



**Perceptions of Individuals Serving
Community Orders Regarding Crime and Sentences**

Joana Andrade

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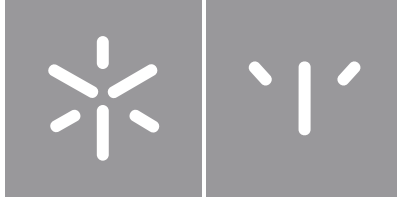


Universidade do Minho
Escola de Psicologia

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junho de 2019



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Dissertação de Mestrado
Mestrado em Psicologia Aplicada

Trabalho realizado sob a orientação da
Doutora Andreia de Castro Rodrigues
e do
Professor Doutor Rui Abrunhosa Gonçalves

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STATEMENT OF INTEGRITY

I hereby declare having conducted this academic work with integrity. I confirm that I have not used plagiarism or any form of undue use of information or falsification of results along the process leading to its elaboration.

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Perceptions of Individuals Serving Community Orders Regarding Crime and Sentences

Abstract

A set of alternatives was developed to reduce the prison population and offer a more effective way to rehabilitate individuals. The perceptions towards the penalties and their effectiveness could vary among different offenders and different types of orders. This study intended to analyze offenders' perceptions about distinct sanctions and their adequacy for different crimes, checking if these ideas apply to their crime. The main contribution of this study lies in its informative content about the particularities and specific needs of each type of offender. Our results show that there are important differences between offenders that could enhance their propensity to re-offend or not. Many variables were analyzed in this study, and the particularities found should be considered to improve the rehabilitative purpose of the penal system. We observe that different individuals exhibit different insights and different criminogenic needs and such discrepancies should be addressed during the rehabilitative process to improve its effectiveness and, consequently, reduce recidivism.

Keywords: community orders; crime; offenders; perceptions; sentences;

Percepção dos Indivíduos com Medidas na Comunidade Acerca das Penas e do Crime

Resumo

De forma a reduzir a população prisional e fomentar o processo de ressocialização, foi desenvolvido um conjunto de alternativas à pena de prisão. É importante reconhecer que as percepções dos indivíduos diferem entre as diversas medidas na comunidade e entre diferentes tipos de ofensores. O presente estudo procurou assim analisar as percepções individuais dos ofensores acerca da eficácia percebida das diferentes penas aos diferentes crimes, e ainda, compreender se eles percebem esta adequação no próprio caso. A principal contribuição desta investigação incide no seu conteúdo informativo relativo às necessidades específicas de cada ofensor. Os nossos resultados apontam para a existência de importantes diferenças entre os indivíduos que influenciam a sua propensão para reincidir. Das várias variáveis analisadas, foram identificadas certas particularidades que devem ser atendidas de forma a assegurar o propósito da reabilitação. Os resultados demonstram que diferentes indivíduos exibem diferentes percepções e necessidades criminógenas e por isso, estas diferenças devem ser enfatizadas durante o processo de ressocialização de forma a minorar a reincidência.

Palavras-chave: crime; medidas na comunidade; ofensores; penas; percepções

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Abbreviations List

ANOVA – Analysis of variance

CEUM - University of Minho Ethics Commission

GDRSP – General Directorate of Social Reintegration

IBM® SPSS – Statistical Package for the Social Sciences

Perceptions of Individuals Serving Community Orders Regarding Crime and Sentences

Development of Community Sanctions

The practice of sanctioning should be guided through a set of fundamental principles that promotes the effectiveness of the sentences, while ensures the rights of both victims and offenders. During the decade of 70, the idea of "*nothing works*" had been emphasized. However, over time, the notion of "*what works*" to reduce recidivism has been discussed by many academics. Several attempts have been made to understand which type of sentence could fit better the purpose of rehabilitation (See Andrews & Bonta (2010); Bottoms (2017); Tait (2001)). Given the growing scepticism for prison sanctions (Bonta, Rugge, Scott, Bourgon, & Yessine, 2008; Cullen, Jonson, & Nagin, 2011; Eley, Mclover, Malloch, & Munro, 2005; Milani & Moghadam, 2015; United Nations Office on Drugs and Crime, 2007; 2012), a variety of alternatives was developed in order to reduce prison population, decrease costs of incarceration, and offer a more effective way to rehabilitate people. As preconized by Capdevila et al. (2016), to guarantee that criminal justice enhances reintegration, it is essential to provide other options besides prison. Capdevila et al. (2016), underlined the advantage of non-custodial orders since they consider these measures guarantee social and educational support and induce to the recognition of the harm caused. Additionally, the authors stressed that these orders have the benefit of being adjusted to the individuals' possibilities and needs, promoting then the accomplishment of injunctions that are imposed. Also, the community must to be involved in the process, and as a result, social, familial, and institutional resources could be allocated effectively.

