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ВЕСТНИК

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Artyom Y. Nesterov

Institute of Socio-Political Studies - Federal State Budgetary Institution of Science
"Federal Research Center of the Russian Academy of Sciences", Moscow, Russia.
E-mail: ne7terov.ay@gmail.com

FEATURES AND PROBLEMS OF POST-PRISON ADAPTATION OF JUVENILE CONVICTS: METHODS AND WAYS TO OVERCOME THEM

Abstract. The article analyzes the peculiarities of the adaptation of convicts, as well as identifies the main problems faced by juvenile convicts in the post-prison period. The author of the article will determine that the post-prison adaptation of juvenile convicts released from the educational colony of the Federal Penitentiary Service of Russia must have, and has a preventive, rehabilitation and restorative character. It, in turn, should be focused on their cultural, moral, socio-economic, psychological, as well as the legal formation of personality in modern society.

The scientific article presents the empirical material of the author's sociological study conducted in two research stages: The first stage - the Main - 2014–2018 and the Second stage - Panel research - 2019–2020: 1) the problems faced by the convict during the period of serving the criminal punishment in the form of imprisonment and the post-prison period (from the personal experience of the convict); 2) the effectiveness (inefficiency) implemented by socio-pedagogical, socio-psychological, civil law, health measures in the institutions of the Federal Penitentiary Service of Russia; 3) adaptive penitentiary technologies implemented in the Federal Penitentiary Service of Russia in relation to minor convicts (2014–2020).

Study sample: Convicts in FSI "CC-7" and FSI "CC-7" of the Federal Penitentiary Service of Russia in the Tula Region (n = 860 respondents), including the results of in-depth interviews of convicts (n = 34). Age of respondents: 18 - 65 years; Panel study conducted remotely in 2019–2020. Continuous questionnaire survey (n = 190), including the results of in-depth interviews of convicts (n = 23). Panel study conducted remotely in 2019–2020. Continuous questionnaire survey (n = 223 convicted minors), including the results of an in-depth interview of convicts (n = 31). The age category of respondents is 21–35 years old / 35–50 years old; Panel study conducted remotely in 2019–2020. A continuous survey using the questionnaire survey method (n = 172), including the results of an in-depth interview of experts (n = 37).

The study revealed - Twelve main problems that convicts in one way or another face in the post-prison period. Next, we conduct a ranking of identified problems by degree of importance, affecting the negative component of the convict in a given period, which forms the main trajectory of the social adaptation of the convict in modern Russian society.

So, according to the author, the totality of all the main problems that juvenile convicts face in the post-prison period, one way or another, significantly complicates the adequate process of social adaptation of the convict and leads to the fact that the teenager, having criminal experience, and also disappointed in life, repeatedly involved in criminal activity, which will directly lead him back to prison.

Also, based on an analysis of the positive practices for preparing convicts for release implemented in the penitentiary institutions of the Federal Penitentiary Service of Russia, it is possible to clearly establish the approximate composition of the subjects of social adaptation of convicts in the post-prison period.

These entities may be recommended by the Federal Executive Body (the Ministry of Justice of the Russian Federation) to implement complex issues related to the rehabilitation of juvenile convicts.

Based on a sociological study, the author develops the main ways and methods that focus on the successful social adaptation of prisoners in the post-prison period. The main conclusions of the study are formulated, which are as follows: 1) The post-penitentiary adaptation of a convict who has been released from FSI "EC" in the Federal Penitentiary Service of Russia represents a whole complex of life tasks that the released person will have to solve independently; 2) In some cases, to solve these problems it is necessary to "start life anew" - first of all, to acquire a

profession; 3) Rebuild the familiar “scenario” of deviant behavior in relation to others and the system of basic values.

Key words: Federal state institution "Correctional Colony", Federal state institution "Colony of settlement", Federal state institution "Criminal Executive Inspection", the main problems of prisoners in the post-prison period, social adaptation of a minor convict, post-prison adaptation, the personality of a teenager, “Adequate conditions of the convict’s external social and domestic environment”, prison conditions of the Federal Penitentiary Service of Russia, "Self-regulation and prediction of the social behavior of the personality of the convict".

The most urgent in pedagogical, sociological and legal science in the first positions remains the problem of ensuring the post-prison adaptation of convicts, especially minors released from prison, and the prevention of recidivism. In the absence of individual support for consistent penitentiary re-socialization and social adaptation in the post-penitentiary period, persons released from places of deprivation of liberty will experience social and psychological degradation, as well as an increase in recidivism with or without an organized criminal group.

The term “*adaptation*” itself, translated from Latin as “*adaptatio*” means “*adaptation*”, it is widely used in various sciences and means the adaptation of any subject or object to changing environmental conditions [17, p.20]. Also, in many explanatory dictionaries, “adaptation” refers to the adaptation of an individual to dynamically changing modern conditions [10, p.122]. Accordingly, the adaptation of a person released from places of deprivation of liberty implies his adaptation to a specific social environment, to the norms and rules of behavior accepted in society.

The post-penitentiary adaptation of juvenile convicts released from the educational colony of the Federal Penitentiary Service of Russia must have, and has, a preventive, rehabilitative and restorative character. It should be focused on their cultural, moral, socio-economic, psychological, as well as the legal formation of the individual in modern society. In the process of research, we propose a particular hypothesis: if a teenager who has been released from places of deprivation of liberty during the penal period does not decide what he will do, what social functions he will perform, one way or another he will certainly replenish the marginalized environment. In this environment, he will feel more comfortable, relying on the support of criminal comrades. Naturally, these comrades will expect a mutual response from him.

So, the process of post-prison adaptation of juvenile convicts released from prison is divided into two stages: the first is the preparation of a convict for exemption from serving a criminal sentence from the “EC” of the Federal Penitentiary Service of Russia, we define him as a “penal” stage. The second stage of “post-prison” is the provision of assistance to a liberated teenager in admission to a vocational educational institution: college, or to a general secondary (shift) school for the development of full secondary education; and also, rendering the convict medical and psychological rehabilitation assistance; ensuring his contacts with relatives and relatives; providing him with work and housing (including registration at the place of residence or place of stay).

According to Professor S.V. Bogdanova, “... the process of post-prison adaptation is one of the main directions in the fight against recidivism in adolescence. It should be noted that the rate of recurrence of juvenile delinquency is quite high, which is usually explained by judicial errors in the process of considering criminal cases involving minors. As well as the obvious shortcomings of the organization of the socio-pedagogical and psychological process in the educational colonies of the Federal Penitentiary Service of Russia. The deviant (delinquent) behavior of the convicted person in the post-prison period depends not only and, perhaps, not so much on the results of the punitive and educational impact in the Russian criminal system, but on the influence of the emerging factors of post-prison adaptation on him, since the problems of employment, the definition of permanent residence, etc. Some of them help to consolidate the results of corrective and educational impact, while others, on the contrary, provoke new crimes” [8].

In our opinion, “post-prison adaptation” implies adaptation - the unimpeded entry of a convicted person who has been released from prison to independent life in modern Russian conditions through the provision of post-prison assistance, regulated by Chapter 22 of Art. 181 Penal Code of the Russian Federation (1997) [5]. Also, the post-prison adaptation of persons released from places of deprivation of liberty is a key link in the Concept for the Development of the Criminal Executive System of the Russian Federation until 2020 [6]. The very process of post-prison adaptation of a minor convict who has served a

criminal sentence of imprisonment is complicated and is understood differently both in Russia and in other countries of the world.

