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Variability of the Criminal Personality

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Abstract

Introduction: the article discusses the variability of the criminal personality, as well as determines appropriate criteria for assessing the degree of personality variability for the purposes of law enforcement practice. The significance of personality variability for criminal law, penal law, and criminology is demonstrated. *Purpose:* to optimize the scientific concepts developed in various fields of science regarding the possibility of personality variability, as well as the criteria that make it possible to determine the degree of personality change both over time and as a result of criminal legal and penal measures. *Methods:* empirical methods of description and interpretation; theoretical methods of formal and dialectical logic; legal dogmatic, comparative legal methods, and the method of interpreting legal norms. *Results:* it is established that the property of personality variability is of great importance for criminal and penal law, as well as for criminology. The general approaches developed by philosophy and psychology regarding personality traits have specific features determined by the nature of the respective fields. In relation to the variability of the criminal personality, only those traits, characteristics, and processes that influence the commission of a crime by an individual are subject to consideration. The need for intersectoral coordination and interaction between different fields in the development, recording, and assessment of changes in the characteristics of a criminal's personality is demonstrated. Thus, a criminological task is to study and identify the personality characteristics associated with different types of crime. At the stage of court proceedings, it is necessary to identify the aforementioned personality characteristics and take them into account when imposing criminal punishment. In relation to the problems of criminal and penal law, strict differentiation and a clear formulation of the criteria for assessing personality changes based on the available data about the individual are required.

Keywords: personality of the criminal; personality of the offender; personality of the convict; variability of the criminal personality; loss of public danger of the individual; rehabilitation of the convict; criteria for assessing variability; criteria for the rehabilitation of the convict.

5.1.4. Criminal law sciences.

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Introduction

The criminal personality is a central category in criminology. Despite its wide coverage in scientific works, many of controversial issues remain unresolved. Debates are ongoing regarding the very possibility of such a category as “criminal personality”, its definition, and its main structural elements.

The most challenging task in studying personality is determining the role of personal traits in the genesis of criminal behavior. At the same time, the category “personality” is significant not only for criminology but also for other sciences within the criminal cycle. Thus, in criminal law, the personality of the offender is taken into account when imposing criminal punishment as part of the general principles; changes in personality are taken into consideration when deciding on exemption from criminal liability, imposing a suspended sentence, granting parole, etc. In penal law, the concept of “the convicted person’s personality” is used; and studying and identifying changes in the convicted persons’ personalities is important for solving many of the tasks that arise in the work of correctional institutions. These include formation of units, organization of general education and vocational training processes, implementation of incentive measures and disciplinary measures, and a progressive system for the execution of criminal penalties [1, p. 222].

The differences in terminology are significant and stem from the substantive nature of the concepts being examined. Different branches of science and law place diverse emphases on the understanding of the personality of a person who has committed a crime, yet these concepts have more in common than differences. The common task that unites these concepts is the study of such a personality trait as its variability. The individual’s ability to change over time is significant for criminal and penal law, as well as for criminology. According to S.I. Ozhegov’s explanatory dictionary of the Russian language, variability is defined as the ability to change or undergo change; this definition captures the property under analysis more precisely than the alternative interpretation, which emphasizes inconsistency, changeability, and a tendency toward rapid shifts in the individual. It should be noted that the variability of the criminal personality can be considered from two aspects. First, it is the individual’s ability to develop and undergo natural changes over time. The observed changes may be influenced by external conditions, yet they are not a consequence of targeted societal or governmental efforts to shape the individual’s behavior. Second, we can talk about a person’s ability to change under the in-

fluence of targeted external influences, as a result of correcting current or potentially undesirable behavior. The study of naturally occurring personality changes over time is relevant to multiple aspects of criminal law, such as the statute of limitations on criminal prosecution and on the execution of a sentence (articles 78 and 83 of the Criminal Code of the Russian Federation), the cessation of an individual’s public danger as a ground for exemption from criminal liability and punishment (articles 75 and 80.1 of the Criminal Code of the Russian Federation), the cessation of an individual’s public danger due to marrying the victim (Article 134 of the Criminal Code of the Russian Federation), the expediency and duration of probation periods under suspended sentences (Article 73 of the Criminal Code of the Russian Federation), and the consideration of juvenile offenders’ personality traits, etc.