Non-custodial orders are measures that seek to supervise the execution of a mandatory order in the community (Junger-Tas, 1994). They focus primarily on the protection of the community and the offenders' reintegration (Capdevila et al., 2016). The criminals who are under supervision are expected to adhere to their schedule, to not engage on trouble, and also, to agree with a plan that aims the prevention of the reoffending (Department of Justice, 2011). The scope of these sentences, according to the General Directorate of Social Reintegration (2006), includes: conditional release, which refers to the release after serve a part of the prison sentence; suspended sentence, which means that the judge had decided for a prison sentence but suspended its execution; community service, which implies the replacement of the detention by a sanction that forces a person to work in the community for free; electronic monitoring, related with the supervision through radio frequency technology, and provisional process suspension, which consists in a pre-sentencing procedure that seeks to avoid the prosecution of the process until the trial stage by the imposition of some injunctions.

Prison vs. Community Orders

Efforts have been made to scrutinize the effectiveness of either imprisonment or community orders. Despite this, little is known about offenders' perception respecting the impact of non-custodial sanctions. This lack of knowledge supports the need to analyze the phenomenon more acutely.

Most literature about these issues focuses on the comparison between prison and non-custodial sanctions. According to specific deterrence purposes, prison sentences tend to reduce criminal behavior, and thus, these measures are seen as more effective (Cid, 2009). Theorists who support the use of prison advocate that if prison was expunged the dangerous felons could not be controlled (Milani & Moghadam, 2015). Also, they consider that jail gives rise to the perpetrators' disempowerment and thus it makes them disinvest on crime. It is common among some people the idea that prison is the harshest condemnation and the only one that is hard enough to change offenders' behavior (Cullen, Jonson, & Mears, 2017; Robinson, 2016). Nonetheless, many other theorists argue that community measures result in higher crime rates' decline (Cid, 2009). These academics underlined that imprisonment increases the exposure to criminogenic risk factors. The prison is known as the "school of crime" and we can presume that people are more likely to learn how to perpetuate others crimes (Cid, 2009; Milani & Moghadam, 2015; Tait, 2001; van Ginneken, 2016). Also, it is well-known that offenders have to face stigmatizing labels when they return to the community (Hayes, 2015). Indeed, this difficult could increase the anger and the tendency to defiance. Finally, imprisonment involves an enormous cost to society. It is probably the most expensive sentence that could be applied (Focquaert & Raine, 2012) and thus, community supervision could be the best option to reduce these costs (McNeill, 2013).

The empirical evidence emphasizes the notion that after release, most offenders are confronted with a set of social challenges that makes their return to the community more difficult. They might suffer stigmatization, and often, they have difficulties in finding a job and re-building their individual and social capital (UNODC, 2007; 2012). Comparing both sanctions, it seems clear that community based penalties are often more advantageous since they facilitate social integration (Aebi, Delgrande, & Marguet, 2015; Capdevila et al., 2016; Cid, 2009; Killias, Aebi, & Ribeaud, 2000; May & Wood, 2005; May, Wood, Mooney, & Minor, 2005; Milani & Moghadam, 2015; Sandu & Ignătescu, 2017; Weaver & Armstrong, 2011). Research demonstrates that interventions based on criminogenic needs are more effective than general oriented interventions (Andrews & Bonta, 2010).

Additionally, non-custodial orders tend to be more effective for the restitution of the victim, for example, through restorative justice programs (Focquaert & Raine, 2012).

