

Criminological characteristics of criminals in the field of family and domestic relations

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Abstract. This article clarifies the criminological characteristics of criminals in the field of family and domestic relations. The study is based on the study of materials from 441 criminal cases initiated on the territory of the Moscow region, a survey of convicts on the basis of these crimes in the period 2018-2020. The study was carried out in two classifications. The first classification is based on the totality of relations that make up the family and domestic sphere, the second classification is based on the study of the types of the offender in accordance with the specifics of the criminal act. The author proves that a differentiated approach is needed for the objectivity of criminological research.

Keywords: *crimes in the field of family and domestic relations, identity of the offender, motives of family-domestic crimes, family-domestic conflict.*

Introduction

Crimes in the family and domestic sphere occupy a significant place in the total mass of crime. However, in the Criminal Code of the Russian Federation, they are not separated into a separate category. As a rule, crimes in the family and everyday life in the Criminal Code of the Russian Federation are considered in the general structure of crimes in the sections devoted to crimes against the person, as well as against public safety and public order (sections 7 and 9). It is obvious that a wide range of types of criminal acts committed on family and domestic grounds does not allow them to be considered at the legislative level as a separate type. The choice of any form of violence as the predominant way of resolving interpersonal conflict in the family testifies to persistent tendencies of degradation of the institution of the family as the basis of human life, devaluation of values and moral degeneration.

Purpose of the study – to establish the criminological characteristics of criminals in the field of family and domestic relations. The study of the personality of a family and domestic criminal is the basis of a system of preventive measures.

Materials and methods

The article examines as key indicators that allow a comprehensive study of the personality

of a family and domestic offender: gender, age, level of education, social status, psychophysiological indicators such as alcoholism or drug addiction, convictions, motive of the crime and the specifics of the conflict that provoked the crime. With regard to crimes in the field of family and domestic relations, the study of the specifics of the personality of a typical criminal can be carried out within the framework of two classifications. The first classification assumes, as the main feature, to consider the totality of relations that make up the family and everyday life. These relationships are classified as follows: family and domestic (relations between relatives), communal and domestic (relations between neighbors), leisure and domestic (relations between friends and acquaintances), production and domestic (relations between colleagues, colleagues). The second classification is based on the study of personality types of the offender in accordance with the specifics of the criminal act. In this study, the second classification is presented by the study of the personalities of criminals who committed intentional attacks on life (Articles 105, 106, 107, 108, 109, 110.1 of the Criminal Code of the Russian Federation), health (Articles 111, 112, 113, 114, 115, 116, 117, 118, 119, 125 of the Criminal Code of the Russian Federation), sexual inviolability and sexual freedom (Articles 131, 132, 133, 134, 135 of the Criminal Code of the Russian Federation), human property (Articles 158, 159, 161, 162, 163, 164, 165, 166, 167 of the Criminal Code of the Russian Federation).

The study was based on the study of materials from 441 criminal cases initiated in the Moscow region, a survey of those convicted of these crimes in the period 2018-2020.

Results and discussion

Within the framework of the first classification, it was possible to establish that in the array of crimes in the sphere of family and domestic relations, criminal acts in the leisure and domestic sphere dominate (35.4%), then in the family and domestic (29.0%), communal and domestic (24.5%) and production and domestic (11.1%) spheres. The generalized portrait of a person who has committed a crime in the leisure and domestic sphere is as follows: this is a man (in 79.5% of cases) 18-29 years old (55.1%), less often 30-49 years old (21.8%), with a predominant main general level of education (34.6%), in most cases without a permanent source of income (48.7%). A crime, as a rule, is committed in a state of alcoholic (73.1%) or narcotic (25.0%) intoxication. Less than half of the respondents (45.5%) have a criminal record. The most widespread crimes committed by criminals in the leisure and domestic life are crimes against health (64.7%), against sexual inviolability and sexual freedom (17.3%), against life (10.3%). The main motives for crimes are motives of self-affirmation (30.1%), hostility (17.9%) and hostility (16.0%). The provoking factors are conflict, aggressive behavior of a criminal (36.5%), an immoral lifestyle (34.6%), an

acute, sudden conflict (25.0%).