The scope and limitations of purposeful influence on a criminal personality are highly significant for addressing key issues in criminal justice, including the nature and objectives of criminal punishment (Article 43 of the Criminal Code of the Russian Federation), the potential for correcting convicts and the methods of their rehabilitation (Article 9 of the Penal Code of the Russian Federation), the content and effectiveness of educational work with inmates (Articles 109 and 110 of the Penal Code), the provision of psychological assistance to convicts (Part 6.1 of Article 12 of the Penal Code), and the resolution of problems encountered during the social adaptation of released offenders. Data on the variability of personality should form the basis for criminological forecasting, assessment, and prevention of criminal behavior.

Approaches to assessing the variability of a criminal personality developed in law enforcement practice

In law enforcement practice, assessing changes in a criminal’s personality is necessary to make decisions that entail important legal consequences for the person who has committed a crime. These changes in a person’s personality are usually established based on their specific post-crime behavior at various stages of the criminal process – when deciding whether to exempt the person from criminal liability and punishment, including during the execution of a sentence, for example, in the case of parole, replacing the unserved part of the sentence with a more lenient form of punishment, or changing the type of correctional facility for the convicted person.

Thus, as a general rule, exemption from criminal liability presupposes that the individual has ceased to pose a public danger. Public danger denotes an individual’s threat to society – specifically, the potential to commit a crime stemming from inherent

criminogenic traits. The loss of public danger is established on the basis of subsequent socially useful activities of a person: circumstances such as admission of guilt; compensation in whole or in part for damage; other reparation for harm; confession; assistance in uncovering and investigating a crime committed, etc. The resolution of the Plenum of the Supreme Court of the Russian Federation No. 19 of June 27, 2013 (as amended on November 29, 2016) "On the application by courts of legislation regulating the grounds and procedure for exemption from criminal liability" stipulates that consideration of possible loss of public danger requires assessing a set of circumstances characterizing a person's behavior after committing a crime, as well as information about his/her personality.

According to the Supreme Court of the Russian Federation, a change in the degree of public danger posed by a person who has committed a crime should also be established in the event of reconciliation of the parties (Paragraph 9 of the aforementioned resolution). Reducing the degree of public danger of a person is fixed, for instance, in the cassation ruling of the Judicial Board for Criminal Cases of the Supreme Court of the Russian Federation No. 18-UD24-33-K4 of October 15, 2024. So, the perpetrator of the crime provided for in paragraph "a" of Part 2 of Article 264 of the Criminal Code of the Russian Federation compensated the victims, reconciled with them, pleaded guilty to committing a crime, repented of what he had done, has a family and a young child, and in September 7, 2022 – January 16, 2024 (after committing the crime) participated in activities to protect state interests and ensure the security of the Russian Federation.

The transformation of a criminal's personality during the serving of a criminal sentence (for example, when considering parole or the replacement of the remaining unserved part of the sentence with a more lenient form of punishment) is assessed from the perspective of full or partial rehabilitation as the result of targeted influence exerted on a person through criminal law and penal measures. Article 9 of the Penal Code of the Russian Federation fixes rehabilitation of convicts as the formation of a respectful attitude towards people, society, work, norms, rules and traditions of human coexistence, and the encouragement of law-abiding behavior. According to E.E. Popova, correction of a convicted person is aimed at developing social qualities in the individual that can provide a stable resistance to the influence of criminogenic factors, thereby reducing the individual's further involvement in committing crimes [2]. In its resolution No. 18 of June 25,

2024 "On judicial practice regarding the revocation of probation or extension of the probationary period", the Supreme Court of the Russian Federation instructs courts to analyze data characterizing the convict's behavior, his/her attitude to work and education throughout the entire period of serving the sentence, as well as information about the full or partial compensation of the harm caused.

Thus, when assessing the changes occurring in the convict's personality during the execution of a court sentence, law enforcement practice focuses on his/her behavior throughout the entire period of serving the sentence, his/her attitude to education and work during the sentence, the compensation for the harm caused by the crime (in full or in part), and his/her attitude to the act committed. When considering the behavior of a convicted person while serving his/her sentence, the court takes into account the following: compliance with internal regulations, compliance with the requirements of the correctional institution administration, participation in educational activities and in public life of the correctional institution, encouragement and punishment, maintaining relations with relatives, maintaining relations with convicts of a positive or negative orientation, and transfer to facilitated conditions of detention. When assessing the convicts' attitude to education and work, the court considers the convicts' desire to improve his/her level of education; his/her attempts to receive general or vocational education at the correctional facility; the acquisition of labor skills during classes in educational and production workshops operating at the correctional facility; obtaining a profession; involvement in work (provided the convict is capable of working and there are job opportunities at the correctional facility); participation in unpaid work to improve the correctional facility and surrounding areas in accordance with Article 106 of the Penal Code of the Russian Federation.

