# Compromising the Interests of Justice in the Romanian Criminal Code

**Ion RUSU**[1]

**Abstract:** In our study, we have examined the pre-existing elements and constitutive content of the offense of compromising the interests of justice, with direct reference to the recent doctrine promoted in Romanian law. We have also proceeded to examine the case of non-punishment that will be held in case of revealing or disclosure of manifestly illegal acts or activities committed by the authorities in a criminal case. The novelties concern both the examination of the felony as well as the critical opinions and de lege ferenda proposals, which are designed to contribute to the improvement of the incrimination text. This paper is part of a criminal law treaty to be published by a recognized national publishing house. The paper may be useful to the academic environment (teachers, PhD students, master students, students) as well as practitioners in the field of criminal law enforcement.

**Keywords**: Constitutive content; case of impunity; de lege ferenda proposals

## 1. Concept and Scope

The offense of compromising the interests of justice consists in revealing, without the right to do so, of privileged information regarding the date, time, place, mode or means by which it is to be administered as evidence, by a magistrate or any other public officer who has taken note thereof by virtue of their own duties, if this results in hindering or precluding the prosecution.

This offence may also be committed by unlawful by revealing means of evidence or official documents in a criminal case, by a public officer who has taken note thereof by virtue of their own duties.

It may also be committed by a witness, expert or interpreter who reveals, without the right to do so, any information in a criminal case, when this interdiction is imposed by the Criminal Procedure Act.

[1] Professor, PhD, Danubius University of Galați and Lawyer - Vrancea Bar, Romania, Address: 3 Galati Blvd., Galati 800654, Romania, Tel.: +40372361102, Corresponding author: ionrusu@univ-danubius.ro.

The last paragraph also provisions a special case of non-punishment for the offence of revealing or disclosure of manifestly illegal acts or activities committed by the authorities in a criminal case

The Explanatory Memorandum decision states that "Establishing this new offense aims to increase exigency towards the legal administration public officers, in regard to the management of data and information they obtain during a criminal trial, which may significantly affect finding the truth or the right to a fair trial of the person under investigation or trial. Legal practice has undoubtedly shown that the current non-criminal regulations are insufficient and lack efficiency, therefore using criminal means to reach the goal is justified and is seen as the only viable solution.

In this respect, incriminating the act of revealing, without the right to do so, of privileged information regarding the date, time, place, mode or means by which it is to be administered as evidence, by a magistrate or any other public officer who has taken note thereof by virtue of their own duties, prevents leaking information, but not any kind of information used for the prosecution, only the data which may hinder or preclude assessing evidence (such as exposing the identity of a suspect whose communication means are intercepted, divulging an undercover operation foreseen or in progress, revealing data of a search warrant still to be conducted, revealing information on the date and place of a flagrante delicto operation etc.).

At the same time, for the purpose of improving warranties of a fair trial and particularly the presumption of innocence, bound by art.6 of the Convention for the Protection of Human Rights and Fundamental Freedoms, the act of unlawfully revealing evidence or official documents in a criminal case prior to releasing a sentence of not entering to court or of final sentencing on the case, by an officer who can access the above stated by virtue of their duties. According to the Convention, the signing states have the negative obligation to restrain from any violation of the rights outside allowed boundaries, as well as the positive obligation to take any means to guarantee these rights against infringement by any other person, therefore the breaching presumption of innocence draws the responsibility of the state in case of any breach of the two aforementioned obligations. This rule aims to prevent public officers to present to the public evidence (witness statements, reports, audio-video records, protocols of recorded conversations etc.) in an ongoing criminal trial, in order to not turn the presumption of innocence in a temporary presumption of guilt, until reaching a verdict. In addition, interpreting evidence, regardless of its contents, may often lead to wrong conclusions if not evaluated within the entire chain of evidence in the file, in order to determine its legality and relevance and weight-of-evidence (e.g. intercepting a telephone conversation which reveals unequivocally the existence of an offence may be

deemed illegal if during the trial it is proven it was not authorized or it was forged; testimony subsequently proven untrue etc.) but once revealed to the public, a seemingly incriminatory piece of evidence will certainly lead to the idea of guilt, and sometimes this cannot be changed even by presenting the official verdict of innocence given by the legal authorities.

