



SOME CONSIDERATIONS ON THE CONCEPT OF SPECIAL PREVENTION OF OFFENSES AMONG PERSONS CONDITIONALLY RELEASED EARLY FROM SERVING SENTENCES

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<https://doi.org/10.5281/zenodo.17305003>

Abstract: This article is devoted to the concept of special prevention of offenses among persons released on parole before completing their sentences. The article examines the theoretical and practical aspects of preventive measures to prevent recidivism by individuals in this category. Special preventive methods aimed at the social adaptation of persons released on parole, their reintegration into society, and reducing their propensity for law-breaking are analyzed. Additionally, within the framework of the topic, existing problems and proposals for their solutions are put forward.

Keywords: conditional release, special prevention, offense, recidivism, social adaptation, integration into society, preventive measures.

The issue of recidivism among persons conditionally released early from serving a sentence is one of the most critical problems in criminal law theory and practice. Indeed, the institution of conditional release is a significant opportunity provided by the state for the convict's re-socialization and rehabilitation. Therefore, such a person's return to criminal behavior not only indicates the ineffectiveness of the reform process but also poses a threat to public safety and reveals shortcomings in law enforcement activities. This situation clearly demonstrates the need to improve legal mechanisms, strengthen preventive measures, and effectively implement individualized educational work.

The most effective way to prevent recidivism among persons released on parole is to organize a system of special prevention of offenses against them. In this process, first of all, it is necessary to deeply study the personal characteristics, the degree of adaptation to the social environment, and the psychological state of this category of people. On this basis, social control will be strengthened by conducting individual preventive work with them, involving them in work, and establishing cooperation with families and mahallas. Also, through special preventive measures, they develop respect for the law, the desire to observe moral and ethical norms in society. Consequently, reducing the risk of recidivism of persons released on parole is inextricably linked, first of all, with the systematic establishment of effective special preventive measures.

In this regard, first of all, it is advisable to pay attention to the content of special prevention of offenses. Because special prevention, unlike general prevention, involves identifying, registering, and applying individual measures to individuals with a high propensity to commit offenses or those who have previously committed crimes. In this process, it is possible to significantly reduce the likelihood of recidivism by organizing special preventive work with conditionally released persons, supporting their adaptation to the social environment, and providing various psychological, pedagogical, and legal assistance. Consequently, the effectiveness of this institution is inextricably linked with the correct and systematic implementation of special preventive measures.

The process of defining the concept of "special crime prevention" and its content is inextricably linked with the scientific illumination of the essence of the general directions, types, and measures of the institution of crime prevention. After all, a unified theoretical structure and classification of the directions, types of preventive processes and the means of their implementation have not yet been formed in legal literature and current legislation.

Therefore, there is a need to eliminate conceptual and practical ambiguities in this area, to scientifically describe the institution of "special prevention" and to define its legal mechanisms. The following analysis and conclusions further confirm the relevance of this need.

Since ancient times, the issue of crime prevention has been at the center of attention as one of the important areas of public life. This is clearly confirmed by the fact that the problem of crime prevention is considered one of the main subjects of criminology. At the same time, although scientific approaches to the prevention of offenses are close to the concepts of crime prevention in terms of content and essence, they differ in their name and scope. Since the main goal of criminology is the prevention of crimes, its theoretical basis is the prevention of offenses. Therefore, from the 60s of the 20th century, criminology embarked on the path of formation as a separate independent science. In particular, in 1974, a training course "Criminology and Management of Preventive Activities of Internal Affairs Bodies" was introduced, from the 1975/1976 academic year - "Organization of Crime Prevention," and from the 1978/1979 academic year - "Prevention of Crime," and later - "Criminology and Social Prevention." These processes demonstrate the consistent development of the issue of prevention from an interdisciplinary and scientific-theoretical point of view[1].

In the Law of the Republic of Uzbekistan "On Special Prevention of Offenses" of May 14, 2014, special attention is paid to this institution. In particular, Chapter IV of the Law is entirely devoted to the special prevention of offenses, and Article 24 of the Law provides a legal definition of this concept. According to it, special prevention of offenses is the activity of bodies and institutions directly carrying out the prevention of offenses, aimed at preventing certain types of offenses, eliminating the causes of their commission and the conditions contributing to them, identifying certain categories of persons and developing and implementing special measures aimed at individual preventive influence on them.

At the same time, the need to implement special preventive measures in accordance with this law is explained by a number of circumstances. In particular, the increase in certain types of offenses and categories of individuals, the increase in threats to public safety and public order, and the emergence of situations that infringe upon the interests of the individual, society, and the state serve as the basis for this. Consequently, these legal mechanisms established by law play an important practical role in preventing offenses and reducing their recurrence.

Among legal scholars who have studied the prevention of certain types of offenses or certain categories of persons, not all pay special attention to the types of prevention or their theoretical classification. On the contrary, in many cases, it can be observed that their attention is mainly focused on the system of special preventive measures. For example, researcher I. Ismailov defines the concept of prevention of offenses related to religious extremism and terrorism as follows: identification by society and its various social subjects of the causes and conditions that give rise to these offenses, their elimination or weakening of their influence of a criminal nature, as well as the implementation of educational and preventive measures against persons who have violated the prohibitions provided for by administrative or criminal legislation or are prone to such actions[3]. Thus, in the author's definition, the content of special prevention is aimed at eliminating the threats of extremism and terrorism through comprehensive measures of influence at the level of society and the state.

Thus, summarizing the disputed processes regarding the legal and scientific essence of "special prevention" as a type of crime prevention or a system of measures, the following conclusion can be drawn: "special prevention" is essentially an independent system of measures for crime prevention. It is developed and implemented both within the framework of general prevention and in the process of individual prevention, aimed at a specific object of prevention. Therefore, Professor A.G. Anisimov, in order to improve the system of general prevention, put forward a proposal to include measures of a special criminological nature in it[4]. In particular, he emphasized the need to implement technical, informational, organizational, victimological, and educational-rehabilitational measures to increase the

effectiveness of preventive activities. This further strengthens the theoretical basis of special prevention and reveals its practical significance.

Based on the foregoing, special prevention of offenses among persons conditionally released early from serving a sentence is a system of organizational, legal, educational, psychological, and social measures aimed at reducing the likelihood of their recidivism, taking into account the personal, social, and psychological characteristics of this category of persons.

It is carried out by ensuring the adaptation of these persons to society, forming in them a sense of respect for the law, involving them in labor activity and the family environment, and strengthening cooperation between the mahalla and prevention bodies.

In other words, special prevention of offenses against persons released on parole is a systematic activity of the bodies carrying out the prevention of offenses, aimed at exerting individual influence on them, keeping them under social control, and preventing the possibility of them returning to the path of crime.

In this regard, this form of prevention plays an important role not only in ensuring public safety, but also in stimulating the real correction and re-socialization of conditionally released persons.

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