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Theft Crime Criminal Personality Description

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Abstract

Article analyzes issues related to the characterization of the offender's personality in theft. In addition, the article reveals the key features of the personality of an individual who commits theft and highlights the aspects that distinguish the offender's personality from the subject of this crime.

Keywords: Persistent, unstable, punishment, criminality, offender's personality, theft, commission, characterization, aggressive.

Introduction

The development of effective measures to combat theft requires the study of the causes of this criminal phenomenon, its criminological characterization. A criminological description is understood as the totality of available information about a specific type of crime (group of crimes) or a specific, especially dangerous act, which can be used to prevent it[1]. Criminological analysis allows for the effective prevention of theft. In our opinion, it is necessary to pay attention to the trends in the development of theft on a global scale, to analyze the role of theft in the system of crime registered in the Republic of Uzbekistan and in some regions.

The personality of the criminal is one of the most important elements of the subject of criminology. With the appearance of Ch. Lombroso's book "The Criminal Person," in criminology, when assessing a crime, the center of gravity shifts towards the subject who committed the crime. Noting the importance of studying the personality of the criminal, V.N. Kudryavtsev notes: "The personality of the offender, along with his consciousness and will, is the central link connecting cause and effect. It is here that the intention to commit a crime takes root and is subsequently realized[2]."

In legal literature, the personality of a criminal is understood as the totality of socially and socially conditioned characteristics, features, connections, and relationships that characterize a person guilty of violating the criminal law and influence their criminal behavior in harmony with other personal conditions and circumstances[3]. The personality of the criminal is considered as a special social type, and its characteristics are expressed in..."the presence of negative social

qualities indicating the desocialization of the personality and, thereby, the selection and implementation of negative social roles[4]."

Analysis of the theoretical provisions regarding the personality of the criminal indicates that scientists sought common characteristics common to all criminals and antisocial qualities of the individual. In particular, S.Kurganov[5], A.Mogilevsky[6], and A.Ratinov[7] saw in the personality of the criminal a violation of their moral and legal consciousness.

In particular, A. Sakharov notes the following aspects in the formation of the criminal's personality:

firstly,the specific characteristics of personal qualities that motivate the commission of a crime do not arise at the time of the commission of the crime, but arise as a result of the totality of all the conditions of a person's moral formation;

secondly, although the rule that a person can be recognized as a criminal only if they have demonstrated their social danger during the commission of a specific crime is an axiom, it should not be overlooked that certain social characteristics and qualities of a person, which determine their socially dangerous behavior, arise before the commission of a crime as a subjective necessity for its commission;

thirdly, antisocial characteristics that determine a person's social danger are not only reflected in the crime, but also inevitably affect their entire behavior, manifested in immoral and indecent actions, if not criminal ones.

The mentioned aspects reflect the characteristics that shape the personality of the criminal, but do not reveal its content. It manifests itself in lifestyle and behavior that disrupts or threatens social relations protected by criminal law. V. Filimonov[8] and other scientists noted social danger as a characteristic of a criminal. "The social danger of the act is an indicator of the individual's personal qualities, since one can judge the true intentions and feelings of individuals only through the actions of these individuals," wrote A.A. Mogilevsky[9].

B.V. Volzhenkin saw the characteristics of the criminal's personality in "the individual's opposition to society, their social danger[10]." N.S. Leykina points out the following characteristic features of a criminal:..."a criminal, as a person, differs from other people in that he commits a crime as a result of having his own anti-social views, a negative attitude towards the interests of society, choosing a socially dangerous path for the realization of his intentions, or not showing the necessary activity in preventing a negative result." It should also be noted that some scholars have denied the existence of specific qualities inherent in crime and distinguishing it from other law-abiding citizens. For example, I.I. Karpes[11] did not consider the concept of "criminal personality" necessary, since, in his opinion, there are no general characteristics that can be applied to any criminal, therefore, for criminology, the traditional and very precise in its content concept of "criminal subject" is sufficient[12].

Within the framework of criminological research, due to the study of the individual as a set of subjective and objective, internal and external social characteristics of the individual, the main emphasis is placed on his criminal activity, first of all, we pay attention to his moral-psychological and socio-demographic qualities[13].

Studying the person who committed the crime is not a goal that arose by itself. Ultimately, the theoretical foundations of individual crime prevention are the personality of the criminal, the causes of their criminal behavior.

Criminological knowledge about and mechanisms.

Identification of special, distinctive features of the personality of the criminal who committed the theft, obtained on the basis of generalization of information about the persons who committed them, allows creating a "typical picture" of the criminal (thief)[14]. Knowledge of its characteristics is an important factor in implementing preventive measures.

The personality of the criminal is a socio-legal concept. Criminal - a natural person who has the characteristics of the subject of the crime (intellectual capacity and age of criminal responsibility) and whose guilt has been proven in the manner prescribed by law[15].

