

# **SOCIO-JURIDICAL ASPECTS CONCERNING THE SEGMENT OF POPULATION IMPRISONED IN ORADEA PENITENTIARY FOR HAVING TRANSGRESSED THE LAW IN THE BUSINESS FIELD**

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## **Abstract:**

*The purpose of this paper is to highlight the social profile of delinquents that have committed offences of economic nature. The subjects considered in this paper are persons deprived of liberty that are in the custody of Oradea Penitentiary, having been imprisoned for transgressing the law in the business field. As a research method we have used the analysis of documents: it allowed us to obtain pertinent information concerning the phenomenology of persons condemned for having transgressed the law in the business field.*

**Key words:** law transgression, Oradea Penitentiary, persons deprived of liberty, business.

## **1. Introduction**

This paper aims to underline the socio-juridical characteristics of delinquents that have committed offences of economic nature, starting from the premises that there are some differences of social nature between this category of persons and other delinquents. The subjects taken into consideration when writing this paper are persons deprived of liberty that are in the custody of Oradea Penitentiary, who have been imprisoned for having transgressed the law in the business field. The observation and evaluation of these persons has been made by using the method of document analysis, which provided us with pertinent information concerning the phenomenology of persons condemned for having transgressed the law in the business field.

## **2. Conceptual framework**

The definitions for the economic delinquency are very diverse, since there are differences resulting from the diversity of juridical systems that sanction such transgressions of the law, characteristic of each country in particular.

The Swedish juridical system defines law transgression in the economic field as the sum of actions that are punishable when committed continuously and systematically, with the aim of obtaining financial advantages from outside the legal business background. In Sweden, the debates concerning the economic delinquency refer to the peculation of taxes and other prejudices caused to the state. The victims of economic criminality are the employers, the creditors, the employees, the population, the buyers, the competitors and the state, as well as the society at large (Svensson, p.6).

In the American society, the economic criminality is associated with any non-violent act or illegal activity that involves fraudulency, falsification, receiving, manipulation, abuse of trust, cunningness or illegal gains. (American Bar Association)

The boundary between the economic delinquency and other forms of law transgression is rather vague. The economic criminality refers to a transgression of the law in the economic domain, concerning commercial and industrial activities. There is no single definition that might indicate what the concept of economic delinquency should refer to. However, two categories of law transgression are considered dominant: the one concerning the accounting documents and the one referring to taxes and income taxes. (Jonsson & Persson, p.17)

## **Theoretical perspectives**

The theoretical perspectives upon the causality associated with economic delinquency are very varied.

One of the dominant theories concerning the economic delinquency is the actionist paradigm (Bentham, Tarde), that starts from the idea that the deviant act is the outcome of a certain decision, made after the transgressor has considered more or less seriously the advantages and the inconveniences of the options he or she has chosen. The authors mentioned above try to explain the characteristics of a certain deviant act by identifying the circumstances that might have influenced the evaluation, by transgressors, of advantages and disadvantages that might accompany their decision. This paradigm has been given many names: the strategic analysis, the theory of opportunities, the rational choice perspective, the limited rationality and the economic theory of transgression. (Boudon, p. 463)

Other theoretical approaches begin their explanatory exposition by referring to a corrupt organizational milieu. Thus, a study by Levine has defined the psychological meanings of understanding corruption as being an attack upon the

norms that guide a certain organization. A first question that appears is the following: why does an individual fail to resist the observance of regulations, and part of this failure encompasses the characteristics of corruption: greed, arrogance, a sense of rightfulness, the idea of virtue as personal creed and the impossibility to distinguish between the organizational and the personal aims. The essay emphasizes the moral aspect of the problem and suggests that this moral aspect leads to the interpretation of facts as corruption, as a strong attachment to a primitive moral thinking rather than as a rejection of morality. (Levine, p.724)

