

When it comes to cybercrime, police do not have all the answers. Partnerships with other organizations can allow INTERPOL and other countries to benefit from the cyber and technological expertise available in the public, private and academic sectors. to exchange information on emerging cyber threats and develop new tools to support the activities of police in our member countries.

#### ***Список використаних джерел***

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#### **FINANCIAL FRAUD IN THE USA**

According to the modern political and economy developments, new global threats, such as terrorism, economic criminality and public corruption, both national and international criminal law systems require thorough reconsideration. The history, principles, and recent development in the field of the American corporate criminal liability should be considered for the national criminal law developments which strive towards democracy, rule of law, and free market economy. Over the past hundred years, American criminal law has significantly advanced by rethinking corporate criminal liability and introducing it into both federal and state legal systems. In the period of global financial crisis in the USA public danger of fraudulent attacks on the banking system connected with financial fraud has increased.

Traditionally, the main sign of encroachment on the financial system is fraud. Fraud is an intentional deception to secure unfair or unlawful gain, or to deprive a victim of a legal right. Fraud crime is a personal violation. Fraud criminals vary educationally, socially, geographically and financially. Some even join professional organizations to legitimize their schemes and project a respectable front. Financial fraud can be broadly defined as an

intentional act of deception involving financial transactions for purpose of personal gain.

According to the Interpol, the incomes of organized crime in financial fraud exceed the incomes of all other economic crimes and occupy the second place after the drug business. Losses caused by financial crime have increased in the last years and greatly undermined the prestige of many world-famous companies from the USA.

For example, the result of fraudulent actions of energy management «The Enron holding» in the end of 2001 was subsequently devalued and actually led to its bankruptcy. The investigation revealed facts of financial fraud with accounting statements. The investigation lasted for 4 years. This is one of the most extensive criminal proceedings in the history of the United States, which had grave consequences for the economy of the country. The company's employees and shareholders totaled for about several billion dollars.

Criminal liability for crimes against property and economic activity in the United States is established all over the federation and singly in states. Financial fraud under U.S. Code of Laws is divided into the following types:

- fraudulent deception, that means that the perpetrator, misleading someone, obtains property that belongs to another owner. The meaningful deception follows:

- enhancement of false ideas, including false ideas about the law, the value, the intentions;

- preventing another person from obtaining information that is capable to influence on his (her) opinion of the nature of the agreement;

- the use of false ideas that were previously made by another person;

- notification of the property which is being pledged, the existence of a legal claim against it, or other legal obstacle to the use of property that passes the perpetrator.

- credit card fraud, including the falsification or use of credit cards to influence interstate commerce; purchase, transportation, concealing money, property, services or other values, received from illegal use of cards, etc;

- betraying yourself as another person, misappropriation of office;

- bankruptcy fraud: liability for bankruptcy crimes are provided in Chapter 9 and Chapter 18 of U.S. Code of Laws. The main features of such actions are the fictitiousness of economic activity;

- submission of false information and other fraudulent techniques. To gather national statistics from the USA Federal Bureau of Investigation uses the Uniform Crime Reporting;

- fraud in the field of insurance: fraudulent actions committed by insurance claimants;
- computer fraud – the act of using a computer to take or alter electronic data, or to gain unlawful use of a computer or system;
- securities fraud, also known as stock fraud and investment fraud, is a deceptive practice in the stock or commodities markets that induces investors to make purchase or sale decisions on the basis of false information, frequently resulting in losses;
- tax evasion is the illegal evasion of taxes by individuals, corporations, and trusts;
- «bust-out» is a type of credit card fraud where an individual applies for a credit card, establishes a normal usage pattern and solid repayment history, then racks up numerous charges and maxes out the card with no intention of paying the bill;
- «skimming» (defalcation) is a slang for taking cash "off the top" of the daily receipts of a business (or from any cash transaction involving a third interested party) and officially reporting a lower total;
- land flip is a fraudulent real estate practice, in which a group of colluding buyers comes together to trade a piece of undeveloped land between one another to inflate the property's price beyond the market value;
- mortgage fraud refers to an intentional misstatement, misrepresentation, or omission of information relied upon by an underwriter or lender to fund, purchase, or insure a loan secured by real property.

Fraud in US federal criminal law is an extensive system of the most complex forms of actions in the form of schemes, techniques, methods, agreements and actions that are fictitious, encroach on different objects (property, credit, banking and tax field, relations in the field of business activities and health, etc.) However, there are a number of other fraudulent liability rules contained in various chapters of the U.S. Code of Law.

All in all, for Ukraine the experience of criminal law of the USA connected with financial fraud is of great importance in order to find effective means of counteracting this phenomenon in Ukraine, in particular in the area of improving criminal liability legislation. Millions of people in the United States are victims of fraud crimes each year. Fraudulent encroachments on financial relationships negatively affect banks' credibility and as a result, the value of banking products extremely increases. The USA as every country in our modern world tries all the best to protect its financial system from unlawful encroachment.

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## **COMBATING ORGANIZED CRIME. FOREIGN EXPERIENCE**

Organized crime is the most complex and dangerous antisocial phenomenon that has no state borders and the scale of which poses a real threat to the state and society. The very concept of "organized crime" is interpreted differently in different sources, but it remains unchanged that it is a group activity of persons who extract or control territories and markets, internal and external, through violence, intimidation or corruption. In the process of criminal evolution, organized crime has got immune to traditional crime prevention, investigation, justice and punishment systems.

There are now two ways to combat organized crime that show good results, taken alone or in combination, complementing each other. These solutions are "prevention" and "proactive tactics".

Two approaches for preventing and combating organized crime are distinguished: in the first case, prevention of organized crime is carried out by law enforcement agencies in general, without the creation of special bodies designed to prevent organized crime. In the second case, specialized bodies are created.

Some European countries and US use the second approach to increase the effectiveness of organized crime activities.

In the UK, for example, there is the SOCA (Serious Organized Crime Agency), which focuses on:

- 1) raising public awareness of organized crime;
- 2) an increase in the amount of refunds obtained illegally;
- 3) increasing the threat to organized crime groups in the UK through worked out operational and investigative actions, as well as introducing new ways of combating this phenomenon. [1]

In Italy, in order to strengthen the fight against organized crime, the Parliament of the country has established a special General Council on