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The evidence shows that prison sanctions are rising all over the world. However, there is some evidence that shows that this growth, until now, is not associated with the significant increase of public safety (Focquaert & Raine, 2012). Many offenders do not quit criminal careers even if they have suffered heavy prison sentences (UNODC, 2007, 2012). In fact, we should be more judicious on the application of penalties and privilege prison for offenders who represent a danger to the public (Cid, 2009; Cullen et al., 2011; Cullen et al., 2017; Eley et al., 2005; Focquaert & Raine, 2012; Tait, 2001; van Ginneken & Hayes, 2016). More than sanction the criminal conduct, sentences should provide opportunities for the offenders to repair their behavior and reinforce their linkages with the community, all that while developing skills that make them more conscious about how they should act in the future. What is known is that prisons do not have a better effect on the reduction of recidivism when comparing with non-custodial sentences (Armstrong & Weaver, 2010; Cid, 2009; Cullen et al., 2011; Department of Justice, 2011; Focquaert & Raine, 2012; Hayes, 2015; Tait, 2001). These results are also corroborated by a systematic review conducted by Killias and Villetaz (2008), which indicated that recidivism's rates were significantly higher in custodial rather than non-custodial sanctions.

Community Orders Advantage

Community orders are a form of direct control that aims the promotion of individuals' re-education by enhancing their pro-social adjustment (Steiner, Makarios, & Travis, 2015). This type of approaches has the advantage of considering that offenders have the choice to misconduct or accomplish the rules imposed by the court (Smit, Snacken, and Hayes, 2014). In fact, despite their coercive connotation, these measures could encourage self-governance, since they imply to resist to some external pressure to criminalize (Focquaert & Raine, 2012). There is some evidence that shows the positive effect of allowing offenders to have an active role in their behavior's change process (Focquaert & Raine, 2012). This feeling of being active on their own process facilitates desistance from crime (Barry et al., 2016) and improves their agency and ability to exercise control over their behavior (Focquaert & Raine, 2012).

Also, community sentences usually include more appropriate treatment programs that enhance offenders' mental health (Focquaert & Raine, 2012).

Offenders' Perceptions

It is essential to access the offenders' perceptions about his/her experience serving the sentences, since they can have a transformative role on criminal justice services, and can offer a significant contribution to address some limitations of the system (Armstrong & Weaver, 2013; Haynes

& Cares, 2015; Weaver & Armstrong, 2011).

The way offenders give meaning to their sanctions may have implications on their future behavior, and in the probability to re-offend. It is important to be aware of the psychological aspects inherent to human behavior and implement comprehensive assessments to assess offenders' attitudes, values, and behaviors (Andrews & Bonta, 2010; Gendreau, Cullen, & Goggin, 1999), turning the sentencing into a more personalized practice (Capdevila et al., 2016).

It is perceived that most offenders consider that these sentences reinforce their resilience and help to develop problem-solving and coping skills (Moura, 2009; Weaver & Armstrong, 2011). Because mental health problems are known to be a risk factor (Focquaert & Raine, 2012), these alternatives should be mainly used to prevent recidivism. They tend to be perceived by criminals as both retrospective since it is a way of recognizing the past misbehavior, and prospective, since it provides support to change the future behavior (Hayes, 2015; Weaver & Armstrong, 2011). Indeed, many offenders consider community orders imply systematic monitoring and compliance.

Sanctions Perceived Effects

According to previous work, given a choice, almost everyone would elect a sentence in the community over prison (Armstrong & Weaver, 2010, 2013; Weaver & Armstrong, 2011). Despite this, some studies found that criminals do not necessarily perceive community sanctions as less punitive (Capdevila et al., 2016; Gainey, Steen, & Engen, 2005; Wodahl, Ogle, Kadleck, & Gerow, 2013). Even if people have some freedom, there is a coercive element that considerably conditioned their behavior (van Ginneken & Hayes, 2016). Different community sentences could have different effects (Villettaz, Gillièron, & Killias, 2014) depending on individuals' characteristics (Kolber, 2009). Thus, assessing offenders' discernments about their sentences is a laborious process since it implies the consideration of social realities that could be abiding by the law (Indermaur, 1994).

