



# WHITE-COLLAR CRIMES IN THE PUBLIC AND PRIVATE SECTORS OF THE REPUBLIC OF MOLDOVA

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În cadrul acestui articol științific, noi am decis să supunem unei analize detaliate practica judiciară a Republicii Moldova în materia crimelor gulerelor albe. Ținând cont, pe de o parte, de caracterul răspândit pe larg al acestui fenomen și, prin urmare, de o gamă largă de cauze penale examinate de către instanțele de judecată, precum și de raționalitatea investigației științifice, pe de altă parte, am decis să limităm studiul nostru doar la cele mai recente cauze (anii 2013-2016 (primele șase luni)), pe marginea cărora s-a expus Curtea Supremă de Justiție a Republicii Moldova.

Pe cale de consecință, am obținut rezultate științifice noi, care, în opinia noastră, vor îmbunătăți semnificativ conceptul „fenomenul criminalității gulerelor albe”. Mai mult, concluziile noastre deduse din analiza deciziilor judecătorești sunt concentrate nu doar asupra clarificării naturii juridice a crimelor, ce fac parte din lista criminalității gulerelor albe, dar și asupra conturării portretului biopsihosocial al infractorului. Susținem că toate aceste rezultate vor contribui semnificativ la o abordare comprehensivă și la clarificarea celor mai discutabile și complexe probleme criminologice pe care le generează criminalitatea gulerelor albe.

**Cuvinte-cheie:** criminalitatea gulerelor albe; cauza penală; sustragerea averii; fraudă; înșelaciune; abuz de încredere; abuz de putere; exces de putere; act de corupție; fals în acte publice.

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In the realm of our scientific article we decided to submit to a profound analysis the judicial practice of the Republic of Moldova. Taking into account, from one side, the extensive and wide-spread character of the white-collar criminality phenomenon and, as a result, a great deal of criminal cases inside the judicial instances connected to white-collar criminality, and reasonability of a scientific research, from another side, we decided to limit our survey only to the most recent (2013-2016 (first six months)) criminal decisions edited in the perimeter of the Supreme Court of Justice of the Republic of Moldova.

As a consequence, we have obtained a lot of important scientific results which in our opinion will improve significantly the concept and the real nature of the phenomenon of white-collar crime. More than it, our conclusions obtained from the criminal decisions will be focused upon the matter of category of the white-collar crime, on the one hand, both the matter of personality of the white-collar offender (bio-social-psychological profile). Together, all those results will contribute significantly to comprehension of the most disputable and complex criminological problem of white-collar crime.

**Keywords:** white-collar criminality; criminal case; embezzlement; acts of dishonesty; fraud; abuse of trust; abuse of power; excess of power; act of corruption; forgery in official documents.

As such, according to our empirical findings, white-collar criminality is a wide-spread phenomenon in the Republic of Moldova, and the judicial instances are filled with such criminal cases. We cannot forget that there are a lot of categories of white-collar violations which are situated out the Substantive Criminal Law and they cannot be adequately calculated and taken into consideration.

In order to succeed we have selected 50 of criminal sentences edited by the Supreme Court of Justice of the Republic of Moldova for the period since 2013 till 2016. Such criminal sentences we have distributed as following:

- 2013 – 2 cases [1];
- 2014 – 15 cases [2];
- 2015 – 9 cases [3];
- 2016 (first six months) – 21 cases [4].

More than it, in the realm of our survey we have divided all the cases (47) into two big groups in function of the sector where the white-collar crime was committed. Thus, we have emphasized two criteria:

1. White-collar crimes committed in *the public sector* – 21 criminal cases;
2. White-collar crimes committed in *the private sector* – 26 criminal cases.

**Table 1**

White-collar crimes in the public sector of the Republic of Moldova – 21 cases selected from the Chancery of the Supreme Court of Justice since 2014 till 2016 (June)

I. Circumstances related to personality		II. Circumstances related to the essence of the criminal misdeed	
1.	Age on the date when a criminal offence was perpetrated: 31 years old (Male)	1.	Circumstances of the case: linked to profession.



2.	<i>Place where the criminal offence was perpetrated:</i> Kishinev	2.	<i>Nature of misdeed:</i> Acts of corruption.
3.	<i>Professional status:</i> The police officer	3.	<i>Criminal punishment applied to the person:</i> imprisonment for 5 years on probation, criminal fine in the size of 1500 conventional units. <i>Complementary punishment</i> – restriction to occupy certain posts in public service and to execute professional activity in law enforcement authorities during 2 years.
4.	<i>Previous conviction (criminal history of the person):</i> absent		
2. Chancery of the Supreme Court of Justice of the Republic of Moldova. Criminal record no.1 ra-889/14. Decision from May 28, 2014.			
<b>I. Circumstances related to personality</b>		<b>II. Circumstances related to the essence of the criminal misdeed</b>	
1.	<i>Age on the date when a criminal offence was perpetrated:</i> 37 years old (Male)	1.	<i>Circumstances of the case:</i> linked to profession.
2.	<i>Place where the criminal offence was perpetrated:</i> Kishinev	2.	<i>Nature of misdeed:</i> Acts of corruption. Excess of power.
3.	<i>Professional status:</i> The police officer	3.	<i>Criminal punishment applied to the person:</i> imprisonment for 2 years on probation. Complementary punishment – restriction to occupy certain posts in public service and to execute professional activity in law enforcement authorities during 2 years.
4.	<i>Previous conviction (criminal history of the person):</i> absent		
3. Chancery of the Supreme Court of Justice of the Republic of Moldova. Criminal record no. 1ra-1045/2014. Decision from June 11, 2014.			
<b>I. Circumstances related to personality</b>		<b>II. Circumstances related to the essence of the criminal misdeed</b>	
1.	<i>Age on the date when a criminal offence was perpetrated:</i> 45 years old (Male)	1.	<i>Circumstances of the case:</i> linked to profession.
2.	<i>Place where the criminal offence was perpetrated:</i> Drokya	2.	<i>Nature of misdeed:</i> Acts of corruption. Excess of power.
3.	<i>Professional status:</i> The police officer	3.	<i>Criminal punishment applied to the person:</i> imprisonment for 5 years on probation; criminal fine of 200 conventional units (4.000 leys). Complementary punishment – restriction to occupy certain posts in public service and to execute professional activity in law enforcement authorities during 3 years.
4.	<i>Previous conviction (criminal history of the person):</i> absent		
4. Chancery of the Supreme Court of Justice of the Republic of Moldova. Criminal record no.4-1re-206/14. Decision from June 19, 2014.			
<b>I. Circumstances related to personality</b>		<b>II. Circumstances related to the essence of the criminal misdeed</b>	
1.	<i>Age on the date when a criminal offence was perpetrated:</i> 31 years old (Male)	1.	<i>Circumstances of the case:</i> linked to profession.
2.	<i>Place where the criminal offence was perpetrated:</i> Drokya	2.	<i>Nature of misdeed:</i> Acts of corruption.
3.	<i>Professional status:</i> The police officer	3.	<i>Criminal punishment applied to the person:</i> imprisonment for 5 years on probation, criminal fine in the size of 2000 conventional units (40.000 leys). <i>Complementary punishment</i> – restriction to occupy certain posts in public service and to execute professional activity in law enforcement authorities during 5 years.
4.	<i>Previous conviction (criminal history of the person):</i> absent		
5. Chancery of the Supreme Court of Justice of the Republic of Moldova. Criminal record no.4-1re-170/14. Decision from June 26, 2014.			
<b>I. Circumstances related to personality</b>		<b>II. Circumstances related to the essence of the criminal misdeed</b>	
1.	<i>Age on the date when a criminal offence was perpetrated:</i> 47 years old (Male)	1.	<i>Circumstances of the case:</i> linked to profession.