Other theoretical perspectives discuss the corporative criminality. From this perspective, researchers analysed even the public support for a sustained resistance to corporation criminality (Unnever). The recent increase in corporative criminality has brought about the question whether the public opinion is worried about the control of a legislation that is not observed in the business field. Using an example from the American context, researchers tried to find out whether the Americans wanted to pass stricter regulations concerning the capital market and were in favour of more severe penal sanctions for the executives of corporations that conceal the real financial situation of their companies. The results have indicated the fact that Americans are in favour of strict regulations against the transgression of the law by corporations. The analysis indicates the fact that among the people in this group there are differences of opinion regarding the public support for politics that control the corporatist criminality. Although both the liberals and the conservatives are in favour of sanctioning the corporatist criminality, the Afro-Americans prove more approving than the whites of stricter and more severe politics regarding the corporatist criminality. In conclusion, the punitive attitude is socially constituted and based upon beliefs that reflect the dynamics of class conflicts and inter-racial relations. (Unnever, p.164)

The research in the field of economic delinquency has also concerned the feminist groups. The studies that analyse the involvement of women in law transgression in the economic field regard the concept "economic" as problematic. The feminine criminality (Davies) is associated with economic benefits, and the feminine criminality in economic terms is considered inadequate in relation to the data it provides. In the re-evaluation of the concept of economic delinquency, the feminist groups demand that this should be understood in terms of situations that favour the transgression of the law, being in a weak relationship with the economic benefits, given the variability of factors such as gender/liberty/invisibility/specificity. This study provides an original feminist reading of contemporary analysis in the field of criminality, markets and the theory of rational choice: it also refers to the economic criticism, of a feminist nature, concerning the attainment of the economic order. The higher purpose of this study is that of illustrating the problems associated with classifications and the economic definitions regarding criminality; it also intends to bring forth the argument suggesting that the concept "economic", used in criminology, needs a feminist critical re-evaluation. (Davies, p.284)

The explanatory theories concerning the transgression of the law in the economic field are widespread and they focus upon the phenomenon of corruption. An interesting analysis of this phenomenon can be found in an article (Hu & Gunnison) that looks at the corruption characterising the criminality of white collars in China, a country that is well-known for its consistent involvement in the fight against corruption, and especially for the strict punishment (even the capital punishment) of persons guilty of such acts. The nature and characteristics of corruption delinquencies, the legislation in the field and the reaction of justice at such delinquencies is debatable. An evaluation of 1554 legal cases, upon which a judgement has been pronounced between 1986 and 2001, suggests that the delinquencies involving corruption differ significantly from those in which corruption is not involved in terms of the imprisoned persons, the characteristics of the delinquent act and the legal solutions provided by the decisions of law courts. A more careful analysis of the impact of corruption cases upon legal decisions indicates the fact that, irrespective of the way the delinquents have been sanctioned, once condemned, they have been sentenced for a long period of time. The article explains, in a paradoxical manner, the way of treating delinquents guilty of corruption, both before and after the condemnation, and makes reference to the cultural singularity of Chinese expectations with reference to clerks, since they enjoy many privileges and pretend to be exemplary moral persons. The conclusions of the article suggest that the Chinese contemporary legal system is circumscribed by political and cultural structures, especially with regards to the legal sanction concerning corruption acts. (Hu & Gunnison, p.29)

#### **4. Data concerning the Romanian context**

Before presenting some data concerning the dimensions of the economic delinquency, we need to mention the fact that the literature dealing with criminology makes a clear distinction between real delinquent acts (the figure that indicates the real dimension of the penal illicit); the discovered delinquent acts (delinquent acts discovered by the social control organisms); and the judged delinquent acts (the delinquent acts that have been judged and sanctioned by law courts). The differences between these categories can be explained by the fact that many delinquent acts are clandestine and never discovered, as it happens with many delinquents. At the same time, some delinquent acts are not given evidence by penal organisms, either because of fear (the revenge of the wrongdoer) and embarrassment, or because of the rather difficult and long procedure of passing legal sanctions. In the economic and financial field we suppose that we can identify some delinquent acts committed by clerks or official persons that are either not discovered, or are not registered and passed legal sanctions upon. These refer to frauds, commercial and financial corruption, counterfeiting brands or patents. In the famous work entitled *The Criminality of White Collars*, E. Sutherland

demonstrated the existence of many illegal acts related to some commercial and financial business in the American society. From his point of view, the economic costs of misappropriations, frauds, counterfeiting products and unjust political business performed by important office holders possibly gets beyond the economic cost of common transgressions of laws. (Banciu, 2004, pp.29-30)

