

THE NOTION AND STATISTICAL PARAMETERS OF PRISON CRIMINALITY IN THE REPUBLIC OF MOLDOVA

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Preventing and fighting crime is a priority for any rule of law. The essential guidelines are also the preservation of the state's role as guarantor of personal security, prevention of recidivism of previously convicted persons, etc. Not only the administration of penitentiary institutions plays a special role in this process, but also the complex of preventive measures aimed at excluding tension in conditions of increased conflict between individuals. Therefore, the crimes committed while serving the sentence negatively influence the state of order established in the penitentiary institutions, a fact that makes it difficult to carry out the basic tasks of the penitentiary system. All this creates a difficult situation in the interpersonal relations of the people serving the criminal sentence, also leads to the decrease of the trust of the convicts in the employees of the penitentiary institutions. This article is focused on some doctrinal approaches regarding prison crime, as well as on revealing the statistical parameters of prison crime in the Republic of Moldova for the period of 2016-2021.

Keywords: *penitentiary criminology, penitentiary crime, convicts, recidivism, prison sentence, penitentiary, penitentiary system.*

NOȚIUNEA ȘI PARAMETRII STATISTICI AI CRIMINALITĂȚII PENITENCIARE ÎN REPUBLICA MOLDOVA

Prevenirea și combaterea criminalității constituie o prioritate pentru orice stat de drept. Orientările esențiale sunt, de asemenea, păstrarea rolului statului ca garant al securității personale, prevenirea criminalității recidive a persoanelor anterior condamnate etc. Nu doar administrarea instituțiilor penitenciare joacă un rol special în acest proces, ci și complexul de măsuri preventive orientate spre excluderea tensiunii în condiții de conflict sporit între indivizi. Prin urmare, infracțiunile săvârșite în perioada ispășirii pedepsei influențează negativ starea de ordine stabilită în instituțiile penitenciare, fapt care face dificilă realizarea sarcinilor de bază a sistemului penitenciar. Toate acestea, creează o situație dificilă în relațiile interpersonale a persoanelor care ispășesc pedeapsa penală, de asemenea, duc la diminuarea încrederii condamnaților în angajații instituțiilor penitenciare. Prezentul articol este axat pe unele abordări doctrinare privind criminalitatea penitenciară, precum și pe relevarea parametrilor statistici ai acestui tip de criminalitate în Republica Moldova pentru perioada anilor 2016-2021.

Cuvinte-cheie: *criminologie penitenciară, criminalitate penitenciară, condamnați, recidivă, pedeapsa cu închisoare, penitenciar, sistem penitenciar.*

LA NOTION ET LES PARAMÈTRES STATISTIQUES DE LA CRIMINALITÉ PRISONNIÈRE EN RÉPUBLIQUE DE MOLDOVA

La prévention et la lutte contre la criminalité sont une priorité pour tout État de droit. Les lignes directrices essentielles sont également la préservation du rôle de l'État en tant que garant de la sécurité personnelle, la prévention de la récidive des personnes précédemment condamnées, etc. Non seulement l'administration des établissements pénitentiaires joue un rôle particulier dans ce processus, mais aussi l'ensemble des mesures préventives visant à exclure les tensions dans des conditions de conflit accru entre les individus. Par conséquent, les crimes commis pendant l'exécution de la peine influencent négativement l'état d'ordre établi dans les établissements pénitentiaires, ce qui rend difficile l'accomplissement des tâches fondamentales du système pénitentiaire. Tout cela crée une situation difficile dans les relations interpersonnelles des personnes purgeant une peine pénale, conduit également à la diminution de la confiance des condamnés dans les employés des établissements pénitentiaires. Cet article se concentre sur certaines approches doctrinales concernant la criminalité carcérale, ainsi que sur la révélation des paramètres statistiques de la criminalité carcérale en République de Moldova pour la période 2016-2021.

