

## PROCEDURE FOR SENTENCE OF PRISONERS IN DEVELOPED COUNTRIES, PENAL COLONIES, PRISONS

<https://doi.org/10.5281/zenodo.12177092>

**Saydullayyev Ulug'bek Ubaydullayyevich**

*Department of the Academy of the Armed Forces of the Republic of Uzbekistan  
deputy head*

### **Abstract**

*This article provides information on the existence of penitentiary colonies in developed countries, the procedure for serving sentences in prisons, the psychological condition of people released from long-term prison sentences, and the prospects of their reintegration into society. you can have.*

### **Key words**

*Adaptation, rehabilitation, emotional numbness, colony, convict, crime, social adjustment, legality, humanitarianism, execution of punishment.*

### **Аннотация**

*В статье представлена информация о существовании пенитенциарных колоний в развитых странах, порядке отбывания наказания в местах лишения свободы, психологическом состоянии людей, освобожденных от длительных сроков лишения свободы, а также возможных перспективах их реинтеграции в общество.*

### **Ключевые слова**

*Адаптация, реабилитация, эмоциональное оцепенение, колония, осужденный, преступление, социальная адаптация, законность, гуманизм, исполнение наказания.*

## **INTRODUCTION**

According to the Decree No. PF-6012 of the President of the Republic of Uzbekistan dated June 22, 2020, in serial number 59 of the "Road Map" on the implementation of the "National Strategy of the Republic of Uzbekistan on Human Rights" "Improving the organizational and legal mechanisms for the protection of the rights of persons serving a sentence in places of deprivation of liberty, including the organization of regular training for the employees of penitentiary institutions, preparation and publication of training manuals on the rights of prisoners<sup>1</sup>" we can see that special attention is being paid to this system in our country in the instruction on

V.F. Ushakov in his treatise "On the Right and Purpose of Punishment" (1770) revealed the psychological conditions of the impact of punishment on the criminal.

Above all, he considered repentance. Ideas for correction of offenders and prevention of crimes by A.P. Kunitsyn in the book "Natural Law" (1818). The personality of the criminal, the essence of his illegal behavior and the reasons for the formation of his antisocial habits, ways of re-educating him in places of execution of punishment (S.V. Poznishev, 1923).

A.F. Lazursky (1921) conducted research on the problem of personality and tried to make the following classification based on them, "in each type of convicts, not only the subjective characteristics of a certain person can be understood, but also his worldview and social physiognomy." In the 1970s and 1980s, various problems of the personality and environment of prisoners were widely studied. V.F. Pirozhkov and N.A. Struchkov studied the phenomenon of the "other life" subculture of prisoners in places of deprivation of liberty, I.V. Shmarov, I.P. Bashkatov, V.M. Pozdnyakov - the formation of small groups of prisoners and interpersonal relations, I.B. Ponomarev, A.N. Sukhov - conflicts between prisoners, M.P. Sturov, V.F. Klyukin, V.F. Pirozkov - formation of prisoners' communities, psychological and pedagogical influence on labor, regime, and general education prisoners. V.G. Deev, I.P. Bashkatov, Y.A. Alferov and Y.M. Averkiev developed programs for the study of the convict personality and the environment at ITI.

### MAIN PART

American psychologists proceed from the understanding of behavior as a model of norms and individual deviations, which can be called a clinical typology of delinquency. Thus, when individual behavior shows violation of the law, it becomes a social problem. Psychologists mainly use tests (mostly group tests) to test the mental abilities, professional inclinations and some other characteristics of the prisoner, and studying the personal file and conducting interviews are only preliminary as methods of personality assessment. Penitentiary psychologists tried to create psychodiagnostic methods to study certain types of offenders.

There are a number of tests (scales of empathy, anxiety, self-awareness) that help assess the success of prisoners in the rehabilitation process. For example, the Reid Test (RRI) (1967) measures the level of punishment for a crime such as theft (the scale has 100 questions, each of which must be answered "yes" or "no").