On the other hand, it was deemed that the rule should not allow, under the motivation of protecting the interests of justice, hiding actions which harm these interests, committed by authorities, therefore a cause was provisioned stating that revealing or divulging illegal actions or activities committed by authorities in a criminal case is not covered by the penal concept of illicit (Cioclei, 2009, pp. 56-57).

We quoted the authors' opinion presented in the memorandum, as we considered this is essential in examining the offense.

## 2. Preexisting Elements

### 2.1. The Legal Scope

The *main legal scope* consists in the social relationships in defending the act of bringing justice against actions to prevent the state authorities from finding the truth, and the *secondary legal scope* is represented by the social connections regarding the person's main attributes.

Recent doctrine saw the *main legal scope* as the "social relationships regarding the act of justice, in criminal cases, relationships which are incompatible with revealing privileged information or divulging evidence or official documents. The secondary legal scope consists in the social relationships regarding the essential attributes of the person. By committing the incriminated act, there is also a breach in the social ties referring to maintaining confidentiality of acts and actions committed by magistrates or public officers who, by virtue of their own duties, take note of the information, or by witnesses, experts or interpreters" (Toader & Safta, 2016, p. 122).

### 2.2. The Material Object

Like other authors, we consider that the examined offence does not have, in principle, any *material object.*

However, it may have one when the privileged information, evidence or documents are stored in documents or other objects (USB sticks, disks, CD's etc.) which are subsequently transmitted to another person; in this case, the respective document or

object holding the information, evidence or paper will form the material object of the felony (Neagu, 2016, pp. 447-448).

Others believe that "the offence has no material object. The act of divulging or revealing privileged information, evidence or official documents presuppose the offender has held them prior to committing the offence. The act of obtaining the evidence or documents may constitute a felony if the aforementioned has been removed or destroyed (art. 275 Criminal Code.), and in this case the evidence or documents shall constitute the material object for the respective offense" (Toader & Safta, 2016, p. 122).

**2.3. The Subjects of the Offense**

The *active subject* of the crime is qualified (substantiated) and has the quality of magistrate, public officer, expert witness or interpreter.

If by magistrate is intended both the prosecutor and the judge, the meaning of public officer requires some detailing.

First, we need to state that it does not mean any public officer, but only the officers holding a special status, which may or may not have the quality of criminal investigation bodies of the Judicial Police.

Therefore, only the public officers conducting activities of preventing and fighting crime are considered.

We believe that the police officers who do not have the quality of criminal investigation bodies of the Judicial Police also hold this status (active subject of the offense under examination).

In any case, the phrase public officer must be regarded and analyzed in compliance with the provisions of art. 175 of the Criminal Code.

This quality may also be held by assistant magistrates of the High Court of Cassation and Justice, clerk, statistics clerks, document clerks, archives clerks, registration clerks, IT specialist, forensic science specialists and auxiliary personnel hired by the National Institute of Forensic Science and county forensics laboratories , forensics technicians, typists within the police forces, prosecutor's offices, courts of law etc.

This quality may also be held by military personnel in I.P.G.D. within the Ministry of Internal Affairs (who are not criminal investigation bodies of the judicial police), as well as officers or sub-officers of the Romanian Intelligence Service.

At the same time, the attorney, offender or parties may not be an active subject, as these categories of participants to the criminal trial are not nominated in the incrimination text.

The witness, expert or interpreter must attend in the case in which the respective information was revealed; divulging information by a witness, expert or interpreter in another case does not meet the conditions required by the offense under examination.

We propose *lege ferenda* to include attorneys in the category of active subjects of the offense under examination.