The offender in the family and domestic sphere is a man (61.7%), but the share of women is also high in this group - 38.3%. In general, as noted by A N Varygin, D Yu Yakovlev [7], N A Grishko [3], in the family and domestic sphere, the share of female criminals is much higher than in the general structure of crime in general and violent crime. particular. The age of a family offender is most often 30-49 years (53.9%). The main general education dominates (37.5%). Most often a criminal is either a worker (32.0%) or without a permanent source of income (26.6%). The majority of criminals were in a state of alcoholic (71.1%) or narcotic (23.4%) intoxication at the time of the crime. More than half of the criminals (51.6%) had a criminal record. The most common crimes are crimes against health (75.8%), against property (11.7%), against life (10.9%). The motives for committing crimes against relatives are jealousy (39.1%), a desire to assert themselves (30.5%), and also to preserve relationships (22.7%). The provoking factors of crimes against relatives are long-term conflict (41.4%) and hostile behavior of the aggressor (21.9%).

A communal and domestic offender is a man (82.4%) aged 30-49 (70.4%). According to the indicator "education" for this category of criminals, the dominant level is not distinguished. The same situation is observed in terms of the "social status" indicator, with the exception of students who are not represented in this category (0.9%). Most of the domestic crimes were committed by persons who were not intoxicated with alcohol or drugs (75.9%). Most of the criminals had no criminal record (88.9%). A communal and domestic criminal most often encroaches on the health of citizens (76.9%), property (12.0%), life (11.1%). There were no crimes against sexual inviolability and sexual freedom among communal crimes. The motives of communal and domestic crime are most often hostility (21.3%), hostility (18.5%), revenge (15.7%), hatred (12.0%). A communal and domestic crime in most cases was caused by a long-term conflict (45.4%), aggressive behavior of a criminal (25.9%).

A criminal in the production and domestic sphere is a man (89.8%) aged 30-49 (75.5%), who, as a rule, has a secondary vocational education (73.5%). Persons from this category are in most cases workers (87.8%). Alcohol or drug intoxication, as well as a criminal record, are not typical for industrial and domestic crime. Industrial and domestic crimes are most often crimes against human health (75.5%), his property (14.3%), rarely life (10.2%). The motives of industrial and domestic crimes are hostility (36.7%) and self-interest (30.6%). The conditions for the formation of criminal intent are aggressive behavior (51.0%), long-term conflict (38.8%).

Within the framework of the second classification, in the course of an empirical study, it was found that, from the criminal-legal point of view, crimes against human health (72.1%), his life

(10.7%) and property (10.7%) dominate in the structure of domestic crime. %), as well as sexual inviolability and sexual freedom (6.6%). Among the murderers, men predominate (61.7%), but the proportion of women is the highest (38.3%). This conclusion is consistent with the data obtained as a result of the dissertation research of P A Fedorov & V S Kharlamov [2, p. 120]. The dominant age of the offender is 30-49 years (68.1%). In terms of education, there are no peaks among family killers. Approximately the same picture is observed when using the indicator "social status". About half of the murders were committed by persons under the influence of alcohol (51.1%) or drugs (19.1%). Most of the murderers had no criminal record (74.5%). The most common motives for murders in the family and everyday life are self-affirmation (31.9%), jealousy (25.5%), an attempt to maintain the old relationship (23.4%). The killer is formed as a result of a state of prolonged conflict (51.5%), also provokes the individual to kill the victim, a sudden stressful situation, an acute conflict (36.2%).