Mots-clés: *criminologie pénitentiaire, crime pénitentiaire, condamnés, récidive, peine de prison, pénitencier, système pénitentiaire.*

ПОНЯТИЕ И СТАТИСТИЧЕСКИЕ ПАРАМЕТРЫ ПЕНИТЕНЦИАРНОЙ ПРЕСТУПНОСТИ В РЕСПУБЛИКЕ МОЛДОВА

Предупреждение и борьба с преступностью является приоритетом для любого правового государства. Существенными ориентирами остаются также сохранение роли государства как гаранта личной безопасности, недопущение рецидива в отношении ранее судимых и др. Особую роль в этом процессе играет не только администрация пенитенциарных учреждений, но и комплекс профилактических мероприятий, направленных на исключение напряженности в условиях повышенной конфликтности между людьми. Таким образом, преступления, совершенные в период отбывания наказания, негативно сказываются на состоянии порядка, установленного в учреждениях исполнения наказаний, что затрудняет выполнение основных задач уголовно-исполнительной системы. Все это создает сложную ситуацию в межличностных отношениях лиц, отбывающих уголовное наказание, а также ведет к снижению доверия осужденных к работникам пенитенциарных учреждений. Данная статья посвящена доктринальным подходам к пенитенциарной преступности, а также выявлению статистических параметров данного вида преступности в Республике Молдова за период 2016-2021 гг.

Ключевые слова: *пенитенциарная криминология, пенитенциарная преступность, осужденные, рецидивизм, наказание в виде лишения свободы, пенитенциарное учреждение, пенитенциарная система.*

Introduction

Crime in places of detention throughout existence has attracted the increased attention of scientists. Criminality in places of confinement is the direct consequence of the contradictions that exist in society and in the penitentiary system, refracted through the conditions of isolation of convicts from society. At the same time, most criminologists claim that penitentiary crime retains all the characteristics inherent to crime of a general criminal nature [20, p. 84].

Criminality, as a social phenomenon, presents

several sides and aspects that criminological science must follow and investigate. A first aspect is that of general crime, that is, the state of crime, its existence and volume [8, p. 27]. All this must be captured and described in the space and limits where they happen, where they take place.

In the legal literature, crime in penitentiary institutions is also called penitentiary crime [14, p. 647].

In light of the above, we draw attention to the fact that a specific segment of this phenomenon is criminality in penitentiary

institutions - structures designed to achieve the resocialization of delinquents. Criminality in penitentiary institutions represents in itself a diversity of criminal recidivism and is therefore dangerous in character and cruelty [22, p. 136].

The penitentiary environment is characterized by criminal “traditions” and “customs”, as well as contempt for personality, even life, and for a good part of the prisoners, total moral degradation and the rejection of “official” values (from their point of view) are characteristic [22, p. 136].

Research methods used. In order to achieve the stated goal, a series of methods were applied in the present scientific approach, among which: the logical, systemic, comparative method.

Research content

From the point of view of criminology, penitentiary crime represents a set of crimes committed in penitentiary institutions by persons serving their criminal law sanction. It is a component of the criminal phenomenon, which differs from general crime according to the specifics of the place of commission (penitentiary institutions) and of the subjects (persons serving their criminal sentence) and which, in general, is reduced to the recidivism of criminal behavior on the part of people towards which has already been pronounced the sentence of conviction.

Analyzing criminality, the main element of the object of criminology, we distinguish the specifics of prison crime. This is manifested both by trends and legalities, as well as by the crimes included in this type of crime.

In this sense, the behavior of people who are serving their criminal sentence (regardless of the modality), researched behavior and by criminology, can be divided into two groups: acts provided by the criminal law as crimes and acts without the signs of a crime (regime violations) [3, p.20].

Penitentiary crime represents a negative socio-legal phenomenon, historically variable, which is made up of a totality of crimes committed by prisoners or prison staff in a determined period of time [3, p.23].

