

## MEASURES TO PREVENT THEFT OF OTHER PEOPLE'S PROPERTY IN A STATE OF WAR

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### Abstract

The article examines the pressing issue of preventing theft of property, one of the most common criminal offenses against property, which poses a particular threat to society in conditions of martial law. Armed aggression against Ukraine, the introduction of martial law, mass population displacement, destruction of infrastructure, a decline in the material well-being of citizens, and limited resources of law enforcement agencies increase the risk of theft and at the same time complicate the implementation of preventive measures. The paper identifies and analyzes the main types of prevention of theft of other people's property, in particular, general social, special criminological, and individual prevention. Particular attention is paid to special criminological measures to prevent theft, which are aimed at neutralizing the causes and conditions for committing these criminal offenses in modern conditions. Such measures include ensuring the principle of inevitability of criminal responsibility for committed offenses, timely detection and investigation of thefts, improving the operational-investigative and preventive activities of the National Police, strengthening control over the circulation of property in wartime, and intensifying cooperation between law enforcement agencies, local authorities, and the public. Separate emphasis is placed on the importance of raising citizens' legal awareness and vigilance, and fostering a responsible attitude towards the preservation of their property, especially in conditions of evacuation, temporary abandonment of their homes, or residence in frontline regions. It is concluded that effective prevention of theft during martial law is only possible through the comprehensive application of criminal law, criminological, organizational, and social measures adapted to the realities of wartime.

**Keywords:** theft, theft prevention, special criminological prevention measures, combating theft, solving thefts.

### 1. Introduction

The rapid development of modern society under conditions of armed conflict significantly transforms the nature, structure, and dynamics of crime. In Ukraine, the

introduction of martial law as a result of full-scale armed aggression has led to profound socio-economic disruptions, including mass internal displacement, destruction of infrastructure, declining living standards, and weakening of traditional mechanisms of social control. These processes have created favourable conditions for the growth of property-related offences, among which theft remains one of the most widespread and socially dangerous criminal acts.

In criminological science, theft is traditionally regarded as a typical acquisitive crime, the determinants of which are closely linked to socio-economic instability, inequality, and deficiencies in social regulation mechanisms. Ukrainian scholars have consistently emphasised that the effectiveness of preventing crimes against property depends on the comprehensive interaction of social, legal, and organisational measures aimed at eliminating criminogenic factors (Babenko, 2014; Lytvynov, 2008). At the same time, victimological aspects, including the behaviour and vulnerability of potential victims, play a significant role in shaping the conditions for committing such offences (Ostrohliadov, 2019; Ostrohliadov, 2020).

The theoretical foundations of crime prevention developed in Ukrainian criminology distinguish several levels of preventive influence: general social, special criminological, and individual, each of which targets specific determinants of criminal behaviour (Dzhuzha et al., 2001; Nikitin et al., 2018). However, under conditions of martial law, these traditional approaches require substantial adaptation, as the usual institutional capacities of the state are constrained, while new criminogenic risks emerge. In particular, the temporary abandonment of housing, the spread of informal markets, and the reduced capacity of law enforcement agencies create additional opportunities for theft and complicate its detection and investigation.

International criminological research confirms that crime rates, especially property crimes, tend to fluctuate significantly during periods of social crisis, armed conflict, or natural disasters. For instance, routine activity theory suggests that crime increases when motivated offenders encounter suitable targets in the absence of capable guardians (Cohen & Felson, 1979). Similarly, empirical studies indicate that disruptions caused by war or large-scale emergencies weaken informal social control and increase opportunities for acquisitive crime (UNODC, 2023; World Bank, 2011). These theoretical perspectives are particularly relevant in the Ukrainian context, where wartime conditions reshape everyday routines and patterns of social interaction. Despite the growing body of research on crime in crisis situations, the issue of preventing theft under martial law remains insufficiently studied, especially in terms of adapting criminological prevention mechanisms to the realities of armed conflict. Existing studies primarily focus on general determinants of property crime or victimological characteristics in peacetime conditions (Ostrohliadov, 2020), while the specific challenges posed by wartime such as increased crime latency, organised channels for the disposal of stolen property, and limited investigative resources require further analysis.

In this context, the purpose of this article is to examine the peculiarities of preventing theft of property under martial law and to identify effective criminological and criminal law measures aimed at counteracting such offences. The study seeks to

- (1) analyse the main determinants of theft in wartime conditions;
- (2) systematise existing approaches to crime prevention at different levels;
- (3) substantiate priority directions for improving the activities of law enforcement agencies and enhancing the overall preventive framework.

