

# INDIVIDUAL RISK FACTORS AMONG YOUTH OFFENDERS PRIOR AND DURING INCARCERATION: MACEDONIAN CASE

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## Abstract

Much research has been done related to the influence of the prison environment on the convicted persons, the role and significance of the rehabilitation treatment, the characteristics of the inmates and their connection with the processes of adaptation and the negative consequences of the pains of imprisonment. This research is based on several theories within criminology and penology and one of them being the importation model. This model highlights the importance of the characteristics of inmates, their ethnicity, individual risk factors, previous socialization, internal value system, delinquent friends, criminal history, education and the influence of these characteristics on adaptation processes in prison facilities. The importation theory proposes that the previous life, criminal career and other risk factors shape the way in which young inmates adapt and behave in the institution.

This paper will look at the importation theory by examining certain individual personal and family risk factors of young inmates and the impact of these factors prior to and during incarceration in an educational correctional facility. The analysis is based on qualitative data collected by conducting in depth interviews with young inmates to capture their attitudes and experiences in relation to these factors. The survey presumes that these risk factors that contributed to crimes outside are also risk factors that influence institutional adjustments and behaviour of the inmates.

**Key words:** *individual risk factors, inmates, young offenders, correctional facility, importation model*

## 1. INTRODUCTION

Much research has been done related to the influence of the prison environment on the convicted persons, the role and significance of the rehabilitation treatment, the characteristics of the inmates and their connection with the processes of adaptation and the negative consequences of the pains of imprisonment (Clemmer, 1940, Irwin & Cressey, 1962, Sykes, 1958, Toch, 1977, Zamble & Porporino, 1988). This research is based on several theories within criminology and penology, such as importation and deprivation theories, theories of social learning and differential association, theories of social control, general strain, social support, and life course theory.

The importation theory highlights the importance of the characteristics of convicted persons, their ethnicity, individual risk factors, previous socialization, internal value system, delinquent friends, criminal history, and education, and the influence these factors on the adaptation processes in penitentiary institutions (Irwin & Cressey, 1962; Irwin, 1970). The theory explains how the individual risk factors which inmates bring with them are reflected in the correctional facilities and how they influence further behaviour. The basic thesis is that a culture is created in correctional facilities and it is a reflection and manifestation of the world that is experienced before imprisonment. This is contrary to the thesis that prison culture and behaviour are dictated only by deprivations caused by the imprisonment (Ogilvie & Lynch, 2001, p. 333). There is still a debate within the expert community between the deprivation model in which the adaptation process and the behaviour of the inmates inside the prison are affected by certain institutional and situational factors related to the environment and importation model, in which the adaptation process and the behaviour of the inmates inside the prison is affected by the individual risk factors brought to the institution by the inmates (Dhami K. Mandeep, Ayton, Loewestein, 2007, p. 1085). Within this debate, certain scholars are more prone to the importation model (Irwin & Cressey, 1962) and advocate that the individual factors (i.e. his individual characteristics, the criminal history, the influence of the family, and friends) have greater impact on the prison adaptation and prison behaviour. The first advocates of this model (Irwin and Cressey 1962) criticize the deprivation model as too narrow because it ignores the individual characteristics of the inmates, which largely determine their further behaviour in prison. According to these researchers, the behaviour of the inmates cannot be understood only through consideration of "prison culture" as an isolated system, which is conditioned solely by the factors related to the prison environment. The behaviour inside is transmitted from outside and this is influenced by the already present risk factors and acquired system of values. In sum, inmates bring with them their own past which implies that the criminal behaviour is repeating itself (Jones D. Caitlin, 2012). In other words, the behaviour of young inmates in penitentiary institutions is more a result of their individual pathology than the result of deprivation from imprisonment and from other negative

consequences related to prison environment (DeLisi, Trulson, Chad, Marguart W. James, Drury J. Alan & Kosloski, 2011, p. 1187).