According to the resolution of the Plenum of the Supreme Court of the Russian Federation No. 9 of May 29, 2014 (as amended on November 26, 2024) "On the practice of courts assigning and changing the types of correctional institutions", when determining compensation for the harm caused by a crime, the reasons for partial repayment or non-payment are considered. These may include the convict's disability or medical conditions that hinder his/her ability to work, as well as the limited employment opportunities available within the correctional facility.

According to the resolution of the Plenum of the Supreme Court of the Russian Federation No. 18 of June 25, 2024 "On judicial practice regarding the revocation of probation or extension of the proba-

tionary period”, when considering the cancellation of a suspended sentence and the expungement of a criminal record before the expiration of the probationary period, the person under supervision must compensate for the harm caused by the crime (material damage and moral harm) in the amount determined by the court decision and demonstrate rehabilitation through their behavior. Positive character references from the convicted person’s place of residence, study, work, or service, participation in the activities of charitable, volunteer organizations, patriotic public movements, participation in combat operations to protect the interests of the Russian Federation, and other noteworthy circumstances confirm correction of the person under suspended sentence.

Based on the analysis of judicial practice, it can be concluded that domestic legislation currently lacks clear criteria for evaluating how far a person has ceased to pose a public danger and the degree of their correction. In contrast, some neighboring countries do provide such criteria in their legal frameworks. Thus, Article 116 of the Penal Code of the Republic of Belarus contains criteria and the degree of correction of persons sentenced to imprisonment. A convicted person may be recognized as having embarked on the path to correction, having firmly taken that path, and having demonstrated correction. Depending on the degree of correction achieved by the convicted person, the administration of the correctional facility makes a decision regarding his/her eligibility for parole or for the replacement of the unserved part of the sentence with a more lenient punishment [3]. Article 95 of the Penal Code of the Republic of Kazakhstan is devoted to assessing the convicted person’s behavior in order to individualize his/her punishment. A head of the correctional institution considers the materials provided by the institution’s commission and characterizing his/her conduct (compliance with the internal regulations; attitude to work and study; participation in educational activities; participation in programs aimed at providing socio-legal assistance to convicts; taking measures to compensate for the harm caused by the crime) and fixes his decision in his resolution [4].

Furthermore, the above-mentioned analysis of Russian judicial practice has shown that there is no differentiation in the approaches to assessing the relevant changes depending on the type of criminal personality and the nature of public danger posed by the criminal act committed. At the same time, based on criminological characteristics of such generalized criminal types as violent and mercenary criminals, the need to differentiate the criteria

for reforming their personalities becomes obvious.

Variability of the personality from a psychological perspective

The problem of variability of the personality is extremely complex and has its roots in philosophical and psychological theories about personality as a whole. The fundamental issue of whether the personality is variable or not throughout the life of a person is one of the core problems of psychology. It is disputable, to what extent the personality is capable of changing throughout his/her life? Does the personality’s development end by a certain period of maturity? Are the apparent changes merely superficial? The answers to the questions posed depend on the foundational principles of the scientific school to which a particular researcher belongs. If we consider major foreign schools, none of them has managed to find a universally accepted solution. Some psychologists argue that the basic structure of the personality remains largely unchanged. For example, S. Freud conceived of the basic structure of a person’s character as being established under the influence of experiences in childhood [5, pp. 45–46]. Another group of researchers acknowledge the possibility of personal change. Moreover, there are concepts of continuous personality development. For example, in the well-known theory of A. Maslow, the central position is occupied by the idea that people strive for personal growth, and freedom and motivation imply constant changes the personality [5, pp. 479–526]. There are experts who take an intermediate position. For instance, G. Allport’s dispositional theory of personality, on the one hand, substantiates the existence of certain stable personality traits that indicate a predisposition to behave in a certain way across a wide range of situations. On the other hand, his works contain the term “dynamic organization”, which, in turn, means that a person is not a static entity; his/her behavior changes and evolves [5, pp. 270–303].

