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Psychological Criteria of Convict Correction: Development Possibilities and Implementation Problems

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Abstract

Introduction: the article presents a theoretical analysis of the available scientific developments on the relevance of applying psychological criteria of convict correction. *Purpose:* on the basis of theoretical analysis of scientific literature and earlier studies to systematize psychological criteria of correction of convicts and to further analyze the problem of their implementation. *Methods:* during the study of psychological criteria of correction of convicts, methods of theoretical research (analytical, axiomatic, formalization, etc.), as well as analysis of scientific sources, are used. *Results:* theoretical and methodological analysis of scientific developments on the relevance of applying psychological criteria of convict correction is carried out. *Conclusion:* at present the problem of development and application of psychological criteria for assessing the degree of correction of convicts is one of the most urgent in penitentiary science. They should be as accurate as possible and take into account not only positive behavior of the convict, but also a set of other factors that complement the general characteristic of his/her personality, such as presence of socially useful ties, living conditions after release, employment, etc. The authors emphasize the increasing role of psychological measures (taking into account scientifically based psychological criteria for assessing correction of convicts) in cooperation with various departments and

services of the correctional institution, public and other social institutions and organizations. In this regard, psychological criteria of convict correction serve as a kind of indicators (markers) that contribute to a more complete understanding of the convict's personality and a targeted response of the assisting specialist using psychological and pedagogical measures of influence in pre-penitentiary, penitentiary and post-penitentiary periods.

Keywords: psychological criteria of correction; correctional institutions; convicts; resocialization; penitentiary system; penal system.

5.3.9. Legal psychology and accident psychology.

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Introduction

Scientists have been long trying to develop convict correction criteria, i.e. indicators showing that convicts are corrected and do not pose public danger after release from a correctional institution. The ability to correctly assess the degree of correction of a convicted person in the process of serving a sentence includes identifying positive or negative dynamics of personality change. A correct assessment will allow employees to more purposefully conduct individual and group correctional and educational programs for convict rehabilitation [1].

The problem of studying convict correction criteria is interdisciplinary and is the focus of interest of many sciences (legal, psychological, pedagogical, sociological, etc.). Various aspects of the issue to assess the convict correction degree are covered by scientists, such as S.B. Poznyshev, N.A. Struchkov, M.P. Stur-ova, F.R. Sundurov, V.D. Filimonov, I.V. Shmarov, Yu.M. Antonyan, O.G. Anan'ev, G.P. Baidakov, N.P. Barabanov, Yu.V. Golik, A.Ya. Grishko, V.A. Eleonskii, M.A. Efimov, B.B. Kazak, A.N. Kuz'min, V.M. Litvishkov, M.P. Melent'ev, T.F. Minyazeva, M.G. Debol'skii, V.M. Pozdnyakov, S.N. Ponomarev, A.A. Sinichkin, V.E. Yuzhanin and others. At the same time, interpretation of the key concept of "correction" in scientific sources is ambiguous, and the main attention is focused on social and pedagogical indicators (for example, participation in mass events, maintaining social ties, awareness of guilt, disciplinary practice, etc.), while much less attention is paid to the psychological component of the

correction process (personality change). However, legislation is constantly being improved, and the state, represented by the penitentiary system, is searching for new approaches to assessing the degree of convict correction.

Considering the concept of psychological criteria of convict correction, we should mention that the term "criterion" in psychology is considered as a standard on the basis of which the definition, assessment or classification of any psychological phenomena is carried out [2, p. 201].

The category of "correction" in A. Reber's Large Explanatory Psychological Dictionary is explained through socio-criminological terms that characterize the change in an individual's behavior in order to bring it into line with social norms. In this regard, the correctional facility and prison are often called correctional institutions [3, p. 331].

The Russian penitentiary scientist V. M. Pozdnyakov emphasizes the need for a retrospective analysis of the transformation of value-semantic orientations in relation to the content-psychological aspects of the phenomenon of "correcting the personality of a criminal" and the use of appropriate methods of influencing convicts, which generally contributes to a more adequate understanding of the current state and trends in approaches to correcting convicts in the process of punishment execution [4, p. 40].

