of additional methods by suspects to conceal criminal activity; the discovery and seizure of objects and documents proving the involvement of specific persons in the offence of money laundering, as well as in the commission of predicate offences"* [36, pp. 75-82].

Specialist literature justifiably emphasizes that one of the possible objectives of searches in such cases may also include the identification of living persons—victims of abduction, human trafficking, or forced labour—who are used directly or indirectly in predicate criminal activity [40, p. 413]. In this regard, it can be argued that among the objectives of a search are both the identification of individuals invol-

ved in committing predicate offences and those implicated in the money laundering offence itself. However, judicial practice shows that such tasks—linked to the discovery of living individuals regardless of their role—are relatively rare or even absent, and are less common compared to the dominant objective of searches: the discovery, seizure, and documentation of objects and documents with probative value in the case [12–35].

When discussing the tactical characteristics of searches, it becomes evident that such operations involve complex tactical and psychological aspects. As emphasized in the forensic literature, *“the main tactical particularities of this procedural action depend largely on the nature of the activity carried out in the places subjected to the search, as well as on the location and layout of these premises”* [39, p. 123].

A primary category of locations frequently subjected to searches includes banks, financial and credit institutions, commercial enterprises, and corporate entities. When searches are conducted in such environments, investigators primarily target both official and unofficial documents, accounting records, schematics, business correspondence, digital data stored on fixed or mobile media, and information printed or transmitted via technical communication channels.

A critical feature of both searches and seizures in these contexts is the involvement of experts from fields such as banking, accounting, or financial auditing. Their presence underscores the need for an integrated and technically informed approach, ensuring a thorough and competent assessment of the retrieved documents and data, especially in light of the complexity of financial operations and both lawful and unlawful transactions.

A second category of locations typically targeted by searches includes private residences, vacation homes, garages, vehicles, and other movable or immovable assets belonging to suspects or individuals connected to them through business or personal associations. In these scenarios, the search usually constitutes the primary procedural measure, while seizure is applied less frequently, as noted in case materials. Even when persons voluntarily hand over the objects sought, the procedural action must be fully carried out if there are grounds to believe that not all items listed in the warrant have been surrendered. In this regard, we consider it justified to recognize a third category of locations that may be lawfully subjected to search, namely: “premises belonging to state authorities, institutions, and organizations involved in law enforcement, supervision, oversight, or contributing to the fulfillment of the public interest (for instance: tax service departments, police units, courts – particularly when criminal proceedings are preceded by civil or commercial litigation)” [5, p. 97].

It is evident that each of these categories of locations—where objects and documents relevant to the money laundering offence or to assets of criminal origin may be found—presents a unique connection to the criminal event and to the identification of illicit activity indicators. This diversity, combined with the variable nature of institutional responsibilities among officials and staff, results in a specific operational regime for storing and managing potential carriers of evidentiary information. These variables must be taken into account during the planning and execution of the search.

Such circumstances directly influence the selection of the most appropriate procedural instrument for uncovering and seizing documentary information found within the premises of the institution concerned.

In some cases, individuals subject to a search voluntarily surrender the requested items in an attempt to conceal other objects, documents, cash, or valuables unknown to the cri-

minal investigation body. In such instances, the law stipulates that "the criminal investigation authority shall restrict itself to seizing the surrendered items, without conducting further investigative actions" [1, Article 128(5)].

In our view, the voluntary surrender of sought-after items should also be seen as a tactical maneuver employed by offenders or their affiliates, aimed at minimizing legal repercussions and managing associated risks. Such conduct often constitutes a deliberate strategy, designed to downplay the seriousness of the evidence and to create a superficial impression of cooperation with law enforcement, while concealing key elements that could substantiate a conviction. In many instances, voluntary handover becomes a form of "negotiation" between the suspect and the investigating authority, intended to secure more favorable procedural conditions, such as sentence reduction or a plea bargain.

It is important to stress that voluntary surrender should not be interpreted as a spontaneous gesture, but rather as a calculated maneuver intended to persuade law enforcement officials of a cooperative attitude. This perception may influence the interpretation of the evidence and, ultimately, the court's position regarding the individual involved. Psychologically, such behavior is often employed by offenders as a coping mechanism to mitigate the stress associated with law enforcement intervention and to gain time to negotiate a more favorable outcome [3, p. 108].