Meanwhile, the process of “post-prison adaptation” of a minor convict requires legal regulation, since its participants are not only convicts released from places of deprivation of liberty, but also other persons who were under criminal prosecution, but who received an alternative measure of punishment from deprivation of liberty. This is a whole complex of diverse social institutions that are direct agents of the post-prison adaptation of the convict. These are the bodies of social protection of the population, agencies of labor and employment, production, educational organizations, etc.

At the same time, the legislator - the Parliament of the Russian Federation has not yet determined specific forms of inclusion in the public life of a teenager who has been released from prison [15, p.244].

Finding himself in an unfavorable situation, a convict who has been released from places of deprivation of liberty, for which everything has been determined by state criminal executive standards for several years, without receiving the expected help, is likely to be involved in a criminal environment that is oriented towards illegal actions. Or will he commit offenses alone, out of hopelessness, since there is no support for the family and close relatives, in his opinion there is no state support?

This opinion is shared by 85.2% of 100% of convicted respondents who are in FSI «CC-2», FSI «CC-7» of the Federal Penitentiary Service of Russia in the Tula Region and convicts (n = 860), and 90.7% of 100% interviewed convicted respectively, located in FSI «CC-35», FSI «CC-40», FSI «CC-2», FSI «MCF-42», FSI «CC-44» of the Federal Penitentiary Service of Russia in the Kemerovo Region; FSI «CC-8», FSI «CC-15», FSI "Colony of Settlement - 22" of the Federal Penitentiary Service of Russia in the Novosibirsk Region; FSI «CC-3», FSI «CC-4» of the Federal Penitentiary Service of Russia in the Tomsk Region - a panel study conducted remotely in 2019–2020. - continuous survey by questioning method (n = 764). Age of respondents: 18 - 19 years old / 20 - 35 years old / 35 - 65 years old. These are persons repeatedly convicted to real and long terms of imprisonment for committing grave and especially grave crimes. They are also people with extensive criminal experience, among them there are three “thieves in law” - “crowned” [20-35].

In order to familiarize a minor convict who has been released from prison with an adequate (independent) life in society, teach him how to overcome the difficulties that arise at that time, conflicts that inevitably arise in everyday life, complex re-socializing measures are being held in all penitentiary institutions of the Federal Penitentiary Service of Russia “In schools to prepare for the release of convicts”. Also, when implementing a system of measures for the implementation of post-prison adaptation of the Federal Penitentiary Institution of the Federal Penitentiary Service of Russia, the success of juvenile convicts in the penitentiary period in preparation for the release of the Federal Penitentiary Service "EC" of the Federal Penitentiary Service of Russia is taken into account. Such training in all institutions of the Federal Penitentiary Service of Russia is carried out in the last six months of the stay of a minor convict in a colony. It includes a list of activities that provide the released teenager with conditions for the implementation of his successful social adaptation in the post-prison period [Part 5 of Article 132 of the Penal Code of the Russian Federation; Order of the Ministry of Justice of the Russian Federation dated January 13, 2006 No. 2].

At this stage, the administration of the FSI “EC” of the Federal Penitentiary Service of Russia, where the minor convict is serving his term, determines first of all where, after being released from the educational colony, the teenager will go for permanent residence. After this, contact is established with the parents, close relatives of the convicted person, as well as with the internal affairs bodies and employment services of the city and district administrations in whose territory the convicted person is going to reside. The possibility of continuing a teenager to study at a vocational educational institution - a college (secondary school) or employment is determined. In addition, the administration of the penitentiary institution of the Federal Penitentiary Service of Russia identifies which documents necessary for civilian life are missing from a convicted teenager (passport, pension certificate, other documents related to professional training), and takes measures to restore lost documents free of charge [13,15].

Also, the administration of the FSI “EC” of the Federal Penitentiary Service of Russia necessarily makes inquiries at the colony’s pupil’s former place of residence in order to establish the relations of the convict with his family, relatives and relatives, guardians, or the boarding school if the teenager is an orphan. If these ties have been lost, help restore them. Organizational and explanatory work is carried out with convicts preparing for the release on domestic and labor arrangements after the release of the Federal

Penitentiary Service of the Federal Penitentiary Service of Russia. Other measures are also being taken to help normalize or restore social ties with the outside world.

In the last penal period before being released for six months, the minor convict has no restrictions on short-term visits with relatives and relatives, and in receiving parcels and programs. The convicted person transfers to preferential conditions of detention in the penitentiary institution of the Federal Penitentiary Service of Russia, where the maintenance and life is oriented towards safe penal re-socialization [Part 5, Art. 132 of the PEC RF].

Already at the preparatory stage for the release of the teenager from the educational colony, in the implementation of the above measures, a number of problems arise that can nullify all efforts to implement successful social adaptation of the person in the post-prison period if they are not solved precisely at the final stage of the prisoner's re-socialization of the convict [9].

Criminal punishment of a person related to real deprivation of liberty occurs with the separation of the convicted person from the usual social environment. This entails the weakening, and sometimes the complete loss of socially useful ties in society, as well as a significant limitation of the social roles performed by adolescents. The personality characteristics of the minor convict also change significantly - and not always for the better [15, p.245].

The execution of a criminal sentence of imprisonment primarily determines the need for penal adaptation of a minor convict to living conditions at the Federal Penitentiary Institution "EC" of the Federal Penitentiary Service of Russia, which is often associated with the assimilation of the morals of the criminal environment. So, according to experts participating in a sociological survey, after a teenager is released from places of deprivation of liberty and returned to his former social environment, adaptation problems arise even for those who committed a crime by chance, under the influence of adverse social circumstances. This opinion is shared by 100% of the convicted respondents. The fact is that for those who have served their sentence, the "institute" of criminal record is automatically triggered, restricting the rights of the teenager in employment or the possibility of his admission to an educational institution with a specialized military profile.

According to Professor S.V. Bogdanova [8], the main features of the post-prison adaptation of adolescent convicts who were released from the FSI "EC" of the Federal Penitentiary Service of Russia are the following:

1) The socio-psychological process starting from the moment the convicts are released and ending with the achievement of a correspondence between the expectations, requirements of modern society and the behavior of a previously convicted teenager;

2) A long, complex, sometimes contradictory process, orienting an individual to adapt to generally accepted laws, norms and legal regulations, moral values, moral rules and society in society. This process is inevitable: if the individual does not "integrate" into these rules of conduct or contradicts them, then it is more likely that society will not accept him and he will again be in prison;

3) The main task of the post-prison adaptation of convicts is to introduce them to an independent life in society without legal restrictions associated with the previously served criminal punishment in the form of imprisonment, as well as in the new and / or changed previous social environment. This introduction involves the free and voluntary submission of adolescents to the regulatory requirements and generally accepted rules of society;

4) Successful post-prison adaptation of teenage convicts released from places of deprivation of liberty, as well as the acquisition of new adaptation skills and abilities by them in the process of penitentiary adaptation at the Federal Penitentiary Institution "EC" of the Federal Penitentiary Service of Russia - this is the opinion of more than 94.7% of expert respondents.