Research

The relevance of the development and systematization of psychological criteria of convict correction has been studied for a number of

years. These studies have been conducted at the request of the Department of Educational, Social, and Psychological Activities by the Federal State Institution Research Institute of the Federal Penitentiary Service of Russia and interregional psychological work departments (hereinafter – IPWD), namely: IPWD of the Main Directorate of the Federal Penitentiary System in the Sverdlovsk Oblast, IPWD of the Main Directorate of the Federal Penitentiary System in Krasnoyarsk Krai, and IPWD of the Main Directorate of the Federal Penitentiary System in the Rostov Oblast. We will give a brief description of the research conducted, the capacities and opportunities available, as well as problems of their implementation.

In 2011, the staff of the Federal State Institution Research Institute of the Federal Penitentiary Service of Russia prepared a research paper on the topic “Development of psychological criteria for evaluating correction of convicts in the context of implementing a “social lift” system. This work presented criteria for “social lifts”, divided into criteria of a social nature, criteria of an educational and pedagogical nature and psychological criteria. Psychological criteria included primary psychodiagnostic criteria (socio-psychological criteria, test results, activity of the convict’s participation in testing), active participation in psychological trainings, final psychodiagnostic criteria for submission to the commission for assessing convicts’ behavior and determining conditions of serving a sentence. Further, during implementation of the “social lift” system in penal institutions, the criteria were modified, reduced and presented in the following form: compliance with the order of serving a sentence; convict’s desire for psychophysical correction of his/her personality and proactive measures for re-socialization; other events and actions indicating an active positive position of the convicted person. Despite the fact that the “social lift” system is not currently being implemented in penal institutions, it contains the idea of assessing the degree of convict correction in the process of serving their sentences.

In 2018, employees of the IPWD of the Main Directorate of the Federal Penitentiary System in the Sverdlovsk Oblast prepared methodological recommendations “Psychological Diagnostics of Propensity to Criminal Behavior in

Suspected, Accused, Convicted Persons (Risk Markers)”. The recommendations were prepared based on results of the empirical study of the propensity to criminal behavior. The sample consisted of two groups (employees and convicts). The study itself was based on the assumption that, in personal terms, criminal behavior is associated with a decrease in indicators of the following spheres of personality (moral sphere, intellectual sphere, emotional and volitional sphere). For their detailed study, the need for a combination of diagnostic techniques developed in line with objective, subjective and projective psychodiagnostic approaches was identified, which made it possible to determine psychodiagnostic tools. The results of the study made it possible to identify key and additional risk markers of criminal behavior with a detailed description of the methods aimed at studying them. With the exception of the Main Directorate of the Federal Penitentiary System in the Sverdlovsk Oblast, these methodological recommendations have not been further implemented.

In 2019, employees of the IPWD of the Main Directorate of the Federal Penitentiary System in Krasnoyarsk Krai, and the IPWD of the Main Directorate of the Federal Penitentiary System in the Rostov Oblast and the Federal State Institution Research Institute of the Federal Penitentiary Service of Russia prepared research papers on the topic: “Scientifically based psychological criteria of the convict correction degree”.

The author’s team of the IPWD of the Main Directorate of the Federal Penitentiary System in Krasnoyarsk Krai concluded that when developing psychological criteria of the convict correction degree, it was necessary to take into account that the main task of the penal system activities is social adaptation and re-socialization of convicts. At the same time, when assessing convict correction, it is important to take into account not only his/her behavior within the correctional institution, but also his/her willingness to return to society. Thus, the following criteria were highlighted:

1. Behavioral criteria:

- participation in psychological activities, desire to correct negative personal and behavioral traits;

- compliance with the daily routine established in a correctional facility, pre-trial detention center, absence of penalties;
- polite communication with the administration of a correctional facility or a pre-trial detention center, unconditional fulfillment of legal requirements;
- non-acceptance of the criminal subculture: exclusion of the use of slang words, obscene expressions, nicknames, rejection of criminal rules of conduct, customs, traditions accepted in the criminal environment;
- active participation in educational and professional development activities, including self-education, reading periodicals, books, visiting the library;
- active participation in sports and cultural events held at the institution;
- obtaining a new profession in demand on the labor market, employment (if there are vacancies) at a correctional facility, a pre-trial detention center;
- concrete actions to preserve socially useful connections, find work before release, and have real plans for life at large;
- voluntary early repayment of material damage, desire to resolve the issue of employment and household arrangements in advance after release;
- restoration of socially useful ties, family ties;
- absence of protest actions against the legitimate demands of the administration of a correctional institution or a pre-trial detention center.

