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Describing Legal Regulation of the Resocialization Process of Convicted Minors

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Abstract

Introduction: the article considers the current situation of punishment execution in juvenile correctional facilities, from the moment of arrival of the convicted person to the date of his/her release on the example of a specific institution. *Purpose:* to study aspects of the educational impact in the process of punishment execution aimed at subsequent social adaptation and resocialization of convicts after release. *Methods:* general scientific (analysis, synthesis, induction, etc.), private scientific and special methods of cognition (comparative legal, formal legal, statistical). *Results:* having assessed activities of a specific juvenile correctional facility in the field of law enforcement of the current legislation provisions regulating the educational impact on convicts to prevent recidivism, the authors found out the following: further social adaptation outside the correctional institution is necessary, carried out by a specially created state body with broad social rehabilitation powers, implemented with the coordination and interaction of interested state structures. *Conclusions:* convict's successful reintegration into society and renunciation of criminal activity is possible with the use of all available means and methods of impact, including training and unconditional submission to the detention regime during forced isolation, as well as minor's acceptance of social and life values and positive socially useful attitudes through social adaptation and resocialization carried out outside places of deprivation of liberty.

Key words: juvenile correctional facility; resocialization; social adaptation; penitentiary adaptive; law-abiding behavior; criminal subculture; post-penitentiary adaptation; premises functioning as a pre-trial detention center.

5.1.4. Criminal law sciences.

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Introduction

The duty unit of the department of internal affairs received a claim of an attack and open theft of money and gold jewelry from a citizen. When visiting the crime scene and interviewing the victim and witnesses, it was found out that the crime had been committed by an unknown man, who, according to the victim's testimony, was about 180 cm tall, of medium build, with a tattoo in the form of a ring on the ring finger of the right hand. After committing the crime, the man disappeared into the entrance of the house. During the day on duty, the crime was solved, the criminal – detained, part of the stolen – found and seized. The detainee turned out to be Mr. K, who had previously served a sentence in the juvenile correctional facility for apartment theft. The crime was solved due to the information of an operational source received by the criminal investigation officer. As a rule, when information about the commission of such crimes is received, the operational staff works out versions, formulates an assumption that the crime is committed by a person previously convicted or recently released from prison.

Unfortunately, these are the realities, confirming statistics that persons who have undergone a full range of re-education in a penitentiary institution return to criminal activity. It suggests that the penitentiary system does not perform successfully, or does not work completely in certain aspects. Our research is devoted to the study of the problem of resocialization of convicted minors on the basis of existing legislation, law enforcement practice and work experience of one of the juvenile correctional facilities in the Nizhny Novgorod Oblast.

Arriving to places of serving a sentence in the form of imprisonment for the first time, dramatically changing the familiar environment, the self-consciousness of a minor convict undergoes significant changes. Thus, regime conditions of the juvenile correctional facility determine daily routine requirements and a fairly large list of legal restrictions for convicts, in order to make the most of the sentence, realized within the limits defined by law, designed to have a beneficial effect on their correction. Law defines the rules of behavior in the penitentiary institution for convicts, applying the whole range of educational measures, both punish-

ment and incentive. Thus, the penitentiary system assumes to accustom the convicted person to the appointed execution of punishment during the term of serving the sentence, forcing him/her to unconditionally obey the detention regime, and then, after the expiration of the sentence, to return life values and positive attitudes, but in a corrected form. This goal is quite achievable if there is coherence in the work of the correction mechanism, which is seen as a certain conveyor that allows, during the period of detention of a convicted person, to distribute efforts of the administration of a penitentiary facility.

Many serious studies are devoted to the educational work carried out in juvenile correctional facilities, but these efforts are nullified in situations when a former pupil commits a crime again and receives a new sentence. This suggests that a certain link in the debugged mechanism of this educational conveyor does not work. In our opinion, it is the final stage of punishment execution – reintegration with the society, social adaptation and resocialization.