At the same time, this tactic raises important concerns regarding the reliability of the evidence obtained through voluntary surrender, as there is a risk that only selected items will be handed over to mislead investigators. Therefore, criminal justice authorities must thoroughly assess the context of such surrender, verifying the authenticity, origin, and evidentiary relevance of the items provided. These safeguards are essential for preserving the integrity of the investigation and ensuring that the proceedings remain fair and impartial.

The tactical principles governing the search phase during a criminal investigation are well established in forensic doctrine and case law [10, pp. 506-507; 9, pp. 243-244]. These include: close observation of the individuals being searched to detect behavioral reactions during the search; considering the factor of "objective inaccessibility," which refers to the intentional concealment of items in hard-to-reach or discreet locations; using the "subjective inaccessibility" factor, which involves inspecting obvious places that may be used to deceive investigators, based on the psychological assumption that officers will overlook visible areas; maximizing the element of surprise to prevent the destruction or hiding of evidence; assessing the psychological traits and behavior of the individuals searched to tailor the search strategy accordingly; implementing a systematic and pre-established order of search operations to ensure full coverage of the premises; and applying the "verbal probing" technique, whereby the investigator intentionally mentions specific objects, characteristics, or potential hiding places to observe involuntary reactions, which may indicate the true location of concealed evidence.

In the context of a comparative analysis on the methodology for investigating money laundering offences, it is imperative to identify "a wide range of objects, assets, and documents" [5, p. 96] that may be searched for and seized during criminal searches. These elements are considered indispensable for acquiring clear and conclusive evidence to support the hypothesis of legitimizing and concealing the illicit origin of goods, especially given the complexity and diversity of the methods used in committing such offences.

Firstly, financial documents should be prioritized during searches conducted in such cases. It is essential to seize both original and

duplicate copies of banking and accounting records that confirm the involvement of individuals or legal entities in the legitimization process of assets originating from unlawful activities. These documents serve as direct evidence of financial flows and transactions executed to disguise the true source of illicit property. Law enforcement authorities must also consider informal or fraudulent documents designed to simulate lawful transactions, which may serve as tools for laundering purposes.

Secondly, original and duplicate documents related to civil transactions concluded between individuals or entities—frequently used to simulate the appearance of legality—must also be seized. For example, stolen goods may be transferred through seemingly legitimate contracts to obscure their illicit origin. In such instances, the transactions are often backed by forged documents, which require careful analysis to uncover irregularities in drafting, signature, and registration procedures.

Since the simulation of a lawful origin is commonly carried out by concluding transactions in an official format—often subject to state registration or at least supported by documents drawn up by the parties—all materials that reflect the existence and circumstances of these transactions acquire elevated evidentiary value. This is particularly relevant today, in a context marked by the growing use of electronic technologies, IT devices, and digital communications.

The mechanisms by which evidentiary traces are created increasingly reflect the trend of document forgery, especially with the aid of modern technological tools. For this reason, it becomes essential to seize electronic documents stored in the memory of digital devices located at sites where various stages of the criminal activity took place, or where relevant records were drafted. Such locations may belong to the perpetrators themselves, to individuals unknowingly involved in the transactions, or to public institutions and regulatory bodies that directly or indirectly participated in the verification or formalization of these operations.

“All electronic versions of documents relevant to the criminal investigation must be seized, including:

a) *Final documents* whose content is complete and whose date of modification, printing, or transmission via telecommunications means occurred after the conclusion of the transaction;

b) *Preliminary documents*, such as: draft versions reflecting the proposed conditions of a financial operation or other transaction; original records created prior to any modifications triggered by significant macro- or microeconomic or social changes; documents outlining the presumed negotiation terms of a transaction; records evidencing changes to the initial content, such as scanned copies of original documents, electronic versions of signatures and seals, files containing altered identifying elements, or final versions supplemented with tampered data, etc.” [37, pp. 162-163].

