3. DYNAMICS OF CRIME IN BULGARIA

Ever since crime became a matter of public debate in 1990, there has been little discussion as to the factors that bring about changes in the crime rate. As crime was considered to be within the competency only of the Ministry of Interior, it has been the ministry’s own actions that have been scrutinized in an attempt to explain the changes in the crime rate. The present report aims to attract public attention to some demographic, social, and criminal justice factors that could have impacted Bulgaria’s crime rate. As these issues have not been examined at any depth in Bulgaria, the report draws on theoretical and empirical studies from other countries. Without attempting to assign particular weights, the following factors are considered to have contributed to the change of the crime rate in Bulgaria between 2000 and 2005:

1. Decrease in the total population as well as the young male population;
2. Fall in unemployment;
3. Institutional and legislative changes;
4. Strengthened capacity of law enforcement institutions and the judiciary;
5. Increase in the prison population;
6. Migration of criminally active individuals;
7. Improvement of security measures taken by companies and households.

Three demographic processes have contributed to the decline of crime over the past five years (2001–2005) in Bulgaria. First, between 2001 and 2005, Bulgaria’s total population diminished by approximately 170,000 people. A second factor is the shrinking of the male population in the risk-age group—comprising young males between 15 and 29 years of age. Between 2000 and 2004, the share of convicted persons belonging to this age group was 62–63%. Since 1997, the male population from this age group has been in continuous decline, the trend being especially visible in the period 2001–2005 when the males aged 15-29 decreased by 45,000 or 5% of the total number of this age group. It

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20 Ibid. The figure 45,000 also includes an estimated 5,000 emigrants from this age group (based on data provided by the National Border Police Service). Surveys in the US have shown that large cohorts (cohort refers to people of the same age) are systematically related to higher rates of offending per individual. This is explained with higher chance for engaging in relations with criminals or with greater competition for jobs. (Levitt, S. (1999), The Limited Role in Changing Age Structure in Explaining Aggregate Crime Rates, Criminology, Vol.37:3.) The “back of the envelope” estimate for the case of Bulgaria could conclude that the number of offenders has roughly fallen by 2,850 individuals, if one assumes that around 6% of those 45,000 people would have engaged in deviant behavior—6% is the share of the sentenced individuals in the 15–29 age group relative to that age group (cohort) size.
is most likely that the shrinking size of this risk-age group will have even more pronounced impact on the crime rate over the next seven years (2006–2013), due to the sharp decline in birthrate in the years between 1990 and 1997. The third demographic process due to accelerate in the next four years (2006–2009) is the change of the population’s age structure due to emigration and low birthrates. The number of males from the risk-age group will diminish at a rate faster than that of the general population, so by 2009 the share of the risk-age group within the overall population will decrease from 10.5% (in 2005) to 10.2%. These estimates, though, do not take into account expected growth of immigrant population from developing countries after Bulgaria’s entry into the EU.

![Figure 6. Demographic structure of the risk-age group](image)

**Figure 6. Demographic structure of the risk-age group**

21 Children born in 1990 will be sixteen years old in 2006 and in the seven years to follow the cohort of sixteen-year-old males will continue to decrease.


23 Calculations are based on 1992 and 2001 census data. The data over the period 1993–2000 take into account death and emigration rates. The 2002–2005 estimates are based on the death rate in the period and a rough estimation of the number of emigrants after the removal of Schengen visa requirements in 2001, i.e. 5,000 people per year. Prognostic values for 2007 and 2009 are grounded in the 2001 census data, whereas the death rate used was that for 2004 together with an average of 5,000 emigrants annually.

3.2. Social and Economic Factors

The average annual GDP growth for the past five years has been 5% (after an average fall of 3% for the 1990s), while unemployment has dropped from 19.3% in 2001 to 10.73% in 2005. Of all macroeconomic factors, the latter is likely to have produced the strongest impact on crime (figure 7).

The impact of employment on crime rates has been a debated issue but the correlation between the two is generally acknowledged. Some studies in the US have demonstrated the relation between unemployment and crimes such as burglary, robbery or theft, arguing that a 1% drop in unemployment rates results in a 1% drop in property crimes. As property crimes are the most widespread type of crime, part of the fall of the crime-rate in Bulgaria may well be attributed to the falling unemployment rate.