The work of Petre Buneci, entitled “Elemente socio-juridice de control social pe terenul devianței” (Socio-juridical Elements of Social Control in Terms of Deviance), refers to the economic trespassing of the law in Romania during the last decades. Referring to law trespassing in the banking and financial sector before 1990, the author affirms, with a high degree of incertitude, that criminal organizations did not activate in our country, since they were kept in check, given the strictness of co-ordinates on which the economic, accounting, financial and frontier activities could be performed. After December 1989, the criminality in the banking and financial sector has increased in dimensions and intensity, and this sector has become incoherent and nebulous. The multitude and diversity of causative factors have brought about a lack of knowledge, registration and intervention on the part of the judicial system, confirming the hypothesis that states that the real dimension of criminality is considerable, and the real criminality is more extended than the one presented in statistics provided by institutions with anti-delinquent attributions in Romania. (Buneci, 2004, p.169)

With regards to real data concerning the extension of criminality in the field of business, we can say that we do not benefit from a reasonable amount of information, rather that the research and results obtained in this area are few and unsatisfactory. A study that can be considered relevant in the field is that conducted by *Pricewaterhouse Coopers*, concerning the economic delinquency in 2007. The study is entitled “*The Economic Delinquency: People, Organizational Culture and Control*”, is published every two years and uses a sample of 5400 companies in the whole world, being the most comprehensive account of this kind. The study is the result of the collaboration with Martin Luther University of Halle-Wittenberg, Germany. The survey indicated the fact that 43% of the respondents at the global level and 36,4% of the Romanian respondents have been victims of one or more economic delinquencies during the last two years. The total of direct losses declared by respondents was of 4,2 billion US dollars at the global level and 13,7 billion US dollars in Romania. The losses were the result of economic delinquencies such as the misappropriation of actives, accounting frauds, bribe and corruption, or the illegal appropriation of intellectual copyrights. According to this study, almost half (which is roughly the same level as in 2005) of the organizations that contributed to the survey declared they have been victims of economic frauds in the last two years. Together with the financial losses caused by frauds, the companies have suffered significant “collateral prejudices” related to their current activity and the success of their business. Among the ones that declared to have been the victims of frauds in Romania, 88% declared collateral prejudices. The opinion poll has indicated the fact that the economic fraud has a universal character

and influences companies of different sizes, from all the continents and the activity sectors.