5) Significant success in the post-prison adaptation of convicts depends on the correlation of the system of personal settings of the released person and the requirements of the environment - a peer team in a professional institution (school), labor collective, immediate household, family and friends - this is the opinion of more than 80.4% of expert respondents.

6) Successful post-prison adaptation of convicts can be ensured only if there is a positive, interdependent social orientation of the microenvironment and personality of the convicted teenager, compatibility of social expectations of the environment and moral positions, value orientation of the individual - this is the opinion of more than 97.8% of expert respondents [8,13].

Also, the passage of post-prison adaptation of the convict depends on many social and personal factors. Some of them contribute to the successful “entry” of the convict who has released from prison to a new or changed social environment, while others, on the contrary, prevent this. Teenagers who reject generally accepted norms and rules in society, as a rule, adhere to “criminal authority” - this is “retribution” to society. “Retribution”, firstly, is because the society of the teenager did not accept for what it is. With all its flaws. This opinion is shared by more than 83.4% of expert respondents. Secondly, the rejection of established norms and rules occurs because the convict himself considers himself an inferior member of society. The personal factor - “low self-esteem” is the result of the failures and complete collapse in the process of becoming a person. This opinion is shared by more than 90.2% of expert respondents [13].

The most important personal factor on which the successful post-prison adaptation of the convict depends is the relationship between the dispositional structure of the personality of the convict. For example, “Self-regulation and prediction of the social behavior of an individual” (1979). The basis of the mechanism of formation of dispositions in the theory of V.A. Yadova (1979) put the scheme D.N. Uznadze, developed by him to explain the emergence of primary settings (set). It consisted in the fact that “... the integral dynamic state of the subject’s readiness for a certain activity is determined by the needs of the subject and the objective situation - physiological needs [18,19] and social expectations of the environment.

Specific and no less acute is the problem associated with the re-socialization of teenage convicts who are being released from the “EC” of the Federal Penitentiary Service of Russia. The study of the personality of the convict at the time of release from the penitentiary institution of the Federal Penitentiary Service of Russia can be of great importance for solving the issue of combating recidivism in the post-prison period, since the problem of the social adaptation of a teenager released from prison to normal conditions in society is the main requirement of modern Russian society [8].

This is primarily due to the fact that after spending several years in prison, the convicted person partially or completely loses the ability to socially adapt in one or another sphere of life. Or he “misses” the favorable (“*sensitive*”) period for the normal formation and development of abilities. As a teenager develops, he is forced to solve the problems of his own growing up, and a factor in the social environment of the convicted person plays a significant role in their prompt and correct solution. As a result, the normal solution of the problems of growing up by convicts in the penitentiary institutions of the Federal Penitentiary Service of Russia with the restriction of socially useful contacts becomes difficult and even impossible [8,13].

The social (domestic) conditions of independent life after the convict is released from the “EC” of the Federal Penitentiary Service of Russia appear to the adolescent as new problems requiring a lot of tension and endurance (stress resistance) from him. This opinion is shared by 96.5% of convicted respondents - and only 3.5% of convicted respondents are confident that they will succeed.

The former pupil of the colony is often not ready to make the right decisions to resolve a particular issue. Convicted juveniles who were released from places of deprivation of liberty are not able to independently resolve issues related to domestic appliances and independent housekeeping. This opinion is shared by 98.7% of expert respondents. And only 1.3% of expert respondents have confidence that they will succeed. This confidence is due to the fact that the staff and teachers of educational colonies are actively working on the formation of pupils as individuals. We are convinced that our work is not in vain. And even one of our pupils, having passed a difficult, harsh path, will become a Man. We believe in it and hope so! This, of course, is primarily due to the fact that these adolescents lack life experience (they were convicted at 14-15 years old). In addition, of course, there are no real conditions in which a teenager could realize himself as an owner, business executive and family man [12,13].

Uncertainty in a particular life situation in the former colony inmates causes inadequate, often affective reactions to environmental circumstances. Difficult life circumstances in the convict’s family, inability to find a job, lack of a permanent home, the emergence of new “criminal cronies”, etc. All this can result in the commission of criminal offenses, the consequences of which the offender is often not aware. Often this can be aggravated by the wrong attitude of others to former convicts, which, of course, “leads” the teenager into certain psychological “frames” - the teenager feels insecure, “driven”, not needed by society. All together leads to incorrect assessments of oneself and other convicts, and, as a result, to rash actions. This opinion is shared by 94% of expert respondents. 5% of expert respondents found it

difficult to comment on the life circumstances of the convict in the post-prison period. And only 1% of expert respondents are convinced that they will be able to refrain from the negative influence of new “criminal comrades”, and they are convinced that, even if not immediately, they will be able to cope with their life problems that arise in the post-prison period [12,13].

The process of post-penitentiary adaptation of an individual to the conditions of normal existence in society after being released from prison depends on three main groups of factors:

1. The identity of the teenager released from prison; his moral position, internal motivation for behavior, self-control, conscience, a sense of personal dignity, etc. [8] - this opinion is shared by 100% of expert respondents;

2. "Adequate conditions of the external social and domestic environment of the convicted person" is, first of all: 1) the presence of a permanent home (registration at the place of residence); 2) the presence of a family and a favorable relationship with her teenager; 3) the availability of a place of study at school or college; 4) the presence of full or partial employment and satisfaction with work and wages; 5) relationships with the labor collective, relations with members of small (reference) groups, etc. [8], - this opinion is shared by 100% of expert respondents;

3. The penal conditions of the Federal Penitentiary Service of Russia, in which there was a minor convict in the process of serving a criminal sentence of imprisonment. For the most part, it is about how a teenager mastered penal re-socialization, what basic social, educational, professional, labor skills a pupil of the colony mastered and which, of course, affect his personal behavior in society, as well as social adaptation in the first months of the post-prison period [8]. In our opinion, this is a very difficult period in the socio-psychological and everyday life in the life of a teenager after being released from prison. This opinion is shared by 100% of expert respondents [13].

In the course of our research (conducted in 2014-2018 and in 2019-2020), the main problems that juvenile prisoners faced in the post-prison period were identified:

1) Lack of social and domestic skills for an independent life in the post-prison period - 96.5% of prisoners;

2) The presence of difficulties in relationships in the family - 87% of convicts, 10% of orphans, former pupils of boarding schools;

3) The presence of an outstanding criminal record - 100% of convicts;

4) Obstacles to employment in state institutions (for municipal or state service), as well as upon admission to training at specialized universities, or undergoing urgent (contract) service in the ranks of the Russian army;

5) The presence of certain difficulties in finding employment in the post-prison period - 100% of convicts;

6) The negative influence on the adolescent from the side of “criminal friends”, joining the “marginal groups”, maintaining an antisocial lifestyle - all this gives rise to recidivism - 58.8% of the convicted;

7) The presence of dependence, which is manifested in the use of alcohol, narcotic and psychotropic substances, - 44.5% of convicts;

8) Lack of material wealth in the family of the convict, lack of employment of family members or the immoral lifestyle of parents - 53.6% of convicts;

9) Lack of permanent residence - more than 35% of prisoners. As a rule, these are 10% orphans. 25% of convicts during the period of serving a criminal sentence in prisons lose contact with relatives and relatives. At the time of release from the colony, the teenager is left alone with all the ensuing life problems, such as, relatives have turned away from him, or they are also in prison;

10) The lack of professional competence required by the employer in modern market conditions and during the period of economic and political sanctions by Western countries in relation to Russia. This directly affects the demand for labor - 100% of prisoners;

11) The presence of chronic diseases in a minor convict, including childhood disability - 42.8% of convicts. As well as the lack of the opportunity to receive free qualified psychological and medical assistance during the stay of the convicted person in prison. This is reflected in the physical and psychological state of the adolescent in the post-prison period - 78.5% of prisoners;

12) Lack of qualified legal assistance in the post-prison period - 100% of convicts [12,13,14].