During the Soviet period, scholars called criminality in prison institutions - prison recidivism [9, p. 31].

At the current stage in criminology there are two visions regarding the definition of prison crime.

Some authors attribute to penitentiary crime the offenses committed by the convicts during the period of serving the custodial sentence [17, p. 39].

Thus, Parfinenko I. assigns only convicts to the subjects of penitentiary crime, however, he emphasizes that the notion of “prison crime” seems correct to be attributed to the crimes committed by those who have been prevented and convicted, who are detained in the penal isolation cells or are serving their sentence in penitentiaries [15, p. 41].

The author Dolgova A. defines penitentiary crime as the persistent crime in penitentiary institutions, in the places of execution of criminal sanctions [13, p. 647].

Another author, Filipova O., researching penitentiary crime, finds that its frequent manifestation is penitentiary recidivism, which represents a negative social-legal phenomenon, expressed by all the acts prohibited by the criminal law committed by convicts serving a custodial sentence for previous commission of a crime [19, p. 256].

Researchers who have a different vision regarding the definition of prison crime suggest to attribute it together with crimes committed by convicts in prisons and crimes committed by prison officials [18, p. 261].

Thus, some scholars reiterate that the criminality of convicts and officials in the penitentiary administration system should be referred to as penitentiary, and those guilty of committing crimes related to the activity

of penitentiary institutions – penitentiary criminals [16, p. 234].

Therefore, it seems to us that the subjects of prison crime can be attributed:

– close relatives and relatives of convicts who are legally on the territory of the penitentiary;

– the representatives of law and state bodies that carry out their work in penitentiaries;

– lawyers, representatives of civil society, religious cults, national and international organizations that ensure the protection of fundamental human rights and freedoms, the mass media and other persons who are legally on the territory of the penitentiary;

– persons who are illegally in the territory of the penitentiary.

The author Ghirko S. attributes to penitentiary crime “the criminal manifestations of convicts against other inmates, prison administration officials in the case of exceeding their duties or the manifestation of improper behavior towards persons deprived of their freedom, which contravenes the legislation, or towards other persons” [12, p. 17].

In the view of the scientist Hohrin S., “penitentiary criminality is a way of criminal recidivism”, however it is important to take into account “its high social danger because the prejudicial act is committed directly in the process of executing the punishment for the previous crime under the conditions of taking the measures of preventing crimes and other crimes, demonstrates the unwillingness to correct himself/herself, actively opposing the norms and values unanimously accepted by society” [21, p. 212].

Professor Antonean Iu. insists on the idea that penitentiary crime is divided into crimes committed by convicts (prevented) and crimes committed by civil servants with special status within the penitentiary administration system [10, p. 101].

Analyzing the above definitions of prison crime, it should be noted that the

characterization of prison crime would be incomplete without taking into account the crimes committed by the employees of the prison administration system. As the statistics show, more and more crimes committed by prison administration personnel are recorded every year [4].

Thus, we consider that prison crime should be understood as all the crimes committed by those sentenced to a custodial sentence or prevented both on the territory of the penitentiary (penitentiary, criminal prosecution isolation cell, provisional detention cell, detention center) [5] and outside the place of detention, as well as crimes committed by employees of the penitentiary administration system or other persons in a certain period.

Being a component of the criminal phenomenon, penitentiary crime is distinguished by the same features characteristic of crime in general: level, structure and dynamics [1, p. 11].

At the same time, in addition to the existence and volume of the phenomenon, the structure of penitentiary crime must be analyzed and highlighted depending on the endangered social values, i.e., the component parts, groups and types of crimes that make up penitentiary crime. These aspects of the criminal phenomenon in penitentiary institutions are expressed numerically, through certain data (absolute or relative).

Penitentiary crime, like any other phenomenon of the objective world, can be attributed a quantitative and qualitative characteristic. The qualitative and quantitative part in turn characterizes the state of criminality [11, p. 47].