2.	<i>Place where the criminal offence was perpetrated:</i> Yaloveny	2.	<i>Nature of misdeed:</i> Acts of corruption.
3.	<i>Professional status:</i> The police officer	3.	<i>Criminal punishment applied to the person:</i> imprisonment for 6 years in the penitentiary of medium security, criminal fine in the size of 1000 conventional units (20.000 leys). <i>Complementary punishment</i> – restriction to occupy certain posts in public service and to execute professional activity in law enforcement authorities during 3 years.
4.	<i>Previous conviction (criminal history of the person):</i> absent		
6. <i>Chancery of the Supreme Court of Justice of the Republic of Moldova.</i> Criminal record no. 1ra-1207/2014. Decision from October 14, 2014.			
<b>I. Circumstances related to personality</b>		<b>II. Circumstances related to the essence of the criminal misdeed</b>	
1.	<i>Age on the date when a criminal offence was perpetrated:</i> 29 years old (Male)	1.	<i>Circumstances of the case:</i> linked to profession.
2.	<i>Place where the criminal offence was perpetrated:</i> Brycheny	2.	<i>Nature of misdeed:</i> Acts of corruption.
3.	<i>Professional status:</i> The police officer of road traffic authority (Highway Patrol)	3.	<i>Criminal punishment applied to the person:</i> not applied. The person is acquitted.
4.	<i>Previous conviction (criminal history of the person):</i> absent		
7. <i>Chancery of the Supreme Court of Justice of the Republic of Moldova.</i> Criminal record no.4-1re-149/2014. Decision from October 30, 2014.			
<b>I. Circumstances related to personality</b>		<b>II. Circumstances related to the essence of the criminal misdeed</b>	
1.	<i>Age on the date when a criminal offence was perpetrated:</i> 60 years old (Male)	1.	<i>Circumstances of the case:</i> linked to profession.
2.	<i>Place where the criminal offence was perpetrated:</i> Kishinev	2.	<i>Nature of misdeed:</i> Acts of corruption.
3.	<i>Professional status:</i> Head-officer of An Administrative Council	3.	<i>Criminal punishment applied to the person:</i> imprisonment for 4 years on probation, criminal fine in the size of 600 conventional units. <i>Complementary punishment</i> – restriction to occupy certain posts in public service and to execute professional activity in law enforcement authorities during 3 years.
4.	<i>Previous conviction (criminal history of the person):</i> absent		
8. <i>Chancery of the Supreme Court of Justice of the Republic of Moldova.</i> Criminal record no. 1ra-1404/2014. Decision from November 04, 2014.			
<b>I. Circumstances related to personality</b>		<b>II. Circumstances related to the essence of the criminal misdeed</b>	
1.	<i>Age on the date when a criminal offence was perpetrated:</i> 50 years old (Male)	1.	<i>Circumstances of the case:</i> linked to profession.
2.	<i>Place where the criminal offence was perpetrated:</i> Soroka	2.	<i>Nature of misdeed:</i> Acts of corruption.
3.	<i>Professional status:</i> The physician in a hospital	3.	<i>Criminal punishment applied to the person:</i> criminal fine of 150 conventional units.
4.	<i>Previous conviction (criminal history of the person):</i> absent		
9. <i>Chancery of the Supreme Court of Justice of the Republic of Moldova.</i> Criminal record no. 4-1re-24/15. Decision from January 22, 2015.			
<b>I. Circumstances related to personality</b>		<b>II. Circumstances related to the essence of the criminal misdeed</b>	
1.	<i>Age on the date when a criminal offence was perpetrated:</i> 44 years old (Male)	1.	<i>Circumstances of the case:</i> linked to profession.
2.	<i>Place where the criminal offence was perpetrated:</i> Chymyshlya	2.	<i>Nature of misdeed:</i> Acts of corruption.
3.	<i>Professional status:</i> The police officer	3.	<i>Criminal punishment applied to the person:</i> imprisonment for 2 years on probation. <i>Complementary punishment</i> – restriction to occupy certain posts in public service and to execute professional activity in law enforcement authorities during 2 years.
4.	<i>Previous conviction (criminal history of the person):</i> absent		



<b>10. Chancery of the Supreme Court of Justice of the Republic of Moldova. Criminal record no. 1ra-309/2016. Decision from February 24, 2016.</b>			
<b>I. Circumstances related to personality</b>		<b>II. Circumstances related to the essence of the criminal misdeed</b>	
1.	<i>Age on the date when a criminal offence was perpetrated: 51 years old (Male)</i>	1.	<i>Circumstances of the case: linked to profession.</i>
2.	<i>Place where the criminal offence was perpetrated: Yaloveny</i>	2.	<i>Nature of misdeed: Acts of corruption.</i>
3.	<i>Professional status: The Mayor of the City (Portreeve)</i>	3.	<i>Criminal punishment applied to the person: is not displayed because the term for criminal prosecution has been expired.</i>
4.	<i>Previous conviction (criminal history of the person): absent</i>		
<b>11. Chancery of the Supreme Court of Justice of the Republic of Moldova. Criminal record no. 1ra-657/2016. Decision from March 16, 2016.</b>			
<b>I. Circumstances related to personality</b>		<b>II. Circumstances related to the essence of the criminal misdeed</b>	
1.	<i>Age on the date when a criminal offence was perpetrated: 33 years old (Male)</i>	1.	<i>Circumstances of the case: linked to profession.</i>
2.	<i>Place where the criminal offence was perpetrated: Strasheny</i>	2.	<i>Nature of misdeed: Acts of corruption.</i>
3.	<i>Professional status: The police officer</i>	3.	<i>Criminal punishment applied to the person: imprisonment for 5,6 years in the penitentiary of medium security; criminal fine of 6000 conventional units (120.000 leys). Complementary punishment – restriction to occupy certain posts in public service and to execute professional activity in law enforcement during 7 years.</i>
4.	<i>Previous conviction (criminal history of the person): absent</i>		
<b>12. Chancery of the Supreme Court of Justice of the Republic of Moldova. Criminal record no. 1ra-558/2016. Decision from April 05, 2016.</b>			
<b>I. Circumstances related to personality</b>		<b>II. Circumstances related to the essence of the criminal misdeed</b>	
1.	<i>Age on the date when a criminal offence was perpetrated: 28 years old (Male)</i>	1.	<i>Circumstances of the case: linked to profession.</i>
2.	<i>Place where the criminal offence was perpetrated: Kishinev</i>	2.	<i>Nature of misdeed: Acts of corruption.</i>
3.	<i>Professional status: The police officer</i>	3.	<i>Criminal punishment applied to the person: imprisonment for 6 years in the penitentiary of medium security; criminal fine of 1500 conventional units (30.000 leys). Complementary punishment – restriction to occupy certain posts in public service and to execute professional activity during 2 years.</i>
4.	<i>Previous conviction (criminal history of the person): absent</i>		
<b>13. Chancery of the Supreme Court of Justice of the Republic of Moldova. Criminal record no. 1ra-684/2016. Decision from April 12, 2016.</b>			
<b>I. Circumstances related to personality</b>		<b>II. Circumstances related to the essence of the criminal misdeed</b>	
1.	<i>Age on the date when a criminal offence was perpetrated: a criminal group</i> – the first offender – 33 years old (Male); – the second offender – 33 years old (Male); – the third offender – 31 years old (Male); – the fourth offender – 23 years old (Female).	1.	<i>Circumstances of the case: linked to profession.</i>
2.	<i>Place where the criminal offence was perpetrated: Kishinev</i>	2.	<i>Nature of misdeed: Acts of corruption. Abuse of power</i>
3.	<i>Professional status: Police officers</i>	3.	<i>Criminal punishment applied to the person: not established yet. Criminal proceeding is not finished.</i>
4.	<i>Previous conviction (criminal history of the person): absent</i>		