The combination of all the main problems that juvenile convicts face in one way or another in the post-prison period significantly complicates the adequate process of social adaptation of the convict and

leads to the fact that the teenager, having criminal experience and also disappointed in life, is re-involved in criminal activity, which will directly lead him back to prison.

According to the results of a survey of convicted respondents preparing to be released from places of deprivation of liberty (including on parole), it can be noted that juvenile convicts do not intend to return to their previous criminal and asocial way of life. Today, this is evident from the respondents' gas, adolescents objectively assess their chances of success in the process of social adaptation in the post-prison period. They point to today's cramped circumstances in which they are.

96% of convicted respondents do not intend to return to the criminal past: "We realized a lot only here in the colony; we also learned to value personal freedom; learned to respect and value the freedom and rights of individuals in society. We have realized the moral and material value of our harm to the victims. Only today, being here, in an educational colony, did we really realize parental love and care for us - before the colony, for us this was not a value. We did not notice at all that someone cares, worries and worries about us. Now for us, obviously, it was the parents who always worried about us. In my free time, I always think about how the meeting with my parents will take place; Will they forgive me for who I will be in the near future. But I certainly know that I will not be friends with former comrades! I will not return to the marginal environment. I'll continue my college education and will work. If possible, I will help my parents!" [13].

This is the opinion of prisoners in educational colonies preparing for release. Only 3% of convicts today doubt the success of social adaptation in the post-prison period.

Today, 1% of convicted respondents found it difficult to reflect on their future, arguing that they did not know what their fate would be like after the release of the Russian Federal Penitentiary Service from "EC". Today they do not have confident support from relatives and friends, but they still hope for the best.

The picture changes significantly when interviewing convicted respondents with multiple convictions. Only 18% of convicts still hope for a successful social adaptation in the post-prison period, citing this with great experience [13].

Here are examples of such judgments: "We already know how to behave after being released from the "colony". They are waiting for us at home, there is a wife "part-time" (registered here in "CC-2"; "CC-7"), we plan to give birth to children (wife in position; wife brings up one children). Life has become better understood. I hope that the "friends" will help get settled in life. There are certain savings, including from a criminal transaction. Health is no longer something to spend the rest of your life in "prisons", and you don't want to die in the colony!

78% of convicted men between the ages of 30 – 55 years old today doubt the success of social adaptation in the post-prison period.

Here are some more examples of prisoners' stories: "I have several "walkers" behind me, and each time I have exchanged my freedom with a "prison", for various reasons. This lack of permanent work – living on odd jobs, and the absence of permanent housing, the absence of his own family, and normal friends – was with his companions. So I was drawn into a criminal life from hopelessness, was involved in organized crime groups, small entrepreneurs were robbed and killed, etc. Yes, and so the "people" got it from me, I see no reason to spoil the weather with my presence in the wild, I'm fine here, I'm adapted, but what is waiting for me to be free? Right. Nothing good!

And only 4% of the convicted respondents doubt, but also hope for luck, that after all, after their release from the correctional colony, something will work out. But at the same time, the convicted respondents generally do not hope for help and support from relatives and relatives, since contacts have long been lost. First of all, I will try to decide on the housing and residence permit in the hostel, then find a job as a private trader, and then everything will be visible. I'll try not to return to the past, although there will be many temptations, and the prospects are not so bright. I lost everything: home, family; I betrayed good friends, I even killed one of them. Who will help me now after all that I have done? Right. No one! Do I repent? In the beginning, there was practically no feeling of remorse, it was just anger. Now, after years spent in a maximum security colony, I realize that I did a lot of evil. Only now I understand what people have experienced, that they are probably now very ill without their loved ones, whom I took their lives. This is a big loss for any person who has lost a relative. A loss that cannot be made up for [12,13].

With a similar sample of the panel study (2019–2020), the situation does not change significantly, for example, 29% of respondent-convicts still hope for a successful social adaptation in the post-prison period.

64% – convicted men and women in prison, doubt the success of social adaptation in the post-prison period, and only 7% – respondent convicts, doubt, but also hope for luck in social adaptation in the post-prison period, because, hope for support from their friends and close relatives [12,13].

The post-penitentiary adaptation of juvenile convicts released from places of deprivation of liberty should contain two basic aspects: “social” and “legal”, this will be due to the prevention of social (behavioral) deviations from the subject of criminal enforcement law. Thus, in order to understand what a successful adaptation of a convicted person in the post-prison period should be, it is necessary to build a unified generalized theoretical scheme in which all of these aspects should be adequately reflected as elements of the system. And for this scheme to have the possibility of practical implementation, the following conditions are necessary: firstly, the effect of social adaptation in the post-prison period of convicts will be ensured if the employees of the rehabilitation center (departmental or non-profit organization), while working with the convict, take into account the meaningful characteristics of all possible risks in the process of adaptation - namely: 1) the convict's lack of social and domestic skills for independent living; 2) the presence of difficulties in relationships in the family of a teenager; 3) the negative impact on the teenager from the side of "criminal friends" and other "marginalized groups"; 4) the convict has various dependencies; 5) the presence of insufficient professional competence; 6) the presence of chronic diseases in a teenager; 7) the absence of any living conditions and other problematic factors affecting the behavior of the convict in society. On the basis of this, it is recommended to build a “road map” (“individual program”) for the implementation of socializing measures that increase the social competence of the convicted person in the post-prison period.

Secondly, the effectiveness of post-prison adaptation of juvenile offenders in the post-prison period will be achieved if, with the help of a probation service for convicts released from places of deprivation of liberty, it becomes mandatory to stay in a rehabilitation center for 5-6 months after being released from the Federal Penitentiary Institution “EC” of the Federal Penitentiary Service of Russia. At the first stage, it is possible to launch a pilot project in several constituent entities of the Russian Federation, for example: in Moscow, St. Petersburg, Sevastopol, Moscow, Leningrad, Kaliningrad, Novosibirsk Tomsk regions, in the Khabarovsk Territory. They will implement state policy on the post-prison adaptation of prisoners [13,14].

Also, according to the results of a survey of convicted respondents preparing to be released from places of deprivation of liberty, including on parole, and experts, it was revealed that today the legislative framework in the field of criminal executive law needs to be supplemented with new legal instruments. First of all, they should focus on the establishment of the probation institution in the Russian Federation, as well as contribute to a positive final result of the work of the penal system of Russia [defined in Part 1 of Art. 9 PEC RF].