## **1.2. Individual risk factors**

The basic individual risk factors are related to the personal and the basic socialization factors of family, school and community. "The main risk factors related to personality are: lack of attention, hyperactivity, aggression, impulsivity, cognitive disorder, low intelligence, poor socialization, difficulties in establishing social relationships with others, low empathy and poorly developed sense of criminal responsibility" (Farrington, 2004, p. 9). These factors usually lead to problematic behaviour in preschool and elementary school. Childhood victimization is also a significant factor for behavioural disorders, especially among physically abused or neglected children. They are more likely to develop antisocial personality in adulthood (Jovanova, 2014). Lack of social skills is also a common feature of aggressive children and adolescents. In fact, children with underdeveloped social skills are often rejected by others. As a result of such rejection, they attract and make friends with children who have similar antisocial problems. Such negative socialization plays an important role in the development and continuation of antisocial careers.

Regarding the family as a risk factor, the basic thesis is that the family environment shapes not only the early development of the child, but also the further life course. A positive early experience in a healthy and positive family environment improves life paths through the developmental stages. Conversely, families with broken relationships, violence and other problems, have a negative impact on the life paths of young people who live and grow up in such conditions (Mackey, 2013, p. 32). Family factors such as poor family conditions, young mothers, lack of parental skills, strict discipline, weak family supervision, conflict between parents, separation from the biological parent or a parent with antisocial behaviour, are the most important risk factors in early childhood development associated with antisocial behaviour in adulthood (Utting, 2004, p. 243). Given that the behaviour of parents as a model is transmitted to children, it follows that their antisocial behaviour is strongly related to the antisocial behaviour of children. Conflict and separation between parents is also a risk factor (Prior & Paris, 2005, p. 20). Research shows that boys from a family environment with poor parental supervision, strict discipline and low family income constitute a larger percentage of youth offenders. In addition, children with inadequate parental attention and control find that lying, stealing, cheating, and similar negative behaviours are successful strategies for attracting the wanted attention (Utting, 2004, p. 245).

In addition to the family, the school environment significantly affects the behaviour of children. School is related to deviant behaviour in two different ways: first, it is one of the main factors that determine the future social and economic status of children, and second, school affects their daily lives. For some, the school experience is interesting and fun, while for others it is

unimportant, boring or humiliating. Those with a bad experience can react by getting into trouble, both outside and inside the school environment (Linden, 2010, p. 61). Other school risk factors are the failure of the child to achieve appropriate results and to establish normal and close relationships with other children and teachers. For example, a child who cannot achieve good school results is often rejected by his classmates. Such feelings of rejection can cause a spiral of negative consequences, such as environmental stigma and limited social ties that intensify criminal tendencies. In addition to the above, important factors related to the school include the commitment of the school staff, the quality of education, the school organization and the school policy for handling certain discipline and conflict situations (Prior & Paris, 2005, p. 24).

These factors also determine the behaviour inside juvenile prisons and other correctional facilities. They can exert negative influence on adaptation and behaviour, which further complicate the success of rehabilitation programs and treatments. Therefore, a frequently asked question is: How do certain individual factors influence the behaviour of young people in correctional facilities? The most common answers are that impulsivity and aggression affect young people's ability to adapt and cope with prison conditions, as they determine the likelihood of engaging in violent behaviour (Hochstetler & DeLisi, 2005, p. 257). In other words, if violence and other forms of deviant behaviour are ways to achieve certain goals, they are transmitted as learned behaviours to prison. Thus, institutional violence is a direct response by those inmates whose lives are characterized by dysfunction and violence before imprisonment (Tasca, Griffin L. Marie & Rodriquez, 2010). They import antisocial norms into the correctional facility and, as a result of the frustrations arising from the prison life, continue to behave in a deviant manner (Tasca, Griffin L. Marie & Rodriquez, 2010).