14. Chancery of the Supreme Court of Justice of the Republic of Moldova. Criminal record no.1ds-5/16. Decision from April 12, 2016.

I. Circumstances related to personality		II. Circumstances related to the essence of the criminal misdeed	
1.	<i>Age on the date when a criminal offence was perpetrated: 29 years old (Male)</i>	1.	<i>Circumstances of the case: linked to profession.</i>
2.	<i>Place where the criminal offence was perpetrated: Kishinev</i>	2.	<i>Nature of misdeed: Acts of corruption. Excess of power. Trafficking in fire-arms, Trafficking in drugs.</i>
3.	<i>Professional status: The police officer</i>	3.	<i>Criminal punishment applied to the person: imprisonment for 5,6 years in the penitentiary of medium security; criminal fine of 4200 conventional units (84.000 leys). Complementary punishment – restriction to occupy certain posts in public service and to execute professional activity in law enforcement authorities during 2 years.</i>
4.	<i>Previous conviction (criminal history of the person): absent</i>		

15. Chancery of the Supreme Court of Justice of the Republic of Moldova. Criminal record no. 1ra-41/2016. Decision from April 13, 2016.

I. Circumstances related to personality		II. Circumstances related to the essence of the criminal misdeed	
1.	<i>Age on the date when a criminal offence was perpetrated: 53 years old (Male)</i>	1.	<i>Circumstances of the case: linked to profession.</i>
2.	<i>Place where the criminal offence was perpetrated: Oknytsa</i>	2.	<i>Nature of misdeed: Acts of corruption.</i>
3.	<i>Professional status: The customs official</i>	3.	<i>Criminal punishment applied to the person: imprisonment for 5 years on probation; criminal fine of 2000 conventional units (40.000 leys). Complementary punishment – restriction to occupy certain posts in public service and to execute professional activity in customs during 5 years.</i>
4.	<i>Previous conviction (criminal history of the person): absent</i>		

16. Chancery of the Supreme Court of Justice of the Republic of Moldova. Criminal record no.4-1re-98/2016. Decision from April 14, 2016.

I. Circumstances related to personality		II. Circumstances related to the essence of the criminal misdeed	
1.	<i>Age on the date when a criminal offence was perpetrated: 35 years old (Male)</i>	1.	<i>Circumstances of the case: linked to profession.</i>
2.	<i>Place where the criminal offence was perpetrated: Ryshkany</i>	2.	<i>Nature of misdeed: Abuse of power. Forgery in public documents. Acts of corruption.</i>
3.	<i>Professional status: The police officer of road traffic (Highway Patrol)</i>	3.	<i>Criminal punishment applied to the person: imprisonment for 5 years on probation; criminal fine in the size of 1000 conventional units (20.000 leys). Complementary punishment – restriction to occupy certain posts in public service and to execute professional activity in law enforcement authorities during 4 years.</i>
4.	<i>Previous conviction (criminal history of the person): absent</i>		

17. Chancery of the Supreme Court of Justice of the Republic of Moldova. Criminal record no.1ra-335/2016. Decision from April 19, 2016.

I. Circumstances related to personality		II. Circumstances related to the essence of the criminal misdeed	
1.	<i>Age on the date when a criminal offence was perpetrated: 33 years old (Female)</i>	1.	<i>Circumstances of the case: linked to profession.</i>
2.	<i>Place where the criminal offence was perpetrated: Ryshkany</i>	2.	<i>Nature of misdeed: Acts of corruption.</i>
3.	<i>Professional status: The police officer</i>	3.	<i>Criminal punishment applied to the person: imprisonment for 5 years on probation; criminal fine of 1000 conventional units (20.000 leys). Complementary punishment: restriction to occupy certain posts in public service and to execute professional activity during 3 years.</i>
4.	<i>Previous conviction (criminal history of the person): absent</i>		