Studies from other countries show that the level of violent crime (murder, rape or assault) does not depend on the level of unemployment. In Bulgaria, however, the correlation between unemployment and murder or rape seems to be strong. The judicial statistics show that about 60% of all murder and rape perpetrators are unemployed men. Data from 1997–1998 also confirms these observations (figure 8).

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25 Data of the Ministry of Economy and the National Employment Agency.
27 Ibid.
3.3. The Role of Law-Enforcement Agencies and the Judiciary

The role of law-enforcement agencies and the judiciary in crime reduction is hard to assess in Bulgaria because political overtones usually dominate public discussion of this issue. There have not been any studies and analyses of official criminal justice data on this issue. In this section an attempt is made to briefly discuss the main factors that are a matter of public debate in Bulgaria and that law enforcement or the judiciary have pointed to as indicators of effective crime fighting strategies.

The Role of the Police

There have been few changes in the police force structure and operations that could explain the fall of the crime rate. The size of the police force, considered to be one such factor, has reportedly remained unchanged (the actual size of the police force is classified). Neither have there been significant shifts in policing methods or crime

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reduction techniques (comparable, for instance, to the introduction of the CompStat system in New York City or zero tolerance policies\textsuperscript{29}). The task of evaluating the law-enforcement agencies’ role is compounded by the fact that in Bulgaria the Ministry of Interior and its agencies do not monitor and assess the impact of their policies. This makes it difficult to assess or demonstrate the effect of existing law-enforcement policies and initiatives. Nevertheless, there are two criteria for effectiveness that police usually point to: (1) the number of detentions and (2) the number of fast-track trials.

\textit{Detentions}

There are no publicly available data for a detailed analysis of police detentions. It is neither clear what caused the sharp 65% increase of detentions between 2003 and 2004, nor why in 2005 there were 25,000 more detentions than in 1998 (figure 9). Some general information about special police operations,\textsuperscript{30} though, sheds some light on the inefficiencies of increased detentions. For instance, between October 26, 2005 and March 9, 2006 52,833 individuals were stopped during such operations. Of them, 37,908 were individuals with criminal records, 14,358 were “individuals of interest to the police”\textsuperscript{31} and 567 “leaders and members of organized crime groups”. During these stops, 9,531 individuals were detained for up to 24 hours but only 327 of them were detained for up to 72 hours—for which a prosecutor’s official order was required. Only 130 remained in custody beyond the 72 hour period.\textsuperscript{32}

It is not clear which one of these indicators could be considered a “hit rate” and therefore be an efficiency indicator. Short-term detentions of up to 24 hours could be largely arbitrary, as they are often carried out to establish the identity of the person stopped (if they do not have an ID on them) or simply to “intimidate” the arrested individuals. Detention for up to 72 hours and beyond requires the police to present evidence that the arrested individuals are crime suspects, and therefore the prosecutor should issue a 72-hour detention order. Thus, one could conclude that the police “hit rate” even for targeted stops was 0.6% (for 72-hour detentions) and 0.3% for longer-

\begin{figure}[h]
\centering
\includegraphics[width=\textwidth]{figure9}
\caption{Number of detentions}
\end{figure}

\textsuperscript{29} Ibid.
\textsuperscript{30} These are usually 2-3 day sustained police actions with mass stop and search operations, aimed at detaining wanted criminals or simply to intimidate what are known to be “criminally active individuals”.
\textsuperscript{31} These are individuals without criminal records, but whom the police suspect of being criminally active, or who are known to be close to individuals with crime records.
\textsuperscript{32} Ministry of Interior data provided to CSD.
term detentions. In comparison, hit rates for police stops in New York City or London average 11%. Therefore, it is unlikely that the growing number of detentions could have been a significant factor for the reduction of crime.

**Fast-track Investigations and Trials**

Fast-track investigations and trials are another measure that allegedly impacts crime levels (figure 10). According to police, “the fast-track investigations and trials most fully provide for a general prevention of the active offenders, limiting their criminal activities or removing them from a criminogenic environment if they are imprisoned.” Judicial statistics show that fast-track police investigations have, indeed, changed the structure of court sentences. In 2002, only 15% of all sentences announced by the courts concerned offenses that were perpetrated in the same year. In 2004 the sentences imposed for same-year offenses reached 25% of the total.