In addition to violent behaviour, the impact of mental illness on young people before imprisonment and their association with victimization in correctional facilities is also the subject of many examinations. Certain studies show that 90% of inmates have some mental illness, including personality disorder (66%), depression, anxiety (45%), and psychosis (8%) (Cherie, 2012, p. 887). Also, according to some findings, inmates with mental illness report higher rates of physical victimization. In addition, other indicators support the link between child abuse in juvenile prisons and childhood mental illness. It is worth considering whether inmates have certain mental illnesses before entering prison facility or if prison conditions contribute more to the development and progress of these illnesses (Edwards & Potter, 2004). According to the importation model, mental illness causes deviant and violent behaviour in prisons, while according to the deprivation model, mental illnesses might be developed inside due to "the pains of imprisonment". However, the results show that the explanations of both models are one-side. The behaviour and adaptation strategies are explained with both models. This means that "pains of imprisonment" might intensifies and deepens the mental illness that inmates carry with them (Cherie, 2012, p. 890), and that imprisonment

increases vulnerability, exacerbates mental illness, and increases the risk of suicide and self-harm.

Certain family-related risk factors, including abandonment or poor parental supervision, are also transmitted to juvenile prisons and further negatively affect behaviour. Young people with poor social control, without adequate family support and care are "abandoned" in the prisons as well, making prison conditions a much more difficult experience. Rare visits and contacts with family reinforce the feeling of being abandoned and such a situation intensifies hopelessness, loneliness and frustrations that can lead to aggressive behaviour.

The educational level of young offenders is also linked to prison adjustment. According to Wright (1989) those inmates who do not have secondary education have multiple disciplinary offenses. In addition to problem behaviours, the level of education is negatively related to depression and anxiety in the correctional facilities (Cherie, 2012).

To conclude, different characteristics and individual risk factors before imprisonment affect the adjustment inside prison facilities. In other words, one who finds it difficult to adapt and deal with problems outside can also find it difficult to adapt to prison life and deal with the new problems and challenges that face inside (Dhami K. Mandeep, Ayton & Loewestein, 2007, p. 1087).

## **2. METHODOLOGY**

This paper examines the individual personal and family risk factors of young inmates and the impact of these factors prior to and during incarceration in the educational correctional facility (further ECF) located in city of Ohrid, North Macedonia. The analysis is based on qualitative data collected using in depth interviews with young inmates to capture their attitudes and experiences in relation to these factors.<sup>1</sup> Through content analysis of the statements of young inmates, the survey was intended to identify and articulate the influence of negative consequences caused by certain individual risk factors prior to and during incarceration. The survey presumes that, according to the importation theory, the risk factors that contributed to crimes outside are also risk factors that influence institutional adjustment and inmate behaviour. The survey aims to provide an overview of the impact and negative consequences of several risk factors, individual personal characteristics of the inmates and family risk factors, that influence deviant and criminal behaviour and their impact on the behaviour and adaptation of the prison environment during incarceration. For that purpose several research questions were posed. Which individual risk

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<sup>1</sup>The research project "Marginalization and deviancy of youth in conflict with the law in the educational -correctional facilities" was carried out in 2018-2019 by the Faculty of security – Skopje. The research findings were published in the research report (Stefanovska, V., Bacanovik, O. Batik, D. & Peovska, N., 2019). Part of findings related to the personal and family risk factors in this paper are published in the Research report.

factors are most often imported in the correctional facility? How does the personality disorder disturb the adaptation process of young inmates? How do the family risk factors affect inmate's behaviour inside?

An interview was conducted individually with 17 young inmates, out of 19 who were placed in the facility at the time of the interview (March-June, 2018). They were aged 17 to 21 years, had committed crimes (mostly property crimes) as juveniles and were sentenced to educational institutional measure, and referred to ECF (according to the Law on justice for children (2013)) by a juvenile judge. An appropriate questionnaire for the interviewees was prepared, designed to assess the attitudes of young incarcerated inmates. The collected data was divided into two categories and several subcategories: (1) Personal characteristics of young inmates prior to and during incarceration: ethnicity, poor self-control, aggression, childhood abuse, drug abuse and (2) Family risk factors: poverty, family crime, poor parental supervision, child abandonment.

