

Crime prevention policy	
EU- priority	Organised Property Crime
Country	Romania
Year	2018

## 1. Overview of the field

### Definition of the crime

The Romanian Criminal Code contains an entire title related to Offenses against property, which means 28 articles defining crimes as theft, robbery, fraud. These are the most important:

#### **ART. 228**

##### **Theft**

(1) The act of taking a movable asset from another person's possession or control, without the latter's consent, in order to unlawfully appropriate it, shall be punishable by no less than 6 months and no more than 3 years of imprisonment or by a fine.

(2) The action is a theft also when the asset belongs fully or partly to the perpetrator, but at the time of commission the asset in question was in the legitimate possession or control of another person.

(3) Any document, electrical energy, as well as any form of energy that has an economic value, shall be deemed movable assets.

#### **ART. 229**

##### **Aggravated theft**

(1) The theft committed under the following circumstances:

- a) in a public transportation vehicle;
  - b) during the night;
  - c) by a person wearing a mask or in disguise or in a costume;
  - d) by forced entry, climbing or by unlawful use of a genuine key or a counterfeit key,
  - e) by disabling the alarm or surveillance system,
- shall be punishable by no less than 1 and no more than 5 years of imprisonment.

(2) If the theft was committed under the following circumstances:

- a) on an asset that is part of the cultural heritage;
  - b) by trespassing in a domicile or professional office;
  - c) by a person carrying a weapon,
- it shall be punishable by no less than 2 and no more than 7 years of imprisonment.

(3) Theft regarding the following categories of assets:

- a) crude oil, kerosene, condensate, liquid ethane, gasoline, Diesel oil, other oil products or natural gases from pipes, storage facilities, tanks or tanker train cars;
- b) components of irrigation systems;
- c) components of electrical networks;
- d) a device or system for signalling, alarm or alert in case of fire or other public emergencies;
- e) a means of transportation or any other means of intervention for a fire, for railroad, road, naval or air accidents, or in case of disaster;
- f) installations for railway, road, naval, air traffic security and direction, and their

components, as well as the components of the related means of transportation;  
g) assets whose appropriation jeopardizes the security of traffic and individuals on public roads;  
h) cables, lines, equipment and installations of telecommunication, radio communication, as well as communication components  
shall be punishable by no less than 3 and no more than 10 years of imprisonment.

.....  
**ART. 233**

**Robbery**

Theft committed by resorting to violence or threats, or by rendering the victim unconscious or unable to defend themselves, as well as the theft followed by the use of such means in order to keep the stolen assets or to remove the traces of the offense, or to ensure the perpetrator's escape, shall be punishable by no less than 2 and no more than 7 years of imprisonment and a ban on the exercise of certain rights.

**ART. 234**

**Aggravated robbery**

(1) The robbery committed under the following circumstances:

- a) by a person carrying a weapon, an explosive, narcotic or paralyzing substance;
- b) by simulating formal capacities;
- c) by a person wearing a mask or disguise or a costume;
- b) during night time;
- e) in a means of transportation or upon a means of transportation;
- b) by trespassing in a domicile or professional office;

shall be punishable by no less than 3 and no more than 10 years of imprisonment and a ban on the exercise of certain rights.

#M3

(2) The robbery committed in the circumstances set out in Art. 229 par. (3) shall be punishable by no less than 5 and no more than 12 years of imprisonment and a ban on the exercise of certain rights.

#B

(3) The same penalty is applied for the robbery that resulted in bodily harm.

.....  
**ART. 244**

**Misrepresentation**

(1) Misrepresenting false facts as being true, or of true facts as being false, in order to obtain undue material gains for oneself or for another, and if material damages have been caused, shall be punishable by no less than 6 months and no more than 3 years of imprisonment.

(2) Misrepresentation committed by using false names or capacities or other fraudulent means shall be punishable by no less than 1 and no more than 5 years of imprisonment. If the fraudulent means is in itself an offense, the rules for multiple offenses shall apply.

(3) Reconciliation removes criminal liability.

.....  
**ART. 249**

**Computer fraud**

Entering, altering or deleting computer data, restricting access to such data or hindering in any way the operation of a computer system in order to obtain a benefit for oneself or another, if it has caused damage to a person, shall be punishable by no less than 2 and no more than 7 years of imprisonment.

**ART. 250**

**Making fraudulent financial operations**

(1) Making cash withdrawal operations, loading or unloading of an electronic money instrument or a fund transfer instrument, by using, without the consent of the owner, an

electronic payment instrument or the identification information that allow its use, shall be punishable by no less than 2 and no more than 7 years of imprisonment.

(2) The same penalty is applicable to the operations referred to in par. (1), performed by means of the unauthorized use of any identification information or by using fictitious identification data.

(3) The unauthorized transmission to another person of any identification information, in order to perform one of the operations referred to in par. (1), shall be punishable by no less than 1 and no more than 5 years of imprisonment.

### **Assessment of trends and developments**

In the last 5 years the trend of property crimes is decreasing.

### **Recent overview of statistics and research**

In 2017 there were 239.729 Offenses against property reported, which means 44% of the total number of crimes reported. There were -24.296 offences reported to 2016, meaning - 9.2%. This downward trend is ongoing, starting in 2012.

The most common offense against property in 2017 was the theft (150.643). An important presence was the Misrepresentation – 18.841. Although the number of them is not as high as the theft, the misrepresentation is an important priority of the Police because of the important emotional and psychological impact they have on the victims and the citizens.

## **2. Crime strategy and coordination**

### **Objectives of the crime strategy**

Prevention of property crimes has been one of the Romanian Police`s priority in the last 5 years.

The main objectives are to target prevention activities to the most important types of crime and target groups identified as the most vulnerable.

### **Role of prevention in the crime strategy on state/regional/local level**

The general priority area is established at the level of Romanian Police, following consultations with all the actors involved. At the territorial level, the crime prevention activities are focused based on analyses that identifies punctual types of crime and target groups.

#### Implementation of the policy (which level is responsible for the implementation and how is the implementation coordinated?)

The Crime Research and Prevention Institute coordinates, monitors and evaluates the implementation of the program. The activities are carried out by all the units of Romanian Police, under coordination of crime prevention structures.

#### Stakeholders (working groups, specialised agencies, partners, etc)

Local authorities, National Police Corps, Groupama Insurance Company, OMV Petrom Company, Romanian Association for Security Techique, other NGOs and companies (involved in local projects).

#### Participation in European/ international networks, working groups, etc.

EUCPN

### 3. Good practices

#### Overview of recent good practices, prevention programs, etc.

Every county has its own Crime Prevention Program, based on the national priority. Within the local programs there are targeted projects/campaigns developed.

Good practice examples:

- National burglaries` prevention campaign *Thieves are creative, be preventive!*, initiated and implemented in partnership with Groupama Romania;
- National campaign *Protect your house and business! Live safe!*, initiated and implemented in partnership with Romanian Association for Security Techique;
- The frauds prevention project *Price of Friendship* – initiated and implemented by the General Directorate of Bucharest Police.