By addressing these issues, the article contributes to the development of a comprehensive approach to preventing property crime in conditions of armed conflict, combining theoretical insights with practical recommendations adapted to contemporary challenges.

## **2.Theoretical and applied foundations of theft prevention under martial law**

When considering the issue of preventing theft of other people's property under martial law, it is first necessary to define the content and essence of preventive activities as a key area of crime prevention. In modern domestic criminological science, there are a significant number of approaches to defining this concept, which is due to the complexity of prevention itself and the multidimensionality of its impact on social processes (Ostrohliadov, 2020a). Most criminologists consider preventive activities to be one of the basic mechanisms of social regulation of social relations, aimed at eliminating the causes and conditions of crime, which in conditions of martial law becomes particularly relevant due to increased social tension, reduced material support for the population, mass internal displacement of persons, destruction of housing and critical infrastructure, and limited resources of law enforcement agencies.

Preventive activities in the modern sense encompass a system of interrelated economic, social, educational, organizational, and legal measures, the implementation of which during martial law requires adaptation to the extraordinary conditions of the state's functioning. At the same time, crime prevention is seen as a combination of different levels of preventive influence aimed at minimizing criminogenic factors that are exacerbated in conditions of armed aggression and the weakening of traditional mechanisms of social control (Babenko, 2014; Ostrohliadov, 2020b).

In criminology, it is customary to distinguish between preventive activities in a broad and narrow sense. In a broad sense, it covers activities aimed at preventing specific criminal offenses, in particular theft of property, which in conditions of martial law are often associated with the evacuation of the population, temporary abandonment of homes, an increase in the number of abandoned properties, and the weakening of property security. In a narrow sense, prevention consists of the targeted identification of the causes and conditions that contribute to the commission of crimes, the identification of individuals prone to unlawful behavior, and the implementation of individually tailored preventive measures with regard to them, taking into account the specifics of wartime (Sobko et al., 2023). The combination of these measures forms the holistic concept of "crime prevention" as a systematic and multi-level activity.

Depending on the hierarchy of causes and conditions of crime, criminological theory traditionally distinguishes three main levels of prevention: general social, special criminological, and individual. During a period of martial law, the effectiveness of each of these levels is largely determined by the coordination of actions between state authorities, law enforcement agencies, local government bodies, and civil society institutions, as well as the state's ability to respond quickly to changes in the crime situation (Babenko et al., 2018).

General social crime prevention is a system of large-scale socio-economic, political, legal, organizational, and ideological measures aimed at stabilizing social development, ensuring the functioning of the economy, improving the well-being of the population, and forming a legal culture and conscious behavior among citizens. During a period of martial law, such measures are particularly important, as they are aimed at minimizing social tensions, overcoming the consequences of armed aggression, supporting internally displaced persons, maintaining employment, and restoring destroyed infrastructure. Although general social prevention is not directly aimed at preventing specific types of criminal offenses, such as theft of property, it indirectly affects their level by eliminating general criminogenic factors. For example, state programs of social support and humanitarian aid in conditions of martial law reduce the likelihood of thefts caused by material hardship, and the restoration of housing and communal services and lighting in populated areas reduces the risks of encroachment on citizens' property (Schaefer, 2021).

Special criminological prevention consists of targeted action on specific causes

and conditions that directly contribute to certain types of criminal behavior. In the context of countering theft in a state of martial law, such prevention includes a set of measures aimed at strengthening the protection of property, improving the activities of law enforcement agencies, and neutralizing situations in which the likelihood of encroachment on other people's property increases. Examples of special criminological measures to prevent theft include organizing patrols of areas where there are abandoned dwellings or ruined buildings, monitoring scrap metal collection points to prevent the sale of stolen property, using video surveillance in places where large numbers of people gather, and conducting preventive operations in areas with high levels of property crime (Anderezh et al., 2021). These measures are implemented by specially authorized entities, primarily the National Police, for whom prevention is part of their professional activities.

Individual prevention is aimed at specific individuals whose behavior indicates an increased risk of committing theft or who have already committed such criminal offenses. In conditions of martial law, this category may include individuals who have lost their sources of income, housing, or are in a state of social maladjustment. Examples of individual preventive measures to prevent theft include preventive discussions with individuals previously convicted of property crimes, the establishment of administrative supervision, the involvement of such individuals in social support or employment programs, and psychological assistance to individuals who have experienced trauma as a result of military action. The combination of these measures reduces the likelihood of repeat thefts and promotes the resocialization of offenders (Cohen and Felson, 1979).