For the quantitative characteristic of crime, the combination of two notions is used: “*condition and level of crime*”.

Regarding the level of prison crime in the Republic of Moldova, we can reflect the criminogenic situation in prisons for the last five years as follows: 2016 - 184 crimes, 2017

- 146, 2018 - 281, 2019 - 354, 2020 - 125, 2021 - 198 [4].

In the analysis of the criminal system, it is necessary to highlight the indicators that characterize penitentiary crime, namely: *a) the general structure of penitentiary crime; b) the structure of some crime groups (property, violent, etc.); c) the structure of some types of crimes (murders, thefts, robberies, robberies, escapes, etc.)*. The share of penitentiary crime in the structure of general crime is determined by the number of crimes committed in penitentiary institutions, compared to all registered crimes.

According to the official statistical data of the National Penitentiary Administration (ANP) of the Ministry of Justice of the Republic of Moldova in 2021 (on January 1, 2022) there were 6396 people in penitentiaries, and on January 1, 2015 this number was 8054, in total the number of people detained in penitentiary institutions decreased by 1625 people or by 11.5%. From the data presented above, there is a decrease in the total number of prisoners by 4.27% and it is explained by the fact that the examinations within the Penitentiary Committees of the convicts' materials that meet the conditions for the application of the provisions of art. 91 /conditional release before the term/ and art. 92 /replacing the unexecuted part of the punishment with a milder punishment/ of the Criminal Code, the files of convicted persons were reviewed, to identify persons who meet the conditions of the provisions of art. 91 Penal Code on August 17, 2018, approved by Law no. 179 of July 26, 2018 for the amendment of some legislative acts, as well as the review of the files of convicted persons, which fall under the provisions of Law no. 210 of July 29, 2016 [7] regarding amnesty and Law no. 163 of July 20, 2017 [6] (humanization of criminal policy).

Penitentiary crime is dominated by the same laws regarding its existence and evolution that influence general crime, but at the same time,

it also has some distinct features, determined by the specifics of the place and the contingent. Crimes committed in penitentiaries differ from general crime in terms of proportions and structure, because: a) some crimes can only be committed in penitentiaries, such as escaping from places of deprivation of liberty or under escort, evading the execution of a custodial sentence, terrorizing of the prisoners embarked on the path of correction, as well as attacks on the penitentiary administration; b) the behavior of the prisoners bears a strong influence due to the subculture of the penitentiary, which encourages the commission of some crime (escape, violent actions against prisoners embarked on the path of correction or against the staff of law enforcement bodies, evasion and hooligan actions) or severely punishes for some acts (usually, these are thefts from detainees); c) the criminogenic factors essentially change in places of confinement: some of them lose any influence in the penitentiary environment, but others are specifically generated by the latter.

It is necessary to dwell especially on the particular latency of crimes committed in penitentiaries. A certain number of these crimes, either for objective or subjective reasons, were not in the focus of the official bodies' attention. Some of them do not come to the attention of law enforcement bodies, because the victims do not report the committed crime. Another part is hidden by the administration of the penitentiary institutions, continuing to be under the rule of an outdated system of assessing the efficiency of its activity, according to which the more crimes are recorded, the lower the level of work appreciation. All these, taken together, have the effect of reflecting the distorted state in the statistical records. A number of crimes are not known to law enforcement bodies, and some of which they are aware of are camouflaged, being registered as discipline violations or accidents.

This fact is confirmed by the following data: the total number of disciplinary violations during the year 2021 is 4792 cases, the year 2020 – 4539 decreasing by 5.27%, the year 2019 – 2280 cases, the year 2018 – 3015 cases, 2017 – 2362, 2016 – 4068 and 2015 - 6812. Similarly, during the years 2015-2021, the number of cases of the use of alcoholic beverages and toxic substances have an increasing trend (954.28 (braga) liters were seized from convicts in 2021 /15718.2 (alcoholic beverages) liters) compared to 833.2 (braga) liters/11874.2 (alcoholic beverages) liters) [4].