The Minnesota Multiscale Personality Inventory (MMPI) includes scales of self-confidence (the testee's desire to appear better than he or she is; excessive isolation or openness), as well as the propensity to reoffend in sex offenders. allows to determine the level.

The most comprehensive review of psychological tests was published in the 1970s in a yearbook edited by Oscar C. Bures (1157 tests, including 640 new ones).

According to the results of the test, prisoners are classified, the basis of which may differ depending on the tasks solved by the prison administration. The earliest classification implemented in order to have an effective impact on criminals included the separation of criminals by gender and age. In 1519, men were separated from women in workhouses and prisons for the first time in Spain. With the establishment of penitentiaries in the United States (1790), men and women began to be kept separately. In order to separate juveniles from adults and to train them more effectively, the separation of convicts according to their mental development was implemented in France.

In 1908, the borstal system of open correctional institutions appeared in England, and similar institutions appeared in Belgium during the same period. In them, the prisoners are divided into groups for more effective influence. In 1909, the Eastern Penitentiary in the USA began to implement the simplest classification of prisoners, and in 1917, the penitentiary in New Jersey. In 1929, the Federal Bureau of Prisons began developing classifications, and its proposed program was approved by the US Congress in 1930.

The US prison administration identifies five main categories of criminals based on the likelihood of escape and their danger (W. Fox, 1980):

1. Persons kept in conditions of maximum isolation from whom escape should be expected, as well as persons who may harm themselves or others. To ensure their safety, it is recommended to keep them in solitary confinement and not to take them out without the escort of prison officers and special equipment (handcuffs, belts, shackles).

2. Individuals kept in strict isolation, locked in cells and blocks, but allowed to work in groups under supervision in prison buildings.

3. Persons kept in limited isolation conditions, working in brigades under the supervision of unarmed guards outside the prison walls and left unattended in the prison area (they are called reliable in the prison).

4. Individuals under minimum separation who are allowed to live and work unsupervised outside of prison.

5. Community trustees who are permitted to live in or near the city itself, travel unsupervised for work and study, or occasionally live in university accommodation. During their studies at the university, they must report to their advisor once a week.

Similar classifications exist in other foreign countries, for example, England (S.M. Inshakov, 1997). Classification of prisoners helps the administration of correctional institutions to target prisoners. Correctional institutions have an

interest in reducing incarceration because maximum and strict isolation are more expensive than minimum isolation and community custody. In fact, in some jurisdictions, such storage can be economically beneficial, as the inmate receives \$3-4 for the service and \$1 for transportation costs. At the same time, he helps his family, which reduces the amount of benefits paid.

Inmates in limited and minimal isolation, as well as inmates living in the community, are more likely to be paroled than inmates in maximum and severe isolation. A very small number of criminals held in maximum isolation are released early and even in emergency situations.

Thus, according to scientists and prison staff in Western countries, the regime for each prisoner should be relaxed as much as possible, aimed at adapting the prisoner to the conditions of the dormitory and the goals of the economy.

Prisoners in German prisons are divided into 2 groups: persons who do not need resocialization; individuals who need resocialization and can become law-abiding citizens (in most cases, these are recidivists who have committed crimes against property).

The classification of prisoners in US prisons went through several stages:

1. Unprofessional approach: a commission consisting of 10-12 representatives of prison staff developed recommendations for prisoners without the participation of specialists.

2. The usual classification committee developed recommendations, but with the participation of a sociologist or psychologist who collected information about each prisoner.

3. The Joint Committee, which actually became an element of the structure of the penitentiary, because the measures it determined were not only advisory in nature, but actually implemented by the deputy head of the prison. The latter grouped convicts in such a way that all persons classified in one group worked and lived in one block.

4. Professional classification commission consisting of the head of the regime department, the head of the classification department, and an expert who advises prisoners.