Even though fraud remains a very difficult problem, the majority of companies are confident that their own controls will limit in the future the risk for fraud. Only 13% of the Romanian respondents (11% at the global level) believe that it is possible to become victims of economic fraud in the next two years. No sector of activity is immune to fraud. Frauds are widespread especially in the assurance sector and in the retail commerce, where 57% of the firms have declared frauds, figure followed by the governmental and the public sector, with 54%, by the financial service, with 46%, by the car-building industry, with 44% representing the percentages at global level). The most frequent types of fraud in each sector of activity vary in terms of the specific characteristics of each sector in particular. The most frequent type of fraud is the theft, mentioned by 23% of the respondents that declared they have been victims of economic frauds in Romania. The infringement of the intellectual property and the accounting fraud have both been declared by 15% of the Romanian respondents, the corruption and bribery by 10% and money laundering by 1%. From the number of *fraud authors* in Romania, 89% are men, their most frequent age being between 31 and 50, and out of whom less than half (47%) have graduated college or had post/graduate studies. About 20% used to be employed by the company they have swindled, 48% being part of the top management, while 83% had been working for more than five years for that particular company. The most frequent *reasons for fraud* are simple – the need and the greed. The opportunities for fraud appear as a result of unsuitable control and of an organizational culture that does not support loyalty, ethics and the observance of rules. According to the poll, the reasons that explained the frauds, mentioned by the Romanian respondents, have included the lack of awareness regarding the gravity of the fraud – 52%, a weak resistance to temptation – 45% and a weak level of dedication for the company – 41%, financial stimuli – 33%, the desire for an expensive lifestyle – 32%. The internal collaboration (with other people committing frauds) has been mentioned in 44% of the cases, the avoidance of management control – 30%, the insufficient number of controls at the company level – 26% and the collaboration with entities from outside the company – 26%. Despite the fact that all the Romanian respondents declared they had implemented at least a control measure aimed to discover and prevent economic frauds, 39% of the fraud cases have been discovered by chance, or due to some external indices – while the most efficient method of control – the internal audit – has represented a method of initial tracking down for only 13% of the declared cases, which emphasizes the importance of a transparent organizational culture that allows the employees to recognise and lay open the incorrect behaviour.

## 5. Research question

What is the social profile of the person who trespasses the law in the business field?

## **6. Study design**

### **The evaluated population segment**

The population segment that we had in view was that of the imprisoned persons in the custody of Oradea Penitentiary, while the analysis and registration unit will be represented by the condemned persons that execute punishments depriving them of their liberty for actions related to the business field. In identifying these persons we started from penal actions that can be identified in the business field and that are considered delinquencies. The majority of these actions are mentioned in the Penal Code (fraudulency, usury, frauds related to weighing and measuring, frauds concerning the quality of goods, the disclosure of the economic secret, counterfeiting the object of some investigation, the distribution of counterfeited products, disloyal concurrence, disobeying the dispositions regarding the import of remnants and residues); Law no. 161 from 19<sup>th</sup> of April 2003 concerning some measurements regarding the assurance of transparency in the exercise of public dignities, of public functions and the business environment, the prevention and sanctioning of corruption; the Customs Code; Law no. 87 from 1994 concerning the rebuttal of tax evasion; Law no. 656 from 2002 regarding the measures for the prevention and rebuttal of money laundering.

This study was initiated on the 15<sup>th</sup> of August 2008. At that date, 606 persons deprived of liberty were imprisoned in Oradea Penitentiary. Out of these, 20 were imprisoned for illegal actions performed in the economic domain. They represent the analysis and registration unit.

### **The type of research**

This study is characterised by the following particularities: the research method is the analysis of documents, more exactly indictments, penal sentences, charge sheets (these being the most trustworthy source of information for the segment of population that present a law degree of trust, given their repeated transgression of juridical norms); the research is not aimed at being a location study, but one conducted at the plan of disseminating the information collected from official documents; we have not interacted with the segment of population under research, since it is generally reluctant to such studies and the data gathered in this way might suffer from consistent distortions; the qualitative type of analysis is combined with the quantitative type; the gathered data is predominantly transversal, having in view the specific

of the trespassing of the law, committed under the aspect of their encounter in a relatively short period of time; we intend to use comparative analyses; we don't intend to obtain results with a high degree of specificity, the aim of the study being rather an illustrative one; we don't focus upon mass phenomena, but rather upon individual cases (20 persons).

## **Gathering and presenting data**

In order to better design the particularities of the social profile of the person condemned for economic and financial fraud, by comparison with the rest of the population imprisoned in Oradea Penitentiary, we aimed to discover and gather data characterising this segment of population, effectual at our reference date, the 15<sup>th</sup> of August 2008. Thus, in Appendix 1 we presented the structure according to age categories; Appendix 2 – the structure in terms of sex; Appendix 3 - the structure in terms of the delinquency type; Appendix 4 – the structure related to the length of the punishment period; Appendix 5 – the structure in terms of relapse; Appendix 6 – the structure in terms of civil status; Appendix 7 – the structure in terms of education level; Appendix 8 - the structure in terms of religion; Appendix 9 – the structure in terms of the regimen for the execution of the punishment by the imprisoned persons that are in the custody of Oradea Penitentiary.