Latency is characteristic, in particular, of crimes that to an essential extent have become a normal phenomenon of life in prison, such as: hooliganism, injury to bodily integrity, torture, inhuman or degrading treatment, violent actions of a sexual nature, thefts and robberies, robbery and blackmail, threat or violence committed against a person in a position of responsibility, illegal circulation of narcotic substances.

In the penitentiary institutions of the Republic of Moldova, in the period of 2016-2021, 1164 crimes were committed, on average they constitute 202 crimes per year, but it should be noted that, in different periods, a different number of crimes were committed. During 2021, in the penitentiaries of the Republic of Moldova, 168 intentional crimes were prevented by the prison security services, which is 12 crimes less than in 2020, in 2019 - 276 intentional crimes were prevented, in 2018 there were 282 intentional crimes were prevented in 2017 - 311 crimes prepared by detainees, in 2016 - 262 cases, in 2015 - 266 cases [4].

Studying the structure of crime in the penitentiaries of Republic of Moldova in the period 2016-2021 we found: on the first place is the illegal circulation of narcotic substances, psychotropic substances or their analogues on the territory of penitentiary institutions

(85.57%) 2016 – 141, 2017 – 107, 2018 – 199, 2019 – 327, 2020 – 92, 2021 – 248 [4].

Analyzing the illegal circulation of narcotics, psychotropic substances or their analogues, we found that in 2016 they constituted 76.63% of the total number of crimes; 2017 – 73.28%; 2018 – 70.81%; 2019 – 91.11%; 2020 – 73.6%, 2021 – 81.8% [4].

Based on their statistics, it is confirmed that the highest number of crimes were registered in 2019, thus registering 327 criminal acts, subsequently observing an essential decrease in the number of crimes of illegal circulation of narcotic substances, psychotropic substances or their analogues on the territory of penitentiary institutions in 2020 to 92 crimes in 2021, this dynamic increasing up to 303 cases of illegal acts. Examining the dynamics of other types of crimes in the period 2016-2021, we found that in second place are crimes related to non-compliance with the requirements of the penitentiary administration by violence (art. 321 of the Criminal Code of the Republic of Moldova) and actions that disorganize the activity of the penitentiary (art. 286 of the Criminal Code of the Republic of Moldova) - 30 crimes, on the 3rd place the crime - threat or violence committed against a person with a responsible position or a person who fulfills his/her public duty (art. 349 of the Criminal Code of the Republic of Moldova) - 22 crimes, on the fourth place fraud (art. 190 of the Criminal Code of the Republic of Moldova) with 19 crimes, theft (art. 186 of the Criminal Code of the Republic of Moldova) – 16 crimes and Escape from places of detention, evasion from serving the sentence (art. 317; 319 of the Criminal Code of the Republic of Moldova) with 14 crimes [4].

Most of the crimes recorded are in semi-closed penitentiaries (83.6%).

A good part of the crimes committed in penitentiary institutions are violent criminal actions. In penitentiaries there are also frequent crimes with the purpose of hoarding,

a large number of them being accompanied by violence. However, we note that only one case of intentional homicide was registered during the reference period. In 2021, the following negative situations were recorded in penitentiary institutions: During 2021, the relevant services carried out a series of interventions, including: searches, special activities, actions to prevent the introduction of prohibited objects/substances, discovery operations/ prevention of the crimes that were prepared/committed in the penitentiary.

Thus, in 2021, 12107 searches were carried out (2020-10570), more by 12.69%, of which: planned - 5176 (2020-5279), less by 1.95% and unannounced - 6931 (2020 - 5291), more by 23.66%. Bodily injuries: 1153 cases detected in the prisoners' environment (2020-1024) which is an increase of 11.18%: 270 cases detected on arrival from the isolation cells of police inspectorates (2020-237) an indicator increasing by 12.22% , and respectively, 883 cases detected in convicts in penitentiary institutions (2020-787). All causes of bodily injury were investigated and reported to the relevant section of the General Prosecutor's Office [4].