In case of paragraphs (1) and (2), criminal participation is possible in all its forms, and in case of paragraph (3), it is viable when the active subject is a witness, the form of accomplice is not possible.

The *main passive subject* is the state, as appointed to the protected social value (the activity or enactment of justice).

The *secondary passive subject* is the natural or legal person whose rights or interests were harmed by the action of the active subject.

*The time of committing the felony* has special relevance for the standard normative means, as well as for the two moderated normative means.

Thus, in case of the standard normative means, the act of revealing must be committed prior to administering the evidence during the criminal investigation.

In case of the moderated normative means provisioned in paragraph (2), the *act of revealing* must occur prior to releasing a sentence of not entering to court or of final sentencing on the case, and in case of the second moderated normative means, *the act of revealing by* the *witness, interpreter or expert* must take place subsequent to the obligation, by drawing it to the attention by the entitled judiciary bodies.

The *place* of committing the offence is not relevant to the existence of the crime.

## 3. The Structure and Legal Content of the Offence

### 3.1. Prerequisite

*The prerequisite* assumes the existence of a criminal case in the phase of criminal pursuit, for which it was deemed necessary to administer evidence, as well as the date, time, mode or means in which the evidence is to be administered.

### 3.2. The Constitutive Content

#### 3.2.1. The Objective Side

*The material element* of the objective side in case of the standard normative mode consists in *revealing without the right to do so* of privileged information regarding the date, the place, the mode or means in which evidence is to be administered.

By revealing we understand "make a secret known to one or more persons; to expose, make known or transmit state secrets to a person that is not entitled to know them" (DEX, 1996, p. 312).

By "privileged information" is understood the information which is not meant for the public, are only known by a small number of people, often those involved directly in criminal pursuit or (rarely) trialing activities.

The main reason for needing to keep certain information confidential throughout a criminal trial regards certain criminal pursuit acts referring to collecting evidence of an offense.

In legal practice, such acts may be committed, the prosecutor who authorized 48-hours technical surveillance and who, subsequent to issuing the ordinance, informs the suspect or defendant of this status, the justice of the peace who informs the defendant regarding the confirmation of the prosecutor's request or the decision of technical surveillance against them; this felony can also be committed by police officers informing a defendant that there was technical surveillance decision issued against them, or that they will be subject to a legal search at their house, or the time and place where the sting operation is to occur etc.

The same deeds may be committed by clerks of the prosecutor's office or courts of law, or by other categories of people working in the legal system and, by virtue of their profession, have knowledge of certain privileged information.

Recent doctrine considered that the act of revealing "requires passing down the information regarding administering evidence to one or more persons or to the public. Even if the text does not condition explicitly on the quality of the recipient, considering the result required by law, we believe that the recipient will usually be a person interest in the probationary proceedings (the suspect or another person who will pass down the information to the suspect or relevant party). If the piece of information is revealed to a person other than the suspect, and this person reveals the information to the suspect, the act of the latter will be deemed as the offense of aiding and abetting a criminal (depending on the actual circumstances of the act" (Bogdan, Șerban & Zlati, 2014, p. 365).

Another, more elaborated opinion stated that "The act provisioned by art. 227 paragraph (1) refers to information on the date, time, place, mode or means in which a piece of evidence is to be administered and presupposes transmitting this information to one or more persons. They can be the suspect or defendant, but also a "middleman", who will pass down the information to the interested party. As the latter does not have the quality required by the law to be an active subject of the offense of compromising the interests of justice, they shall commit the offense of aiding and abetting. For that matter, *the felony provisioned by art. 227 paragraph (1) is also represented by favoring, but with a qualified subject*. Such material act may constitute: revealing the date and time a sting operation or search would be organized, the period of intercepting telephone conversations etc. Jurisprudence holds this offense in the case of an agent, chief of police, consisting in "revealing privileged information regarding the date, time and place, mode and means to perform a search, for the scope of delaying or preventing criminal pursuit of the suspect C.F." *[C.A.Craiova, Criminal and underage cases division, decision no. 913 of June 19th 2015 (www.rolii.ro)]*. It was also acknowledged that "the action of defendant M.I. (special clerk), who revealed, without the right to do so, privileged information on the intercepting of surveillance and ambient telephone conversation, which he knew by virtue of his position, as well as other evidence involving the defendant C.C.D, and compromised the probationary proceedings, intentionally turning off the interception device, received by him upon approval, thus making criminal pursuit difficult, represents the content of the offense provisioned by art. 227 of the Criminal Code (Bodoroncea & collab., 2016, pp. 821-822).