The criminological characteristic of the criminal's personality is understood as a system of features (signs) characterizing various aspects and manifestations of the social life and life experience of a person who has committed a particular crime, directly or indirectly related to their antisocial behavior and conditioning or facilitating the commission of a crime, or contributing to the understanding of the

The structure of the criminal's personality is a rather complex reality, characterized by a number of features. Each of them is sufficiently significant, but the volume and subject of our research allow us to focus only on the socio-demographic, cultural-educational, moral, psychological, and criminal-legal characteristics of the persons who committed the theft.

The materials of the conducted research indicate that thefts are most often committed by men (88.7%). The proportion of women is only 11.3% of the total number of persons who committed thefts. Human gender characterizes its biological features, which are elevated to the level of significance as a social factor determining the specific characteristics of individuals in committing crimes.

Criminal behavior of women, according to Yu.M. Antonyan, differs from male criminality in the scale and nature of crimes, the methods and instruments of their commission, and the choice of victims of criminal aggression. Family, domestic, and other similar circumstances influence the crimes they commit. These characteristics arise as a result of the presence of women's social functions, specific biological and psychological features. Women's crime was committed by women who steal without any need, stealing whatever they could get their hands on. Theft from stores has the qualities of a disease and is almost always committed by women. At the same time, it is necessary to take into account the influence of psychological tension and strong emotions arising from the luxury of stores. As social conditions of life change, the scale of female criminality, the nature and methods of criminal behavior, and the degree of social danger also change. Recently, there have been cases of theft committed by groups consisting exclusively of women. This situation has long been noted in the literature. For example, T.M.Yavchunovskaya and I.B.Stepanova note that crimes involving extortion and violence are more frequently committed by groups consisting mainly or exclusively of women[16]. When committing thefts, women use various poisonous substances, elements, including a mixture of alcohol and cloaca, they secretly "guest" the victim and then plunder their property.

The age of the offender is also included in the socio-demographic characteristics characterizing the person who committed the theft. "No other indicator," writes A.S. Mikhlin, "determines a person's behavior, their interests, needs, life plans, health status, opportunities and prospects for starting a family, acquiring a profession and education as much as their age[17]." It is the interests, needs, values, orientation, place in society, motivation of behavior, physical development, mental

and physical state, and other characteristics of a young person that influence them. An individual's age often determines their social orientation.

According to available information, thefts are mainly committed by younger individuals. The share of persons aged 18 to 25 is 34.6%. These are individuals whose anti-social orientation is clearly manifested. The next age group - 25-30 years old - has a larger share - 44.7%. Crimes committed at this age are characterized by extremely high professionalism. The thefts they commit are carefully planned and prepared. As a result, the committed crimes cause significant damage to the owner or other legal owner of the property, and the perpetrators are rarely exposed and punished for committing the crime. A 16% share falls on the 30-40 age group. Individuals aged 40 to 49 committed 2.7% of crimes, the age group over 50 years constituted 2% of the studied individuals.

Currently, the issue of reducing the initial age of criminal activity is very relevant. Materials of the conducted research 2.7% of criminals testify to the fact that the first theft occurred after the age of 14; 35.3% - after the age of 16. 62% did not commit theft as minors.

Analysis of committed socially dangerous acts shows that they are usually characterized by a motive of greed. In 100% of cases, persons who committed theft have previously committed property crimes. Age characteristics of persons who have committed theft, general social measures for the prevention of these acts and measures of a socio-criminological nature.

The cultural and educational characteristic of the criminal's personality is their education. High education manifests itself as an anticriminogenic factor. Legal literature indicates that the higher a person's education, the lower the probability of committing a crime[18]. The correctness of this relationship is also confirmed by the research materials we conducted. The majority of those who committed theft - 92.6% - had secondary education, of which 7.3% had incomplete secondary education. (7-9 grades) or complete secondary (85.3%) or specialized secondary education (5.3%). Among those surveyed, individuals with incomplete higher education were not registered, while those with higher education constituted only 2.1%. A correlation is observed between the perpetrator's level of education and criminal behavior.

One of the indicators of the socio-demographic characteristics of the criminal's personality is the presence of a family. Family status has a great influence on the formation of each individual as a person, has anticriminogenic possibilities, and can influence their behavior.

The results of the conducted research indicate that 24.6% of those who committed theft were unmarried, 10.7% were unmarried. - divorced, 64.7% of the surveyed were married. These results are consistent with the opinion of A.S.Mikhlin and V.F.Pirozhkov that the highest "point" of viewing the family as a value is in the age range from 30 to 49 years. 32.7% of the persons who committed the theft did not have children.

Analysis of the family situation of persons who have committed theft, the presence or absence of children, the influence of family relations on the formation of the criminal's personality, and the degree of criminal activity allows us to determine. The absence of a family in the persons who committed the theft, their conflict with society, manifestation of egoism, is the result of not feeling the need to care for their loved ones.