Discussion

International penal legislation provides internationally applicable standards for the treatment of convicts. These are imperative norms – principles and general provisions. The state ratifying international legal acts is entitled to apply both general and recommendation standards to the extent that they are necessary in the specific economic and political conditions of the society. International standards for the treatment of convicts can be classified on the following grounds: scale of action (degree of generality); specialization; and obligatoriness (degree of obligation) [1, p. 8]. International agreements regulating relations in penitentiary institutions establish foundations of the legal status of a person (convict), special norms on the rights and obligations of certain categories of convicts (minors), conditions of detention and rules for social adaptation of convicts, rules for the functioning of state institutions and their employees in places of deprivation of liberty and pre-trial detention facilities in relation to prisoners, access regulations and standards for public organization representatives to provide all possible assistance and control, state cooperation fundamentals on penitentiary issues. This should include the United Nations

Standard Minimum Rules for the Administration of Juvenile Justice (Beijing Rules) adopted November 29, 1985 by Resolution 40/33 at the 96th Plenary Session of the UN General Assembly and the Convention on the Rights of the Child of November 20, 1989.

Our country has ratified a number of international legal acts, which underlines the importance of international standards of penal enforcement activities. In the political aspect, this is the appearance of specific documents, standards, recommendations and principles. Once adopted, they define important areas of internal criminal and penal policy with different degrees of categorization and obligation [2].

Social significance of the punishment execution institution is expressed in the adjustment of the intensity of criminalization of specific socially dangerous acts depending on the achievement of punishment goals, at the same time contributing to the individualization and differentiation of criminal liability. The intensity of criminalization is determined with regard to all elements of the corpus delicti, accompanied by various assessment criteria: compliance with socio-political and moral values of the society, current legal system, practical applicability of the future norm, its economic feasibility [3, p. 496].

Consideration of the stated topic is impossible without a deep understanding of the adaptation concept in the context of the penitentiary environment. In this case, it is necessary to turn to penitentiary psychology, which considers the convict's personality as a product of both the penitentiary microenvironment at the communication level of the smallest cell of the penitentiary institution, and at the level of the entire penitentiary system. Here we observe a certain specifics of persons' penitentiary adaptive in new social conditions, which, under the influence of the criminal subculture forming its ideological content, incur their deformation with regard to the stratification system and the presence of status-role conditionality of principles of interpersonal relations of pupils. With forced isolation, complete deprivation of the former environment of people and things, blocking of information processes and many social needs, most convicts have negative emotions and aggressive behavior, both to the administration of an institution and to themselves (self-aggres-

sion), leading to violations of the detention regime, encroachments on life, health and personal dignity of other convicts.

The adaptation process in penitentiary institutions is complicated due to the increased regulation of person's behavior, a clear hierarchical position of each member of prisoner community, a socially reprehensible state of mind – awareness of his/her present place and role in every minute of stay, in every ritual of the institution. It is a morning and evening roll call with a report (last name, first name, patronymic, year of birth, article of conviction, how many years, months and days left to serve), uniform, identity plate, form of appeal to representatives of the administration, system of administrative penalties, and placement in a punishment cell on the territory of the correctional facility. These circumstances predetermine the specifics in choosing the adaptation strategy with regard to a number of subjective qualities of the convict's personality, such as presence of criminal experience or previous convictions (though we believe that the presence of criminal experience is not always associated with a criminal record and serving a sentence in prison), intellectual and physical development, presence of leadership qualities or submissiveness, remorse for the crime or crimes committed (which explains confession for past acts), level of legal awareness – desire for law-abiding behavior. These factors influence the formation of three diametrically opposed strategies: active movement towards correction and formation of socially approved, law-abiding behavior; conformist adaptive attitude to what is happening and communication in a narrow circle of proven accomplices or ethnic countrymen; active opposition to the administrative regime of the institution and preservation of subcultural criminal principles and traditions. Accordingly, subsequent resocialization will depend on the above positions and attitudes of the convicted person.