<b>18. Chancery of the Supreme Court of Justice of the Republic of Moldova.</b> Criminal record no.1ra-516/2016. Decision from April 19, 2016.			
<b>I. Circumstances related to personality</b>		<b>II. Circumstances related to the essence of the criminal misdeed</b>	
1.	<i>Age on the date when a criminal offence was perpetrated: 39 years old (Female)</i>	1.	<i>Circumstances of the case: linked to profession.</i>
2.	<i>Place where the criminal offence was perpetrated: Floreshty</i>	2.	<i>Nature of misdeed: Acts of corruption.</i>
3.	<i>Professional status: The prosecutor</i>	3.	<i>Criminal punishment applied to the person: imprisonment for 7 years in the penitentiary for female offenders; criminal fine of 1000 conventional units (20.000 leys). Complementary punishment: restriction to occupy certain posts in public service and to execute professional activity during 3 years.</i>
4.	<i>Previous conviction (criminal history of the person): absent</i>		
<b>19. Chancery of the Supreme Court of Justice of the Republic of Moldova.</b> Criminal record no.1ra -858/16. Decision from April 20, 2016.			
<b>I. Circumstances related to personality</b>		<b>II. Circumstances related to the essence of the criminal misdeed</b>	
1.	<i>Age on the date when a criminal offence was perpetrated: 26 years old (Male)</i>	1.	<i>Circumstances of the case: linked to profession.</i>
2.	<i>Place where the criminal offence was perpetrated: Chimishlya</i>	2.	<i>Nature of misdeed: Acts of corruption. Forgery in public documents.</i>
3.	<i>Professional status: The police officer</i>	3.	<i>Criminal punishment applied to the person: imprisonment for 5 years on probation; criminal fine of 1150 conventional units. Complementary punishment: restriction to occupy certain posts in public service and to execute professional activity during 3 years.</i>
4.	<i>Previous conviction (criminal history of the person): absent</i>		
<b>20. Chancery of the Supreme Court of Justice of the Republic of Moldova.</b> Criminal record no. 1cs-63/2016. Decision from May 17, 2016.			
<b>I. Circumstances related to personality</b>		<b>II. Circumstances related to the essence of the criminal misdeed</b>	
1.	<i>Age on the date when a criminal offence was perpetrated: 37 years old (Male).</i>	1.	<i>Circumstances of the case: linked to profession.</i>
2.	<i>Place where the criminal offence was perpetrated: Drokya</i>	2.	<i>Nature of misdeed: Acts of corruption.</i>
3.	<i>Professional status: The judge</i>	3.	<i>Criminal punishment applied to the person: not established yet. Criminal proceeding doesn't finished.</i>
4.	<i>Previous conviction (criminal history of the person): absent</i>		
<b>21. Chancery of the Supreme Court of Justice of the Republic of Moldova.</b> Criminal record no. 1ra-761/2016. Decision from May 24, 2016.			
<b>I. Circumstances related to personality</b>		<b>II. Circumstances related to the essence of the criminal misdeed</b>	
1.	<i>Age on the date when a criminal offence was perpetrated: 32 years old (Male).</i>	1.	<i>Circumstances of the case: linked to profession.</i>
2.	<i>Place where the criminal offence was perpetrated: Kishinev</i>	2.	<i>Nature of misdeed: Acts of corruption.</i>
3.	<i>Professional status: The police officer</i>	3.	<i>Criminal punishment applied to the person: imprisonment for 5 years on probation; criminal fine of 2000 conventional units (40.000 leys). Complementary punishment – restriction to occupy certain posts in public service or to execute activity of law enforcement during 5 years.</i>
4.	<i>Previous conviction (criminal history of the person): absent</i>		

Submitted to a profound analysis the white-collar crimes committed in **the public sector** from the Republic of Moldova we can formulate the following basic standpoints:

**I. Concerning to the circumstance related to per-**

**sonality of the white-collar offender from the public sector** we have found the following results:

1) *Age on the date when a criminal offence was perpetrated:*

– 26-29 years old – 4 cases (19,05%);



- 31-39 years old – 10 cases (47,62%);
- 44-47 years old – 3 cases (14,29%);
- 50-60 years old – 4 cases (19,05%).

\* **Remark:** There are 18 male offenders (85,71%) and 3 female (14,29%).

2) *Place where the criminal offence was perpetrated:*

- Kishinau (the capital of Moldova) – 7 cases (33,33%);
- Other towns – 14 cases (66,67%).

3) *Professional status of the white-collar offender:*

- A police officer – 15 cases (71,43%);
- Other public servants – 6 cases (28,57%), including: a judge; a customs officer; a prosecutor; a physician; a mayor of the city, a head of an Administrative Council.

4) *Previous criminal history of the person:* absent in 100% cases.

**II. Circumstances related to the essence of the criminal misdeed perpetrated by the white-collar offender from the public sector** can be presented by the following results:

1) *Circumstances of the case:* linked to profession in 100% of cases;

2) *Nature of misdeed:*

- Acts of corruption – in 21 cases (100%);
- Forgery in public documents – in 2 cases (1,05%);
- Abuse of power – in 2 cases (10,5%);
- Excess of power – in 3 cases (14,28%);
- Trafficking in fire-arms – in 1 case (4,76%);

- Trafficking in drugs – in 1 case (4,76%).

\* **Remark:** All the cases committed by the public officials have been associated by acts of corruption in 100%, some of them have been perpetrated together with forgery in public documents, abuse or excess of power, as well as with trafficking in drugs or fire-arms.

3) *Criminal punishment applied to the person:*

▪ **Basic punishment** (\**Remark in a majority of cases the offender has been submitted to a cumulative punishment (imprisonment and criminal fine simultaneously):*

- Imprisonment when the probation term is applied – in 11 cases. Term of probation applied – from 2 to 5 years.

- Imprisonment on a certain term in a penitentiary – in 5 cases. Term of imprisonment applied – from 5,6 years to 7 years.

- Criminal fine – in 15 cases. The size of criminal fine is from 150 (3.000 leys) till 6.000 conventional units (120.000 leys).

▪ **Complementary punishment.** Restriction to occupy certain posts in public service and to execute professional activity as a complementary punishment has been applied towards all the convicted persons.

▪ The criminal punishment has not been applied – in 4 cases, as follows:

- Acquittal (discharge from criminal proceedings) – 1 case;

- The status of restrictions has been expired – 1 case;

- Not finished criminal proceeding yet – 2 cases.

**Table 2**

White-collar crimes in the private sector of the Republic of Moldova – cases selected from the Chancery of the Supreme Court of Justice since 2014 till 2016 (June)

I. Circumstances related to personality		II. Circumstances related to the essence of the criminal misdeed	
1.	<i>Age on the date when a criminal offence was perpetrated:</i> - 46 years old (Male); - 39 years old (Female).	1.	<i>Circumstances of the case:</i> linked to profession.
2.	<i>Place where the criminal offence was perpetrated:</i> Komrat	2.	<i>Nature of misdeed:</i> Abuse of power. Embezzlement. Forgery in official documents. False denunciation.
3.	<i>Professional status:</i> The Director of an Enterprise The Vice-director of an Enterprise	3.	<i>Criminal punishment applied to the person:</i> - The first offender: imprisonment for the term of 11 years in the penitentiary of maximum security. - The second offender: imprisonment for the term of 8 years in the penitentiary for women. <i>Complementary punishment:</i> - The first offender: restriction to occupy certain posts or to execute certain professional activity during 4 years. - The second offender: restriction to occupy certain posts or to execute certain professional activity during 3 years.
4.	<i>Criminal history of the person:</i> absent		