The systematic and coordinated application of general social, special criminological, and individual preventive measures is a necessary prerequisite for effectively combating theft of another's property, for which criminal liability is provided for in Article 185 of the Criminal Code of Ukraine, and in some cases, related crimes against property. During the period of martial law, such activities take on particular importance, as the objective conditions of armed aggression, internal displacement of the population, destruction of housing stock, and limited resources of law enforcement agencies significantly increase the risks of encroachment on other people's property. It is a comprehensive approach to prevention that makes it possible to reduce the level of criminogenic factors and ensure real protection of property rights (Dzhuzha et al., 2001).

Special criminological prevention of theft in the practice of the National Police of Ukraine covers a set of organizational and managerial, investigative, and operational-search measures aimed at identifying, eliminating, or neutralizing the causes and conditions that contribute to the commission of criminal offenses under Article 185 of the Criminal Code of Ukraine, as well as exerting a preventive influence on persons prone to committing such acts. Such measures include, in particular, patrolling areas with a high risk of property offences, guarding abandoned dwellings, monitoring places where stolen property may be sold, conducting preventive operations and operational-search measures against persons previously convicted of property crimes.

One of the key areas of special criminological prevention of theft is preventing its self-determination, i.e., repeated and mass reproduction. In this context, it is crucial to ensure the principle of inevitability of criminal liability, enshrined in the criminal legislation of Ukraine, through the complete and timely detection of criminal offenses, prompt response to reports from citizens, and effective pre-trial investigation. The practice of the National Police of Ukraine shows that when offenders avoid criminal liability, it gives them a sense of impunity and encourages them to commit new thefts, which negatively affects the overall crime rate (Babenko, 2014).

The criminological significance of the timely detection and full investigation of thefts is also confirmed by scientific approaches, according to which the absence of an adequate legal response to a criminal offense reduces the preventive potential of criminal law and the effectiveness of special preventive measures. In conditions of martial law, this problem is exacerbated by the increase in the latency of crimes against

property, in particular thefts committed in abandoned dwellings or in areas that have suffered destruction.

The National Police of Ukraine needs to pay special attention to combating apartment burglaries, which in most cases can only be solved if the offender is apprehended immediately after committing the crime or in the course of a series of operational and investigative measures. As investigative practice shows, the identity of the offender is often established after his arrest for another episode of criminal activity, in the course of which previous thefts are additionally documented. At the same time, compensation for material damage to victims remains problematic, since stolen property is usually quickly sold through illegal distribution channels, which operate particularly quickly and in an organized manner in conditions of martial law.

In view of the above, strengthening special criminological prevention of theft, adapted to the provisions of the Criminal Code of Ukraine and the practice of the National Police of Ukraine, is one of the priority areas for ensuring the protection of property rights and public safety in conditions of martial law (Lytvynov, 2008).

### **3. Criminological and procedural challenges in combating theft under martial law**

The practice of combating crimes against property shows that persons who commit thefts, for which liability is provided for in Article 185 of the Criminal Code of Ukraine, as a rule, do not keep the stolen property in their possession, since it is direct material evidence of their involvement in a criminal offense. In most cases, stolen items are quickly sold through illegal channels, which significantly complicates both the process of proving the crime and compensating victims for the damage caused.

This allows us to conclude that the timely detection and full disclosure of criminal offenses under Article 185 of the Criminal Code of Ukraine is one of the key factors in deterring repeat thefts and reducing their self-determination. Ensuring the inevitability of criminal liability, in particular by bringing the guilty persons to justice, taking into account the aggravating circumstances specified in Article 67 of the Criminal Code of Ukraine (repeated commission of a crime, commission of a crime by a group of persons, commission of a crime under martial law, etc.), significantly increases the preventive potential of criminal law. In addition, the effective work of pre-trial investigation bodies contributes to increasing public confidence in the National Police of Ukraine and creates a sense of security of property rights (Kleemans et al., 2012).

An analysis of criminal proceedings relating to theft reveals typical shortcomings in the investigation and pre-trial investigation of such offences. These include, in particular, miscalculations in the organization of the timely detection of thefts, which directly affects the effectiveness of entering information into the Unified Register of Pre-trial Investigations and the subsequent conduct of investigative (search) and covert investigative (search) actions. In a number of cases, the untimely reporting of crimes is due to the victimogenic behavior of victims who do not contact law enforcement agencies because of the insignificance of the damage caused or their unwillingness to publicize the incident, which negatively affects the detection of crimes under Article 185 of the Criminal Code of Ukraine.