The resocialization concept in domestic and international penitentiary science is considered in many aspects. So, they are the following: a process of integration of persons who have served their sentences into the system of public relations through restoration of lost social values [4]; a set of measures of a socio-economic, pedagogical, legal nature carried

out by prevention subjects in accordance with their competence and persons involved in the prevention of offenses, in order to reintegrate into society persons who have served a criminal sentence in the form of imprisonment or have been subjected to other measures of a criminal legal nature [5].

V.I. Seliverstov defines resocialization as the convict's adaptation to the social environment, his/her assimilation of rules, norms of social positions, attitudes, and acquisition of skills to lead a normal social life [6, p. 448].

M.S. Rybak considers the essence of resocialization in terms of correcting convict's personality traits by forming features necessary and sufficient for life in a certain positive or neutral social security social group, a certain microenvironment [7, p. 64].

L.V. Yakovleva proposes to provide for the purpose of social adaptation in criminal and penal legislation, which implies convicts' adoption of values and norms of Russian society, their inclusion in public life as law-abiding members of society who do not commit crimes. Correction would be a means to achieve the goal of social adaptation [8, p. 14].

We find it most justified to interpret the resocialization concept as a process of constructive interaction of interested organizations consisting of penitentiary institutions, public and municipal organizations, private and legal entities, convicts themselves, as well as the probation service. The purpose of this interaction is to enable convicts to form skills of law-abiding behavior for positive participation in social life.

In relation to persons released from juvenile correctional facilities, in our opinion, it is most reasonable to consider the resocialization process in connection with socio-pedagogical rehabilitation, since socio-pedagogical rehabilitation is fixed as one of the tasks in the Federal Law No. 120-99 "On fundamentals of the system of prevention of neglect and juvenile delinquency" [9].

Turning to the historical retrospective of resocialization foundations in our country, we will focus on activities of the Prison Trustee Society, established on July 19, 1819. The society members believed that no improvement and enhancement of prison life would keep a person from recommitting crimes if, after leaving the place of imprisonment, he/she did not find

support and help in organizing life after release. Therefore, the society's activity, along with other functions, consisted in preparing prisoners for release and helping those released to get a job, providing food and clothing. Temporary shelters for the released were organized. Due to the large volume of activity in this direction, independent societies (the so-called patronage), were focused specifically on providing assistance to those released from prisons. There operated patronage societies for persons released from prison, benefit societies for persons released from prison, patronage societies [10, pp. 122–136]. It should be noted that a number of societies were established with a narrowly directed purpose – to provide assistance to minors released from prison. Resocialization activities of that time consisted in preparing the prisoner to release, helping to get used to life in freedom in order to prevent recommission of the crime. Patronage society members visited convicts, found out their intentions after release, and helped to establish contact with family, find a job and place of residence, and purchase basic necessities. Supervisory commissions that appeared later, just as a result of the positive activity of the Prison Trustee Society, combined two principles: state and public forces. It was achieved by introducing both professional lawyers (prosecutor, directors of the men's prison committee), members appointed by the Minister of Internal Affairs, and members nominated by the City Duma. The main function of this structure was to monitor activities of the correctional institution administration without interfering in the management. It is noteworthy that commissions took part in the organization of labor in places of deprivation of liberty, moral and religious education, and petitioned for pardon, commutation, and parole. A convicted person could appeal to the commission with a complaint about detention conditions. Supervisory commissions were a public element [11, pp. 242–244].

Russian penitentiary science singles out several stages of resocialization: pre-penitentiary, penitentiary and post-penitentiary. The pre-penitentiary stage includes the investigation procedure and the issuance of a court decision on punishment, the penitentiary stage – the process of convict's adaptation to the conditions of criminal punishment execution directly

in places of deprivation of liberty, the post-penitentiary stage – release and social adaptation to the conditions of life in society as a citizen equalized in the rights.