According to the previous research, there are many variables – such as gender, age, marital status, and the level of education - that could contribute to the discrepancy of offenders' perceptions about sentences (Hayes, 2015). Perceptions about punitiveness are influenced by different aspects, such as the prison staff behavior; the high rate of failure of some alternatives to prison; and the offenders' subjective perceptions about prison compared to alternative sanctions (Barry et al., 2016; May & Wood, 2005; Rowe, Irving, & Soppitt, 2018). The engagement level of offenders influences the perceptions about the orders too (Hayes, 2015). Also, McGinnis and Carlson (1982) argued that the way criminals perceive their orders is controlled by the expectations they had before being judged.

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Furthermore, previous work shows that offenders who have already experienced imprisonment appear to be less dreadful about prison (May & Wood, 2005; Williams, May, & Wood, 2008), what could be explained because of their higher ability to adapt to those circumstances (Kolber, 2009).

Study purpose

The criminal justice system seeks to attend both victims' and offenders' needs (Haynes & Cares, 2015). Therefore, offenders' perceptions about the sentences should be considered since they could affect the sanctions' outcomes.

Community orders have been increasingly applied. However, little has been developed to understand the offenders' disparities on perceptions about the community orders. Aiming to deepen knowledge in this topic, the present work intended to describe the sociodemographic and criminal characteristics of those who are serving community orders in Portugal to understand who these individuals are.

We also sought to analyze offenders' perceptions about the adequacy of different orders for different crimes and understand if they conceive this appropriateness in their own cases. Finally, we presented a comparison between offenders' insights about society and about sanctions purposes.

Since no previous work has been done before, this exploratory study intended to provide information about these offenders and about the variables that could explain why is given to them an opportunity to serve an order in the community.

The Portuguese legal system allows for prison penalties not higher than five years to be suspended in their execution, that is, being served in the community under probation. However, in a considerable amount of occasions, judges apply this directive without evaluating the situation of each offender, specifically his/her rehabilitative potential. Thus, it is common for these criminals to end serving a successive set of non-custodial orders that do not fit their criminogenic needs. Too often these multiple suspended sentences result in serving a prison sanction, which is the consequence of not responding adequately to the penalty, for example, by committing more crimes. These prison sentences end to be too extensive in its length considering the crime committed (frequently for thefts) since it is the result of an equation considering the lengths of the suspended sentences being served. Therefore, it is essential to develop policies that may help to prevent this tendency while provides practical responses to match individuals' criminogenic needs.

Method

Participants

The present study examines the perceptions of 163 adult imputable offenders (149 males and 14 females, $M_{age} = 41.70$) who were sanctioned with a non-custodial order.

The data collection encompassed five teams of the north delegation of General Directorate for Reinsertion and Prison Services (GDRPS), specifically Cávado, Ave, Penal 1, Penal 3, and Penal 5. The sample was obtained according to the participants' agreement to collaborate.

It was engendered a maximum variation sampling, including offenders that have committed different types of crime and that are accomplishing different types of orders.

Although data collection comprised a total of 212 participants, we excluded those who were in conditional release since we realized that including these individuals could lead to erroneous conclusions. The former group (conditional release) was firstly condemned to a custodial sanction, which turned in a conditional release so we could expect that their perceptions were relative or at least marked by the experience of recently serving a prison sentence. Furthermore, their criminal history and individual circumstances may have important differences from individuals convicted to community sentences, masking a rigorous characterization of this latter group.

Procedures

First, we contacted the GDRPS to inform about the purpose of our study. After the authorization, participants were requested to sign an informed consent form where it was explained that their contribution was volunteer, all information was confidential, and at any moment they could quit the process. Once they agreed, participants answered the questionnaire.

Moreover, the study was approved by the University of Minho Ethics Commission (CEUM) (doc. SECSH 069/2018).

Measures

Data were collected using the "Questionnaire of Experiences and Perceived Effectiveness of Penal Sanctions" (Castro-Rodrigues & Gonçalves, 2016). It is a self-report questionnaire designed to assess offenders' perceptions of the different sanctions and about crime.