The data that we consider relevant for the attainment of our objective, respectively design of the socio-juridical profile of people trespassing the law in the business field are: age, gender, the delinquent act, the length of the condemnation, the penal antecedents, the profession, the occupation at the moment of the arrest, the civil status, education, religion, the residence environment and the regimen for the execution of the punishment. After gathering the above-mentioned data, we have devised the table included in Appendix 10.

After considering the penal actions that have been committed by the 20 persons deprived of liberty for having trespassing the law in the business field, we concluded that: 11 persons have put into circulation CEC pages or uncovered bills payable to order; 2 did not mention in the accounting documents certain amounts of money; 1 person received money and put into circulation false receipts; 1 person demanded and received money for VAT return; 1 person delivered products with false invoices and receipts; 1 person did not pay customs taxes; 1 person took from a company bank account a sum of money, by using false documents; 1 person pretended and received money for executing certain works; 1 person did not pay the price of some materials.

## **7. The interpretation of data**



We believe that we can design a double plan socio-juridical profile of persons having committed delinquent acts in the field of business, who are in the custody of Oradea Penitentiary. The first plan reflects strictly the characteristics of this group of persons, while the second one outlines the profile by making comparisons with the social attributes of the entire effective of persons deprived of liberty and found in Oradea Penitentiary.

### **The socio-juridical profile of the group of delinquents form the business field**

We shall outline the “portrait” of the delinquent from the Romanian business field starting from the analysis of information presented in Appendix 1.

As far as their *age* is concerned, these persons are between 29 and 60 years old, the average age being of 41,05 years. It is worth mentioning the age of these persons at the moment of committing the crime - around 34 years - and that the age interval is included in the segment 22-54 years old.

*The gender* of the persons we had in view is predominantly masculine, only two women being present among this group.

*The penal actions* of the group we had in view are generally considered frauds (15 cases), the rest being considered more rare penal actions.

*The period of punishment* is between 3 and 17 years, the media being of 5 years and 8 months.

With regards to the *delinquent antecedents*, most delinquents from the group we had in view (9 cases) did not have penal antecedents, while 6 are recidivists and 5 present penal antecedents.

In terms of *occupation* at the moment of the arrest, the majority of persons (13 cases) had a sort of “parasite” existence, while the others had heterogeneous occupations.

*The civil state* of the persons included in the group we had in view indicates that most of these persons are married (4 cases), 3 are divorced and one is a widower.

In terms of *education*, the delinquents who have trespassed the law in the economic field usually finished the high school (7 cases), while the others have studies close to this level.

*The religion* of most persons in the group we have referred to is orthodox (14 cases), the other cults having fewer “representatives”.

*The residence environment* of the persons we had in view is largely urban (18 cases).

*The regime for the execution of the punishment* for the persons who have trespassed the law in the economic field is almost evenly distributed - the open regime (6 cases), the semi-open one (7 cases) and the closed one (7 cases).

### **The characteristics of persons having committed frauds in the business field, compared with those of the rest of the imprisoned population**

We shall compare the characteristics of the segment of imprisoned persons who have trespassed the law in the business field with the ones of the other imprisoned persons that can be found in the custody of Oradea Penitentiary. The data we have obtained can be observed by visualising and comparing Appendices 1-9 with Appendix 10.

*The average age* for the persons who have trespassed the law in the economic field is of 42 years old, higher than the average age of the entire imprisoned population (about 34 years old).

*The men/women proportion* does not present important differences, it being of 10% in the case of the group we had in view, compared with 6,8% in the case of the entire population imprisoned in Oradea Penitentiary.