The idea of the demand for social reintegration of convicts was developed already in the first half of the 19th century, when the issue of the importance to apply corrective measures, rather than to punish convicts, first arose in society. The main means of achieving the goal of correction is to inspire prisoners with faith and desire for repentance on the basis of moral principles [12, p. 53].

Considering resocialization stages as a structurally constructed conveyor of legal and educational influence carried out against a person who came to attention of law enforcement agencies upon the fact of an illegal act, we find it necessary to analyze these stages based on the experience of law enforcement activities of a specific penitentiary institution.

Thus, a minor offender, for whom a preventive measure of detention is applied, is placed in a pre-trial detention facility located on the territory where adult criminals are held. Even with strict separation of this contingent from the category of adult criminals, their unwanted contacts are possible, they cannot be avoided. The very atmosphere of the pre-trial detention unit contributes to the spread of a criminal subculture with the resulting negative consequences for both the person under investigation and the process of investigating a specific crime. These negative consequences manifest themselves in the defendant's opposition to the law enforcement system and refusal to cooperate with the investigation. During investigation of practically each criminal case there arise situations that hinder proving the fact of the crime commission by the investigative body, its procedural actions. Cooperation of the suspect at the investigation stage frees the investigating authorities from a significant number of procedural actions aimed at collecting evidence and additional verification of versions of the crime commission. Undoubtedly, any confessions should not be taken on faith without careful verification, comparison of facts and collection of evidence by all legal means. Considering the suspect's cooperation with the investigation as an internal psychological process, it should be noted that the sooner positive interaction

begins, the faster it is possible to achieve the goal – to establish all the facts, circumstances, conditions of the crime. A person who has confessed once, even in a minor event or circumstance, and received a positive response from the investigator (of course, after checking his/her version), will definitely go further, from less significant to more significant, which will greatly facilitate the investigation. At the same time, the investigator, checking one or another version of the defendant, has the opportunity to verify his/her sincerity, outline and carry out tasks to collect the necessary evidence using his/her confessions. In practice, it looks like this: you have told about known circumstances or facts – explain why you think so and what you will give as an argument to confirm your words. This method of psychological impact helps build a dialogue of information exchange, which in the future should be verified, confirmed and secured by investigative and procedural means. In this case, a lot depends on skills and experience of the investigator. It requires an instant reaction to the information that has become known, the ability to conduct a dialogue, and skills to construct a question so that the answer to it triggers communication and does not break the logical chain of events being clarified. Studying interrogation materials, the investigator finds it important to expand the scope of the question. In case it is postponed, it will be problematic to do this at the next interrogation. Therefore, preparing for the investigative action, it is necessary to work out the most likely tactics of the defendant's behavior and possible answers presented as versions of what has happened.

A negative consequence of the criminal subculture influence, especially among minors, is an unjustified desire to take all or most of the blame on themselves, thus letting the real perpetrator of the crime evade responsibility. A teenager, getting into a difficult criminal situation, is mistaken, hoping that, due to his/her age, his/her responsibility will be minimized. Such "advice" is given by more adult participants in the criminal act, using tougher measures of intimidation and violence along with persuasion.

Establishment of pre-trial detention facilities for minors directly in juvenile correctional facilities could be one of the ways to minimize this influence by excluding any contact with

adult criminals. This idea is not new in domestic and international penitentiary practice. Such a structure was organized at the premises of the juvenile correctional facility – an area functioning as a pre-trial detention center (hereinafter PFRSI). Thus, contacts with the criminal subculture are minimized and emotional burden on the teenager is weakened, since the detention regime in this institution is quite transparent and controlled. It helps to objectively investigate a crime, perform necessary investigative actions, eliminates the factor of fear of a teenager for the future, and helps to avoid taking on someone else's guilt, thus confusing the investigation.

The existing practice of investigating criminal cases against minors reveals numerous facts of pressure on participants in the criminal process, coming from the immediate environment of the suspect on the one hand, and from accomplices at large on the other.