*Essential requirements*. The first essential requirement consists in the existence of a criminal case in the criminal pursuit phase, and the incriminated deed should be performed during the criminal pursuit. It is irrelevant if that case is handled by the justice of the peace, the prosecutor, the judiciary police or the special criminal investigation body.

The second is that the act of revealing should be committed *without the right to do so* by the active subject.

Another essential requirement is that the information revealed are considered to be confidential, and the revealing thereof may hinder or preclude the criminal pursuit.

The doctrine "Privileged information include only that information which may hinder or preclude administering evidence (such as revealing the identity of a suspect whose means of communication are intercepted, revealing a future or an ongoing undercover operation, divulging the contents of a search warrant which is yet to be performed, revealing the time and place of a future sting operation etc." (Neagu & collab., p. 448).

For this requirement, it is not necessary that the act of revealing lead to hindering or precluding the criminal pursuit, but only to lead to *the possibility* of hindering or precluding the criminal pursuit.

The offence will also exist if the criminal pursuit was indeed harmed or affected.

The last essential requirement is that the privileged information should refer to the date, time, place, mode or means by which a piece of evidence is to be administered.

In order to complete the material element of the objective side, the aforementioned essential requirements must all be fulfilled.

*The immediate effect* consists of a state of risk for the act of bringing justice.

Regarding the state of risk, the incriminating text provisions "if by this, the criminal pursuit may be hindered or precluded".

Therefore, the immediate effect consists in an *abstract* state of risk.

Recent doctrine considers that *the felony of abstract risk* "does not require proving the existence of a risk, as it is presumed by the lawmaker by incriminating the act, that is why they are also named *presumed risk offenses* (…).

Consequently, these acts do not require proving the existence of a state of risk for the protected value, but it also cannot be proven otherwise, in that the act did not bring harm to the protected social value" (Streteanu & Nițu, 2014, pp. 296-297).

The causality link results from the concreteness of the act and doesn't need to be proven by the criminal investigation bodies (*ex re)*.

In case of the first moderate normative modality, the *material element* is accomplished by *revealing*, without the right to do so, evidence or official documents in a criminal case, prior to releasing a sentence of not entering to court or of final sentencing on the case.

By *revealing* is understood "to expose, to make known (by oral or written means, images etc.), to show, to expose, to divulge" (DEX, 1996, p. 298).

Therefore, *revealing* "means to expose, unfold, make known a piece of evidence or official document. Thus, the public officer who makes public the means of evidence (testimonies, expertise, audio-video recordings, protocols of taped conversations etc.) in an ongoing criminal trial constitutes a felony.

Analysis of evidence, regardless of its content, may often lead to wrong conclusions if not evaluated within the entire chain of evidence in the file, in order to determine its legality, relevance and weight-of-evidence (such as intercepting a

telephone conversation which reveals unequivocally the existence of an offence may be deemed illegal if during the trial it is proven it was authorized or it was forged; testimony subsequently proven untrue etc. but once revealed to the public, a seemingly incriminatory piece of evidence will certainly lead to the idea of guilt, and sometimes this cannot be changed even by presenting the official verdict of innocence given by the legal authorities" (Neagu & col., 2016, p. 449).