Nevertheless, the total of criminal trials ending with effective punishments between 2000 and 2004 has dropped from 16,283 to 16,043. The number of persons convicted for crimes that have markedly decreased (such as thefts) has not changed significantly, and in some cases has even fallen. Therefore, the effect of fast-track trials on crime remains to be analyzed further. To demonstrate its impact, the police would need to provide evidence that recidivism decreases among those on whom effective penalties were imposed through fast-track trials or that the area police departments that apply fast-track trials register a more substantial fall in the crime rate than the ones that do not.

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34 These types of trials were introduced in 2001. A crime could be investigated and prosecuted on a fast track only if the crime took place in specific circumstances (for instance, if the police detain the suspect while committing the crime). When a fast track is chosen, both the police investigation is completed and the first-instance court sentence is issued in less than one month. (Criminal Procedure Code, Part V.24).


**Prison population**

Although it is a matter of debate whether the size of the prison population influences the crime rate, between 1999 and 2005 the dynamics of the prison population in Bulgaria seems to correlate with the crime rate (figure 11). Between 1999 and 2001 there was a 20% fall in prison population, which coincides with an increase in the crime rate. Half of this fall is explained with amendments in the Criminal Procedure Code that were introduced in 1999. These amendments reduced maximum allowed periods of detention without charge and obliged the prosecutor to issue an order for the release of the suspects after the expiration of these periods. As a result, in 2000 the pre-trial detention center population fell almost by half (from 2,627 to 1,457) On the other hand, along with the 25% rise of the prison population between 2001 and 2005, the crime rate in Bulgaria fell significantly.

In comparison to the EU average, incarceration is much more widely applied by Bulgaria’s judiciary, partly due to the lack of adequate alternatives (probation was just introduced in 2004, while public service is not used as a penalty) and partly due to a repressive model, widespread in former communist countries in eastern Europe, which on the average have higher imprisonment rates than the rest of Europe (figure 12).

Even though Bulgaria’s per capita prison population approximates that of other east European countries, between 2000 and 2004 Bulgaria’s prison

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17 The analysis spans the period 1999–2005 since after 1999 economic or political instability was affecting to a lesser degree the law-enforcement and judicial systems.

18 Since there are multiple zones of overlapping in the work of the police and the judiciary, it would require a special study to find out which institution contributed most to the increase of prison population. The number of crimes recorded by the police decreased in the period 2000–2001, which lead to a smaller number of suspected and incriminated persons. It is thus evident that the more numerous prison population was not the result of a higher crime rate.

population grew most considerably compared to any other European country—by 21% (figure 12a). It comes as no surprise then that, on average, Bulgaria’s prisons are overpopulated by 30.4%.

**Sentences**

The severity and length of penalties is another factor that could influence crime levels. For most of the period 2000-2004 there was little change in the structure of sentences. Bulgaria remains second only to Romania in Europe with one of the longest average incarceration sentence, which is 19 months. In 2004, though, there was a marked move towards less strict penalties (table 3). As the number of sentences imposing up to 6 months of imprisonment increased by 5 percentage points, the imprisonment terms between 6 months and 3 years decreased correspondingly.

On the other hand, the share of suspended sentences dropped from 43.1% in 2002 to 38.8% in 2004. Sentences with prison terms between three and five years increased from 2% to 3% of all sentences. This increase was related to the newly introduced Criminal Code provisions enhancing the severity of punishment for some crimes, most of them drug-

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related crimes and car thefts. The Criminal Code amendments towards stricter penalties (see box 1) create situations where prosecutors and judges are willing to change the category of the offense with which they have charged the suspect.\(^{32}\) For instance, initially the prosecutor might charge the suspect with robbery. If strong evidence is absent, though, and there are extenuating circumstances, he/she could reach a plea bargain agreement with the defense for changing the charge to pick-pocketing. Thus, the offender receives a lighter sentence while at the same time the prosecutor registers another effective punishment. Such practices seem to have become more widespread after 2001, when the number of plea bargain agreements skyrocketed. While in 2002 the share of sentenced individuals who were convicted following a plea bargain agreement was 25%, in 2004 this portion had already reached 41%.