The possibility of carrying out certain investigative actions, for example, interrogations, confrontations, identification on the PFRSI territory, can also be considered as a positive trend in expanding functions of using the above-mentioned structure for objective investigation. This circumstance excludes unnecessary transportation of suspects directly to internal affairs departments, convoys, and armed escort during the investigation, which will help unload convoy units of internal affairs departments. It is much more effective, when the investigator arrives at the territory of the institution to conduct investigative actions, where the necessary conditions for work, in particular a separate guarded and equipped room, are created. Besides, during long holidays suspects held in internal affairs departments are transported to pre-trial detention centers. So, it is transportation costs, the work of convoy units, and the opportunity for minors to communicate with criminal elements and acquire criminal experience. During such communication with adult criminals "good advice" is given on how to behave during the investigation and counteract the investigation. There is also a possibility of leakage of investigative information about the investigation course, which further entails activity on the part of those remain at large. If a suspect is held on the territory of a juvenile correctional facility in the PFRSI, all of the above can be avoided or

optimally minimized. Besides, it is possible to conduct law enforcement intelligence operations, since the institution has a professional operational staff.

After the sentence entries into force, a convict arrives at the juvenile correctional facility, where the administration watches him/her and analyzes his/her documents, such as the court verdict and investigation materials. They contain a significant amount of information about the convicted person, reasons, conditions, and motives for committing the crime. Based on these materials, it is possible to create a picture of the convict's internal attitude to the crime, completeness of proving the fact of committing a crime, as well as confession of guilt and personal remorse for the committed act. Much depends on the crime severity, circumstances of its commission, convict's behavior during the investigation and trial, admission or non-admission of guilt, both during the investigation and in court. The person's attitude to the guilt admission is of great importance, in terms of psychological readiness to serving the sentence. So, if the convicted person admits guilt in the crime committed, fully agrees that his/her illegal act is discovered by the investigation, his/her guilt is confirmed by investigative actions carried out in compliance with the norms of the Criminal Procedural Code of the Russian Federation, secured by legally obtained evidence, it will be easier for the administration of the penitentiary institution to work with this convict. Otherwise, the convicted person denies the detention regime and shows a hostile attitude towards the penal system employees, which ultimately makes it difficult for him/her to adapt to the institution.

When conducting a comprehensive psychological study of the convict's personality, the psychological support service of the institution creates his/her psychological portrait, identifies individual character traits, his/her attitude to the crime committed, and outlines a plan for working with him. Studies of domestic psychologists working in the penitentiary system prove that forced isolation of a minor, that is complete deprivation of the former habitual environment of people, blocking of information processes and needs and emotional and psychological crisis, leads to the emergence of negative emotions and aggressive behavior. Often ag-

gression is directed at oneself and occurs as if inside a person, but in most cases it manifests itself in violation of the detention regime, negative attitude towards the administration, and encroachments on the life and health of nearby convicts. Therefore, in this period, the process of personal adaptation in new social conditions comes to the fore. Here there is an urgent need for an individual to determine the status-role attitude in interpersonal relationships in a group of pupils.

The adaptation process in conditions of a penitentiary institution is complicated due to the presence of a stable system to regulate convicts' behavior, established traditions, rituals and unwritten rules to define the place or niche of each convict in the community hierarchy, and transformation of behavior stereotypes. Taking into account the above, the adaptation strategy of the administration team in relation to each convict is determined. When determining its specifics, it is necessary to take into account subjective qualities of the personality of a particular convict: a status-role position in the criminal community (presence of criminal experience), attitudes (positive or negative) to the sentence and, accordingly, to the execution of punishment, presence or absence of remorse for the crime committed, mental and intellectual development, presence of leadership qualities or submissiveness, health and physical indicators.

From the first moment of the convict's stay in the institution, it is possible to involve operational services – operational support in order to collect information with the help of auxiliary tools. The results obtained during the operational study will further help in establishing contacts with the convicted person, and the already established contact can be used in the work to determine circumstances of unsolved crimes. The result of this will be the receipt of a confession for a crime committed earlier.