In this regard, A.F. Lazurskii’s theory developed by at the beginning of the 20th century is worth discussing. By distinguishing between two essential aspects of personality – its endo- and exo-psychology – the scholar insisted on the immutability of its first component and the variability of its second component: “the set of basic mental functions characteristic of a person (endo-psychology) slows down its development by the age of 25–30, stops, and the core of the personality is finally determined. Further activity will be merely the manifestation of an already formed personality, essentially reducing to its exo-manifestations” [6, p. 47]. The scientist researcher considered endo-psyche as the whole

set of basic mental functions or abilities of a person (memory, thinking, imagination, affective excitability, the ability to volitional effort, etc.), while exopsychy as the person's relationship to the external environment (attitude to nature, material and spiritual values, other people), that is, attitudes to everything that opposes personality, to what personality can relate to in one way or another [6, pp. 44–47]. A.F. Lazurskii followed the ideas of V.M. Bekhterev that “personality from an objective point of view is nothing more than an independent individual with his/her own mental structure and individual attitude to the surrounding world” [7, p. 172].

In modern psychology, the questions raised above have not yet found an unambiguous resolution and remain relevant. N.V. Grishina proves that “the content of the answer to the question about personality changes largely depends on the scientist's initial methodological position, for example, on the position of preformism or contextualism” [8]. Dwelling on the question of why some aspects of personality remain unchanged while others change over time, the author cites the explanation provided by the American evolutionary psychologist D. Buss. His model is based on two fundamental principles: 1) individuals face various adaptive problems over time; and 2) individuals differ in the behavioral strategies they use to resolve typical specific adaptive problems. The stability of personality is determined by the stability of psychological mechanisms and the recurrence of adaptive problems that the individual encounters, as well as by the consolidation of successful strategies for solving recurring adaptive problems. Personality changes occur because, over time, a person encounters other problems, when ineffective problem-solving strategies are replaced and new solutions are developed that complement the existing strategies [9; 6]. Earlier, the outstanding Russian psychologist A.N. Leont'ev defined personality development through the complex movement of activity and motives, and the emergence of a coherent system of personal meanings [10, pp. 188–196].

Based on the psychological approaches examined, we can conclude that modern psychology largely acknowledges the person's capacity for change. These changes are typically caused by the interaction between the person and the external environment and, accordingly, are permissible throughout the individual's life. At the same time, many studies point to the existence of a stable substructure within the personality that ensures its identity, that is, the person's self-identity regardless of the changes that occur over time. One of the first to draw attention to the problem of personal iden-

tity was the English philosopher John Locke, who formulated the question, “What makes us identical over time?” According to D.N. Razeev, this question “has never received a clear-cut answer and continues to be discussed to this day by philosophers studying the problem of the subject's identity” [11].

Role of the criminal's personality in the mechanism of criminal behavior

In the context of the sciences within the criminal cycle, the concept of personality is examined through the lens of the fight against crime, which means that only those aspects of personality that are of professional interest are subject to study. The criminological system of characteristics of a criminal's personality includes socio-demographic, socio-role, and psychological features. Criminologists are interested in the criminal's personality in terms of those features (traits, properties, processes) that give rise to the decision to commit a crime that is, those personality traits that predetermine the choice of criminal behavior and are its cause. Therefore, it is important for criminologists to know not about variability of the personality as such, but about variability of precisely those traits, properties, or processes that have led or may lead to the commission of a crime. Let us consider the role of personality characteristics in the mechanism of criminal behavior.

As R.S. Nemov writes, “in the modern world, concepts that recognize a person as an active being, a subject of activity, have come to the forefront”. So, a person is inherently active by nature, and the source of their activity lies within him/herself” [12, p. 848]. In this sense, any human action is driven by the individual's internal incitement, in other words, motives. When a person becomes aware of certain needs (physical, social, or spiritual), he/she begins to experience a specific need, and as a result, he/she directs his/her activity towards finding an object capable of satisfying that need. Moreover, the stronger the need, the more active the individual becomes. When an object is found, the person begins to strive for this object (which does not necessarily have to be material), setting one or more successive goals for him/herself. According to A.N. Leontiev's activity approach, “motives perform the function of prompting and directing activity, as well as meaning-making, giving personal meaning to the activity itself and its components” [13, p. 5]. Usually, an individual's activity is driven by internal motives. However, the influence of the external environment on decision-making cannot be ruled out. The external environment (other people, the situation, etc.) can either serve as a stimulus for an individual's reactive behavior (and their reaction does not necessar-