In addition, between 2000 and 2005 an increasing number of sentences used Art. 78a of the Criminal Code to amend the criminal charge into an administrative offense (misdemeanor). While in 2000 a mere 1% of all defendants were released from criminal liability, in 2004 their share was 18% (equal to 20% of all crimes). As the latest Criminal Code amendments further expand the scope of Art. 78a, including even more crimes for which criminal liability may be lifted, an even greater proportion of crimes punished by administrative penalties could be expected.

**Box 1. The total prohibition of drugs**

Criminal Code amendments do not always produce a desired effect and this is exemplified by the annulment of Art. 354a, item 3 of the Criminal Code in April 2004. This change made the possession of any amount of drugs, even what has been called the “personal use dose” punishable by 10 years of imprisonment. Law-enforcement agencies

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\(^{42}\) Interviews with judges from courts in Varna and Sofia, February 2006.
The transfer of criminal activities and the influx of criminals from Eastern Europe into the EU has been a politically important issue for many years. Little analysis has been done on this issue due in part to the difficulty in conducting cross-border research, as well as absence of data in many countries. The removal of the Schengen countries’ visas for Bulgarian citizens in 2001 resulted in increased levels of emigration to EU member states. Along with economic emigrants there has been an increased migration (seasonal and permanent) of the criminal population, who are searching for more profitable criminal opportunities. This phenomenon could be observed in the crime statistics of some EU countries (figure 9). In addition, Bulgarian police officials observe that a substantial number of repeat offenders, well known to the police, have emigrated or are migrating seasonally to “work” in Western Europe.

In 2002 the number of crime suspects with Bulgarian nationality in only five EU countries—Germany, Belgium, the Netherlands, Spain, and Austria—was 7,882—more than Bulgaria’s own prison population, which during the same year numbered 7,393.

Belgium, Spain, and Austria for instance, saw a sharp increase in such crimes between 2001 and 2002, but the number of suspected Bulgarians stabilized at lower levels after 2004. It remains uncertain, however, whether this is an actual decrease in crime or a consequence of the successful adaptation of Bulgarian criminals who have become less vulnerable to police detection.


The most significant Bulgarian immigrant communities in EU member states are estimated to be in Spain (around 100,000 individuals), Germany, Austria, Italy, and the United Kingdom.

Interviews with police officers at local police departments in Sofia, Plovdiv, Varna, Kyustendil, Sliven, Kazanlak and Botevgrad.

Collecting crime data for Bulgarians abroad has been a slow and time consuming process and therefore there are only data for 5 countries.

Not counting the individuals in pre-trial detention centers.
Figure 13: Number of Bulgarians suspected of crimes

Source: Bundeskriminalamt; Police Fédéral Belge; Ministerio del Interior; Bundesministerium für Inneres; Dutch National Crime Squad

Figure 14: Number of crime suspects of Bulgarian nationality in Belgium and the Netherlands

Source: Dutch National Crime Squad; Police Fédéral Belge (see footnote 49)

As Bulgarian immigrant communities are relatively small, crimes perpetrated by Bulgarians in EU countries are a negligible share of all crimes committed by foreign nationals. For instance, Bulgarians are accountable for 1.7% of crimes by foreigners in Spain and for less than 0.5% of those in Germany. Considering Bulgaria’s size, however, the number of criminals that have emigrated out of the country is substantial enough to claim that the effect of crime export on the dynamics of crime in the country is comparable by significance to other factors, such as the increase of the prison population.

Lack of reliable information on the size of Bulgarian immigrant communities makes it difficult to measure the crime rate per 100,000 Bulgarian immigrants in the destination countries. One issue to bear in mind is that the criminal behavior of immigrants is often influenced by the stressful social and economic circumstances to which new immigrants are subject. Therefore, crimes could be perpetrated by individuals without previous criminal history in Bulgaria.