To encourage a positive attitude to the re-education process, the correctional institution administration can place a convict in certain conditions of detention on a purely individual basis: ordinary, preferential, strict. This gradation makes it possible to classify the contingent in a certain way, dividing minors into categories of those who have consciously embarked on the path of correction, who have not made a de-

cision or who deny re-education. So, stimulating methods aimed at inculcating positive value orientations to inmates of the juvenile correctional facility can be applied and the possibility of negative impact from the negatively-minded contingent – eliminated. This means that the detention conditions have certain differences in nutrition, content, and use of encouragement measures. Accordingly, candidates for parole are pupils who are on preferential conditions of serving the sentence.

All employees of the juvenile correctional facility working with the squad participate in the implementation of pedagogical methods of complex education. There is a so-called basic triangle – educator, master of industrial training, teacher. Besides, a head of the squad, employees of the regime service, psychological service, operational unit, and representatives of public organizations are involved in the education process.

In the juvenile correctional institution under analysis two vocational schools have been functioning for a long time, that is, it is possible for a pupil to get several specialties. Each convict has a diary where all his merits and violations are noted. There is also an electronic version of the diary, available for the institution authorities, and if necessary, this information can be used by the higher-level apparatus of the Main Directorate of the Federal Penitentiary Service (the AKUS electronic system). Tracking minor's behavior helps verify the correctness of the decision to place him/her, for example, in preferential conditions, and plays an important role in the release on parole. Such a control system over minor's behavior helps boost educational activity of employees. For example, an employee's remark about the minor's uniform is an action of the educational nature of the administration. By studying the diary of a convicted person, it is possible to draw conclusions about the presence of the pupil's conscious desire to embark on the path of correction. Activities of the operational part of the institution are worth mentioning, since the use of auxiliary tools and methods for obtaining information and psychological influence on the pupil bring their results (starting from writing apologetic letters to victims and compensating for material damage, ending with the writing a confession about previously committed and unsolved

crimes at large). The work on unsolved crimes is carried out systematically. One of the elements of this system is to receive information at the request of investigative departments of the Ministry of Internal Affairs from persons serving sentences. When submitting a petition for the application of parole, the operational unit gives its assessment of the minor's behavior.

Let us turn to the issue of parole. According to a number of researchers, early achievement of punishment goals and occurrence of circumstances of a different nature are connected, first, with minors' minimal possibilities in compensating for the damage (harm) caused by the crime; second, minors' submissiveness to correctional and educational influence, which makes it possible to achieve the goal of correcting them earlier than the term; third, due to their psychophysical impact, minors are not always able to endure the restrictions and deprivations associated with serving a sentence [13, p. 283].

According to Russian researchers, the legal nature of release from serving a sentence is considered as a means of individualization of criminal punishment. Individualization of punishment consists in the fact that when the court appoints a punishment measure (the type and size of state coercion), legally significant features of both the crime itself and the personality of the person who has committed it are carried out. Release from serving a sentence is a type of encouragement for certain convicts. A convict seeks to prove reduction of the danger of his/her presence in society to be with his/her relatives. S.V. Danelyan suggests considering the institution of exemption from serving a sentence as a means of criminal punishment individualization [14, p. 16].

According to S.I. Zel'dov, release from serving a sentence is understood as an act of justice that is carried out in the form prescribed by law against a person found guilty of committing a crime, and fully or partially (under a certain condition) frees the convicted person from deprivation or restriction of the rights that are the content of the sentence (it is not replaced with another type of punishment), but a criminal record is preserved [15, p. 14].

So, it is necessary to highlight legal consequences associated with a criminal record in more detail. It is generally accepted that a

criminal record is a "complex of restrictions on the guilty person's rights and freedoms arising from the moment of his/her conviction and additional duties imposed on him/her by law during the period prescribed by law" [16, p. 317].