Theft of another person's property is usually committed secretly, using measures of concealment, which complicates its detection and requires coordinated interaction between investigators, operational and forensic units of the National Police of Ukraine. Investigating thefts committed by a group of people or organized groups is especially tricky, where it's really important to correctly establish the forms of complicity in line with Article 27 of the Criminal Code of Ukraine. Practice shows that operational units often limit themselves to exposing the direct perpetrator of the crime, without paying due attention to identifying the organizers, instigators, and accomplices, which reduces the effectiveness of bringing all guilty persons to criminal responsibility (Ostrohliadov,

2019).

The National Police of Ukraine should pay special attention to criminal proceedings involving thefts committed with the involvement of minors. In such cases, it is of fundamental importance to properly assess, under criminal law, the actions of adults who organized or incited minors to commit theft, taking into account the provisions of Article 304 of the Criminal Code of Ukraine regarding the involvement of minors in criminal activity. Incorrect classification or failure to prove the relevant circumstances leads to such persons avoiding more severe criminal liability and negatively affects the preventive effect of criminal legislation.

Thus, effective counteraction to theft of foreign property in conditions of martial law is possible only under the condition of comprehensive application of the provisions of Article 185 of the Criminal Code of Ukraine in conjunction with the provisions of Articles 27, 67, and 304 of the Criminal Code of Ukraine, as well as the proper organization of the activities of the National Police of Ukraine aimed at the timely detection, full disclosure, and correct criminal law classification of these criminal offenses. The effectiveness of the proposed preventive measures is also confirmed by foreign law enforcement practice. Thus, in the activities of the Federal Bureau of Investigation, more than 85% of the most dangerous crimes are solved with the use of undercover agents-informants and other operational-investigative means. This convincingly demonstrates that the exclusive use of procedural investigative actions or a formal increase in the number of law enforcement agencies without the use of special operational methods does not ensure an adequate level of detection of complex crimes committed in conditions of obscurity, and in some cases makes such detection practically impossible (Ostrohliadov, 2020).

At the same time, an important factor in preventing theft of other people's property is the behavior of citizens themselves, in particular their level of legal awareness and basic caution. In this context, the position of Jacek Palkevich is relevant. Reflecting on safety in the urban environment, he warns citizens against creating conditions that facilitate crime. A similar opinion is held by law enforcement officials, who point out that a significant proportion of thefts, especially from residential premises, are caused by the careless or irresponsible behavior of the victims themselves. In order to minimize the risk of becoming a victim of theft, it is advisable to follow basic rules of personal and property safety, in particular: do not draw unnecessary attention to yourself and your belongings; keep a close eye on your personal belongings in public places; do not leave mobile phones, portable devices, baby strollers, bicycles, and other property unattended; do not give your keys to strangers; refrain from disclosing information about the presence of cash or valuables; if possible, use technical means of protecting your home, including video surveillance systems, security alarms, reliable locks, and other engineering and technical solutions (Schaefer, 2021).

Improving the effectiveness of specialized criminological theft prevention also requires the rational and efficient use of financial resources allocated to combating crime. At the same time, analysis of current practices shows that the effectiveness of budget spending can vary significantly from region to region, which has a negative impact on the overall level of combating property crimes. Uneven financial support and management miscalculations reduce the preventive potential of law enforcement activities in general.

The use of technical means of home security deserves special attention as one of the most effective ways to prevent burglaries. Signing contracts for home security and connecting properties to centralized monitoring stations significantly increases the level of property protection. According to experts, modern security systems are in many cases more reliable than physical means of protection, such as heavy doors or complex locking mechanisms. Even imitation security alarms can have a deterrent effect, reducing the likelihood of crime.

#### **4. Directions for Improving the Effectiveness of Theft Prevention under Martial Law**

The analysis of the challenges associated with the detection and investigation of theft under martial law necessitates the development of a comprehensive system of measures aimed at enhancing the effectiveness of crime prevention. Given the transformation of criminogenic conditions in wartime, traditional approaches to combating property crime require adaptation to new social realities, including increased population mobility, weakened social control, and the emergence of new criminal opportunities.

One of the key directions for improving theft prevention is the strengthening of institutional capacity and coordination among law enforcement agencies. Effective interaction between investigative units, operational services, and forensic specialists is essential for ensuring the timely detection and proper qualification of criminal offences. Modern criminological approaches emphasise the importance of problem-oriented policing and the concentration of resources in high-risk areas (hot spots), which has been empirically shown to reduce crime rates when implemented systematically (Goldstein, 1979; Coupe, 2016). In the context of martial law, such an approach should be supplemented by flexible deployment of police resources, taking into account dynamically changing security conditions.