2. Psychological criteria:

- absence of sexual preference violations in the form of pedophilia among those convicted of crimes against sexual freedom and sexual integrity of the individual;
 - decrease in the level of aggressiveness in convicts according to psychodiagnostic examinations;
 - development of the ability to plan one's future independently;
 - completion of specialized psychocorrection programs (classes) aimed at reducing recidivism;
 - motivational focus on law-abiding behavior;
 - taking care of one's spiritual and physical development;
 - convict's desire to psychophysical correction of his/her personality;
 - reconsideration of the committed crime, admission of guilt in the committed crime (compensation for damage caused by the crime, writing an apology letter);
 - having clear (specified) plans for the future, the ability to cope with life problems.
3. Awareness of guilt in the crime committed as one of the main criteria of correction and re-socialization of convicts.
 4. Motivational focus on law-abiding behavior or motivation for self-correction.
 5. Attitude to work, education, social work, cultural events, the team of a squad or facility, etc.
 6. Compensation for material damage.

According to authors of the research work, correction criteria should take into account not only external positive behavior of the convicted person, but also the assessment of specific defects in his general and legal socialization, the state of social ties of the individual, moral self-manifestation of the personality in interpersonal relations, etc.

Besides, in 2019, employees of the IPWD of the Main Directorate of the Federal Penitentiary System in the Rostov Oblast prepared a research paper to substantiate psychological criteria of the convict correction degree. Based on the data provided by psychological services of the territorial bodies of the Federal Penitentiary Service in the Southern Federal District, they identified the following psychological criteria:

- presence of convict's motivation to law-abiding behavior;
- low level of criminal infection, negative attitude towards criminal subculture;
- motivation to undergo rehabilitation of people suffering from alcohol or drug addiction;
- adequacy of self-assessment;
- desire for self-improvement, raising the intellectual level, training, obtaining a profession and specialty;
- desire for psychological correction of his/her personality (active participation in psychological corrective work);
- presence of a positive system of value orientations, formation of positive goals, plans, and life prospects;
- reducing the level of conflict, aggressiveness;

- preservation or restoration of socially useful connections;
- high level of self-control and neuropsychic stability.

Having considered the criteria obtained, the author's team of the IPWD of the Main Directorate of the Federal Penitentiary System in the Rostov Oblast conditionally divided them into the following groups:

1. Integrative psychological criterion, correction of the convict's personality, "mental (psychological) health".
2. "Attitude to social norms and criminal subculture acceptance degree".
3. "Socio-psychological adaptation".
4. "Repentance and awareness of the just punishment".

In addition, based on the classification of I.V. Shmarov, the selected criteria were divided according to the correction degree: embarked on the path of correction, firmly embarked on the path of correction, proved his/her correction, i.e. in the process of serving his/her sentence, a convict has acquired sufficiently stable skills and habits of social behavior [5, pp. 33–35].

The problem of scientific substantiation of psychological criteria of the convict correction degree is reflected in scientific works of the Federal State Institution Research Institute of the Federal Penitentiary Service of Russia. In 2019, the Institute prepared a research paper on the topic: "Scientifically based psychological criteria of the convict correction degree". It presented a detailed theoretical analysis of the scientific literature on the subject under consideration and psychological criteria of the convict correction degree. In the course of the study, psychological criteria were combined according to common characteristics into the following groups:

1. Behavior in a correctional facility.
2. State of health.
3. Presence of socially useful ties.
4. Living conditions after release.
5. Criminological portrait of a convict.
6. Relations with the penal facility administration.
7. Relations with convicts in the correctional facility.
8. Profession/self-maintenance.