### **2.1. Access to data and ethical issues**

Access to data and the timetable for conducting the interviews is supported by written and oral consent from the main stakeholders of the relevant departments within the Ministry of Justice, the prison system and the court system. During the survey, due attention was paid to certain ethical issues related to the protection of the respondents' identity as a specific category and to the guarantees of voluntary participation, informed consent, anonymity and confidentiality of the data collected. In this regard, all respondents (young inmates) expressed a readiness to be interviewed and signed a statement of participation and consent that their statements might be analysed and used in the research. Written consent was also given by the staff from the correctional facility. All transcripts of the interviews are confidential and only the research team has access. Also, the research team established an appropriate friendly attitude of trust, emphasizing that the participation of the young inmates in the interview is voluntary, with respect to the principles of confidentiality and anonymity.

## **3. RESULTS AND DISCUSSION**

### **3.1. Personal risk factors prior and during incarceration**

Because the behaviour of the individual is influenced by various factors related to his personality, the basic question is what are those individual risk factors that contribute to the deviant and criminal behaviour of young inmates, both prior and during incarceration? From the survey, the findings recognized several of the most common personal traits of the young inmates as being impulsivity, aggression, low tolerance, poor self-control, mental disorders, personality disorder, drug abuse, childhood abuse, early deviant behaviour, and delinquent friends. In addition, Roma ethnicity was also recognized as

individual risk factor that can be explained by different views: Roma children have natural predispositions for deviant behaviour or they are easily captured by the juvenile justice system. Not going into theoretical debate about ethnicity as variable and its connection to criminal behaviour, official statistics show that 70 % of young inmates are from the Roma ethnic community, which indicates that they are the most risky category of young offenders who are sentenced to an institutional educational measure. In fact, Roma ethnicity in correlation with other risk factors makes young people most vulnerable to crime and consequently part of the criminal justice system. Also, the official statistics from the State Statistics Office ([www.stat.gov.mk](http://www.stat.gov.mk)) indicate that juvenile justice system is more likely to sentence Roma young offenders to institutional measure compared to offenders from other ethnicities in our country.

Many inmates have a low tolerance for verbal attacks and provocations by other children and respond with physical violence. Because they do not have adequate internal mechanisms to defend against or to deal with such situations, physical violence is the most commonly used mechanism. Indeed, most of the inmates are aware of their intolerance and increased nervousness. This indicates that they have a low level of self-confidence and self-control. Usually, internal self-control is closely connected with the external family control, which means low control by the family weakens the internal self-control. It is like a closed circle. Excessive freedom of behaviour early in life, leads to unrestricted behaviour afterwards. Any attack or attempt to restrict freedom of behaviour is perceived as an attack on the personality and the young inmates react impulsively and aggressively.

In addition to impatience and impulsivity as personality traits, some of the inmates were often aggressive and violent, participating in many street fights and disturbances of the public order. Such forms of violent behaviour were the beginning of more serious forms of property crimes like serious thefts and robberies that are part of their criminal history. As one of the inmates stated, "I first started fighting in the city". Violent behaviour, as a personal feature of most inmates, is mostly the result of a desire to show strength, masculinity, pride, superiority over others or affinity with a violent father. Also, some of the inmates do not see the fact that they are sometimes beaten as a personal defeat, but as part of a fight, in which they sometimes win and sometimes lose. Such perceptions make them more resistant to losses and defeats in mutual physical fights and more determined to return to fight again. This also means approval of the violence and a willingness to return with the same or greater measure. In other words, justice or revenge is allowed to be taken into your own hands. Some inmates, especially those who grew up in care institutions, show greater aggression and physical strength when they need to defend themselves against certain physical attacks. Based on that, it can be concluded that aggressive behaviour is an inherent personality trait of a large number of inmates before coming to the institution. It has been learned in the process of socialization as a way of defence, attack or adaptation to the problems they face, as well as to the reactions to both the public and the criminal justice system.