“The memory of such technical systems may contain information about the payment platforms used by the beneficiaries, records of expenditures and revenues, purchases made via online stores, and a wide range of other data relevant to the establishment of a financial profile” [6, p. 30].

“The legislator does not provide a detailed list nor explicitly define the categories of electronic data carriers that require the participation of a specialist. Nonetheless, involving a specialist in the procedural act is justified, as it prevents the intentional or accidental deletion of information critical to the criminal investigation, including by interested parties—such as during computer shutdown, file removal—by facilitating backup creation and taking measures to recover deleted documents” [5, p. 96].

In cases where the physical seizure of such media in their original form would seriously disrupt the economic activity of the individual or legal entity concerned, the criminal investigation authority is legally obliged—under Article 128 para. (5²) of the Criminal Procedure Code—to adopt alternative measures by means of a reasoned ordinance. These measures may include: the production of copies; the creation of photographic or video records; data storage (including system cloning); technical inspection, measurement, or sampling, all of which may serve as evidence in criminal proceedings.

From the standpoint of procedural law, it is striking that the involvement of IT specialists remains optional and left to the discretion of the investigating officer. In practice, however, the inherent complexity of the field, the volume of technical knowledge required, and the risk of data loss or manipulation clearly justify the mandatory participation of an expert—especially when the purpose of the search is to locate and seize computer systems or data storage devices. Without expert involvement, actions such as digital searches or data seizures may be compromised, significantly weakening the authority's ability to trace participants, reconstruct communication flows, and capture digital forensic traces. Consequently, Article 128 para. (5²) CPC should be amended to eliminate the phrase 'where applicable', replacing it with a clear and binding formulation. This legislative revision would reflect both judicial practice and contemporary legal scholarship, which views the integration of technical expertise into the criminal process as a safeguard for investigative efficiency and the protection of fundamental rights.

Thirdly, special attention must be paid to transport documentation issued for material goods undergoing or having undergone a legalization process. These records may contain essential information regarding transport routes, methods of alienation or sale, thus serving as key evidence for tracking the movement of goods derived from criminal activity.

Likewise, electronic payment cards used for cash withdrawals involving funds derived from predicate offenses—or subsequently laundered—must also be identified. These financial instruments may reveal the banking accounts involved in suspicious transactions and provide insight into the financial schemes used to obscure the illicit origin of the funds.

Another category of items with high evidentiary value includes personal records kept by members of organized criminal groups—such as sketches, notes, written plans, or instructions conveyed by group leaders. These records may document the circumstances under which the offenses were committed and offer critical information regarding the flow of funds and assets held or transferred by the criminal networks. Additionally, accounting logs reflecting the movement of funds can be vital in establishing the connection between illicit revenue and the assets subjected to the laundering process.

Furthermore, mobile phones belonging to suspects, SIM cards, computer and office equipment, and various data storage devices must be carefully examined. These may contain text messages, audio or video recordings, digital files, electronic documents, or other forms of communication capable of clearly evidencing illegal transactions or the intent to launder proceeds of crime. As such, these technical means may serve as key sources of proof regarding the suspects' direct involvement in money laundering activities.

Therefore, the list of items, goods, and documents that may be targeted during searches conducted in money laundering cases is extensive and multifaceted. Law enforcement bodies must be thoroughly prepared to identify, seize, and analyze these elements with utmost

diligence to uncover criminal networks, identify participants, and demonstrate the methods used to legitimize proceeds of crime. In light of the aforementioned, it becomes evident that each of these elements can play a decisive role in building a thorough, coherent, and effective criminal investigation.

It is important to raise the question of how the documents in question were obtained: were they handed over voluntarily, along with other financial or accounting records, compiled in a single thematic and well-organized file? Or, on the contrary, were they discovered through targeted investigative search actions?

The precise location where the documents were found constitutes a critical element for assessing the evidentiary context. Investigators must determine whether the documents were identified: within the same file as other consistent and legitimate financial records; in a separate folder—labeled or unlabeled—potentially indicating a concealed theme or intent to disguise; in a drawer or another easily accessible area at the workplace; in an improvised storage space suggesting concealment using ordinary or readily available means; or, alternatively, in a specially constructed location, such as a hidden compartment or a disguised safe. Establishing these circumstances is essential for assessing whether the possession and production of the documents were voluntary or covert. This analysis directly informs the assessment of criminal intent, the formulation of investigative hypotheses, and the structuring of the case’s evidentiary logic.