*The penal deed* for which the persons belonging to the group we had in view predominantly refers to frauds (15 of the situations), by contrast with the thefts and robberies that represent 60,5% of the criminal acts for which persons execute penalties that deprive them of liberty in Oradea Penitentiary.

*The length of the punishment period* for the ones condemned for having trespassed the law in the economic field is generally longer, in most cases (13), than 1-5 years. Most persons imprisoned in Oradea Penitentiary are condemned for roughly the same time period.

The structure concerning the *penal antecedents* of persons belonging to the group we had in view presents approximately the same proportions as the total number of persons deprived of liberty in Oradea Penitentiary.

*The civil status* of persons belonging to the group we had in view differs to an important degree. Among the investigated group, most persons are married, while the rest of the imprisoned persons are mostly unmarried.

With regards to the *education level*, we can observe significant differences between the two “delinquent communities”. The ones having trespassed the law in the economic field generally finished the high school, while most of the other persons imprisoned in Oradea Penitentiary have finished only the secondary school.

In terms of *profession and occupation* at the moment of committing the crime, comparisons are difficult to make, given the diversity among the groups.

We can identify similarities in terms of the *religion* of the subjects, in both cases most persons being orthodox, followed by reformats.

We have observed differences in terms of *residential environment*, since the majority of persons belonging to the group that we had in view come from the urban background (18 out of 20), while the subjects belonging to the second group come mainly from the rural environment (57,5%).

We can observe certain similarities in terms of the *execution regime*, most persons being classified in a semi-open regime, than in the closed and the open regimes.

## 8. Conclusions

If we were to perform an exercise of the imagination, with the aim of outlining the profile of the person who transgresses the law in the economic field and is imprisoned, we could imagine a man of about 34, that commits a fraud in the business field and risks a punishment with imprisonment for a period ranging between 5 years and 8 months, who does not have penal antecedents, does not have a stable profession and occupation, is married, has finished the high school, comes from the urban environment and is an orthodox. It is clear that such an individual does not exist: it is rather an imaginary construct, made up of the majority of socio-juridical attributes characteristic of those having trespassed the law in the economic field and is imprisoned in penitentiaries.

The person condemned for delinquent acts that have connection with the economic domain differs from other imprisoned individuals by the fact that he or she is older, has fewer penal antecedents, is married, presents a superior education and belongs to the urban environment.

The outlining of such “socio-juridical portraits” can prove beneficial, since it can help many persons obtain a better understanding of the deviance phenomenon in the economic and the financial field; it can also help the segment of population, liable to be swindled by persons who try and manage to transgress the law, to protect themselves.

The literature is rich in papers that approach the measures for preventing fraud in the economic field. Thus, in the work entitled *Preventing delinquency*, M. Cusson specifies the fact that the measures against delinquencies within a company comprise the actions related to the activity of the employer and the actions that are associated with the security manager. The first category of measures is a matter of managing the personnel and ensuring good accounting

actions. It refers to the just and equitable treatment of the staff (the more attached an employee is to the company in which he or she works, the less likely he or she will be to get involved in disloyal actions); to hiring procedures (a system of recruiting the personnel that helps identifying and rejecting the unjust candidates); to accounting and the separation of responsibilities (it is more prudent to hire different persons for the following operations: the written authorisation of buyers, the receipt of goods and the keeping of registers and the inventories (Cusson, pp.170-172). The second category of specific measures refers to the security service (Cusson, p. 173) and includes the following: clear regulations and sanctions (the normative ambiguity favours the theft) and the situational prevention (supervision, checking, ensuring the physical protection and the control of access places, etc.).

A unanimously accepted idea is that the delinquency in general and the delinquency in the economic field in particular cannot be eradicated, but only controlled and reduced by different means. This involves a good knowledge of the deviant phenomenology, obtained by analysing very accurate pieces of research, by the formation and stimulation of specialists that fight against delinquency, and by the existence of a solid legal context, which discourages and severely sanctions the ones who negatively influence the good functioning of society, irrespective of the social sector in which the penal action is committed.