In the 1970s, computer-aided classification of prisoners based on a set of diagnostic characteristics was developed in a number of Western penitentiary systems. Depending on the prison staff's opinion of the offender's ability to change his personality, he is assigned to one of three categories: intensive, selective, or minimal impact. In the United States, a new RAPS system has emerged, which uses the difference between the amount of overtime offered for a given inmate and the

average amount of overtime as a criterion for categorizing prisoners. The RAPS prisoner classification system includes the following data groups: "R" - professional opinion of specialists working in the prison about the possibilities of changing this offender; "A" - information about the age of the offender (30, 30-45, over 45); "P" - information on the number of previous convictions; "S" - information about the sentence according to the special classification and the term of punishment according to the sentence.

Code combinations were entered into a computer that identified a prisoner as belonging to one of three categories. The first category is a monthly case review and a first out-of-prison assignment, the second is a six-month case review and a second out-of-prison assignment, and the third is a case review. once a working year and, as a rule, use in prison work.

Another basis for the classification of prisoners is the influence of certain factors on their criminal behavior. It is based on:

- a) conflict between the value ideas of the individual and the society;
- b) conflict arising from relationships with other people;
- c) problems arising from the need for material goods;
- d) problems related to a person's self-awareness.

Within the framework of the repressive model, the staff of penal institutions, as a rule, is limited by criminal law and simplified socio-demographic classification systems. At the same time, criminological, socio-demographic, psychological, psychological, pedagogical and psychiatric characteristics are taken into account when classifying prisoners in prison systems dominated by the resocialization model. The type of penitentiary system aimed at the primary realization of the goal of social rehabilitation allows for a deep study of the prisoner's personality and then to apply a rational system of correctional means to him.

In this case, the process of classification of offenders is carried out in several stages. First of all, there are classification groups under the judicial authority, which include representatives of the Department of Correctional Services, rehabilitation departments, departments for supervision of parolees and parolees, public and monitoring organizations. Classification teams collect general information about criminals (social status, medical records, etc.), which are used during trials and sentencing. Secondly, specialists of diagnostic centers (psychologists, psychiatrists, psychosociologists, teachers) who are an intermediate link between pretrial detention centers and correctional institutions, study the personality of prisoners. The centers develop general programs for the rehabilitation of criminals, which are advisory in nature to the staff of correctional institutions. Thirdly, classification

commissions (groups) in correctional institutions study the personal affairs of newly arrived convicts. Based on the received information, a specific program of correctional work is drawn up, which is a long-term, detailed plan for the activities of the prison staff.

Constant monitoring of the prisoner is carried out by the diagnostic departments of the correctional institutions, in addition to the employees of the "units", whose employees study the social and psychological characteristics of the prisoners at a professional level. They prepare personal files of prisoners, materials for meetings of classification commissions, recommendations for correction of correctional programs for certain offenders, and reports for the state parole board.

Employees of diagnostic centers, classification commissions of correctional institutions use scientific methods developed by departmental scientific centers and leading educational institutions. Individual study of criminals directed at the tasks of penal practice is carried out in the centers of observation and orientation of prisoners (in some countries they are called classification centers). National and religious centers also work on similar programs. Thus, the activity of the French National Orientation Center is structured as follows: after the verdict, those sentenced for more than 1 year are transferred to the center where the conviction is sent in advance. social study and instruction of the head of the penal institution where the criminal was previously located.

Every six weeks, 100-120 prisoners enter the center and are placed in cells. In the laboratories of the center, they are studied by a doctor, psychiatrist, psychotechnician and psychologist. After the period of stay in the center is over, the commission consisting of specialists, the director of the center and the management of the central apparatus will review the data book of the prisoner, the results of studies and determine the type of penal institution. which prisoner will serve the sentence.

Individual study of criminals is carried out within the framework of clinical criminology, which implements crime prevention at the level of a specific individual. Its task is expressed by the following formula: "diagnosis - prognosis - treatment" and is carried out by a doctor, psychiatrist, social worker, and if the offender has internal conflicts, a psychotechnician and a psychoanalyst are involved.