Another opinion claims that "It represents an act of transmitting information, referring to evidence or official documents (meaning procedural or adjective documents, since the written document, as means of evidence, is included in the first category) already administered or conducted.

The act of committing the offence is subject to time constraint, thus the act may be committed only prior to releasing a sentence of not entering to court (closing the case or dismissing criminal pursuit) or of final sentencing on the merits of the case.

In this case, law does not request that the act of revealing be viable to hinder or preclude the act of justice, so breaching the interdiction results from committing the act of revealing" (Bodoroncea, 2016, p. 822).

*Essential requirements*. The first essential requirement consists in the existence of a criminal case in the criminal pursuit phase.

The second is that the act of revealing should be committed without the right to do so.

Another requirement is that the officer found out about the evidence or written documents by virtue of their position and not by other means.

The last requirement refers to the time of committing the act, which must be prior to releasing a sentence of not entering to court or of final sentencing on the case.

The offence is also present when the criminal pursuit was indeed hindered or precluded.

*The immediate effect* consists of a state of risk for the act of bringing justice.

The *causality link* results from the concreteness of the act.

*The material element* of the objective side in case of the second moderate normative mode consists in *revealing*, without the right to do so, of privileged information in a criminal case, by a witness, expert or interpreter, when this interdiction is imposed by the criminal procedural law.

We may notice some common elements with the moderate normative modality provisioned by paragraph (2), but significant differences with regards to the active subject of the felony, who is now a witness, expert or interpreter.

*Essential requirements*. The first essential requirement consists in the existence of a criminal case in the phase of criminal pursuit.

The next is the existence, in a criminal trial, of the quality requested by the law which the active subject must have, respectively of witness, expert or interpreter.

Another requirement is that the act of revealing should be committed without the right to do so.

The last requirement is that there must be an interdiction of revealing the information, imposed by the criminal procedural law. Here, we take into account the provisions of art. 352 par. (8) of the Criminal Code, according to which the president of the formation of the Court must inform the persons attending the trial, in private session, of the obligation to maintain confidentiality of the information obtained during the trial.

It was claimed that "The text of paragraph (3) states the condition that this interdictions be imposed by the criminal procedural law, such as art. 143 par. (3) Proc. Crim. Code, according to which "the conversations, communication or conversations worn in a different language than Romanian are transcribed in Romanian, by means of an interpreter "*who is bound to maintain confidentiality of the information obtained throughout the trial*", or those in art.352 par. (8) Proc. Crim. C., stating that "the president of the formation of the Court must inform the persons attending the trial, in private session, of the *obligation to maintain confidentiality of the information obtained during the trial*, among these people the witness, expert or interpreter.

The law does not impose that the act of revealing should be able to hinder or preclude the act of justice, therefore breaching the interdiction results from the very act of revealing" (Bodoroncea & col., 2016, p. 822).

*The immediate effect* consists in a state of risk for the activity of bringing to justice.

*The causality link* results from the concreteness of the act.

### 3.2.2. The Subjective Side

*The subjective element* implies the *guilt* of the offender, who may act with *intent,* which in turn may be *direct* or *indirect.*

## 4. The Special Case of Non-Punishment

Paragraph (4) of art. 277 of the Criminal Code provisions a special case of non-punishment to be considered in case of revealing or divulging manifestly illegal acts of activities committed by authorities in a criminal case.

As stated in the Explanatory Memorandum, this regulation aimed to prevent hiding illegal manifests or attitudes under the pretext of protecting the interest of justice, by people activating in this field.

Recent doctrine claimed that "the reason of the justification case consists in that the interests of justice are protected when authorities fulfill their duties within the limits of their legal competencies. Exceeding that, by performing manifestly illegal acts or activities, may determine their liability, including by means of the criminal law. There may be some reservations regarding the manifestly illegal aspect the acts or activities committed should present, for incidence of the supporting case" (Toader, Safta & coll., 2016, p. 124).