2. Chancery of the Supreme Court of Justice of the Republic of Moldova. Criminal record no.1ra-905/2013. Decision from October 23, 2013.			
<b>I. Circumstances related to personality</b>		<b>II. Circumstances related to the essence of the criminal misdeed</b>	
1.	<i>Age on the date when a criminal offence was perpetrated: 41 years old (Male)</i>	1.	<i>Circumstances of the case: linked to profession.</i>
2.	<i>Place where the criminal offence was perpetrated: Kahool</i>	2.	<i>Nature of misdeed: Acts of corruption.</i>
3.	<i>Professional status: The Head of Communication Service of a Firm</i>	3.	<i>Criminal punishment applied to the person: criminal fine in the size of 1000 conventional units. Complementary punishment: restriction to occupy certain posts or to execute certain professional activity during 2 years.</i>
4.	<i>Criminal history of the person: absent</i>		
3. Chancery of the Supreme Court of Justice of the Republic of Moldova. Criminal record no.1ra-193/14. Decision from January 29, 2014.			
<b>I. Circumstances related to personality</b>		<b>II. Circumstances related to the essence of the criminal misdeed</b>	
1.	<i>Age on the date when a criminal offence was perpetrated: 37 years old (Male)</i>	1.	<i>Circumstances of the case: linked to profession.</i>
2.	<i>Place where the criminal offence was perpetrated: Kishinev</i>	2.	<i>Nature of misdeed: Abuse of power. Embezzlement. Forgery in official documents.</i>
3.	<i>Professional status: The Director of an Enterprise</i>	3.	<i>Criminal punishment applied to the person: imprisonment for the term of 7,6 years in the penitentiary of medium security. Complementary punishment: restriction to occupy certain posts or to execute certain professional activity during 5 years.</i>
4.	<i>Criminal history of the person: absent</i>		
4. Chancery of the Supreme Court of Justice of the Republic of Moldova. Criminal record no.1ra-83/2014. Decision from April 01, 2014.			
<b>I. Circumstances related to personality</b>		<b>II. Circumstances related to the essence of the criminal misdeed</b>	
1.	<i>Age on the date when a criminal offence was perpetrated: 53 years old (Female)</i>	1.	<i>Circumstances of the case: linked to profession.</i>
2.	<i>Place where the criminal offence was perpetrated: Kishinev</i>	2.	<i>Nature of misdeed: Abuse of power. Forgery in State symbols and trade marks. False denunciation. Forgery in official documents.</i>
3.	<i>Professional status: The manager of a Bankruptcy process</i>	3.	<i>Criminal punishment applied to the person: criminal fine in the size of 1500 conventional units (30.000 leys). Complementary punishment: restriction to occupy certain posts or to execute certain professional activity during 3 years.</i>
4.	<i>Criminal history of the person: absent</i>		
5. Chancery of the Supreme Court of Justice of the Republic of Moldova. Criminal record no. 1ra-872/2014. Decision from May 14, 2014.			
<b>I. Circumstances related to personality</b>		<b>II. Circumstances related to the essence of the criminal misdeed</b>	
1.	<i>Age on the date when a criminal offence was perpetrated: 43 years old (Male)</i>	1.	<i>Circumstances of the case: linked to profession.</i>
2.	<i>Place where the criminal offence was perpetrated: Ungheny</i>	2.	<i>Nature of misdeed: Abuse of power.</i>
3.	<i>Professional status: The manager of an Enterprise</i>	3.	<i>Criminal punishment applied to the person: no punishment applied. Acquittal.</i>
4.	<i>Criminal history of the person: absent</i>		
6. Chancery of the Supreme Court of Justice of the Republic of Moldova. Criminal record no.1ra-1118/14. Decision from June 25, 2014.			
<b>I. Circumstances related to personality</b>		<b>II. Circumstances related to the essence of the criminal misdeed</b>	



1.	<i>Age on the date when a criminal offence was perpetrated: 55 years old (Male)</i>	1.	<i>Circumstances of the case: linked to profession.</i>
2.	<i>Place where the criminal offence was perpetrated: Dubossary</i>	2.	<i>Nature of misdeed: Abuse of power.</i>
3.	<i>Professional status: The Vice-President of a Corporation</i>	3.	<i>Criminal punishment applied to the person: no punishment applied. Acquittal.</i>
4.	<i>Criminal history of the person: absent</i>		
7. <i>Chancery of the Supreme Court of Justice of the Republic of Moldova. Criminal record no.1ra-1196/2014. Decision from July 22, 2014.</i>			
<b>I. Circumstances related to personality</b>		<b>II. Circumstances related to the essence of the criminal misdeed</b>	
1.	<i>Age on the date when a criminal offence was perpetrated: 32 years old (Male)</i>	1.	<i>Circumstances of the case: linked to profession.</i>
2.	<i>Place where the criminal offence was perpetrated: Kishinev</i>	2.	<i>Nature of misdeed: Forgery in documents. Abuse of power. Embezzlement by abuse of trust.</i>
3.	<i>Professional status: The Vice-President of a Corporation</i>	3.	<i>Criminal punishment applied to the person: imprisonment on the term of 5 years in the penitentiary of medium security. Complementary punishment: restriction to occupy certain posts or to execute certain professional activity during 4 years.</i>
4.	<i>Criminal history of the person: absent</i>		
8. <i>Chancery of the Supreme Court of Justice of the Republic of Moldova. Criminal record no.4-1re-285/2014. Decision from September 25, 2014.</i>			
<b>I. Circumstances related to personality</b>		<b>II. Circumstances related to the essence of the criminal misdeed</b>	
1.	<i>Age on the date when a criminal offence was perpetrated: 64 years old (Male)</i>	1.	<i>Circumstances of the case: linked to profession.</i>
2.	<i>Place where the criminal offence was perpetrated: Yaloveny</i>	2.	<i>Nature of misdeed: Abuse of power. Forgery of public documents. Using of counterfeited documents.</i>
3.	<i>Professional status: The factory Director</i>	3.	<i>Criminal punishment applied to the person: criminal fine in the size of 1500 conventional units.</i>
4.	<i>Criminal history of the person: absent</i>		
9. <i>Chancery of the Supreme Court of Justice of the Republic of Moldova. Criminal record no.1ra-1624/14. Decision from December 15, 2014.</i>			
<b>I. Circumstances related to personality</b>		<b>II. Circumstances related to the essence of the criminal misdeed</b>	
1.	<i>Age on the date when a criminal offence was perpetrated: 29 years old (Female)</i>	1.	<i>Circumstances of the case: linked to profession.</i>
2.	<i>Place where the criminal offence was perpetrated: Edyntsy</i>	2.	<i>Nature of misdeed: Forgery in documents. Abuse of power. Embezzlement by abuse of trust.</i>
3.	<i>Professional status: The Manager of an Enterprise</i>	3.	<i>Criminal punishment applied to the person: criminal fine in the size of 500 of conventional units. Complementary punishment: restriction to occupy certain posts or to execute certain professional activity during 2 years.</i>
4.	<i>Criminal history of the person: absent</i>		
10. <i>Chancery of the Supreme Court of Justice of the Republic of Moldova. Criminal record no. 1ra-241/2015. Decision from February 25, 2015.</i>			
<b>I. Circumstances related to personality</b>		<b>II. Circumstances related to the essence of the criminal misdeed</b>	
1.	<i>Age on the date when a criminal offence was perpetrated: 44 years old (Female)</i>	1.	<i>Circumstances of the case: linked to profession.</i>
2.	<i>Place where the criminal offence was perpetrated: Kishinev</i>	2.	<i>Nature of misdeed: Forgery in documents. Abuse of power. Embezzlement by abuse of trust.</i>