ily have to match the expected one) or be taken into account by the subject in the process of making a decision to choose one of the many options for satisfying the needs. At the same time, the surrounding environment exerts its influence – it is filtered through the individual's personal perception and processed via their internal cognitive filter. Therefore, we are talking rather about characteristics of the external environment that are subjectively perceived by the individual. The key question here is the following: why, out of the many options for satisfying an existing need, a person chooses this particular one, i.e., in the current context, a criminal one. Why does the person believe that a crime is the best way to satisfy the existing need? And why would another individual, in a similar situation, choose a different way to satisfy the need? In terms of the questions posed, the explanation given by S.V. Sklyarov seems to be correct. "A person's choice of a particular type of behavior within the framework of satisfying the same need is based on a relatively stable mental education that is present in his/her potential state formed on the basis of his/her value orientations, social attitudes, worldview and actualized as a result of interaction with objective conditions of the situation" [14]. E.P. Il'in also writes about a certain internal filter in the form of psychological processes, which he considers through inclinations, interests, moral control, assessment of one's capabilities and condition at the moment, analysis of the conditions for achieving a goal (situation), forecasting the consequences of an action, or the act [15, pp. 117–119].

Based on the opinions presented, we can conclude that there is a certain set of psychological characteristics, structures, and processes that are involved in choosing one or another option for satisfying an existing need. Some experts equate these mental structures with motive or motivation understanding the latter in a rather broad sense. It becomes clear that the personality contains a certain combination of characteristic traits or features that enable an individual to perceive a situation through the lens of his/her own mental structures and, accordingly, to choose options for interacting with it. According to Yu.M. Antonyan, personal characteristics should be understood as "a relatively stable set of individual qualities that determine typical forms of response and adaptive mechanisms of behavior, a system of self-perceptions, interpersonal relationships, and the nature of social interaction" [16, p. 48]. It is precisely the individual characteristics of a person that determine their choice in the process of motivating criminal behavior.

However, it also seems true that when researchers attempt to generalize these very characteristics,

to construct certain models, or to precisely identify a set of specific personality traits, they fail [17, pp. 12–13]. This is due to the fact that for each criminal, or, at most, for each group of criminals forming a stable criminal type, there is a unique set of characteristics that is characteristic only of them and that defines personality traits or the specific criminal type. Thus, A.N. Leont'ev rightly points out that "the same features of a person can be in different relationships with his/her personality. In one case, they appear to be insignificant; in another, the same features are essentially part of the person's characterization as an individual" [12, p. 401]. For example, such characteristics of sexual offenders as cruelty, moral depravity, and a consumerist attitude towards women [16, p. 171] are not relevant for corrupt offenders, whose characteristics include inflated self-esteem, selfishness, and a low regard for the law [17, pp. 254–259].

Variability of the criminal personality in terms of key psychological characteristics

In light of the above, we can conclude that for each type of criminals, it is necessary to identify their own group of psychological characteristics that predetermine their commission of a crime. It is precisely in relation to these psychological characteristics that the question of variability or stability of the personality must be raised. Consequently, in the context of criminal and penal law, when assessing changes in the personality of a perpetrator or a convict, special attention should also be paid to psychological characteristics of the personality that are typical for this type.

Let us examine the problem using the example of transport-related crimes. A person who has committed a crime under Article 264 of the Criminal Code of the Russian Federation, that is, the violation of traffic rules and the operation of vehicles that has resulted in serious harm to the victim's health or death due to negligence, may be exempted from criminal liability, for example, on the basis provided for in Article 76 of the Criminal Code of the Russian Federation – reconciliation with the victim. According to many representatives of the criminal law doctrine, the basis for exemption from criminal liability under the current legislation is the loss or significant reduction of the offender's degree of public danger. Besides, the Supreme Court of the Russian Federation in the resolution No. 19 of June 27, 2013 instructs courts, when making a decision, to also take into account any changes in the degree of public danger of the perpetrator after compensation for the harm and reconciliation with the victim. This aspect concerns the characteristics of reckless offenders that contributed to the commission of the offense, notably impulsivity and a propensity