Another risk factor that increases the likelihood of later deviant and criminal behaviour is childhood abuse. This phenomenon is characteristic of children who grow up in homes for neglected children, because they are often abused by other older children there. If the abused child does not initially develop a defence mechanism, he or she often suffers further abuse. According to the statements of some of the inmates, they were bullied by other older children. As one stated, "They beat me, harassed me, locked me in lockers." Usually, the institutions for neglected children, or care institutions, are places where certain deviant and criminal phenomena are a common characteristic, where the older ones might lead the younger children to steal. Additionally, the some children perpetrate psychological and physical violence, intimidation and threats that cause deep psychological trauma, resistance, revolt, anger and other negative feelings among the abused children.

Also, when there is a lack of greater external control, supervision and protection from the institutional staff, or from the formal system, the neglected children in those care institutions learn fast not only how to be more resistant, but also how to receive and to inflict blows on others at the same time. In addition to negative experiences under institutional care, certain inmates also had negative experiences living in foster families, as one said, "They abused us ... they did not give us food, they locked us in a bedroom all day, they did not let us out ... we were beaten". This statement indicates certain challenges that need to be taken by the social services in our country such as criteria for eligibility of foster families, policy of control and supervision.

Among other individual risk factors, drug abuse was a huge problem among inmates of the Roma population, who are without proper parental supervision, raised on the streets and in poor family conditions. Some have a history of drug abuse in the primary family because their parents, brothers or sisters also abused drugs. As they say, "I know my father ... and he is on heroin ... and my mother ... she has been on methadone for a long time now. In some families, certain members die from overdose". Findings show that 40% of the inmates have been users of various types of drugs, such as marijuana, heroin, cocaine, for several years. Their consumption is frequently linked to previous drug abuse in the family, in the care institutions where they grew up, or to their addicted friends. As they stated, "Marijuana ... it calms me down, my head works more, my brain does not work without it". Regarding the question: "How did they start with drugs consumption?", certain inmate indicated frightening findings. Namely, one inmate was forced by other inmate to snort heroin several times in one correctional institution. After several times he became drug addicted and has started to steal. This testimony indicates that in a care institution certain, more powerful, juveniles manifest power, control, and superiority over weaker children. They make them drug addicts and thus easily seduced, suggestible and powerless to fight addiction on their own. Findings show that certain inmates are "forced" to become addicted in order to be easily manipulated to steal, not only for themselves but for others. This statement also confirms that drugs are available in the care institutions, which means that the institutions multiply the problems and even produce addicts and criminals.



Another message is that there is no early identification and prevention of problems that exist in care institutions and young people with deviant and criminal behaviour negatively affect other inmates.

Apart from this case, drug use by young inmates is usually initiated as a way to show superiority and strength. However later, addiction is associated with the abstinence of physical and mental crises, accompanied by aggressive behaviour, which are characteristic of long-term users. When first taken, the drug passes through the receptors of the brain that cause pleasure. After numerous doses of the drug, the number of those receptors decreases and it is necessary to take a larger dose to achieve that pleasant feeling. This damages the brain causing memory loss, loss of balance, paranoia, depression. According to some interviewees, "I got nervous from the grass; I took my wife to beat her, to harass her", or "The fact that I do not have drugs makes me aggressive. Drugs create a lot of problems, anxieties".

Anxiety and depression are common features among most inmates and these mental states are intensified as a result of the confinement in the correctional facility and the "pains of imprisonment" which include loss of contact with the outside world, material goods, heterosexual relations, autonomy and the sense of security. Actually, young inmates who lose control over the situation cannot participate in decision-making processes and face certain abuses or stressful situations. Those deprivations and negative consequences in correlation with prior individual personal and other family and school risk factors intensify the feeling of sadness, hopelessness, dissatisfaction and disappointment. Low self-esteem exacerbates anxiety and depression among inmates which are usually manifested by loss of appetite, insomnia or excessive sleep, and suicidal thoughts.