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#### Appendix 1 -

Age category	Number of persons	Percent
14 – 17 years	3	0,5%
18 – 20 years	40	6,6%
21 – 30 years	234	38,6%
31 – 40 years	207	34,2%
41 – 59 years	115	19,0%
Over 60 years	7	1,1%
Total	606	100%

**Appendix 2** - The structure, in terms of gender, of the imprisoned population in the custody of Oradea Penitentiary, at 15.08.2008

Gender	Number of	Percent
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	<b>persons</b>	
Masculine	565	93,2%
Feminine	41	6,8%
Total	606	100%

**Appendix 3** - The structure, in terms of the type of delinquency, of the imprisoned population in the custody of Oradea Penitentiary, at 15.08.2008

<b>Type of delinquency</b>	<b>Number of persons</b>	<b>Percent</b>
Theft	190	31,4%
Robbery	176	29,1%
Killing	85	14,0%
Rape	33	5,4%
Fraud	28	4,6%
Others	94	15,5%
Total	606	100%

Note: of the 28 condemned persons, 15 belong to the group of 20 persons investigated for having trespassed the law in the business domain, while 5 can be included in the „others” segment

**Appendix 4** - The structure, in terms of punishment length, of the imprisoned population in the custody of Oradea Penitentiary, at 15.08.2008

<b>The punishment length</b>	<b>Number of persons</b>	<b>Percent</b>
0 – 1 years	15	2,4%
1 – 5 years	268	44,2%
5 – 10 years	169	27,9%
10 – 15 years	43	7,1%
Over 15 years	41	6,8%
Other situations	70	11,6%
Total	606	100%

Notă: By „other situations” we mean the cases when a person deprived of liberty is preventively arrested or condemned in a first instance

**Appendix 5** - The structure, in terms of relapse situation, of the imprisoned population in the custody of Oradea Penitentiary, at 15.08.2008

<b>Relapse situation</b>	<b>Number of persons</b>	<b>Percent</b>
Without penal antecedents	187	46,8%
With penal antecedents	135	22,3%
Recidivists	284	30,9%

Total	606	100%
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**Appendix 6** - The structure, in terms of civil status, of the imprisoned population in the custody of Oradea Penitentiary, at 15.08.2008

Civil status	Number of persons	Percent
Married	112	18,5%
Concubinage	223	36,8%
Divorced	31	5,1%
Unmarried	227	37,5%
Widows/Widowers	13	2,1%
Total	606	100%

**Appendix 7** - The structure, in terms of education level, of the imprisoned population in the custody of Oradea Penitentiary, at 15.08.2008

Education level	Number of persons	Percent
Illiterate	97	16,0%
Primary school	105	17,3%
Secondary school	215	35,5%
Professional school	86	14,2%
Military school	1	0,2%
High school	85	14,0%
Post-high school	2	0,3%
Graduates	15	2,5%
Total	606	100%

**Appendix 8** - The structure, in terms of religion, of the imprisoned population in the custody of Oradea Penitentiary, at 15.08.2008

Religia	Număr persoane	Procent
7th day Adventists	1	0,2%
Atheists	3	0,5%
Baptist christians	14	2,3%
Greek-catholic	19	3,1%
Musulman	5	0,8%
Orthodox	359	59,2%
Penticostal	35	5,8%
Reformed	87	14,4%
Romano-catholic	83	13,7%
Total	606	100%

**Appendix 9** - The structure, in terms of the regime for executing the punishment, of the imprisoned population in the custody of Oradea Penitentiary, at 15.08.2008

<b>The regime for executing the punishment</b>	<b>Number of persons</b>	<b>Percent</b>
Open	76	12,5%
Semi-open	289	47,7%
Closed	142	23,4%
High security	18	3%
Non-included	81	13,4%
Total	606	100%