Most items are scored in a 4-point Likert scale (ranging from 0 = *strongly disagree/nothing/not probable* to 4 = *strongly agree/a lot/very probable*). Other items are scored in a 3-point Likert scale (ranging from 0 = *not helpful* to 2 = *helpful*) and in a 5-point Likert scale (ranging from 0 = *much less* to 5 = *much more* and 1 = *make them shorter* 5 = *make them longer*). There is also one item where the

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respondents were asked to order different options according to their level of effectiveness. Finally, the questionnaire includes some items to describe socio-demographic and criminal records.

Data analysis

Data were analyzed with the software IBM® SPSS (*Statistical Package for the Social Sciences*) (version 23.0). First, we characterized our sample through descriptive statistics. Then, we performed some groups' comparison analysis on the perceptions about the sanctions and the crimes.

Analysis of variance (ANOVA) was used to determine if there were differences between the groups of offenders. The present sample was not normally distributed in terms of several variables, however, according to Kline (2011), the parametric test can be conducted in non-normal distributed samples when the values of skew and kurtosis are below 3.00 and 8.00, respectively.

Results

Our sample comprises 163 individuals – 149 men (91.4%) – with ages ranging between 18 and 83 – who were given an order in the community. Most of the participants were serving a suspended sentence (78.5%) and most of them due to a drug trafficking (32.9%). Also, the majority was serving the first order (65%) and have committed a non-violent crime (61.3%), and without the presence of a victim (55.8%). Analyzing all participants according to the type of crime committed, data shows that most participants had children despite the type of crime. Finally, all participants were Caucasian.

Criminal and sociodemographic data are described in Table 1.

Type of crimes and sentences

Community service was mainly applied to driving offenses (61.10%), while the suspended sentence was predominantly applied to drug trafficking (40.20%), and provisional process suspension to domestic violence offenses (60%).

Penal situation

Most participants, despite age, sanction, and crime were serving their first order at the time of data collection (65.40%). This tendency seems not to be true only for those who committed driving offenses, who were mainly re-offenders (68.80%); and those who committed attempted murder, who showed the same number of recidivists (50%) and non-recidivists (50%). We perceived that drug trafficking, economic, domestic violence and driving offenders show a small percentage of recidivists (37.20%, 30.50%, 23.70%, and 14.30%, respectively) serving a community sanction.

Severity of crime

Recidivists who were serving order in community presented higher rates of non-violent crimes (75%), and without the presence of a victim (65.40%), comparing with non-recidivists, who showed lower rates of non-violent crimes (54.40%), and without the presence of a victim (46.60%).

We noticed that the level of the harshness of crime also varied according to participants' age. Analyzing different groups, the severity of crimes tends to increase with age.

Furthermore, participants who committed non-violent crimes without victims had mainly committed drug trafficking (57.60%).

Age

As mentioned, older people tended to show higher rates of violent crimes against people. In our study, older participants had committed more crimes with violence and with a victim present - 71% of participants whose age ranged between 57 and 69 years old, and 100% of those who had more than 69. Accordingly, younger participants exhibited higher rates of non-violent crimes and offenses occurred in the absence of a victim - participants aged between 18 and 30, and 31 and 43, had mainly committed crimes without violence (66.70% and 75%, respectively) and without a victim present (51.30% and 68.80%, respectively).

The mean age of those who committed attempted murder was the highest ($M = 54.75$, $SD = 18.55$), followed by domestic violence ($M = 46.53$, $SD = 13.10$), and physical injuries ($M = 42.49$, $SD = 17.37$). Except sexual offenses – whose perpetrators presented a mean age similar to those who committed non-violent crimes ($M = 38.86$, $SD = 11.44$) – all other crimes that were perpetrated by younger participants did not involve either violence or the presence of a victim. Individuals who committed driving-related crimes presented the lowest mean age ($M = 37.47$, $SD = 8.78$), following by drug trafficking ($M = 38.50$, $SD = 10.33$), and economic crimes ($M = 39.77$, $SD = 13.40$).