3.	<i>Professional status: The Top-Manager of a Bank</i>	3.	<i>Criminal punishment applied to the person: imprisonment on the term of 9 years in the penitentiary for women. Complementary punishment: restriction to occupy certain posts or to execute certain professional activity during 3 years.</i>
4.	<i>Criminal history of the person: absent</i>		
<i>11. Chancery of the Supreme Court of Justice of the Republic of Moldova. Criminal record no. 1ra-378/2015. Decision from April 28, 2015.</i>			
<b>I. Circumstances related to personality</b>		<b>II. Circumstances related to the essence of the criminal misdeed</b>	
1.	<i>Age on the date when a criminal offence was perpetrated: 30 years old (Male)</i>	1.	<i>Circumstances of the case: linked to profession.</i>
2.	<i>Place where the criminal offence was perpetrated: Kishinev</i>	2.	<i>Nature of misdeed: Forgery in documents. Abuse of power.</i>
3.	<i>Professional status: The notary</i>	3.	<i>Criminal punishment applied to the person: imprisonment on the term of 3 years on probation. Complementary punishment: restriction to occupy certain posts or to execute certain professional activity during 3 years.</i>
4.	<i>Criminal history of the person: absent</i>		
<i>12. Chancery of the Supreme Court of Justice of the Republic of Moldova. Criminal record no. 1ra-424/2015. Decision from May 05, 2015.</i>			
<b>I. Circumstances related to personality</b>		<b>II. Circumstances related to the essence of the criminal misdeed</b>	
1.	<i>Age on the date when a criminal offence was perpetrated: 58 years old (Male)</i>	1.	<i>Circumstances of the case: linked to profession.</i>
2.	<i>Place where the criminal offence was perpetrated: Kishinev</i>	2.	<i>Nature of misdeed: Forgery in documents. Abuse of power.</i>
3.	<i>Professional status: The notary</i>	3.	<i>Criminal punishment applied to the person: no punishment applied. Acquittal.</i>
4.	<i>Criminal history of the person: absent</i>		
<i>13. Chancery of the Supreme Court of Justice of the Republic of Moldova. Criminal record no. 1ra-540/2015. Decision from May 19, 2015.</i>			
<b>I. Circumstances related to personality</b>		<b>II. Circumstances related to the essence of the criminal misdeed</b>	
1.	<i>Age on the date when a criminal offence was perpetrated: 23 years old (Male)</i>	1.	<i>Circumstances of the case: linked to profession.</i>
2.	<i>Place where the criminal offence was perpetrated: Chyadyr-Lunga</i>	2.	<i>Nature of misdeed: Embezzlement by abuse of trust. Forgery in documents. Abuse of power.</i>
3.	<i>Professional status: The General Director of an Enterprise</i>	3.	<i>Criminal punishment applied to the person: imprisonment on the term of 3 years on probation. Complementary punishment: restriction to occupy certain posts or to execute activity of enterprise's management during 4 years.</i>
4.	<i>Criminal history of the person: absent</i>		
<i>14. Chancery of the Supreme Court of Justice of the Republic of Moldova. Criminal record no. 1ra-501/2015. Decision from June 30, 2015.</i>			
<b>I. Circumstances related to personality</b>		<b>II. Circumstances related to the essence of the criminal misdeed</b>	
1.	<i>Age on the date when a criminal offence was perpetrated: 60 years old (Male)</i>	1.	<i>Circumstances of the case: linked to profession.</i>
2.	<i>Place where the criminal offence was perpetrated: Komrat</i>	2.	<i>Nature of misdeed: Embezzlement by abuse of trust. Forgery in documents. Abuse of power.</i>
3.	<i>Professional status: The General Director of an Enterprise</i>	3.	<i>Criminal punishment applied to the person: imprisonment on the term of 10 years in the penitentiary of medium security.</i>
4.	<i>Criminal history of the person: absent</i>		



15. *Chancery of the Supreme Court of Justice of the Republic of Moldova*. Criminal record no. 1ra-1067/2015. Decision from November 11, 2015.

I. Circumstances related to personality		II. Circumstances related to the essence of the criminal misdeed	
1.	<i>Age on the date when a criminal offence was perpetrated: 51 years old (Female)</i>	1.	<i>Circumstances of the case: linked to profession.</i>
2.	<i>Place where the criminal offence was perpetrated: Beltsy</i>	2.	<i>Nature of misdeed: Acts of corruption.</i>
3.	<i>Professional status: The expert appraiser at the Expertise and Certification Agency</i>	3.	<i>Criminal punishment applied to the person: criminal fine in the size of 500 conventional units. Complementary punishment: restriction to occupy certain posts or to execute certain professional activity during 2 years.</i>
4.	<i>Criminal history of the person: absent</i>		

16. *Chancery of the Supreme Court of Justice of the Republic of Moldova*. Criminal record no. 1ra-786/2015. Decision from November 17, 2015.

I. Circumstances related to personality		II. Circumstances related to the essence of the criminal misdeed	
1.	<i>Age on the date when a criminal offence was perpetrated: 53 years old (Male)</i>	1.	<i>Circumstances of the case: linked to profession.</i>
2.	<i>Place where the criminal offence was perpetrated: Kishinev</i>	2.	<i>Nature of misdeed: Embezzlement by abuse of trust. Forgery in documents. Abuse of power.</i>
3.	<i>Professional status: The General Director of an Enterprise</i>	3.	<i>Criminal punishment applied to the person: imprisonment on the term of 8 years.</i>
4.	<i>Criminal history of the person: absent</i>		

17. *Chancery of the Supreme Court of Justice of the Republic of Moldova*. Criminal record no. 1ra-7/2016. Decision from December 15, 2015.

I. Circumstances related to personality		II. Circumstances related to the essence of the criminal misdeed	
1.	<i>Age on the date when a criminal offence was perpetrated: 43 years old (Male)</i>	1.	<i>Circumstances of the case: linked to profession.</i>
2.	<i>Place where the criminal offence was perpetrated: Kishinev</i>	2.	<i>Nature of misdeed: Embezzlement by abuse of trust. Forgery in documents.</i>
3.	<i>Professional status: The Driver of a Bank Officer</i>	3.	<i>Criminal punishment applied to the person: not applied. The violation has been appreciated by the judicial instance as an administrative one.</i>
4.	<i>Criminal history of the person: absent</i>		

18. *Chancery of the Supreme Court of Justice of the Republic of Moldova*. Criminal record no. 1ra-7/2016. Decision from January 26, 2016.