Another opinion states that "**For all three means of committing, art.277 par.(3) CPN contains a typical negative condition** and the text emphasizes that the a*ct of divulging or revealing manifestly illegal acts or activities committed by authorities in a criminal case* is not a felony.

The Explanatory Memorandum show that this expressly stated provision was included so that the rule may not permit hiding – under the pretext of protecting the interest of justice – acts against these interests, committed by the authorities. In this case, the conflict of interest or of social values shall be resolved in favor of assuring the criminal investigating bodies may perform their activity in the criminal trial within the limits of the law. As such, revealing aspects of manifestly illegal acts or activities committed by the authorities will be allowed, as the act is not typical and is committed in full right" (Bogdan & Șerban, 2014, p. 366).

This will include the act of someone divulging or revealing aspects regarding forging protocols of telephone conversations recorded by the authorities, forging recordings, including in prosecutor statements of untrue or forged facts, accusing of a crime a manifestly innocent person (resulting from administered evidence), forging statements, hiding evidence by the criminal police officer or prosecutor, committing acts of corruption by the criminal police officer or prosecutor when prosecuting a criminal case etc.

## 5. Conclusions and de *lege ferenda* Proposals

Structured in four parts and adding the conclusions and proposals for lege ferenda, in this study we tried to examine certain aspects of the pre-existing conditions of the crime, its constitutive content and the case of non-punishment provisioned by 277 paragraph (4) of the Criminal Code.

In the introduction, we insisted on the necessity to incriminate such act, starting from the authors' opinion in the Explanatory Memorandum.

As a general conclusion, we also assess that the incrimination of such acts aims to increase exigency towards the public officers conducting their activity in the administration of justice, regarding the management of data and information they obtain from a criminal case, which may significantly influence finding the truth or the right to a fair trial of the person under investigation or trial.

During recent years, legal practice has proven unequivocally that the previous Criminal code provisions, as well as those without a criminal element, lack sufficiency and efficiency to protect these social values.

Research of the incrimination norm allows us to formulate a critical opinion, as well as to offer lege ferenda proposals meant to contribute to perfecting the text.

Our first critical opinion considers the active subject categories mentioned in the text at paragraph (1), respectively *magistrate or another public officer*, which we report to the active subject in paragraph (2), who is only a *public officer*.

We believe the lawmaker's option is wrong, since in paragraph (1) only the *public officer* should have been mentioned as active subject, as this expression includes all categories of public officers (in the sense of the criminal law), provisioned by art. 175 of the Criminal Code.

Including the notion of *magistrate* in the text was not necessary, therefore by *lege ferenda* we propose removing it from the incrimination text, so that only the *public officer* would remain as active subject.

Thus, as stated when examining the categories of active subjects in case of the moderate modality provisioned by paragraph (3), we consider that the scope must be supplemented by nominating the witness, expert and interpreter and extend to the attorneys.

In this context, we consider that the text must be completed by including the attorney as active subject to this offense, in the second moderate normative modality at paragraph (3) of art. 277 of the Criminal Code.

Therefore, incriminating the act of revealing, without the right to do so, of privileged information on the date, time, place, mode or means by which a piece of evidence is to be administered during the criminal pursuit, by an officer who was informed as such by virtue of their position, has as scope the prevention of information leakage, but not any type of information regarding the criminal pursuit, only that which can hinder or preclude the act of administering evidence (such as exposing the identity of a suspect whose communication means are intercepted, divulging an undercover operation foreseen or in progress, revealing data of a search warrant still to be conducted, revealing information on the date and place of a flagrante delicto operation etc.).