9. Participation in activities of the facility.
10. Relationship with a victim.

These groups contain similar criteria that characterize certain aspects of psychological and behavioral manifestations of convicts in a correctional facility. The authors proposed to additionally assess each of the presented qualities according to the degree of severity, using a 3-point assessment system from "the quality is not expressed" to "the quality is formed". Besides, these criteria serve as guidelines that set the vector for organizing educational, psychological and other measures aimed at correcting convicts and increasing effectiveness of the measures taken.

In 2020, scientific sources on the problem of scientifically based criteria of the convict correction degree were analyzed to implement Paragraph 3.3. of the Program for the Development of the Educational, Social and Psychological Services of the Federal Penitentiary Service for 2020–2022, approved by the Director of the Federal Penitentiary Service, to improve the procedure for providing characterizing materials for parole or commutation.

The work done made it possible to identify a number of significant points to be taken into account when developing convict correction criteria.

First, the assessment of the convict correction degree carried out by correctional officers will have a number of limitations in terms of its prognostic potential. These restrictions are due to the fact that "manifestations" of convicts, on the basis of which the assessment will be carried out, occur in isolation. As noted by a number of penitentiary scientists, positive behavior of convicts in places of detention does not always indicate their correction. Such behavior is likely to reflect their adaptation to the conditions and requirements of correctional facilities (Yu.M. Antonyan, Yu.V. Baranov, V.M. Pozdnyakov, etc.).

Second, nowadays there are no scientifically confirmed data indicating the paramount importance of one or another criterion for assessing the convict correction degree. It is difficult to determine the level of importance, for example, of such criteria traditionally highlighted by scientists and practitioners as having a family, profession, satisfactory living conditions, etc.,

in forecasting the conduct of a law-abiding life-style after release.

Third, it is a commission that should assess the convict correction degree. It should include employees who know the convicted person, have interacted with him, and can give a more complete and objective description of him. Attracting employees who are not familiar with convicts to the assessment shows a formal approach to it

Summarizing scientific information and suggestions of penal system employees, we can propose the following convict correction criteria with predictors detailing them:

1. Attitude to the committed crime.

1.1. A convict has admitted guilt.

1.2. A convict has repented of the crime committed.

1.3. A convict compensates for the damage caused to victims.

1.4. A convict condemns his/her criminal behavior.

2. Attitude to the regime and compliance with the requirements.

2.1. A convict follows requirements of the correctional institution.

2.2. A convict refuses criminal subculture.

2.3. A convict violates the established procedure for serving a sentence.

3. Attitude to work.

3.1. A convict is employed in a correctional institution.

3.2. A convict takes part in the improvement of the correctional institution.

3.2. A convict obtains a profession while serving a sentence.

4. Group relations.

4.1. A convict is polite when communicating with other convicts.

4.2. A convict has no conflicts with other convicts.

4.3. A convict is polite when communicating with employees.

4.4. A convict has no conflicts with employees.

5. Family relations.

5.1. A convict has a family.

5.2. A convict has useful social ties.

5.3. A convict has relationship with the family.

5.4. There is a positive influence of the family.

6. Individual and personal characteristics.

6.1. Ability to self-regulate one's emotional state and behavior.

6.2. Conflict level.

6.3. Aggressiveness level.

6.4. Selfishness.

6.5. Altruism.

6.6. Responsibility level.

6.7. Cynicism.

It should be noted that the highlighted list of criteria is not exhaustive and can be supplemented depending on current requirements of the society. The same applies to predictors detailing each of the criteria. In addition to the criteria, an algorithm for evaluating them was proposed, involving the calculation of points. At the same time, during further testing of psychological criteria of convict correction, we found out issues that do not allow to fully characterize the convict's personality according to the proposed criteria. It was also noted that when finalizing the criteria taking into account the identified problematic issues, as well as when working on the issue of automatic scoring, the use of the developed system in practice as a recommendation to members of the correctional institution commission will improve its efficiency and will serve as an additional incentive for convicts in terms of active participation in public life, taking measures to repayment of claims, etc.