Each specialist studies the prisoner according to his own program. Then, based on the received information, a general conclusion with recommendations for re-education is prepared and presented to the administration of the penal institution. The methods used by psychologists are divided into basic (classified

tests and questionnaires) and additional (projective, psychoanalytical methods). The choice of methods, their interrelation and, most importantly, the interpretation of the results are determined by the psychological conditions of the crime and the initial theoretical concept of the criminal personality based on the various existing schools and trends: - In France and Italy, psychoanalysis and the definition of the concept of the personality of the criminal J. Pinatelle 'the secret is great; - In the Netherlands and Scandinavian countries, clinical criminology is characterized by the desire to empirically search for new methods (including mathematical methods) that have the highest predictive power in relation to criminal behavior.

At the same time, in Western countries, the positions of the classical direction, based on the concept of dangerous conditions that have passed from psychiatry to criminology, are much stronger. Psychological assessment of the level of criminogenicity is based on the assessment of "criminal capacity", which is a set of characteristics that make up the core of the criminal's personality.

In foreign practice, the term "program" is widely used and in a very different sense: social programs, the basis of which is the formation of a person in the social environment; psychotherapeutic programs aimed at positively changing personal characteristics and forming a positive image; social behavior training programs; social rehabilitation programs for convicts.

In the penitentiary practice of foreign countries, correctional programs are built on the basis of various individual and group methods of psychological counseling and psychotherapy.

Psychocorrectional work with prisoners, according to W. Fox (1980), G.J. Schneider (1994), J. Naem (1979), therapeutic and psychoanalytic procedures that dominated in the 50s and from individual clinics of "guided behavior influence" and logotherapy through Gestalt therapy models, psychodrama underwent body-centered transactional analysis. In the 60s and 80s, existential - humanistic and other types of therapy helped to eliminate these diseases until the end of the 80s, when it was understood the need to develop and introduce individual and group psychotechnical tools more adapted to certain categories of prisoners. personality defects and ensuring personal growth and developing positive legal responsibility (V.M. Pozdnyakov, 2000).

The classification and educational effects of Western penitentiary institutions are considered together. Without differentiating the methods of exposure, classification becomes meaningless. Individualization allows each prisoner to find the method of exposure that best suits his personality.

For example, using the classification method of Quay and Parsons, the following groups of juvenile prisoners are distinguished and psychotherapists who should influence them accordingly: - juveniles, usually absorbed in their thoughts and silent, passive, indifferent, childish, irresponsible. In their relationships with adults, they are too sensitive or too dependent on them and are always afraid of being hurt by their peers. Psychotherapists who can teach, be patient, comfort, and support others can nurture these teens. The main goal of the impact program is to create a reliable and regulated social environment that is favorable for the growth and development of the adolescent; - individuals with neurotic conflict characterized by feelings of fear, depression, inferiority and guilt. They talk about their difficulties, understand the consequences of their actions and regret their actions. However, there is no guarantee that they will not repeat the same thing again. Adolescents of this group can be influenced by people who are prone to other people's problems, who can devote themselves completely to a self-employed person and provide him with the necessary support; - insufficiently socialized aggressive teenagers, as a rule, are not reliable, but are able to effectively influence other people. There is a great need to encourage and excite them, to reject "authority" and to be the instigators of riots in prisons. The person who has to influence such teenagers should be persistent and consistent, and demand strict compliance with the law. Adolescents in this group need a well-managed environment with plenty of space for them to use their energies wisely, which will help them release their destructive energy; - criminals socialized in delinquent subcultures, often engaged in gang activity, therefore adhere to the values and code of honor of their illegal groups. When faced with the administration of institutions, these individuals defend the positions and facilities of their gangs. Individuals who must influence this category must adhere strictly to a personal code of honor if they wish to gain respect. They must strictly monitor the behavior of offenders and control the group's attempts to manipulate them, explaining how to improve their position in a way that is acceptable to society.