Considering criminal-legal consequences of a criminal record, M.V. Grammatichikov proposes a systematization, highlighting the following areas: the circumstance affecting qualification of a crime; the basis for recognizing recidivism of crimes; the circumstance affecting the imposition of punishment; the circumstance excluding the release of a person from criminal liability; the circumstance limiting possible release from punishment [17, p. 17].

Nowadays, the victim's participation in the penal process is discussed in the scientific literature. International standards for the protection of victims of crimes and the Constitution of the Russian Federation guarantee victims the right to protection, access to justice and compensation for the damage caused [18, p. 182]. It would be biased not to take into account these circumstances during the educational process of the convicted person. Thus, according to the Federal Law No. 62-FZ of March 30, 2015 "On amendments to the Criminal Procedural Code of the Russian Federation and the Penal Code of the Russian Federation on victims' participation in the court's consideration of issues related to the sentence execution", the administration of the institution executing the sentence is obliged on the day of sending the submission or convict's request for conditional release or replacing the unserved part of the punishment with a milder form, notify the victim about it. Realization of the victim's personal right is his/her desire to be present directly at the court session or to participate through the use of video conferencing systems. However, taking into account the fact that the overwhelming majority of victims or their legal representatives do not want to participate in it for various reasons, it would be advisable to amend Part 2.1 of Article 399 of the Criminal Procedural Code of the Russian Federation as follows: "The victim, his/her legal representative may participate in the court session directly or by using video conferencing systems, or express their opinion in writing". In our opinion, the consideration of the above-mentioned circumstances is a nec-

essary and sufficient condition characterizing a convicted person who has embarked on the path of correction.

The activity of representatives of religious denominations is one of the most effective means of influencing convicts throughout their stay in the institution. Thus, the juvenile correctional facility in the town of A. is located in close proximity to the convent, which carries out a number of measures to provide moral and rehabilitation assistance by conducting spiritual and educational conversations during personal meetings with the sisters of the monastery. There is an agreement with the monastery leadership on the inclusion of clergy in the work in the juvenile correctional facility. At the specified time, a representative of the monastery enters the territory of the colony, accompanied by an employee of the regime, who conducts a conversation not in the direct presence of a representative of the administration, but in the visual control zone. On the territory of the juvenile correctional facility there is a prayer room equipped with everything necessary, where services are held on certain dates. The work with convicts is obedience for monastery's servants, so they treat this with special trepidation. The institution authorities have repeatedly paid attention to the commitment and diligence of those involved in this work. The settlement where the facility is located, unfortunately, does not have its own parish, the presence of which would be an effective help in the work of carrying out liturgical activities and spiritual and pastoral care of inmates of the juvenile correctional facility.

Activities of the parent committee are of great importance in the process of re-education of convicts. Its most active members more often than others have the opportunity to communicate with their children and are involved as escorts during events – visits to the sports and recreation complex and the theater. All this is carried out only during daylight hours and should not exceed 8 hours. In the educational process, parents' initiatives to organize meetings with famous people and outstanding athletes are welcomed. Frequent guests of the facility are students of the Psychological and Pedagogical Faculty of the Branch of the National Research Lobachevsky State University of Nizhny Novgorod, conducting educational

events dedicated to significant dates, as well as concerts.

Since the process of keeping a convict in a juvenile correctional facility is considered as a continuous educational complex that requires both initial and final stages, it would be logical to transfer him/her to penal settlements. A panel settlement can be introduced as a separate structural unit in a juvenile correctional facility. For this there is also a material and technical base, as well as protection and regime conditions. Similar structures exist and are embodied in the organization of dormitories outside the penitentiary institution, with a regime of supervisory control. So, juvenile offenders live outside the correctional facility, are unguarded, but under supervision. They have civilian clothes, their own food, as well as passes of the established pattern. During the day, they perform work in subsidiary farms, in production or at warehouse facilities on the territory of the village. They must observe a certain movement route. During the day and at night, an employee of the juvenile correctional facility conducts planned, as well as sudden checks of the compliance with the requirements of this contingent maintenance. At night, they are supervised, both by an employee and with the help of technical means brought to the central control panel of the facility's security.