## Appendix 10

Table reflecting the main social-juridical characteristics of persons deprived of liberty in Oradea Penitentiary, that have transgressed the law in the business field

N o.	Nam e	Age	Gende r	Deed	The year when the delinquency was committ ed	The punish ment period	Penal anteced ents	Profess ion	Occupati on when arrested	Civil status	Educati on
1.	A.F. A.	33/26	M	PC art.215	2001	10 years	R	No one	No one	Concubi nage	12 class es
2.	A.Ş.	45/42	M	PC art.215	2005	4 years and 6 months	R	Carpent er	No one	Unmarri ed	9 class es
3.	B.M. A.	32/27	M	PC art.215	2003	9 years and 4 months	R	No one	No one	Married	10 class es
4.	B.A.	41/32	F	PC art.215	1999	3 years and 10 months	F.A.P.	Account tant	Accounta nt	Concubi nage	12 class es
5.	C.F.	49/42	M	PC art.215	2001	3 years and 6 months	A.P.	Welder	No one	Married	10 class es
6.	C.N. M.	35/28	M	PC art.215	2001	8 years and 6 months	A.P.	Cook	No one	Concubi nage	11 class es
7.	G.S. M.	32/27	M	PC art.215	2003	3 years and 7 months	R	No one	No one	Unmarri ed	12 class es
8.	G.I.	32/25	M	PC art.215	2001	4 years	A.P.	Carpent er	Woodwo rker	Unmarri ed	8 class es
9.	I.G.	58/48	M	PC art.215	1998	10 years	F.A.P.	Engine mechanic	No one	Divorce d	10 class es
10	K.I.	47/39	M	PC art.257	2000	3 years	F.A.P.	Geolog ist technician	Geologist technician	Widowe r	12 class es
11	K.I.	51/4	F	PC	2003	6 year	F.A.P.	No one	No one	Married	10

.		6		art.215							class es
12	T.I.	46/4 1	M	PC art.215	2003	5 years	A.P.	Bar tender	No one	Divorce d	10 class es
13	T.J.	39/3 0	M	PC art.215	1999	17 years	R.	Driller	No one	Divorce d	12 class es
14	O.D.	60/5 4	M	PC art.254	2002	5 years	F.A.P.	Econo mist	Economi st	Married	15 class es
15	B.P. C.	47/3 7	M	Custo ms code	1998	4 years and 6 months	F.A.P.	Engine er	Adminis- trator	Married	16 class es
16	K.F.	42/3 3	M	L87 / 1994	1999	5 years and 6 months	R	Cook	Worker	Concubi nage	13 class es
17	R.T. E.	34/2 6	M	L87 / 1994	2000	3 years	A.P.	Veterin ary technici an	Driver	Married	12 class es
18	C.I.	29/2 2	M	PC art.215	2002	3 years	F.A.P.	Mecha nic	No one	Unmarri ed	11 class es
19	F.A.	36/2 7	M	PC art.215	1999	4 years and 6 months	F.A.P.	Sanitar y monteu r	No one	Concubi nage	12 class es
20	L.J. R.	33/2 8	M	PC art.215	2003	4 years	F.A.P.	Locks mith mechan ic	No one	Married	13 class es

Note:

- The „age” column indicates two values; the first one indicates the current age of the person, while the second one refers to the age when the person committed the delinquency;
- The penal antecedent has been shortened in the following way: F.A.P. – Without penal antecedents, A.P. – With penal antecedents, R – recidivist.
- The regime for executing the punishment is established in the penitentiary after a definitive condemnation to imprisonment has been pronounced; According to Law 257/2006, these are the following: open, from 0 to 1 years; semi-open, from 1-5 years; closed, from 5-15 years; high security, over 15 years punishment; the executorial trajectory of a person deprived of liberty allows the movement to a superior or inferior degree of seriousness, in terms of certain criteria: behaviour, attitude towards work, understanding the activities aimed at social re-integration etc.