At the same time, for the purpose of improving warranties of a fair trial and particularly the presumption of innocence, bound by art.6 of the Convention for the Protection of Human Rights and Fundamental Freedoms, the act of unlawfully revealing evidence or official documents in a criminal case p prior to releasing a sentence of not entering to court or of final sentencing on the case, by an officer who was informed of the above by virtue of their duties. According to the Convention, the signing states have the negative obligation to restrain from any violation of the rights outside allowed boundaries, as well as the positive obligation to take any means to guarantee these rights against infringement by any other person, therefore breaching the presumption of innocence draws the responsibility of the state in case of any breach of the two aforementioned obligations. This rule aims to prevent public officers to present to the public evidence (witness statements, reports, audio-video records, protocols of recorded conversations etc.) in an ongoing criminal trial, in order to not turn the presumption of innocence in a temporary presumption of guilt, until reaching a verdict. In addition, interpreting evidence, regardless of its contents, may often lead to wrong conclusions if not evaluated within the entire chain of evidence in the file, in order to determine its legality and relevance and weight-of-evidence (e.g. intercepting a telephone conversation which reveals unequivocally the existence of an offence may be deemed illegal if during the trial it is proven it was authorized or it was forged; testimony subsequently proven untrue etc.) but once revealed to the public, a seemingly incriminatory piece of evidence will certainly lead to the idea of guilt, and sometimes this cannot be changed even by presenting the official verdict of innocence given by the legal authorities.

On the other hand, it was deemed that the rule should not allow, under the motivation of protecting the interests of justice, to hold back actions which affect these interests, committed by authorities, therefore a cause was provisioned stating that revealing or divulging illegal acts or activities committed by authorities in a

criminal case is not covered by the penal concept of illicit (Cioclei, 2009, pp. 56-57).

## Bibliography

Cioclei, Valerian (2009). *Codul penal (Legea nr. 286/2009). Noile coduri incluzând și Expunerile de motive, Expunere de motive/ Criminal Code (Law No. 286/2009). New codes including explanatory Reasonings.* Bucharest: C.H. Beck, pp. 56-57.

Toader, Tudorel; Safta Marieta in Antoniu, George; Toader, Tudorel (coord.), Brutaru, Versavia; Daneș, Ștefan; Duvac, Constantin; Griga, Ioan; Ifrim, Ion; Ivan, Gheorghe; Paraschiv, Gavril; Pascu, Ilie; Rusu, Ion; Safta, Marieta; Tănăsescu, Iancu; Toader, Tudorel; Vasiu, Ioana (2016). *Explicațiile noului Cod penal, vol. IV, Art. 257-366/ Explanations of the new Criminal Code, vol. IV, Art. 257-36,* Bucharest: Universul Juridic.

Neagu, Norel in Dobrinoiu, Vasile; Pascu, Ilie; Hotca, Mihai Adrian; Chiș, Ioan; Gorunescu, Mirela; Păun, Costică; Dobrinoiu, Maxim; Neagu, Norel; Sinescu, Mircea Constantin (2016). *Noul Cod penal, Comentat, Partea specială, Ediția a III-a revăzută și adăugită/ New Criminal Code, commented, Special part, 3rd revised and added Edition.* Bucharest: Universul Juridic.

(1996). *DEX/ Explanatory Dictionary of the Romanian language*. Academia Română, Institutul de lingvistică „Iorgu Iordan", 2nd Ed. Bucharest: Univers Enciclopedic.

Bogdan Sergiu (coord.), Șerban, Doris Alina; Zlati, George (2014). *Noul Cod penal, Partea specială, Analize, explicații, comentarii, Perspectiva Clujeană/ New Criminal Code, special part, analyses, explanations, comments, the perspective of Cluj.* Bucharest: Universul Juridic.

Bodoroncea, Georgiana in Bodoroncea, Georgiana; Cioclei, Valerian; Kuglay, Irina; Lefterache, Lavinia Valeria; Manea, Teodor; Nedelcu, Iuliana; Vasile, Francisca-Maria (2016). *Codul penal, Comentariu pe articole,* 2nd Ed. Bucharest: C.H. Beck.

Streteanu, Florin & Nițu, Daniel (2014). *Drept penal, Partea generală, vol. I, Curs universitar/ Criminal law, General Part, vol. I, university Course.* Bucharest: Universul Juridic.