### Table 4. Crimes committed by Bulgarian nationals

<table>
<thead>
<tr>
<th></th>
<th>Violence</th>
<th>Robbery</th>
<th>Theft</th>
<th>Prostitution/Women trafficking</th>
<th>Narcotics</th>
<th>Counterfeited currency</th>
<th>Other</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>The Netherlands, 2002 (number of crimes)</td>
<td>37</td>
<td>11</td>
<td>549</td>
<td>59</td>
<td>19</td>
<td>*</td>
<td>65</td>
<td>740</td>
</tr>
<tr>
<td>Austria, 2005 (number of suspects)</td>
<td>72</td>
<td>9</td>
<td>830</td>
<td>25</td>
<td>23</td>
<td>63</td>
<td>72</td>
<td>1,287</td>
</tr>
<tr>
<td>Belgium, 2005 (number of crimes)</td>
<td>18</td>
<td>*</td>
<td>122</td>
<td>384</td>
<td>20</td>
<td>9</td>
<td>132</td>
<td>685</td>
</tr>
</tbody>
</table>

Source: Bundesministerium für Inneres; Dutch National Crime Squad; Police Féderal Belge (see footnote 49)

### 3.5. Security Measures

#### 3.5.1. Security at Companies

Business crime rates underwent a considerable decrease between 1999 and 2005. Police data for the period confirms the proliferation of private security companies (PSCs) and the rising number of businesses that
installed burglar alarm systems. The question of the role these measures have played to reduce crime against business entities, therefore, is logical.

Table 5. "What measures have you taken to protect your company?"

<table>
<thead>
<tr>
<th>Business Security</th>
<th>Country average</th>
<th>Sofia</th>
<th>The rest of the country</th>
</tr>
</thead>
<tbody>
<tr>
<td>Burglar alarm system operated by a PSC</td>
<td>45.1%</td>
<td>58%</td>
<td>37%</td>
</tr>
<tr>
<td>Burglar alarm system operated by the police</td>
<td>30.8%</td>
<td>18%</td>
<td>27%</td>
</tr>
<tr>
<td>Building doorman</td>
<td>23.4%</td>
<td>21%</td>
<td>37%</td>
</tr>
<tr>
<td>In-house security</td>
<td>15.3%</td>
<td>10%</td>
<td>19%</td>
</tr>
<tr>
<td>Security guards from a PSC</td>
<td>11.4%</td>
<td>11%</td>
<td>12%</td>
</tr>
</tbody>
</table>

Source: Vitosha Research–NCS

According to the MoI and the National Social Security Institute in 2005 there were 130,000 private security guards in Bulgaria.\textsuperscript{50} NCS 2005 indicated that most of these guards are employed at companies’ in-house security teams. According to NCS 2005 26.7% of all companies in Bulgaria rely on guards for their protection (table 5). A total of 12,000 companies have around 117,000 security guards, 70,400 of which are hired as in-house security. The number of PSC guards hired by businesses is about 46,500. In addition, PSC guards are hired by private individuals, municipalities or government institutions, adding at least

Table 6. Number of private security guards

<table>
<thead>
<tr>
<th>Company size</th>
<th>Security guards</th>
</tr>
</thead>
<tbody>
<tr>
<td>In-house security teams (NCS 2005)</td>
<td>70,400</td>
</tr>
<tr>
<td>Private security guards–total</td>
<td>54,616</td>
</tr>
<tr>
<td>Corporate clients of PSCs (NCS 2005)</td>
<td>46,500</td>
</tr>
<tr>
<td>Individual clients of PSCs (NCS 2005)</td>
<td>2,000</td>
</tr>
<tr>
<td>\textit{Estimated number of PSC guards at public and municipal sites}\textsuperscript{51}</td>
<td>5,816</td>
</tr>
<tr>
<td>Municipal or state owned security companies (NSI)</td>
<td>4,984</td>
</tr>
<tr>
<td>Total (NSSI)</td>
<td>130,000</td>
</tr>
</tbody>
</table>

Source: Vitosha Research–NCS; NSSI/MoI; NSI

\textsuperscript{50} Official letter of the Ministry of Interior to the Center for the Study of Democracy, March 2005. Further talks have made it clear that the data is based on information provided by the National Social Security Institute, rather than on any register kept by the MoI.