The inmates often say that they are upset, have "thoughts", "psyches", cannot sleep, want to hit or break objects. One comment was, "I get depressed, I do not know how to explain it to you, they bother me, I want to do many things at that moment, I want to calm down or I cannot sleep well, I have bad thoughts". The statements indicate that the imprisonment does not have a positive impact on the anxiety and other stressful situations that the inmates bring with them when they enter the institution. In contrary, the mental health of inmates gets worse. The irony is that the prison staff is only trying to "cure" the worsen health (as consequence of poor prison conditions) with certain medical therapy, instead to treat the real sources. We may agree with the thesis that juvenile prisons and correctional institutions are anti-therapeutic, anti-human and degrading institutions, but we do not have to agree that the prison system only serves to control the behaviour of inmates in order to reduce possible risks for the safety of others. We must not neglect the social and humanistic component of the penal system, because the young people need support, protection and reintegration, more than pure punishment for what have done.

Certain inmates also have a low tolerance and low self-control and react aggressively as a way of adaptation, defence or attack in certain situations. Those traits as individual risk factors are intensified in the correctional facility

due to the limited space allowed for personal movement; the limited right to privacy; unwanted company; insecurity; the inability to protect themselves from provocative behaviours; the inability to participate in decision-making process about certain issues related to their rights (Due to the inability to participate in deciding on certain issues, young people feel de-motivated and disappointed); restricted treatment activities; and lack of sufficient material resources and goods such as cigarettes or phone cards.

Personal risk factors which are imported into the inside by the individual inmates are exacerbated due to the inappropriate situational institutional factors. Some of the inmates have increased anxiety, which, in conditions, such as of lack of freedom, cannot be controlled. These conditions require an appropriate mechanism in order to deal with them. The inmates are aware of their position, aware of the consequences when they come into conflict with other inmates or with the staff, but develop different defence mechanisms. Some try to stay away from frequent conflicts, others often provoke or join physical fights, others injure themselves and others show control and superiority.

### **3.2. Family risk factors prior and during incarceration**

The most of young inmates are exposed to certain family risk factors, including family crime, child abandonment, poor parental supervision, large families, poverty, family deviance and family disruption.

Ninety-five percent of the young inmates have a member, father, mother, brother, or close relative, uncle or cousin, who is sentenced to prison, most often for property crimes, but also for violent crimes. Some of them were still in prison at the time of the interview process, as ascertained through the survey. It interesting to note, that several mothers have been convicted of "neglecting and mistreating a juvenile" (Article 201 of the Criminal Code, 2009) and sentenced to jail. This situation shows that criminal behaviour can become a learned behaviour, and criminal charges and sentences may become normal and inevitable consequences. The stigma of "criminal", "prisoner" put on parents, brothers or relatives is easily accepted and attached to children, mostly because they have no other patterns of behaviour in life. They are probably unable to resist to the criminal models of their parents and relatives, or they do not know that there is another non-criminal path.

In terms of upbringing, care and family supervision, inmates can be divided into two groups:

a) *Young inmates who are completely neglected*: 35 - 40% of young inmates have no family control and supervision. Due to such negligence, some mothers have been sentenced to effective prison sentences for the neglect of their children. Thus, the children, despite the presence of one or both parents, grow up on the street and accept the street lifestyle. They commit frequent thefts and become independent of their parents. The street becomes their home; they sleep over at friends' homes, in basements, in other cities. Poor parental support and care can be recognized in the correctional facility, as the families of most

of the inmates are disinterested in the re-socialization processes of their children. They rarely visit them or make contact. As stated by one of the inmates, "They do not come to visit me at all, I call her (his mother), but she does not pick up the phone". Such rejection and forgetfulness from family should be replaced by alternative support from social services, other relatives or friends. Having such support, the feeling that the inmate is not alone, that there is someone who cares and is waiting for them, is an additional motivation and inspiration for positive behaviour in the correctional facility. Otherwise, the neglect of the family creates a feeling of rejection and loneliness that complicates the process of re-socialization.