Having a real example of embodying this structural unit in a particular juvenile correctional facility, it should be noted that a room was selected for this structure, which is a detached, isolated two-story building, at a distance of 50 meters from the duty station of the correctional facility. The building has necessary utilities, separate rooms for food, and accommodation and leisure activities are provided. The premises are technically equipped with surveillance cameras for remote access of the duty unit of the juvenile correctional facility. Thus, constant monitoring of this contingent is organized. A specific employee is appointed as the head of this structure, who is entitled to make decisions regarding convicts, depending on specific circumstances.

When the term of the sentence execution expires and the former convict is released, the stage of post-penitentiary resocialization begins. Unfortunately, social exclusion and problems of the lack of guaranteed employment of

persons who have served their sentences determine the fact that every third crime is committed by persons released from prison. The greatest probability of committing new crimes by a person released from prison occurs in the first year after his/her release. This time should be devoted to the released person's social rehabilitation with appropriate social and legal support, creation of conditions for the beginning of new life. To actively counteract crime commission, it is necessary to involve not only correctional facility employees, but to a greater extent local social structures. The powers of correctional institution heads (for example, consideration of applications by the head of a correctional institution and adoption of appropriate decisions to assist in the work and household arrangements of specific persons [19]) cannot be fully realized due to insufficient funding and sometimes inappropriate attitude on the part of municipalities. Since this stage implies accompanying a former convict in order to assist in social adaptation, there is a great dependence on the presence of socially significant structures of a particular municipality. We are talking about the practice of functioning of social adaptation centers for persons released from prison. Their main task is to achieve a reduction in recidivism among the contingent of those released from prison by providing real assistance in finding employment, providing a minimum of housing conditions, as well as psychological and legal support. Unfortunately, not every city and town has the opportunity to maintain such a center and infrastructure, such as employment opportunities at the enterprise (socialization is most effective in teams), availability of housing stock, and sufficiency of psychological and legal specialists to accompany a contingent of persons released from places of imprisonment. The above-mentioned methods of post-penitentiary adaptation and re-socialization are reflected in the Federal Law "On probation in the Russian Federation", signed on February 6, 2023, published on February 9, 2023 and coming into force on January 1, 2024.

The provisions of this law meet the urgent need for state participation in the fate of citizens who have served their sentences in places of deprivation of liberty. The staff of the mentioned penitentiary institution welcomes provisions of the federal law aimed at more effective participation of criminal executive inspections in this process, with regard to expansion of their functions and, accordingly, skilled personnel.

Conclusion

Statistics of operational reports of law enforcement agencies on the disclosure of crimes, along with crimes committed for the first time, shows recidivism, which causes a much greater negative reaction of the society. The repeated commission of a crime by previously convicted persons indicates the return to criminal activity of persons who have undergone a full range of re-education in a penitentiary institution, and unfortunately confirms that the performance of the penitentiary system is not very successful. Penitentiary institutions' activities are strictly regulated by the current legislation and are aimed precisely at executing the sentence appointed by the court, in particular, accustoming a convict to the punishment, forcing him/her to unconditionally submit to the detention regime, and then trying to form life values and positive attitudes. This goal is quite achievable if there is a coordinated work of the correction mechanism, which is seen as a certain conveyor. On the example of studying the experience of the juvenile correctional facility in the town of A., we have shown the system of means and methods of re-education of convicts within the penitentiary institution. However, this work will be full-fledged only when the full range of opportunities of society for the return of previously convicted citizens to society through social adaptation and re-socialization carried out at the necessary level is used. The adopted federal law "On probation in the Russian Federation" is designed to solve the main task of penitentiary legislation – returning the convicted person to society with the guaranteed renunciation of criminal activity.

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