When asked whether there is a need to adopt a new Federal Law “On Probation Service in the Russian Federation” and how respondents-convicts located in the “EC” of the Russian Federal Penitentiary Service imagine it, they replied that they were more concerned about the “prospect” of repeated imprisonment. When asked about the appointment to the FSP Russia rehabilitation center, the respondent-convicts answered that they equate compulsory stay for 6 months after their release at the FSP Russian rehabilitation center with serving a sentence.

When asked about the appointment to the rehabilitation center of the Federal Probation Service of Russia, the respondent-convicts answered that they equate compulsory stay for 6 months after their release in the rehabilitation center of the FPS of Russia with serving a sentence. Therefore, I had to explain what this stay really means, what kind of services sector those released from prison will receive from the state. And that the concept of “rehabilitation” comes from the term “rehabilitated”, which means “justified”, “restored”. As a result, according to convicts preparing for release, 87% of respondent prisoners recognize the advisability of introducing this law in Russia. They are aware that they will be assisted in the preparation of personal documents, assistance will be rendered in employment. And also assistance will be provided in admission to college, and at the same time will not disclose information about the end of a comprehensive school in prisons. Moreover, some parents lead an immoral lifestyle or are in places of imprisonment. Some believe that being in the center will help them solve many problems.

However, 9% of convicted respondents doubt that everything is as it is written in the document. Of course, no one says that everything will be perfect! This is a completely new service that does not yet exist in Russia, but there is a very rich positive foreign experience, and many non-profit and religious organizations, including the Russian Orthodox Church (in many parishes, there have been rehabilitation

centers for individuals for over two decades having a certain dependence) today have such a practice. Practical experience in Russia is, however, unfortunately, not at the state level. 4% of the convicted respondents found it difficult to answer the questions posed, they also doubt that the state would really help them in the post-prison period.

Further, expert respondents from among the employees of educational colonies and regional departments of the FSIN of Russia note that this rule of law is needed in Russia. She would allow with good reason to act in the interests of a minor convict.

94% of expert respondents spoke of the need to adopt this law in the Russian Federation. This law will serve as an impulse for juvenile probation in Russia. And now the employees have "hands tied", sometimes they would be happy to help convicts preparing for release, but there is neither authority nor funds for this. And often a teenager is left alone with his problems. Often there is no education and the necessary qualifications, which is really in demand in the market of digital and information services, there is only an outstanding criminal record that impedes employment. And even worse, that "former friends" can drag a teenager pulling him into marginal groups - and again serving the sentence in the colony. Therefore, a probation service is needed in Russia! And her activity should first of all be aimed at the reintegration of this teenager.

5.5% of expert respondents do not see the need for extra spending by the state of money. There are also such "experts" who are of the opinion that if he stumbled and went to prison, then nothing good would come of such a person! He is a corrupt man, and his house is a prison. 1% of respondents found it difficult to answer these questions [12,13].

Also indifferent to the formation in the Russian Federation of a new executive authority at the Federal level are respondents who have been repeatedly sentenced to imprisonment, or who are currently in the FSI «CC» of the Federal Penitentiary Service of Russia. 64% of the respondents convicted for having this service appear in the Russian Federation because they know what difficulties those who have freed up after the first "walk" experience. This is both a lack of qualifications and a lack of support from both close relatives and government agencies.

They believe that such a service can protect at least minors from recidivism, help them in the first stage of post-prison adaptation. 29% of convicted respondents doubt that the state can and wants to help a person who has been released from prison. They doubt that real help will reach the convict - because this service will have to solve a lot of different issues, primarily related to the placement and full provision of those released. 7% of respondent prisoners found it difficult to answer this question.

With a similar sample of a panel study (2019–2020) of convicts in "CC" and "CS", the situation is changing in a positive direction, for example, 74% of respondent-convicts positively attributed to the fact that Russia will be formed The Federal Probation Service, which focuses on the post-prison adaptation of convicts released from prison.

The percentage of those who doubted that this service could be useful to them after being released from the penitentiary institution of the Federal Penitentiary Service of Russia decreased, 24% of the convicts participating in the survey made up such and only 3% of the polled convicts found it difficult to answer this question [12,13].

These entities may be recommended by the Federal Executive Body (the Ministry of Justice of the Russian Federation) to implement complex issues related to the rehabilitation of juvenile convicts.

Organizations such as: the Federal Probation Service of Russia, the Federal Treasury Institutions "Criminal Executive Inspections", penitentiary institutions and enterprises of the Federal Penitentiary Service of Russia, rehabilitation centers for training minors sentenced to release at the Federal Penitentiary Institution "EC" of the Federal Penitentiary Service of Russia, religious and public non-profit organizations with the right to attract various targeted grants, including grants from the President of the Russian Federation, for example, Order of the President of the Russian Federation of February 19, 2018 No. 32-rp.

The activities of these subjects of post-prison adaptation of juvenile convicts should be a continuous, multi-aspect and multi-level process of social rehabilitation of convicts, involving the application of the necessary comprehensive measures, varying in content, scope and mechanism of action [15,16].

The main ways and methods that focus on the successful social adaptation of prisoners in the post-prison period are as follows:

1) In all FPI “EC”, the Federal Penitentiary Service of the Russian Federation, it is recommended that measures be taken to facilitate the placement of juvenile offenders in the labor and domestic facilities within the framework of the School for the Preparation of Convicts for Release, with the participation of invited specialists in labor and employment, employers, representatives of nonprofit organizations and other competent specialists of municipal executive bodies authorities;

2) In the process of penitentiary adaptation, to form moral qualities and values among juvenile convicts - benevolence, justice, prudence, honesty and courage, fidelity, hard work, respect for elders, respect for the law, respect for others, etc.;

3) Conducting various events in the “EC” of the Federal Penitentiary Service of Russia with the participation of various non-profit and religious organizations orienting convicts in the post-prison period to successful social adaptation;

4) Formation of positive orientations in juvenile convicts, elimination of negative consequences, deliberate assimilation by convicts of new social (useful) roles in traditional society - for example, the profession, the role of family man, etc.;

5) Formation of socially adequate qualities - manifestations of tolerance for minorities, social, cultural, educational and legal skills of juvenile convicts;

6) Rendering post-prison assistance to adolescents - resolving employment issues, admission to training in a professional institution, resolving social and domestic and housing issues of a convicted person, restoring socially useful relations with relatives and relatives of a teenager, restoring the legal status of a citizen of the Russian Federation - drawing up the necessary documents, including, and passports of a citizen of the Russian Federation and much more [13,14].

Thus, we come to the following conclusions:

1) The post-penitentiary adaptation of a convict who has been released from the Federal Penitentiary Institution “EC” of the Federal Penitentiary Service of Russia is a whole complex of life tasks that the released person will have to solve independently;

2) In some cases, to solve these problems it is necessary to “start life anew” - first of all, to acquire a profession;

3) Rebuild the familiar “scenario” of deviant behavior in relation to others and the system of basic values [14].

However, it often happens that convicted adolescents, being in penitentiary institutions of the Federal Penitentiary Service of Russia, show hidden or explicit resistance to the educational process, this may be due to the lack of an image of a safe prospect outside the penal institution of the Russian penitentiary institution and the prevalence of infantile attitudes of this type, eg: “I don’t have to do anything, everything will be resolved by itself”, “Nothing depends on me!”, “I’m not capable of anything - I won’t do anything”, “We know all this - all the same, I go to the “adult!”.