\textsuperscript{51} This estimate is made based on the figure 130,000, quoted by the NSSI, i.e. by subtracting from 130,000 all the other categories for which there is data from the NCS 2005 and the NSI data, all of which are included in this table.
Another 7,800 guards. Some municipalities and government institutions also own security companies, whose personnel according to the National Statistical Institute (NSI) is 4,984. According to the NSI data, the number of security companies in Bulgaria at the end of 2004 was 952, while the number of their employees was 42,733.52 The total number of guards at PSCs, as estimated by the NCS (54,616), shows a proximity to some East European countries, but still places Bulgaria at the top of the European list of per capita PSC guards. Thus, for each Bulgarian police officer there are two guards employed by private security companies.53

One way of determining the crime prevention effect of private security companies is to evaluate the victimization risk of a business.54 It is worth noting at the start that companies that hire security guards probably do so because of the greater initial risk of victimization. The present study demonstrates how private security guards lower the risk for several categories of crime and delineates a few important trends. Companies that use the services of a security firm have a smaller chance of burglary. However, they are 3.2 and 3.6 times as likely to be victims of thefts from outsiders and employees respectively as unguarded businesses, and equally at the risk of threats and extortion as the latter.

52 Official letter of the National Statistical Institute to the Center for the Study of Democracy, 1 February 2006.

53 Previous surveys (such as Page, M. Rynn, S., Taylor, Z., Wood, D. SALW and Private Security Companies in South Eastern Europe: A Cause or Effect of Insecurity, Belgrade: SEESAC, August 2005) based their measurements on the MoI/NSSI data and used 130,000 as the reference figure. Their conclusion was that the ratio between the guards at PSCs and police officers was 4.64:1. With such a ratio Bulgaria was considered the unchallenged leader in Europe. The present study, however, alters this perception.

54 Victimization risk coefficients are calculated by the method used in Van Kesteren, J.N., Mayhew, P. & Nieuwbeerta, P. (2000), Criminal Victimization in Seventeen Industrialised Countries: Key-findings from the 2000 International Crime Victims Survey. The Hague, Ministry of Justice, WODC. It involves an assessment of the chances that a person from a definite social group (e.g. a big city resident) may or may not become a victim of a crime (see appendix 2). This coefficient is then divided by the victimization risk ratio of a person belonging to a different social group (e.g. small town/village resident).
In-house security teams appear not to have a significant crime deterrent effect. Companies that do have such teams are 1.2 times as likely to become victims of theft from employees or burglary and 2.9 times as likely to be victims of theft by outsiders, whereas the risk of threats or extortion is slightly lower. On the other hand, burglar alarm systems operated either by a security company or the police lower the risk of burglary twice. Thus, the growth of companies that install alarm systems or hire security guards has resulted in a decrease of burglaries.

3.7.2. Home-Security Measures

In comparison to households in the EU, Bulgarians still do not invest as much in home-security equipment. The measures they have taken have not led to a lower share of burgled homes or attempted burglaries. The portion of homes equipped with security systems, building guards or doormen has undergone an insignificant rise in the period 2002–2005. The only important change is a serious rise in the purchase of high-security locks.

<table>
<thead>
<tr>
<th>Table 7. Share of households taking special security measures</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
</tr>
<tr>
<td>Security alarm system (from private company)</td>
</tr>
<tr>
<td>Security alarm system (from police)</td>
</tr>
<tr>
<td>Secure locks</td>
</tr>
<tr>
<td>Window/door bars</td>
</tr>
<tr>
<td>Building guard or doorman</td>
</tr>
<tr>
<td>Dog</td>
</tr>
<tr>
<td>Firearms</td>
</tr>
</tbody>
</table>

Source: Vitosha Research–NCS; EUICS

In an international context, Bulgaria still compares badly in terms of shares of households taking any measures against burglary. An average 20.7% of EU households have installed security alarm systems. In Britain and Belgium this share reaches 58.2% and 29.4% respectively, while Finland’s and Denmark’s levels are fairly low—12.1% and 15.9%.

International comparisons show that the countries where a larger share of households uses security alarm systems are those with an initially higher risk of burglary. Homes equipped with alarm systems have a greater appeal for burglars. On the other hand, attempted burglaries fail more often as compared to those in unprotected homes. The relatively low

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55 NCS 2002 and NCS 2004 featured questions about alarm systems without making a distinction between those connected to police departments and those handled by private security companies.

56 Data by EUICS.
risk of burglary displayed by Bulgarian households, however, only partially accounts for the scarcity of homes protected by alarm systems in the country.\textsuperscript{57}

\textsuperscript{57} Van Kesteren at al. (2000).