

FROM THE FIELD

FILMING LONG AFTER A CRIME:

INTERNATIONAL CRIMINAL TRIBUNAL FOR THE FORMER YUGOSLAVIA (ICTY) V. DOKMANOVIĆ

Backstory

In November of 1991, Serbian soldiers moved over 200 individuals from a hospital in the town of Vukovar, Croatia to a prison camp on a farm called Ovčara. Here, the soldiers beat their prisoners for several hours and then shot and killed them. Slavko Dokmanović was the President of the Vukovar Municipality at the time. He was charged by the International Criminal Tribunal for the Former Yugoslavia for: i) his personal participation in the actual beatings and killings; and ii) aiding and abetting in the beating and willful killing of these 200 plus individuals.



Ovčara Farm



Slavko Dokmanović

Dokmanović pleaded not guilty, alleging that he could not have committed these crimes because he was nowhere near the farm at the time of the massacre. To prove it, his defense attorney introduced a video of Dokmanović and his colleagues traveling in a car along rural roads with a time and date stamp that matched the time and date of the killings. He argued that this video proved he wasn't at the farm when the killings occurred. In other words, Dokmanović gave the court an alibi video.

Disproving the Alibi Video

The prosecution didn't believe him - nor did they trust the video - so they deployed a crime-scene investigator named Vladimir Dzuro to travel to Vukovar. With camera in hand, Dzuro hopped in a vehicle and retraced the route Dokmanović claimed he took on the afternoon of Nov. 21, 1991. A clip from the investigator's video can be viewed at: bit.ly/VaE_Dokmanovic.



Still from the video recorded by investigator Vladimir Dzuro.

FILMING

SHOWN IN THE VIDEO

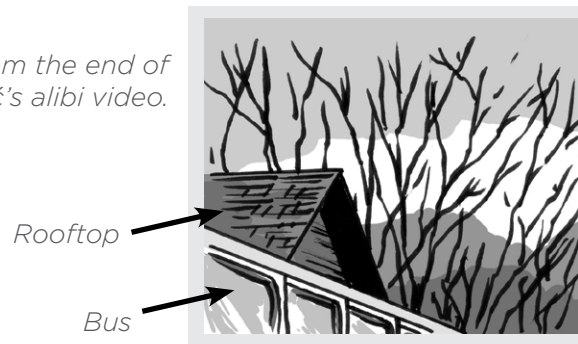
In case you are unable to watch this 1-minute clip, it is a good example of how a professional crime-scene videographer films. While the vehicle is stopped, he begins filming a very slow 180-degree pan. He then holds the camera steady while filming a wide shot driving along the route.

When Dzuro got back from the field, he and his team watched the clips side-by-side and compared Dokmanović's alibi video with the one filmed by Dzuro. They did not match up. When comparing the footage, the prosecution discovered that Dokmanović's video did not show him going from Point A to Point B, as was claimed, but rather it showed him going from Point A to Point A. Essentially, the investigator figured out that Dokmanović must have made a U-turn.

How did they determine this? The key was in the trees. At the very end of Dokmanović's alibi tape all that can be seen on the recording are buses, part of a roof of a house and the top of a tree. The prosecutor then brought in Professor Paul Tabbush, an expert in dendrology, or, in other words, a tree scientist.

Interestingly, trees are just like fingerprints - no two trees have the same branch patterns. Using the pattern of branches, Tabbash was able to establish that the walnut tree at the end of the investigator's video clip did not match the tree at the end of Dokmanović's video. In non-legal terms this is called a "smoking gun" moment.

Screen grab from the end of Dokmanović's alibi video.



The Result

While all of this did not prove that Dokmanović was at the farm when the killing happened, it undermined Dokmanović's credibility and his alibi. Once the prosecution succeeded in proving that Dokmanović lied about his alibi, the judges found it difficult, if not impossible, to trust other statements he made under oath.

Dokmanović took his own life nine days before his verdict was to be handed down. While a verdict was never issued, the family members of the men who were summarily killed that day on the farm know a piece of the truth thanks to a prosecutor, a tree scientist and a crime-scene videographer who went out and filmed the road and the trees on a sunny day long-after the massacre occurred.

TAKE HOME POINTS

We can learn a number of lessons from this story.

First, never compromise your credibility because once it's lost, it's very difficult (if not impossible) to get back.

Second, video alone did not prove Dokmanović falsified his alibi tape. Video combined with the technical analysis provided by an expert proved the lie.

Third, verifying that a video shows what one side purports it shows is vital.

Fourth, while filming the crime in progress is certainly valuable, filming in the aftermath of a crime can be just as critical.