Conclusion

In conclusion, we would like to note that correction criteria should take into account not only positive behavior of the convicted person, but also results of a comprehensive assessment of specific defects in his/her general socialization, legal socialization, restoration of disrupted social ties, focus on his/her socially positive mental activity, and formation of a socially positive attitude, taking into account the current and long-term goal-setting based on the restoration of socially supportive relationships; spiritual and moral self-manifestation of a personality in interpersonal relationships. The demonstrated positive behavior of a convicted person in places of deprivation of liberty may not always directly indicate the persistence of such behavior after release due to drastic

changes in human living conditions, for which he/she may not be ready¹.

The evolution of recidivism, as well as crime in general, is determined by socio-economic factors and is enhanced by criminal orientation of personal characteristics, which contribute to a broader understanding of the conditions for committing crimes as favorable. To a large extent, this understanding is formed due to the discrepancy between the level of punishment and the effectiveness of correctional and implementation activities of society (public institutions) and law enforcement agencies. As noted by V.I. Terekhin and V.V. Chernyshov, the term of imprisonment and its severity have the opposite effect on recidivism prospects (probability). Being severely punished for a previous crime, convicts reject recidivism afraid of possible significant material and social losses due to the rupture of previously existing socially useful ties. Being isolated from society, they get used to the regime of penitentiary institutions. They find it difficult to adapt to life in society after release and provide themselves with decent living conditions. Risk reduction is determined by accumulated criminal experience, acceptability of imprisonment conditions, and rejection of work and taking on all the worries about life. According to the position of these authors, referring to the economic theory of crime formulated by G. Becker, modern realities are such that crimes are currently considered as an analogue of a high-risk business. This approach assumes that people act rationally, focusing in their behavior on benefits and costs, taking into account all the ethical, mental and other aspects that determine their behavior [6].

We share M.G. Debolskii's point of view that the main paradigm of Russian penitentiary science and practice in the case of parole of convicts is the definition of correction criteria. At the same time, when assessing the convict cor-

rection degree, it is important to take into account not only his/her behavior within the correctional institution, but also his/her willingness to live in the society. The difference in the scientific paradigm of most foreign countries lies in determining risk factors of criminal behavior (recidivism). From the standpoint of the humanistic approach, the domestic paradigm is more preferable, since it is focused on the principle of correctability and faith in potential possibilities of personal development. At the same time, it is idealized, since, despite the fact that a person behaved positively in places of detention and repented of what he/she had done, he/she may commit a new crime due to unfavorable living conditions. The concept of assessing recidivism risks is more pragmatic than the concept of assessing indicators of the correctability of the convict's personality when forecasting human behavior after release [7]. All this is important to be taken into account when forecasting risks of committing repeated crimes by persons released from prison, seeking to adapt to society, lead a healthy and law-abiding lifestyle in new realities of the modern information environment.

Thus, it is necessary to note the ever-increasing role of psychological measures (taking into account scientifically based psychological criteria for evaluating correction of convicts) in cooperation with various departments and services of the correctional institution, public and other social institutions and organizations. This approach to the problem under consideration contributes not only to correction of convicts, but also to their effective re-socialization, which, in turn, allows to implement high-quality preventive measures with regard to a set of factors (personal characteristics, social support, education, formation of work skills, etc.), which ultimately affect successful social adaptation.

¹ Klimova E.M., Suslov Yu.E., Kevlya F.I. et al. Nauchno obosnovannyye psikhologicheskiye kriterii stepeni ispravleniya osuzhdennykh: kriterii [Scientifically based psychological criteria for the degree of correction of convicts: criteria]. 12 p. (The document was prepared in accordance with Paragraph 37 of the Comprehensive Plan of Scientific Support for the Activities of the Federal Penitentiary for 2019 and Paragraph 4.2.5 of the Research Plan of the Federal State Institution Research Institute of the Federal Penitentiary Service of Russia for 2019; it was not officially published).

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