I. Circumstances related to personality		II. Circumstances related to the essence of the criminal misdeed	
1.	<i>Age on the date when a criminal offence was perpetrated: 32 years old (Male)</i>	1.	<i>Circumstances of the case: linked to profession.</i>
2.	<i>Place where the criminal offence was perpetrated: Kishinev</i>	2.	<i>Nature of misdeed: Embezzlement by abuse of trust. Forgery in documents. Abuse of power.</i>
3.	<i>Professional status: The Vice-President of a Corporation</i>	3.	<i>Criminal punishment applied to the person: imprisonment on the term of 5 years un a penitentiary of medium security. Complementary punishment: restriction to occupy certain posts or to execute activity of enterprise's management during 4 years.</i>
4.	<i>Criminal history of the person: absent</i>		

19. *Chancery of the Supreme Court of Justice of the Republic of Moldova*. Criminal record no. 1ra-7/2016. Decision from February 02, 2016.

I. Circumstances related to personality		II. Circumstances related to the essence of the criminal misdeed	
1.	<i>Age on the date when a criminal offence was perpetrated: 57 years old (Male)</i>	1.	<i>Circumstances of the case: linked to profession.</i>



2.	<i>Place where the criminal offence was perpetrated:</i> Kihinev	2.	<i>Nature of misdeed:</i> Embezzlement by abuse of trust. Forgery in documents. Abuse of power.
3.	<i>Professional status:</i> The Director of an Enterprise	3.	<i>Criminal punishment applied to the person:</i> imprisonment on the term of 8 years un a penitentiary of medium security.
4.	<i>Criminal history of the person:</i> absent		
20. Chancery of the Supreme Court of Justice of the Republic of Moldova. Criminal record no. 1ra-64/2016. Decision from February 24, 2016.			
<b>I. Circumstances related to personality</b>		<b>II. Circumstances related to the essence of the criminal misdeed</b>	
1.	<i>Age on the date when a criminal offence was perpetrated:</i> 29 years old (Male)	1.	<i>Circumstances of the case:</i> linked to profession.
2.	<i>Place where the criminal offence was perpetrated:</i> Aneny Noy	2.	<i>Nature of misdeed:</i> Abuse of power. Forgery in documents. Embezzlement.
3.	<i>Professional status:</i> The Top Manager of an Enterprise	3.	<i>Criminal punishment applied to the person:</i> imprisonment on the term of 8 years un a penitentiary of medium security. criminal fine in the size of 500 conventional units (10.000 leys). <i>Complementary punishment:</i> restriction to occupy certain posts or to execute activity of enterprise's management during 4 years.
4.	<i>Criminal history of the person:</i> absent		
21. Chancery of the Supreme Court of Justice of the Republic of Moldova. Criminal record no.1ra-48/2016. Decision from March 01, 2016.			
<b>I. Circumstances related to personality</b>		<b>II. Circumstances related to the essence of the criminal misdeed</b>	
1.	<i>Age on the date when a criminal offence was perpetrated:</i> 47 years old (Female)	1.	<i>Circumstances of the case:</i> linked to profession.
2.	<i>Place where the criminal offence was perpetrated:</i> Drokya	2.	<i>Nature of misdeed:</i> Abuse of power. Forgery in documents. Embezzlement.
3.	<i>Professional status:</i> The Head Accountant of an Enterprise	3.	<i>Criminal punishment applied to the person:</i> no punishment applied. Acquittal.
4.	<i>Criminal history of the person:</i> absent		
22. Chancery of the Supreme Court of Justice of the Republic of Moldova. Criminal record no.1ra-34/2016. Decision from March 15, 2016.			
<b>I. Circumstances related to personality</b>		<b>II. Circumstances related to the essence of the criminal misdeed</b>	
1.	<i>Age on the date when a criminal offence was perpetrated:</i> 57 years old (Male)	1.	<i>Circumstances of the case:</i> linked to profession.
2.	<i>Place where the criminal offence was perpetrated:</i> Kishinev	2.	<i>Nature of misdeed:</i> Abuse of trust. Forgery in documents. Embezzlement.
3.	<i>Professional status:</i> The Director of an Enterprise	3.	<i>Criminal punishment applied to the person:</i> criminal fine in the size of 500 conventional units. <i>Complementary punishment:</i> restriction to occupy certain posts or to execute certain professional activity during 2 years.
4.	<i>Criminal history of the person:</i> absent		
23. Chancery of the Supreme Court of Justice of the Republic of Moldova. Criminal record no.1ra-15/2016. Decision from March 22, 2016.			
<b>I. Circumstances related to personality</b>		<b>II. Circumstances related to the essence of the criminal misdeed</b>	
1.	<i>Age on the date when a criminal offence was perpetrated:</i> 57 years old (Female)	1.	<i>Circumstances of the case:</i> linked to profession.
2.	<i>Place where the criminal offence was perpetrated:</i> Kishinev	2.	<i>Nature of misdeed:</i> Acts of dishonesty. Forgery in documents. Embezzlement.
3.	<i>Professional status:</i> The accountant (bookkeeper) of a Municipal Enterprise	3.	<i>Criminal punishment applied to the person:</i> criminal fine in the size of 1000 conventional units. <i>Complementary punishment:</i> restriction to occupy certain posts or to execute certain professional activity during 2 years.
4.	<i>Criminal history of the person:</i> absent		



24. Chancery of the Supreme Court of Justice of the Republic of Moldova. Criminal record no. 1ra-45/2016. Decision from March 29, 2016.			
<b>I. Circumstances related to personality</b>		<b>II. Circumstances related to the essence of the criminal misdeed</b>	
1.	Age on the date when a criminal offence was perpetrated: 37 years old (Male)	1.	Circumstances of the case: linked to profession.
2.	Place where the criminal offence was perpetrated: Kishinev	2.	Nature of misdeed: Acts of dishonesty. Forgery in documents. Embezzlement. Acts of Corruption.
3.	Professional status: The financial Director of a Municipal Enterprise	3.	Criminal punishment applied to the person: criminal fine in the size of 1000 conventional units. Complementary punishment: restriction to occupy certain posts or to execute certain professional activity during 2 years.
4.	Criminal history of the person: absent		
25. Chancery of the Supreme Court of Justice of the Republic of Moldova. Criminal record no. 1ra-721/2016. Decision from April 06, 2016.			
<b>I. Circumstances related to personality</b>		<b>II. Circumstances related to the essence of the criminal misdeed</b>	
1.	Age on the date when a criminal offence was perpetrated: 35 years old (Male)	1.	Circumstances of the case: linked to profession.
2.	Place where the criminal offence was perpetrated: Beltsy	2.	Nature of misdeed: Acts of dishonesty. Forgery in documents. Abuse of power. Tax evasion. Acts of corruption.
3.	Professional status: The Head of a Corporation	3.	Criminal punishment applied to the person: criminal fine in the size of 400 conventional units. Complementary punishment: restriction to occupy certain posts or to execute certain professional activity during 2 years.
4.	Criminal history of the person: absent		
26. Chancery of the Supreme Court of Justice of the Republic of Moldova. Criminal record no. 1ra-546/2016. Decision from June 07, 2016.			
<b>I. Circumstances related to personality</b>		<b>II. Circumstances related to the essence of the criminal misdeed</b>	
1.	Age on the date when a criminal offence was perpetrated: 49 years old (Male)	1.	Circumstances of the case: linked to profession.
2.	Place where the criminal offence was perpetrated: Dondusheny	2.	Nature of misdeed: Abuse of power. Forgery in documents.
3.	Professional status: The Head of Technical Service of a Firm	3.	Criminal punishment applied to the person: criminal fine in the size of 400 conventional units. Complementary punishment: restriction to occupy certain posts or to execute certain professional activity during 2 years.
4.	Criminal history of the person: absent		