For the prevention of theft, the study of the social status of the perpetrators is of great importance. In legal literature, in recent years, serious changes have occurred in the social composition of persons who have committed crimes against property. These changes are primarily associated with

the crisis in production, the development of the private sector of the economy, the migration of a large number of workers from state institutions to private ones, an increase in unemployment, and, at the same time, an increase in the number of people without a stable source of income. It is this category of citizens who currently play a key role in the criminalization of society.

The materials of the conducted research indicate that 55.4% of the persons who committed the theft did not work at the time of the crime. This is explained both by the lack of profession and necessary qualifications, and by the insufficient demand for individuals in the production sphere. This, in turn, leads to alcohol abuse, drug use, and ultimately to personality degradation. Theft is one of the material sources of livelihood for this category of individuals[19].

The largest number of persons who committed theft (20.7%) are workers. Following them are employees - 5.3%. The proportion of students who committed theft was 11.3% of those surveyed. The widespread occurrence of theft by students (students) is explained by the weakening of social control over this category of individuals. In this context, it is necessary to improve the system of targeted material assistance from society and the state to students, low-income families, and those in need.

The peculiarities of the time of theft were also revealed. In the spring-autumn period, thefts are most often committed from country houses and unguarded cottages; from kiosks, lounges, and trunks of abandoned cars. In this case, the object of theft consists mainly of food products, carrying items, tools, etc. In the residential sector, thefts are committed from premises located on the first or second floors of apartments, balconies, residential or industrial buildings and structures.

It is also alarming that the majority of criminals do not feel guilty of their actions, even though they understand that they have violated criminal law. Such persons are subject to personalized registration and control. They are often unfamiliar with the feeling of remorse and guilt, as this is a very rare phenomenon aimed at mitigating punishment.

An important characteristic of the person who committed the theft is the presence of a criminal record. According to S.P. Buzinov[20], more than three-quarters of crimes committed by recidivists are crimes against property and hooliganism. Recidivism of a crime characterizes a person as extremely socially dangerous, strictly antisocial. Professor N.F. Kuznetsova[21] believes that the structure of recidivism, depending on the types of crimes, is characterized by theft, extortion, and violent crimes, as well as hooliganism. The share of these types, according to N.F. Kuznetsova, is about two-thirds of recidivism[22].

The presence of a correlation between criminal record and the commission of theft is confirmed by the materials of our research. According to their results, 42.7% of those who committed the theft had prior convictions. Of these, single convictions were identified in 35.9% of cases, two - in 42.1%, three or more - in 22%, which indicates the presence of a special relapse. Moreover, in 70.3% of cases, crimes against property were committed, 23.4% - against the person, and other crimes constituted 6.3% of those investigated.

A characteristic indicator of the personality of the criminal is the grounds for exemption from punishment of persons who have previously committed crimes. 28% of persons were released after serving their sentences; conditionally early - 36%. Other grounds were identified in 36% of crimes.

The most important structural element of motivation, which determines a person's criminal behavior, is the possibility of satisfying one's needs. Currently, due to a number of circumstances, the capabilities of our compatriots in this area are seriously limited. Therefore, in the psychological

mechanism of criminal behavior, among the material needs in crimes with the motivation of greed, the most pressing in modern times are the needs for vital objects, which are understood not only as ordinary physiological needs, but also as the needs for services and objects necessary for a modern person.

Based on this, it can be concluded that the majority of thefts, robberies, and raids are psychologically driven by need, prestige, and the satisfaction of needs.

The motivation of criminal behavior is one of the criteria for implementing the typology of persons who have committed crimes. It is considered one of the main stimuli of human behavior. It is in it that the reason for the action is revealed. In a motive, needs and interests are objectified; it is formed under the influence of interests and emotions, beliefs, and ideals. In the process of satisfying them, motives can change and be enriched. Human behavior is often polymotivated, that is, it is determined by a number of motives, but they are not equally significant. Some participate in a priority, main role, others in an additional role.

Based on the motive, Yu.M.Antonyan[23], V.P.Golubev[24], Yu.N.Kudryakov distinguish the following types of greedy criminals: self-manifesting, disadapted or asocial, alcoholic, curious about games, married.

Based on the research materials, it is advisable to distinguish the following typology of the criminal's personality: 1) greedy; 2) greedy-violent; 3) extreme; 4) extremely extreme.

In crimes of the greedy type, the motive of greed is clearly manifested. This type includes crimes against property, including those committed without the use of force. It constituted 60.6% of the number of examined. The extortionist-violent type is characterized not only by theft, but also by committing other crimes against property with the use of force (not recorded).

The extreme type of mercenary criminal consists of persons who have committed a qualified type of theft. It was 26%. The extreme type of greedy criminal consists of persons who have committed an especially aggravating type of theft. It was 2.7%. The personality of another type of criminal belongs to 10.7% of those who committed theft. They are characterized not by greed, but by a different motivation: hot-temperedness, boredom, playfulness.

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