Another important direction is reducing the latency of theft-related offences. As noted in criminological research, a significant proportion of crimes remain unreported due to victims' distrust of law enforcement agencies or the perceived insignificance of harm. This negatively affects both statistical accuracy and the effectiveness of preventive measures. Therefore, it is necessary to simplify reporting procedures, introduce digital tools for submitting complaints, and implement public awareness campaigns aimed at increasing legal awareness and trust in law enforcement institutions. These measures correspond to broader international recommendations on strengthening community-based crime prevention and improving access to justice (UNODC, 2023).

A separate and highly significant area is the disruption of illegal markets for stolen property. As shown in criminological studies, theft is often part of a broader chain of criminal activity that includes the rapid resale of stolen goods through informal or illegal channels. From the perspective of routine activity theory, crime occurs when a motivated offender encounters a suitable target in the absence of capable guardianship (Cohen & Felson, 1979). Accordingly, effective prevention requires not only the identification of offenders but also the elimination of opportunities for the disposal of stolen property. This may include strengthening control over second-hand markets, monitoring online trading platforms, and using covert investigative methods to identify criminal networks.

The introduction and active use of modern technologies also play a crucial role in improving theft prevention. Contemporary research demonstrates that technological innovations such as video surveillance systems, data analytics, and digital tracking tools significantly enhance the ability of law enforcement agencies to prevent and detect crimes (Anderez et al., 2021). In conditions of martial law, the use of such technologies becomes particularly relevant, as it compensates for limited human resources and increases the effectiveness of monitoring large or high-risk areas.

In addition, victimological prevention should be considered a priority area. Criminological studies indicate that changes in routine activities and daily behaviour patterns can significantly increase opportunities for property crime, particularly when dwellings are left unattended or valuable items are insufficiently protected (Felson, 1994; Felson and Clarke, 1998). Therefore, targeted preventive measures should be aimed at raising public awareness, promoting safe behaviour, and encouraging the use of technical means of protection. Special attention should be given to vulnerable groups, including internally displaced persons and residents of frontline regions.

Improving the regulatory and legal framework is essential for enhancing the

preventive potential of criminal law. This includes ensuring the consistent application of criminal legislation, particularly provisions relating to complicity, aggravating circumstances, and the involvement of minors in criminal activity. The inevitability of punishment remains one of the most effective deterrents to crime, as it directly influences offenders' decision-making processes within the framework of rational choice theory (Cornish & Clarke, 1986). Strengthening this principle under wartime conditions is therefore a critical component of an effective crime prevention strategy.

In conclusion, improving the effectiveness of theft prevention under martial law requires a comprehensive approach that combines institutional, technological, legal, and social measures. Only through the integration of these elements is it possible to reduce criminogenic risks, enhance the capacity of law enforcement agencies, and ensure the effective protection of property rights in conditions of armed conflict.

#### **4. Conclusion**

Summarizing the results of the conducted research, it should be noted that the prevention of theft of another's property under conditions of martial law acquires particular relevance due to the increase in criminogenic risks, the transformation of social processes, and the limited capacity of state institutions. It has been established that the contemporary conditions of armed conflict significantly affect the determination of acquisitive crimes against property, giving rise to new criminogenic factors, including mass population displacement, the abandonment of housing without supervision, the destruction of infrastructure, and the weakening of social control.

It has been substantiated that effective prevention of theft is possible only through the comprehensive combination of general social, special criminological, and individual measures adapted to the realities of wartime. Particular importance in this regard is attributed to special criminological prevention aimed at neutralizing the immediate causes and conditions of criminal activity, as well as ensuring the inevitability of criminal liability through the timely detection, clearance, and proper investigation of theft offenses.

The study demonstrates that one of the key challenges in combating theft is the high level of latency of such crimes, the difficulty of proving them due to the rapid disposal of stolen property, and shortcomings in the organization of pre-trial investigation and interaction among law enforcement units. It has been established that increasing the effectiveness of counteraction is possible through improving police coordination, introducing modern technologies, intensifying operational-search activities, and strengthening control over illegal markets for stolen goods.

At the same time, the victimological dimension plays an important role in the system of prevention, encompassing the enhancement of public legal awareness, the formation of safe behavioral patterns, and the promotion of technical means of property protection. The involvement of the public in preventive activities and the strengthening of trust in law enforcement agencies are also essential conditions for reducing crime rates.

Thus, the prevention of theft under martial law should be carried out as a multi-level, systemic activity that combines legal, organizational, technological, and social instruments of influence. Only through their coordinated application is it possible to effectively reduce criminogenic threats, ensure an adequate level of protection of property rights, and strengthen public safety in conditions of armed conflict.

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