At the same time, convicts who are in the penitentiary institutions of the Federal Penitentiary Service of Russia, due to the peculiarities of their age, are in a constant search for an ideal, authoritative person among adults.

As a rule, such people are guests of the FPI “EC” of the FSIN of Russia, for example, Yu.D. Kuklachev, constantly, visits educational colonies of the Federal Penitentiary Service of Russia with “Lessons of Kindness”, and various performances with his pets.

A social psychologist or a social teacher working in the penitentiary institution of the Federal Penitentiary Service of Russia, which pays attention not only to the socio-psychological correction of the behavior of the convict, but also to eliminate the lack of communication with adults, can also become an authority for convicted persons. A social psychologist or other civilian employee of FPI “EC” of the Federal Penitentiary Service of Russia - a teacher of a general education school or a master of a vocational school, with his benevolent attitude can help students in the colony change their outlook on certain values or the future, acquire an active moral position in relation to their life in the future [13,14,15].

Нестеров Артем Юрьевич

Әлеуметтік-саяси зерттеулер институты,
«Ресей ғылым академиясының федералды зерттеу орталығы»
федералды мемлекеттік бюджеттік ғылым мекемесі, Мәскеу, Ресей

КӘМЕЛЕТКЕ ТОЛМАҒАН СОТТАЛҒАНДАРДЫ ПЕНИТЕНЦИАРДАН КЕЙІНГІ БЕЙІМДЕУДІҢ ЕРЕКШЕЛІКТЕРІ МЕН МӘСЕЛЕЛЕРІ: ЖЕҢУДІҢ ӘДІСТЕРІ МЕН ЖОЛДАРЫ

Аннотация. Мақалада сотталушының бейімделу ерекшеліктері талданады, сонымен қатар кәметке толмаған сотталғандар бойында түрмеден кейінгі кезеңде кездесетін негізгі мәселелер анықталған. Мақала авторы Ресей Федералды пенитенциарлық қызметінің оқу колониясынан босатылған кәметке толмаған сотталғандардың пенитенциарлық бейімделудің алдын алу, оңалту және қалпына келтіру жағдайын анықтайды. Бұл, өз кезегінде, қазіргі қоғамдағы тұлғаның құқықтық қалыптасуына, мәдени, моральдық, әлеуметтік-экономикалық, психологиялық, сондай-ақ жеке тұлғаның құқықтық қалыптасуына бағытталуы қажет.

Ғылыми мақалада автордың екі зерттеу кезеңінде жүргізілген социологиялық зерттеудің эмпирикалық материалы ұсынылған: бірінші кезең – негізгі – 2014-2018 жылдар және екінші кезең – панельдік зерттеулер – 2019-2020 жж. Социологиялық зерттеудің мақсаты: анықтау және талдау: 1) бас бостандығынан айыру түріндегі қылмыстық жазаны өтеу және жазадан кейінгі мерзім ішінде сотталушы мәселелері (сотталушының жеке тәжірибесінен); 2) Ресей Федералды қылмыстық-атқару қызметі мекемелерінде әлеуметтік-педагогикалық, әлеуметтік-психологиялық, азаматтық-құқықтық, денсаулық сақтау шаралары жүзеге асыратын тиімділік (тиімсіздік); 3) Ресей Федералды қылмыстық-атқару қызметінде кәметке толмаған сотталғандарға қатысты қолданылатын пенитенциарлық бейімдеу технологиялары (2014-2020 жж.).

Зерттеу үлгісі:

– Ресей Федерациясының Тула облысындағы Федералды пенитенциарлық қызметінің «ИК-2» және «ИК-7» ФКУ-да сотталғандар (n=860 респондент), оның ішінде сотталғандар сұхбатының нәтижесі (n = 34). Респондент жасы: 18-65 жас;

– панельдік зерттеу 2019-2020 жылдары қашықтан жүргізілді. Сотталғандар сұхбатымен қоса (n = 190) үздіксіз сауалнамалар нәтижесі (n = 190). Респондент жасы – 18-19 жас;

– панельдік зерттеу 2019-2020 қашықтан жылдары жүргізілді. Сотталғандар сұхбатының нәтижесімен қоса (n = 223 кәметке толмаған сотталғандарға қатысты) үздіксіз сауалнама жүргізу (n = 31) нәтижесі. Респонденттің жас санаты: 21-35 жас / 35-50 жас;

– панельдік зерттеу қашықтан 2019-2020 жылдары жүргізілді. Анкеталық зерттеу әдісін (n = 172) пайдалана отырып, үздіксіз сауалнама, оның ішінде сарапшылар сұхбатының нәтижелері (n = 37).

Зерттеу барысында түрмеден кейінгі кезеңде сотталғандардың қандай да бір жолмен немесе басқа жолмен кездесетін он екі негізгі мәселесі анықталды. Арықарай біз анықтаған мәселелерді қазіргі Ресей қоғамындағы сотталушының әлеуметтік бейімделуінің негізгі траекториясын қамтитын белгілі бір кезеңдегі сотталушының құрамына теріс әсер ететін маңыздылық дәрежесі бойынша рейтинг жүргіземіз.

Автордың пікірінше, кәметке толмаған сотталғандардың түрмеден кейінгі кезеңде кездесетін барлық негізгі мәселелерінің жиынтығы сотталушының әлеуметтік бейімделу үдерісін едәуір қиындатады және қылмыс жасау барысында тәжірибесі бар жасөспірімнің сағы сынбайтындықтан ол тағы да түрмеге түсіретін қылмыстық әрекетке қатысады.

Сондай-ақ, Ресей Федералды пенитенциарлық қызметінің пенитенциарлық мекемелерінде жүзеге асырылған сотталғандарды босатуға дайындаудың оң тәжірибесін талдау негізінде түрмеден кейінгі кезеңде сотталғандарды әлеуметтік бейімдеу субъектілерінің болжамды құрамын нақты анықтауға болады. Бұл заңды тұлғаларға федералды атқарушы орган (Ресей Федерациясының Әділет министрлігі) кәметке толмаған сотталғандарды оңалтуға байланысты күрделі мәселелерді шешу барысында ұсынылуы мүмкін.

Социологиялық зерттеу негізінде автор түрмеден кейінгі кезеңде сотталушылардың әлеуметтік бейімделуіне бағытталған негізгі әдістері мен жолдарын айқындайды.

Зерттеудің негізгі тұжырымдары мынадай: 1) Ресей Федералды қылмыстық-атқару қызметі «ВК» Федералды қылмыстық-атқару мекемесінен босатылған сотталушыны пенитенциардан кейінгі бейімдеу босатылған адамның өз бетінше шешетін өмірлік міндеттердің жиынтығын қамтиды; 2) кейбір жағдайда осы мәселелерді шешу үшін «өмірді жаңадан бастау» керек, ең алдымен, мамандық алу мәселесі негізге алынады; 3) өзге адамдарға және негізгі құндылықтар жүйесіне қатысты девиантты мінез-құлықтың «сценарийін» қалпына келтіру қажеттілігі туындайды.