Concerning white-collar crimes in the private sector of the Republic of Moldova we can formulate the following basic standpoints:

**I. Concerning to the circumstance related to personality of the white-collar offender from the private sector** we have found the following results:

1) Age on the date when a criminal offence was perpetrated:

- 23-29 years old – 3 persons (11,12%);
- 30-39 years old – 7 persons (25,92%);
- 40-49 years old – 7 persons (25,92%);
- 50-59 years old – 8 persons (29,63%);
- 60-64 years old – 2 persons (7,41%).

\* **Remark:** Taking into account those 27 offenders in 26 criminal cases, we have made our calculations in function of number of the offenders rather than number of cases.

In the private sector white-collar female offenders are much more involved in fraudulent activity in comparison with public sector. Especially, in 27 offenders 7 have been female, which constitute (25,92%), while in public sector white-collar female offenders have been met only in 14,29% (3 persons from 21).

There are 20 male offenders (74,08%) and 7 female (25,92%).

2) Place where the criminal offence was perpetrated:

- Kishinev (the capital of Moldova) – 13 cases (50%);
- Other towns – 13 cases (50%).

3) Professional status of the white-collar offender:

- Heads of companies (including: directors, vice-directors, presidents, vice-presidents of corporations, enterprises etc.) – 14 persons (51,85%);



– Chiefs who occupy position of trust (including: managers, including top-managers of corporations, heads of different services inside the corporations, managers of bankruptcy process) – 7 persons (25,92%)

- Accountants – 2 persons (7,41%)
- Notaries – 2 persons (7,41%);
- Driver of a bank – 1 persons (3,71%)

**II. Circumstances related to the essence of the criminal misdeed perpetrated by the white-collar offender from the public sector** can be presented by the following results:

1) *Circumstances of the case*: linked to profession in 100% of cases;

2) *Nature of misdeed*:

- Abuse of power – in 20 cases (76,92%);
- Embezzlement – in 16 cases (61,54%);
- Forgery in documents – in 22 cases (84,62%);
- Abuse of trust (acts of dishonesty) – in 4 cases (15,38%);
- Acts of corruption – in 4 cases (15,38%);
- Tax evasion – in 1 case (3,85%);
- False denunciation (in a criminal proceeding) – in 2 cases (7,69%);
- Forgery in State symbols and trade marks – in 1 case (3,85%).

3) *Criminal punishment applied to the person*:

▪ **Basic punishment**:

– Imprisonment when the probation term is applied – in 2 persons. Term of probation applied – 3 years.

– Imprisonment on a certain term in a penitentiary – in 10 persons. Term of imprisonment applied – from 5 years to 11 years.

– Criminal fine – in 11 persons. The size of criminal fine is from 400 till 1500 conventional units.

▪ **Complementary punishment**: restriction to occupy certain posts in public service and to execute professional activity as a complementary punishment has been applied towards 18 convicted persons.

▪ The criminal punishment has not been applied – in cases, as follows:

– Acquittal (discharge from criminal proceedings) – 3 persons;

– Administrative violation – 1 person.

Based on the foregoing, we come to the following conclusions:

– *The golden age of white-collar criminality is the age of 40*. We can see that the prevalence of the persons engaged in criminal white-collar criminality in private sector of the Republic of Moldova is observed in persons older than 40, especially there are 17 persons. As a result, older offenders (> 40 years old) are met in 62,96% of persons under the charge. While in public sector the medium age is lesser (<40 years old in 66,67%). We assume that it is linked with the specific character of the job which is executed by the defendant. In such a manner, in public sector the offender often is a young man who is selected for the job in law enforcement authorities of the State, whose salary is very little, and who commits acts of

corruption in connection with his profession. Often, such acts of corruption are associated with abuse or excess of power. At the same time, a classic profile of a white-collar offender in the private sector is significantly different: often it is a person older than 40 years old, with great experience in management and finances, with good material situation, who commits grievous criminal offences in the sphere of embezzlements by abuse of trust associated with forgery in official documents. Indeed, they can be called white-collar criminals. Among them acts of corruption are met rarely.

– Often white-collar women offenders are more engaged in private sector, rather than in public sector.

– All the offenders charged with and convicted for these categories of white-collar crimes are without previous conviction (the criminal history is absent).

– Absolutely all criminal misdeeds are directly linked to the profession of the offender and committed during the period when the person has been employed.

– The offender has been submitted to a cumulative punishment (imprisonment and criminal fine simultaneously) for the majority of white-collar cases perpetrated in the public sector, while the white-collar offenders from the private sector have been submitted only to one basic punishment (or imprisonment, or criminal fine). In spite of this fact, white-collar offenders from private sector are submitted to more harsher and severe punishment than the defendants from public sector, especially, the term of imprisonment is increased and is applied more often.

– In the majority of white-collar cases perpetrated in the public sector the offender has been charged with and convicted for acts of corruption, while in case of white-collar offenders from the private sector there is detected an absolute prevalence of the cases of abuse of trust (acts of dishonesty) and embezzlement.

### References:

1. *Arhiva Curții Supreme de Justiție a Republicii Moldova*. Dosarul nr.1ra-568/13. Decizia Colegiului penal lărgit din 17 septembrie 2013 în privința lui Catranji V.II.; *Arhiva Curții Supreme de Justiție a Republicii Moldova*. Dosarul nr.1ra-905/2013. Decizia Colegiului penal lărgit din 23 octombrie 2013 în privința lui Botica Ig.Gh.

2. *Arhiva Curții Supreme de Justiție a Republicii Moldova*. Dosarul nr.1ra-193/14. Decizia Colegiului penal lărgit din 29 ianuarie 2014 în privința lui Balint S.A.; *Arhiva Curții Supreme de Justiție a Republicii Moldova*. Dosarul nr.4-1re-106/14. Decizia Colegiului penal din 19 martie 2014 în privința lui Damian R.L.; *Arhiva Curții Supreme de Justiție a Republicii Moldova*. Dosarul nr.1ra-83/2014. Decizia Colegiului penal lărgit din 01 aprilie 2014 în privința lui Casian T.T.; *Arhiva Curții Supreme de Justiție a Republicii Moldova*. Dosarul nr.1ra-872/2014. Decizia Colegiului penal lărgit din 14 mai 2014 în privința lui Tolocica L.V.; *Arhiva Curții Supreme de Justiție a Republicii*



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