b) *Young inmates who lack proper parental or by other legal guardian supervision and control*: 55% of young inmates lack proper family control for various reasons, such that some parents do not even know about the criminal career of their children. They became familiar with the problem only after the fact, in the phase of criminal procedure, before sentencing. Some young people may also have grown up in care institutions. Those inmates who are abandoned by the parents in their early childhood, because of the absence of mother love in early ages, have experienced deep emotional trauma. Lack of love and support makes them emotionally unstable and reinforces feelings of rejection. As one of the respondents stated, "I was left alone, I shouted to myself, I will steal... my father left me, my mother died, I feel anger towards my relatives (family), because, as I tell you, I did not grow up with them, they did not give me enough love, they did not take care of me, they do not visit me, nobody here". The first statement indicates that abandoned children develop the feeling "I do not care" about the future and the criminal behaviour is usually understood as compensation for the lack of family support and love. The later statement, on the other side, shows that some abandoned children develop feelings of anger and hate towards their parents because they left them in the childhood or in later stages, in the period of early and middle adolescence, when they are building an identity. The problem with these inmates is that rejection and negligence of the primary family is felt even more keenly in the correctional facility. There is no one to visit them, to bring them food, to call them, to make them feel that someone thinks about them. Even the social services, which have legal custody of them, do not provide adequate protection and support, and because of that contribute for further marginalization and social exclusion of inmates, after their release. Namely, in the absence of parental support and care in the correctional facility they do not show interest to visit and contact them.

Another family risk factor is poverty. Half of the families are facing extreme poverty, and some of them are begging. As one inmate states, "Neighbours give money. My father worked... and he was fired. I stole because we did not have a piece of bread to eat. Since I am here there is no change in the family, no money, poverty, great poverty". One can see that, poverty in the family is an additional risk factor that has caused deviant and criminal behaviour, but also a risk factor that affects the behaviour of young inmates inside the institution. Poor inmates do not receive extra food, clothes, other material goods, money for cigarettes or phone cards. Those inmates who do not

have money to buy a phone card, whose families do not have enough money to come and visit them, or who have no home or other place to stay for the weekend are, in one way, discriminated against when compared to other inmates. In support of this, some inmates state, "I don't have visits often, except when my mother and father have money; or I do not have money to go home, they (correctional staff) do not let me go because I do not have money, they don't help you to give you money... If I have money I would go now... I tell you, if you can help me". Those statements show the deep disappointment and seeking of help from the researchers indicate that the system does not have an appropriate systemic solution when some of the inmates face poverty and financial problems. In conditions when a significant percentage of young people come from poor families, the restriction of visits due to financial difficulties must not be to their detriment because the absence of family support jeopardizes the overall process of re-socialization. In that part, is not too much for social services to provide financial assistance to families as a general measure of social protection for the inmates. The Penitentiary Administration, in co-operation with the social services, should establish special funds for vulnerable categories of inmates who live in poverty because the poor material conditions should not be a reason to restrict contacts with the outside world, nor should it be a basis for discriminatory treatment in that sense. It does seem rather that those children who grew up in families with more functional family relationships, who get help and support in the socialization process, also get support in the correctional facility. Unfortunately, inmates without parents and parental care are threatened with a longer stay (even up to the maximum five years) if there is no one outside to accept them. Therefore, the painful truth is that the rejection of the family and parental abandonment necessarily increases the stay in the correctional facility.

Also, an even more worrying question is: where do these youths go after the correctional facility, especially for those inmates without their own family home, given that the system has no obligation to take care of them. They are left alone again, on the street, without additional job qualifications and limited employment opportunities.

#### **4. CONCLUSION**

The young inmates import their individual and family risk factors into the correctional facility which also influences their further behaviour inside. The strongest risk factors are: ethnicity, low level of education, school leaving, delinquent friends, inadequate value system, tendencies, inadequate family control and family crime. In addition to these, family poverty, drug abuse, mental disorders, and growing up in care institutions are additional risk factors for some inmates.

Anxiety, aggression, low tolerance and impulsivity as personal traits are more expressed during incarceration which means that under institutional regime and due to lack of freedom, certain personal risk factors are intensified and worsen. One third of the inmates are long-term drug users of different drugs

such as marijuana, cocaine, heroin, or LSD, and some of them are registered as addicts in the official health services. Drug abuse is mostly linked to committed crimes, as most have experienced mental and physical abstinence crises. One positive result is that institutional staff manages to deter young users from using drugs and they have overcome the initial abstinence crises in the facility. However, young people will need additional support and protection, not only from the family, but also from the friends and the wider community in order to resist possible temptations to take drugs again after release.