Of the total number of bodily injuries, 144 were determined as a result of altercations between inmates [16]. Application of physical force: 475 cases (2020-377) and 389 cases of application of special means on detainees (2020-296), thus a 20.63% increase in the chapter on the application of physical force, and in the application of special means an increase of 23.90% compared to the period of the previous year. The most frequent cases occurred in penitentiaries: no. 11-Balti (66/70 cases), no. 13-Chisinau (58/30 cases), no. 5-Cahul (51/42 cases), no. 2-Lipcani (45/45 cases), no. 6-Soroaca (40/33 cases), no. 17-Rezina (33/25 cases), no. 12-Bender (25/29 cases) and no. 18 – Branesti (31/16 cases). All these situations were properly documented, with the preparation of the necessary

documents to ascertain the facts. Attack on employees: 22 cases being established as attempted attacks (2020-20 cases of attack), in penitentiaries no. 1 – Taraclia, no. 2 – Lipcani, no. 3 – Leova, no. 5 – Cahul, no. 6-Soroaca, no. 7 – Rusca, no. 9 – Pruncul, no. 11–Balti, no. 12-Tighina, no. 13-Chisinau, no. 15 – Cricova, no. 17-Rezina and no. 18-Branesti. In all cases, the appropriate materials were drawn up, according to art. 273 Criminal Procedure Code and sent to the prosecutor's office, as a result of which criminal cases were filed. Hunger strike: 711 cases of declaring a hunger strike (2020-662 cases), an indicator increasing by 6.89%, the most frequent cases being registered in penitentiaries no. 3-Leova (67 cases), no. 6 – Soroaca (77 cases), no. 11-Balti (77 cases), no. 13–Chisinau (70 cases) and no. 17-Rezina (63 cases). The fact that most cases were registered specifically in these institutions, is due to the status of a criminal detention facility that they hold, respectively the conditions and the detention regime. Self-mutilation: 839 cases (2020-743 cases), increasing by 11.44%, the most frequent cases were recorded in penitentiaries no. 3-Leova (70 cases), no. 5 – Cahul (69 cases), no. 6-Soroaca (108 cases), no. 13–Chisinau (168 cases) and no. 17 – Rezina (107 cases) [4].

The number of convicts in respect of whom measures to ensure personal security have been applied, according to Article 206 of the enforcement Code, constitutes 719 detainees, compared to 619 registered prisoners in the previous year, by 13.90% more [4].

As I mentioned before, embezzlement is a separate group of crimes in penitentiary institutions, but their discovery is quite low. Very often in penitentiaries there are thefts from other convicts, which leads to physical reckoning. As a rule, the victims do not reclassify these actions. Examining the cases of evasion in the period 2015-2021, we notice that the thefts occupy the fifth place, constituting 1.58% of the total number of crimes registered

in this period, robbery and blackmail the sixth place, constituting 0.80%. Analyzing their dynamics, we notice that the share of evasions is zero cases in the period 2018-2021. From here we can conclude that the given criminal acts have an increased latency.

A crime specific to penitentiary institutions with a high level of latency is violent actions of a sexual nature (art. 171, 172 Criminal Code of the Republic of Moldova). Of all crimes committed in penitentiary institutions, their share is 0.3%. During the reference period, only four crimes of this kind were registered.

The informal groups created in places of confinement have a particularly negative role on the penitentiary environment. Thus, as a rule, most of the existing groups in local penitentiaries have a negative behavioral orientation. In general, three large structures were formed in all the penitentiaries of the Republic of Moldova, this delimitation was achieved according to the criterion of ethnic affiliation in the following way: rural group - mainly composed of Moldovans; the Chisinau group - composed of ethnic Russians, mostly from Chisinau; the Gagauz group - composed of ethnic Gagauz and Bulgarians. There are also small groups created according to the criterion of the place of residence [2, p.125].