Түйін сөздер: «Түзеу колониясы» федералды мемлекеттік мекемесі, «Елдімекен» федералды мемлекеттік мекемесі, «Қылмыстық-атқару инспекциясы» федералды мемлекеттік мекемесі, сотталғаннан

кейінгі кезеңдегі негізгі проблемалар, кәметке толмаған сотталушының әлеуметтік бейімделуі, түрмеден кейінгі бейімделу, жасөспірім тұлғасы, сотталушының сыртқы әлеуметтік және тұрмыстық жағдайының шарттары, Ресей Федерациясының Қылмыстық атқару қызметі түрмелеріндегі жағдай, өзін-өзі реттеу және сотталушының жеке басының әлеуметтік мінез-құлқын болжау.

Нестеров Артём Юрьевич

Институт социально-политических исследований – Федерального государственного бюджетного учреждения науки «Федеральный научно-исследовательский центр Российской академии наук», Москва, Россия

ОСОБЕННОСТИ И ПРОБЛЕМЫ ПОСТПЕНИТЕНЦИАРНОЙ АДАПТАЦИИ НЕСОВЕРШЕННОЛЕТНИХ ОСУЖДЁННЫХ: МЕТОДЫ И ПУТИ ИХ ПРЕОДОЛЕНИЯ

Аннотация. В статье анализируются особенности адаптации осуждённых, а также выявляются основные проблемы, с которыми сталкиваются несовершеннолетние осуждённые в постпенитенциарный период. Автором статьи определяется, что постпенитенциарная адаптация несовершеннолетних осуждённых, освободившихся из воспитательной колонии ФСИН России, должна иметь, и имеет профилактический, реабилитационный и восстановительный характер. Она должна в свою очередь быть ориентирована на их культурно-нравственное, социально-экономическое, психологическое, а также правовое становление личности в современном обществе.

В научной статье представлен эмпирический материал авторского социологического исследования, проведённого в два исследовательских этапа: Первый этап – Основной – 2014–2018 годы и Второй этап – Панельное исследование – 2019–2020 годы. Целью социологического исследования является выявление и анализ: 1) проблем, с которыми сталкиваются осуждённый в период отбывания уголовного наказания в виде лишения свободы и постпенитенциарный период (из личного опыта осуждённого); 2) эффективности (неэффективности), реализуемых социально-педагогических, социально-психологических, гражданско-правовых, медико-санитарных мероприятий в учреждениях ФСИН России; 3) адаптивных пенитенциарных технологий, реализуемых в ФСИН России в отношении несовершеннолетних осуждённых (2014–2020 годы).

Выборка исследования: осуждённые, находящиеся в ФКУ «ИК–2» и ФКУ «ИК–7» УФСИН России по Тульской области (n = 860 респондентов), в т.ч., и результаты глубинного интервью осуждённых (n=34). Возраст респондентов: 18 – 65 лет;

Панельное исследование, проведённое дистанционно в 2019–2020 гг. – сплошной опрос методом анкетирования (n=190), в т.ч., и результаты глубинного интервью осуждённых (n=23). Возраст респондентов 18 – 19 лет;

Панельное исследование, проведённое дистанционно в 2019–2020 гг. – сплошной опрос методом анкетирования (n=223 осуждённых в несовершеннолетнем возрасте), в т.ч., и результаты глубинного интервью осуждённых (n=31). Возрастная категория респондентов 21 – 35 лет / 35 – 50 лет;

Панельное исследование, проведённое дистанционно в 2019–2020 гг. Сплошной опрос методом анкетирования (n=172), в т.ч., и результаты глубинного интервью экспертов (n=37).

В ходе исследования выявлено – Двенадцать основных проблем, с которыми так или иначе осуждённые сталкиваются в постпенитенциарный период. Далее мы проводим ранжирование выявленных проблем по степени значимости, влияющие на негативную составляющую осуждённого в данный период, которая и формирует основную траекторию социальной адаптации осуждённого в современном российском обществе.

Так, по мнению автора, совокупность всех основных проблем, с которыми, так или иначе, сталкиваются несовершеннолетние осуждённые в постпенитенциарный период, существенно затрудняют адекватный процесс социальной адаптации осуждённого и приводит к тому, что подросток, имея криминальный опыт, а также разочаровавшийся в жизни, повторно вовлекается в преступную деятельность, что непосредственно приведёт его вновь в места лишения свободы.

Также на основе анализа положительных практик по подготовке осуждённых к освобождению, реализуемых в пенитенциарных учреждениях ФСИН России, можно чётко установить примерный состав субъектов социальной адаптации осуждённых в постпенитенциарный период. Этим субъектам Федеральным органом исполнительной власти (Министерством юстиции РФ) может быть рекомендовано, осуществлять реализацию комплексных вопросов по реабилитации несовершеннолетних осуждённых.

На основании проведённого социологического исследования автором разрабатываются основные пути и методы, ориентирующие на успешную социальную адаптацию осуждённых в постпенитенциарный период.

Формулируются основные выводы по проведённому исследованию, которые заключаются в следующем: 1) постпенитенциарная адаптация осуждённого, освободившегося из ФКУ «ВК» ФСИН России,

представляет собой целый комплекс жизненных задач, которые освободившемуся придётся решать самостоятельно; 2) в ряде случаев для решения данных задач необходимо «начать жизнь сначала» – прежде всего, приобрести профессию; 3) перестроить ставший привычным «сценарий» девиантного поведения по отношению окружающих и систему базисных ценностей.

Ключевые слова: федеральное казённое учреждение «Исправительная колония», федеральное казённое учреждение «Колония поселения», ФКУ «Уголовно-исполнительная инспекция», основные проблемы осуждённых в постпенитенциарный период, социальная адаптация несовершеннолетнего осуждённого, постпенитенциарная адаптация, личность подростка, «Адекватных условий внешней социальной и бытовой среды осуждённого», пенитенциарные условия ФСИН России, «Саморегуляция и прогнозирование социального поведения личности осуждённого».

Information about author:

Nesterov Artyom Y., Honorary Member of the National Academy of Sciences Republic of Kazakhstan (NAS RK), Leading Researcher, Center for Social Demography, Institute for Social and Political Studies, Federal State Budgetary Institution of Science "Federal Research Sociological Center of the Russian Academy of Sciences", Moscow, Russia; ne7terov.ay@gmail.com; <https://orcid.org/0000-0001-8244-9546>