for unwarranted risk-taking [18, pp. 1,767–1,768]. In such cases, a reduction in a person's level of public danger may be demonstrated by refraining from driving, completing additional training in safe driving practices, adopting a more responsible attitude to established standards and regulations (including traffic rules), avoiding further traffic violations after the offence, and abstaining from alcohol consumption, etc. In judicial practice, higher courts often overturn lower courts' rulings on exemption from criminal liability due to reconciliation of the parties in cases involving crimes under, in particular, Article 264 of the Criminal Code of the Russian Federation. They argue citing the following points: the court has failed to consider whether dismissing the criminal case aligns with public interests in road safety and vehicle operation, particularly in light of the potential to prevent similar violations in the future (appeal decisions of the Krasnodar Regional Court of March 18, 2024 in case No. 22-1676/2024 "On the termination of the criminal case in connection with the appointment of judicial fine", the Kaban District Court of the Republic of Buryatia No. 10-1/2025 of January 30, 2025, the cassation ruling of the Judicial Board for Criminal Cases of the Supreme Court of the Russian Federation No. 33-UD24-6-K3 of June 6, 2024).

Thus, the Judicial Board for Criminal Cases of the Supreme Court of the Russian Federation, cancelling the decision to terminate the criminal case on the grounds provided for in articles 76 of the Criminal Code of the Russian Federation and 25 of the Criminal Procedure Code of the Russian Federation, states in the cassation ruling No. 71-UDP23-11-KZ of January 16, 2024 that "the court has not ruled on whether the termination of the criminal case is consistent with the public interests in the field of road safety and vehicle operation with regard to the nature of T.'s violation of traffic rules and whether the measures applied are capable of preventing such violations in the future, since the termination of the criminal case has not restricted T.'s right to drive vehicles". There are also opposing decisions (for example, rulings of the Supreme Court of the Russian Federation No. 44-UD22-44-K7 of December 28, 2022 and No. 18-UD24-33-K4 of October 15, 2024).

Hence, courts need to establish not only the formal requirements provided for in Article 76 of the Criminal Code of the Russian Federation, but also the loss or reduction of public danger posed by the offender's personality. The mere fact of reconciliation with the procedural victim (who, due to the victim's death, is often represented by close relatives) and compensation of the harm caused does not indicate a reduction in the degree of public danger.

The same applies to convicts serving their sentences in places of deprivation of liberty. As Yu.M. Antonyan points out, the essence of correction and re-education lies in "eliminating, changing, or neutralizing the personal traits that contribute to the commission of crimes through a purposeful educational influence" [16, p. 300]. To this end, it is important to correctly identify, establish, and take into account these personality traits at the stage of sentencing, first, in order to impose a fair punishment, and second, to be able to subsequently assess the changes that have occurred in the convicted person's personality. It is precisely these data that should be used for comparison when deciding on the correction of the convicted person, since many convicts experience stress when they enter places of deprivation of liberty, in particular because the environment, requirements, and informal rules differ significantly from what they are used to. When faced with a previously unknown adaptive problem (in D. Bass's terminology), an individual undergoes a number of significant changes. In this regard, it is interesting to study the personality of convicted criminals who have participated in mass riots in correctional facilities [19, p. 404]. Furthermore, some personality traits are unable to manifest due to the lack of necessary conditions in the relevant places of confinement. Without establishing the degree of a convict's rehabilitation, it is impossible to objectively determine measures of reward and punishment. Furthermore, "the lack of clear criteria that are sufficiently understandable to practical workers for determining the degree of rehabilitation significantly hinders all areas of educational activity and reduces the overall effectiveness of the Russian correctional system" [1, p. 223].

Conclusions

Thus, the property of personality variability is of great importance for criminal and penal law, as well as for criminology. The general psychological approaches exhibit distinct characteristics in this context, shaped by the specific nature of the field: the personality changes under consideration should relate to those traits, properties, and processes that affect an individual's propensity to commit a crime. It seems that there is a need for inter-sectoral coordination and interaction between the fields in developing, recording, and assessing changes in the characteristics of a criminal's personality. An important criminological task is to study and identify the personality characteristics of different types of criminals. It seems appropriate to identify the aforementioned personality traits already at the stage of the trial and to take them into account when impos-

ing criminal punishment. In relation to the issues of criminal and penal law, strict differentiation and a clear formulation of criteria for assessing personal changes based on the data obtained are also required.

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