A common practical issue encountered during criminal proceedings relates to conducting searches and the seizure of objects and documents in cases of urgency or flagrante delicto. According to Article 125(4) of the Criminal Procedure Code, “in urgent cases or in the event of flagrante delicto, a search may be carried out based on a reasoned ordinance issued by the prosecutor, without the authorization of the investigating judge, provided that the materials obtained during the search, along with the grounds for conducting it, are submitted to the investigating judge immediately, but no later than 24 hours after the search has been completed. The investigating judge shall verify the legality of this procedural action” [1, Article 125(4)].

The analysis of current practice highlights several issues in applying this provision, among which the following stand out:

- The criminal investigation officer is required to be in possession of the prosecutor’s reasoned ordinance and must present it to the person subject to the search. In this context, several questions arise: how can the integrity of the premises be safeguarded in the absence of the procedural document authorizing the action? What measures may be taken by the operational team initially involved in the seizure process? Is it legally permissible to restrict the freedom of movement or communication of the individual targeted by the search if there is no valid and presentable legal document? What is the legal status of individuals present at the location, and how should they be handled during the search procedure? Furthermore, one must consider whether the items or documents specified in the prosecutor’s ordinance can still be found, given that significant factual changes may occur between the moment the procedure begins and the actual presentation of the ordinance.
- Another issue relates to the substantiation of the ordinance issued by a prosecutor who is not physically present at the scene. It raises a legitimate concern: can the prosecutor gain a sufficiently accurate understanding of the operative circumstances to legally justify the issuance of the ordinance, particularly when the investigative authority intends to conduct the search outside its territorial jurisdiction?

In support of these findings, we endorse the

view expressed in legal doctrine, which states: "We believe that, once such an action is conducted exclusively based on a prosecutor's ordinance, there is a risk of impairing the principle of expediency, and the evidence necessary for the fair resolution of the criminal case may become unattainable or be destroyed" [4, p. 128].

- Furthermore, the search—as a direct investigative action—may be delayed due to the absence of qualified personnel. In the initial phase, the criminal investigation officer involves a defined group of participants; however, the actual execution of the search may, in certain cases, require the involvement of additional actors. For instance, according to the law, "in order to ensure security, the criminal investigation authorities may engage units of the institutions provided in Article 56 paragraph (1) or other relevant institutions" [1, Article 127(5)]. This additional involvement may require time and coordination, which contradicts the urgent nature of the measure.

Unlike a search, the seizure of documents does not involve physical searching actions, but it nevertheless requires a rigorous tactical approach, especially in cases related to money laundering. The complexity and concealment of the connections between documents necessitate the involvement of experts, who assist in the selection of relevant evidence and ensure the accuracy of the process. Particularly when digital data or computer systems are targeted, the role of the specialist becomes crucial for the extraction and interpretation of information. Therefore, this procedure is not a mere formality, but rather a critical stage that can decisively influence the quality of the evidentiary process.

Conclusions

A properly conducted search, in full compliance with both legal and forensic-tactical standards, remains an indispensable tool in investigating money laundering offenses, playing a decisive role in identifying illicit assets and establishing their connection to criminal activities.

The seizure of documents—especially in electronic format—requires the mandatory involvement of technical experts, given the complexity of information systems and the potential risks of data alteration or loss, which could significantly affect the evidentiary process.

Voluntary surrender of objects should not be automatically interpreted as a sign of cooperation, as it may represent a deliberate strategy to avoid liability. Therefore, the circumstances surrounding such conduct must be carefully examined to prevent any compromise in the objectivity of the investigation.

It is necessary to amend Article 128 paragraph (5^2) of the Criminal Procedure Code by eliminating the discretionary nature of expert involvement in the seizure of electronic data. Replacing the phrase "where applicable" with a mandatory provision would enhance the effectiveness of investigations and ensure the integrity of digital evidence.

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