Some of the young inmates face more or less severe forms of mental illness including anxiety, depression, or personality disorder, that are accompanied with suicidal thoughts, self-harm, irritability, and aggressive behaviour. Several inmates have certain personality disorders and for them deprivation of liberty and institutional measure in correctional facility is an inappropriate measure, primarily due to the failure of the rehabilitation treatment. They cannot participate actively in the re-education process and confinement in such facility is doomed to failure in advance. Therefore, the five years' incarceration<sup>2</sup> temporarily prevents and incapacitates them to commit crimes, but, their mental health worsens due to inadequate medical treatment. If the correctional staff determines that the rehabilitation treatment for such inmates cannot be successful, then every day in the facility is an additional punishment, because it worsens their mental health. It can be said that it is better to have 100 guilty persons released than a young offender with a mental disorder in prison without proper treatment who does not understand the meaning of the crime or the meaning of the measure. The absence of specialized institutions or departments for young inmates with mental illness should not be an excuse to be referred to ECF, as those facilities, without proper treatment, are not appropriate for such a vulnerable category of young offenders.

Regarding the family risk factors, 85% of the inmates lack adequate family control and supervision. Some of them are street children; others grow up in institutions for neglected children, while others, despite living with their parents, spend most of their time without proper parental supervision. Hence, family upbringing, attention, protection and care are important risk factors that

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<sup>2</sup>Important characteristic of the institutional measure *Referral to a correctional facility* is its duration because the length of the measure is not determined. According to the Law on Justice for children (Official Gazette no. 148 of 2013), child (who has criminal responsibility over 14 years) stays in the correctional facility minimum one and maximum five years. The juvenile court does not determine its duration, but every year examines its justification and fulfilments of the prescribed objectives (Article 46). This means that the child stays for at least one year, and then, ex officio, the need for further incarceration is re-examined. If the facility staff consider positive impact they can propose termination of the measure. Otherwise, it is extended for six months. Hence, the stay in the correctional facility depends on the behavior of the young inmates, and the success of the resocialization process is appreciated by the correctional staff, who prepares regular six-month reports about the process of rehabilitation and re-socialization of each inmate.

determine the deviant and criminal behaviour of children. Keeping in mind that young inmates face a series of deprivations due to imprisonment such as loss of privacy, autonomy, material goods, and contacts with the outside world, those with family support and more frequent contact are more likely to overcome deprivation than others who lack family support. Additionally, the young inmates who receive family support and care participate more actively in the rehabilitation treatment, which positively affects their re-socialization. Another family risk factor is deviance in the primary family, especially parents with criminal charges and prison sentences. In fact, crime, police, court trials and criminal sanctions are situations that young inmates have met constantly in their daily lives that are directly or indirectly reflected in their behaviour. Apart from family disruption and delinquency, poverty in the family is an additional risk factor. Statistics show that half of the inmates face extreme poverty and their families are unable to meet their basic needs.

For some inmates, parental abandonment and growing up under institutional care have left deep negative and emotional consequences that have found expression in deviant and criminal behaviour. The absence of family care, especially maternal love, causes trauma and emotional emptiness that is usually “filled” with crime. In fact, the institutional staff in previous care institutions (or from the social services) fails to replace family care and love, and such children who are under institutional care enter the cycle of criminalisation and criminal path in company with delinquent friends.

Having in mind that previous risk factors exert negative influence on inmate behaviour in the correctional facility, the prison staff and juvenile justice system, in general, need to take an individual approach toward each inmate as they want to achieve success in the re-socialization process. Without individual treatment and care, the juvenile inmates will be only numbers in the prison statistics. In that effort, only empathy, love and compassion when working with young offenders can increase the capacity to improve their further behaviour.

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