A person who has committed a crime against the health of another person is usually a man (79.9%), although the proportion of women in this category is still high (20.1%). The age of a typical criminal is 30-49 years (43.7%) or 18-29 years (39.3%). This category of criminals most often has secondary vocational education (32.7%) or basic general education (31.8%). The share of criminals with incomplete basic general education is also high (23.0%). In terms of social status, criminals in this category are most often workers (29.9%) or without regular income (28.6%). More than half of these crimes were committed by convicts in a state of alcoholic (54.7%) or narcotic (17.0%) intoxication. Previous convictions were recorded for 39.6% of criminals. The motives of criminals-aggressors in the family and everyday life are hostility (18.6%), self-affirmation (17.0%), hostility (16%), revenge (13.8%) and jealousy (13.8%). The determinants of violent crimes in the family and everyday life are aggressive, hostile behavior of the offender (36.5%) and long-term conflicts with the victim (31.8%).

Only men aged 30-49 years old (62.1%) were rapists in the sample. In terms of education, criminals with secondary vocational education (41.4%) or only basic general education (37.9%) predominate. According to the indicator "social status", 3 dominant categories of citizens were identified: without a permanent income (37.9%), workers (27.6%), students (20.7%). Almost half of sexual crimes were committed while intoxicated (48.3%), a fifth - drug intoxication (17.2%). Most of the rapists had no criminal record (89.7%). The motives for rape in the family and everyday life are exclusively motives for self-affirmation (96.6%). In most cases, this crime is the result of the abuser's immoral lifestyle (58.6%).

Criminals who have committed criminal offenses against property are both men (51.1%)

and women (48.9%). The age of such a criminal in most cases is 30-49 years (57.4%), less often - 18-29 years (25.5%). The education of such a criminal is either the level of basic general education (40.4%) or the level of secondary vocational education (38.3%). More than half of all criminals in this category are persons with a variable source of income (57.4%) or workers (23.4%). Most of the criminals were in a sober state at the time of the crime (46.8%), 38.3% were under the influence of alcohol, 14.9% were under the influence of drugs. Most of the criminals had no criminal record at the time of the crime (70.2%). The motives of criminals in this category are exclusively self-interest (96.4%). As a rule, crimes against property in the family and everyday life are the result of the criminal's immoral lifestyle (48.9%).

In the context of the investigated problematics, the specific characteristics of the personality of the family and domestic criminal from the substantive point of view is the motivation of the crime, from the procedural point of view - the nature of the conflict that caused the commission of the crime. The last thesis reflects the specifics of domestic crime in comparison with the determinants of most crimes (K A Myasnikova [5], P A Fedorov, B C Kharlamov [2]).

In its most generalized form, the motives of crimes in the sphere of family and domestic relations are interpreted as the need of the offender to end or change the relationship with the victim by causing him harm. In scientific sources, there are two approaches to determining the specific motives of domestic crimes. The criminal-legal approach appeals to the motives that determine specific types of crimes: selfish, selfish-violent, violent [6].

However, it should be noted that this approach is too straightforward when studying the motives of a limited range of crimes. A more promising psychological approach, according to which the motives of family and domestic crimes are considered hostility, revenge, hatred, hostility, jealousy, self-affirmation, maintaining relationships, self-interest, defensive motives [1, 4]. The specificity of the conflict that provokes an individual to a family and domestic crime is quite fully considered in the work of K A Myasnikova. The author identifies a long-term conflict, conflict behavior of a criminal, an immoral lifestyle of a criminal, an acute conflict resulting from a stressful state of a criminal as the types of family and domestic conflicts [5].

Conclusion

As can be seen from the analysis of the personality of the family and domestic criminal, for the objectivity of criminological research, a differentiated approach is needed to identify significant correlations. In general, the following signs have a statistically significant value. First, despite the fact that men dominate in the array of family and domestic crime (76.2%), the proportion of women, compared with a similar correlation in the context of general crime, is quite high (23.8%).

The most frequent age of family and domestic offenders is 30-49 years (49.0%). The study of the level of education and the specifics of the employment of convicts makes it possible to draw a conclusion about the low social status of the offender. There is a high probability of his alcoholism or drug addiction at least at the time of the crime (69.2%). As a rule, the dominant motives are self-affirmation, hostility, jealousy, hostility. A provoking factor in the commission of a domestic crime is a long-term conflict with the victim, as well as the aggressive, hostile behavior of the offender.

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