It is known that in penitentiary institutions there are organized criminal groups that have under control all the resources collected from the penitentiary and those illegally brought from outside, management with convicts, conflict resolution, etc. This control is carried out by means of the supervisor in the criminal language “*положенец*” (crime boss) who is called by the “*thieves in law*”, he/she has a great authority among the convicts and is recognized by the prison administration.

The existence of these criminal organizations in the penitentiary leads to the disorganization of the activity of the penitentiary institutions by undermining the order by the component groups of this organization. The increase in

the danger of these criminal groups is due to the fact that often the people who started on the path of correction having an impeccable conduct and a conscientious attitude towards work are disadvantaged and surrounded by an atmosphere of terror. Acts of violence or violence of a sexual nature are often applied to them (this is demonstrated by the studied empirical materials). Thus, convicts in penitentiaries are classified according to criminal traditions and customs. This leads to the reduction of the chances of re-education of the convicts. In order not to fall into the category of “rejected”, the detainees are forced to accept the behavior imposed by the subculture. Thereby, convicts commit regime violations and even serious or particularly serious crimes. Based on what has been reported, it can be rightly stated that in penitentiary institutions, the control is carried out by organized criminal structures, with the state only having the role of maintenance.

The share of actions that disorganize the activity of penitentiary institutions in the structure of penitentiary crime does not reach large proportions, but in the last period it has seen an increasing trend (11 cases were registered in 2021). These crimes present a particular danger for the stability of prison life, thanks to the fact that they are committed, as a rule, by recidivists and people with a stable criminal orientation. The increase in the number of disorganizational actions, which, according to their specifics, are directed against the prisoners embarked on the path of correction and against the penitentiary administration, indicate a rooting of criminal traditions and visions in the way of life of the prisoners. On the other hand, the increase in the number of these crimes is due to the control by the criminal structures over the life of the penitentiary and the relations between the convicts. The atmosphere in the penitentiary institutions is disturbed by the robberies between the groups at liberty or in detention, by the terrorizing of the detainees

who adopt a behavior not accepted by the criminal environment, by the incitement to violence between the convicts and against the administration of the institution.

Conclusions

Based on the empirical and doctrinal material analyzed in this scientific approach, we conclude that penitentiary crime has its specific laws and special structure. Therefore, it is viewed as a type of self-inflicted crime.

In the penitentiary institutions of the Republic of Moldova, from 150 to 250 crimes are committed per year and the level of crime per thousand convicts is from 35 to 40 crimes depending on the type of penitentiary.

At the same time, from the conducted study it was found that about 90% of the number of crimes committed in penitentiary institutions are the following types of crimes, which in fact form the core of prison crime: 1) violent disobedience to the requirements of the penitentiary administration (art. 321 of the Criminal Code of the Republic of Moldova); 2) actions that disorganize the activity of penitentiaries (art. 286 of the Criminal Code of the Republic of Moldova); 3) the threat or violence committed against a person with a responsible position or a person who fulfills his/her public duty (art. 349 of the Criminal Code of the Republic of Moldova); 4) fraud (art. 190 of the Criminal Code of the Republic of Moldova); 5) theft (art. 186 of the Criminal Code of the Republic of Moldova); 6) escape from places of detention (art. 317 of the Criminal Code of the Republic of Moldova); 7) evading the execution of the prison sentence (art. 319 of the Criminal Code of the Republic of Moldova); 8) torture, inhuman or degrading treatment (art. 166/1 of the Criminal Code of the Republic of Moldova); 9) traffic of influence (art. 326 of the Criminal Code of the Republic of Moldova); 10) rape (art. 171 of the Criminal Code of the Republic of Moldova); 11) violent actions of a sexual nature (art.

172 of the Criminal Code of the Republic of Moldova).

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