In Western penitentiaries, various work, education, recreation programs, group psychotherapy and group counseling are used for prisoners; role-playing games and sociodrama; behavior modification; disparate impunity; gestalt psychological and clinical approaches; group therapy; the influence of the reality of the surrounding world; transaction analysis; distracting programs and others. Means of social rehabilitation in foreign penitentiary sources include: general education and vocational training; regular, meaningful, paid work; social education; social and psychological preparation; psychotherapy; religious and



moral education; drug and alcohol treatment, etc. The main means of resocialization of prisoners are carried out in targeted long-term programs of general education, psychotherapy, drug and alcoholism treatment, developed taking into account the characteristics of the criminal and his individual needs. As a rule, prisoners themselves participate in the development of rehabilitation programs, as well as in the preparation of a multi-purpose correctional program. Inmates in these programs are encouraged through tools such as a progressive penitentiary system; "good time" system (temporary settlements); the system of indefinite sentences, which has been rarely used in recent decades due to its inherent disadvantages; The relations between the employees of the correctional institutions operating within the framework of the regional model are built on the basis of the system of pedagogical principles formed by the American criminologist F. Beytek in the 1950s. More advanced versions of the system are presented in the scientific works of his followers. We are talking about the principles of individualization of the correctional process, humaneness, observance of neutrality, non-contradiction in communication, respect for the prisoner's right to privacy, freedom of choice, freedom of conscience, confidentiality.

The autonomy of prison systems is essential in the implementation of these principles. Thus, in the United States there are 53 autonomous penitentiary systems, which allow to conduct experiments, search and find the most effective forms and methods of organizing the correctional work of offenders and to share the positive experience accumulated in this field at the level of the US Congress. .

For certain categories of prisoners, in particular, for persons deemed dangerous by state authorities, the following are used: emotional impact of imprisonment (placed in the cells of the adaptation department of the prison for several months), stress therapy (placed in an educational institution). open passage cell), chemotherapy (treatment with artificially induced aversion).

In practice, group therapy and group counseling are used for prisoners. The use of gangs in the process of impunity became widely known when this method was applied to war criminals, and after the war A. Eshas and F. Loves introduced it into prisons in New Jersey under the name of "control group effect".

In this case, the group of equals acts as a catalyst in the process of manifestation of criminal or, on the contrary, positive attitude, behaves in accordance with the norms of the group and provides a certain status and sexual identity to its members.

## CONCLUSION

Modern philosophical, sociological, criminological, criminal legal and psychological theories originating in different countries, such as America and Western Europe, helped to form the scientific basis of the concept implemented in the model of reintegration (resocialization) of criminal punishment.

On the one hand, the penal system should scare the offender, instill in him a sense of fear of punishment, and thus deter him from committing a second crime (legal correction). On the other hand, the penitentiary system implements the idea of social re-socialization as the embodiment of universal human values.

The penitentiary model is a type of punishment execution system, the characteristics of which are determined by objective (socio-economic) and subjective (epistemological) factors in a certain period.

The penitentiary systems of Western Europe and the United States of America are distinguished by having great practical and theoretical knowledge. However, the incomparable contribution of the Republic of South Africa and its first President Nelson Mandela to the penitentiary system also significantly contributed to the large-scale development of this field in Western countries.

## REFERENCES

1. New York International Covenant on Civil and Political Rights December 16, 1966
2. A.N. Norboev, A.A. Usmonova, "Text of lectures on legal psychology" Tashkent - 2005
3. A.A.Usmonova, A.N.Norboev, "Legal psychology" textbook, Tashkent - 2006
4. Chernisheva Ye.V., Zlokazov K.V. "Politseyskaya psychology". Yekaterinburg, 2016
5. V.M. Karimova. Psychology. Study guide. T. "Sharq" edition. 2002