REFERENCES

- [1] UN Convention on the Rights of the Child, 1989 (ratified in the USSR in 1990) // Adopted by General Assembly resolution 44/25 of November 20, 1989. Entered into force on September 2, 1990.
- [2] Standard Minimum Rules for the Treatment of Prisoners (Nelson Mandela Rules) // Adopted by Resolution of the UN General Assembly of December 17, 2015
- [3] The Constitution of the Russian Federation, 1993 (subject to amendments introduced by the laws of the Russian Federation on amendments to the Constitution of the Russian Federation dated December 30, 2008 No. 6-FCL and dated December 30, 2008 No. 7-FCL).
- [4] The Criminal Code of the Russian Federation, 1996 // Chapter 14. "Features of criminal liability and punishment of minors" // Federal Law of the Russian Federation of June 13, 1996 No. 63-FL (as amended on 02/18/2020).
- [5] The Penal Code of the Russian Federation of January 8, 1997 No. 1-FL (as amended on 12/27/2019).
- [6] The concept of development of the penal system of the Russian Federation until 2020, approved. Order of the Government of the Russian Federation of October 14, 2010 No. 1772 p.
- [7] Decree of the President of the Russian Federation of May 29, 2017 N 240 "On the announcement of the Decade of Childhood in the Russian Federation".
- [8] Bogdanova S.V. (2016) Ways to re-socialize juvenile offenders. [Electronic resource] / access mode: <http://megaobuchalka.ru/5/18826.html> / (circulation date: 03/11/2020).
- [9] Golodov P.V. (2011) Foreign experience and prospects of creating a probation service in Russia: organizational and legal aspects // Bulletin of the Institute: crime, punishment, correction. 2011. N 2 (14). P. 81-88 (in Russ.).
- [10] Efremova T.F. (2000) A new dictionary of the Russian language. Interpretative and derivational: [2 t.] / T.F. Efremova. T.I. M.: Rus. Yaz., 2000. 1084 p. (P. 122). ISBN 5-200-02802-7.
- [11] Namazova F.F. (2018) Resocialization of juvenile convicts: problems and ways to overcome them. / F.F. Namazova // Bulletin of science and practice. T.4. 2018. N 3'2018. P. 293-300 (in Russ.).
- [12] Nesterov A.Y. (2019) Social adaptation of juvenile prisoners in the post-prison period: theory and practice // «The Bulletin of the National Academy of Sciences of the Republic of Kazakhstan». Almaty, 2019. N 6'2019. P. 136-140 (in Eng.).
- [13] Nesterov A.Y. (2019) Social adaptation of juvenile prisoners in the penal system of Russia: correctional and post-prison practice: dissertation ... Doctors of Sociology: 22.00.04: RSL OD 71 19-22/5 [Electronic resource] / access mode: M., 2019. 551 p. <https://search.rsl.ru/ru/record/01008584904>
- [14] Nesterov A.Y. (2016) Adaptive resocialization of juvenile prisoners serving sentences in prisons (theory and practice): sociological aspect // The national scientific and political journal "Power". 2016. N 6'2016. P. 186-190 (in Russ.).
- [15] Repetskaya A.L., Agildin V.V. (2012) Current problems of post-prison adaptation of persons released from prison. / Forensic Library. Science Magazine. M.: Publishing House: "Yurlitinform". 2012. P. 240-247 (in Russ.).
- [16] Popovkin V.A., Nichugovskaya O.N. (2015) Problems of social adaptation of convicts and ways to solve them / V.A. Popovkin, O.N. Nichugovskaya // All-Russian scientific-practical conference "Actual problems of the activities of the PS units" (Voronezh Institute of the Federal Penitentiary Service of Russia, Voronezh, May 28, 2015). 2015. P. 568-571 (in Russ.).
- [17] Modern dictionary of foreign words: about 20,000 words. / [Participated: N.M. Landa et al.]. 4. ed., Erased. M.: Rus. Yaz., 2001. 740 p. ISBN 5-200-02826-4.

- [18] Uznadze D.N. (2004) *General Psychology* // Transl. from Georgian E.Sh. Chomakhidze; Ed. I.V. Imedadze. M.: Meaning; St. Petersburg: Peter, 2004. 413 p. ISBN 5-469-00020-6.
- [19] Uznadze D.N. (2001) *Installation Psychology*. // (Series: "Psychology-Classics") St. Petersburg: Peter, 2001. 414 p. ISBN 5-318-00163-7.
- [20] FPI "Aleksinsky Educational Colony " Federal Penitentiary Service of Russia for the Tula region. News [Electronic resource] / access mode: <http://avk-ufsin.ru/> / (accessed: 04.03.2020).
- [21] FPI "CC-2" Directorate of the Federal Penitentiary Service of Russia for the Tula Region. News [Electronic resource] / access mode: <http://71.fsin.su/structure/iik2.php> / (accessed: 04.03.2020).
- [22] FPI "CC-7" Directorate of the Federal Penitentiary Service of Russia for the Tula region. News [Electronic resource] / access mode: <http://71.fsin.su/structure/iik7.php> / (accessed: 04.03.2020).
- [23] FPI "Mariinsky Educational Colony" Main Directorate of the Federal Penitentiary Service of Russia for the Kemerovo Region. News [Electronic resource] / access mode: <http://www.marvk.ru/index.php/ru/> / (date of access: 09.03.2020).
- [24] FPI "CC-35" Main Directorate of the Federal Penitentiary Service of Russia for the Kemerovo Region. News [Electronic resource] / access mode: http://42.fsin.su/structure/ispravitelnye_kolonii/ik_35.php / (date of access: 09.03.2020).
- [25] FPI "CC-40" Main Directorate of the Federal Penitentiary Service of Russia for the Kemerovo Region. News [Electronic resource] / access mode: http://42.fsin.su/structure/ispravitelnye_kolonii/ik_40.php / (date of access: 09.03.2020).
- [26] FPI "Medical correctional institution – 42" Main Directorate of the Federal Penitentiary Service of Russia for the Kemerovo Region. News [Electronic resource] / access mode: http://42.fsin.su/structure/ispravitelnye_kolonii/liu_42.php / (date of access: 09.03.2020).
- [27] FPI "CC-44" Main Directorate of the Federal Penitentiary Service of Russia for the Kemerovo Region. News [Electronic resource] / access mode: http://42.fsin.su/structure/ispravitelnye_kolonii/ik_44.php / (date of access: 09.03.2020).
- [28] FPI "Novosibirsk Educational Colony" Main Directorate of the Federal Penitentiary Service of Russia in the Novosibirsk Region. News [Electronic resource] / access mode: <http://www.novosibirsk-vk.ru/> / (accessed: 12.03.2020).
- [29] FPI "CC-8" Main Directorate of the Federal Penitentiary Service of Russia in the Novosibirsk Region. News [Electronic resource] / access mode: <http://54.fsin.su/structure/ik-8.php> / (accessed: 12.03.2020).
- [30] FPI "CC-15" Main Directorate of the Federal Penitentiary Service of Russia in the Novosibirsk Region. News [Electronic resource] / access mode: <http://54.fsin.su/structure/ik-15.php> / (accessed: 12.03.2020).
- [31] FPI "Colony of settlement – 22" Main Directorate of the Federal Penitentiary Service of Russia in the Novosibirsk Region. News [Electronic resource] / access mode: <http://54.fsin.su/structure/kp-22.php> / (accessed: 12.03.2020).
- [32] FPI "Tomsk Educational Colony - 2" Directorate of the Federal Penitentiary Service of Russia for the Tomsk Region. News [Electronic resource] / access mode: <https://ufsintvk2.wixsite.com/tvk2tomsk> / (accessed: 03/17/2020).
- [33] FPI "CC-3" Directorate of the Federal Penitentiary Service of Russia for the Tomsk Region. News [Electronic resource] / access mode: <http://www.70.fsin.su/structure/IK3.php> / (accessed: 03/17/2020).
- [34] FPI "CC-4" Directorate of the Federal Penitentiary Service of Russia for the Tomsk Region. News [Electronic resource] / access mode: <http://www.70.fsin.su/images/IK-4/IK4.php> / (accessed: 03/17/2020).
- [35] Federal Penitentiary Service (FSIN of Russia). Statistics [Electronic resource] // Access mode: <http://фсин.рф/> / (accessed date: 04/04/2020).

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