Also, a small difference was noticed on mean age according to the sentences that were being served. Our results show that community service ($M = 40.17$, $SD = 12.05$) and suspended sentence ($M = 40.04$, $SD = 13.48$) were the orders with lower mean age, while the provisional process suspension ($M = 48.87$, $SD = 9.36$) appeared to be the order with a highest mean age.

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Table 1.

Criminal and sociodemographic information

	<i>n</i>	%
Gender		
Male	149	91.40%
Female	14	8.60%
Marital situation		
Single	65	39.90%
Married	61	37.40%
Parental situation: With children	113	69.30%
Type of order		
Community service	20	12.30%
Suspended sentence	128	78.50%
Provisional Process Suspension	15	9.20%
Penal situation		
1 st order	106	65%
Recidivists	56	34.60%
Crimes' violence: Without violence	95	61.30%
Presence of victim: No	82	52.90%
Type of crime(s) committed		
Drug trafficking	51	32.90%
Property and Economic	36	26.10%
Domestic Violence	38	24.50%
Physical offenses	1	7.10%
Sexual	7	4.50%
Driving Offenses	16	10.30%
Attempted murder	4	2.60%
	Min-Max	<i>M (SD)</i>
Age	18-83	41.70 (13.04)
Order length (months)	1-60	30.81 (17.72)

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Gender

Disaggregation of results by gender is presented on Table 2.

Table 2.

Demographic and criminal characteristics between genders

	Male	Female
	<i>M (SD)</i>	<i>M (SD)</i>
Age	41.01 (13.18)	39.54 (13.73)
	<i>n (%)</i>	<i>n (%)</i>
Marital situation		
Single	61 (40.90%)	4 (28.60%)
Married	53 (35.60%)	8 (57.10%)
Divorced	32 (21.50%)	2 (14.30%)
Widower	3 (20%)	0 (0%)
Parental situation: With children	101 (32.20%)	15 (85.70%)
Type of order		
Community Service	17 (11.40%)	3 (21.40%)
Suspended Sentence	117 (78.50%)	11 (78.50%)
Provisional Process Suspension	15 (10.10%)	11 (78.60%)
Penal situation		
1 st order	98 (66.20%)	8 (57.10%)
Recidivists	50 (15.50%)	6 (22.90%)
Crimes' violence level: Without violence	83 (58%)	11 (91.70%)
Presence of victim: No	71 (49.70%)	11 (91.70%)
Type of crime(s) committed		
Drug trafficking	45 (30.20%)	6 (50%)
Property and Economic	39 (21%)	0 (0%)
Domestic Violence	38 (26.60%)	0 (0%)
Offenses to Physical Integrity	11 (7.70%)	0 (0%)
Sexual	7 (4.90%)	0 (0%)
Driving Offenses	16 (11.20%)	0 (0%)
Attempted Murder	4 (2.80%)	0 (0%)

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Both sexes were mainly serving a suspended sentence, were in the first order and have committed crimes without violence. Also, we noticed the mean age did not differ between them.

The number of crimes without victims was higher in the female. However, we noted that males showed almost the same percentage of crimes with and without the presence of a victim.

We also observed some disparities in a marital situation, noticing that most of the men were single, and almost all women were married.

Perceptions of each sentence for different types of crimes

First, we evaluated what people think about the adequacy of distinct orders for their type of crime. They had to evaluate a set of items from 0 (*totally disagree*) to 3 (*totally agree*). Additionally, we examined which sentence participants considered that could help them more to change their lives, to verify if what they consider to be more appropriate for such crimes is consistent with what could be more valuable for their situation.

Drug trafficking and driving-related offenders exhibited congruence between the order they considered to be fairest for the type of crime committed and the one that could be more helpful in their specific case. Specifically, drug trafficking offenders considered that the most suitable order for people who committed that crime was a suspended sentence ($M = 1.96$, $SD = .97$), and in concordance, they considered that such conviction was the most helpful to them ($M = 1.12$, $SD = .89$). Regarding driving offenses, participants considered that community service was both the most reasonable for driving offenders ($M = 2.06$, $SD = 1.06$), and the most helpful order in their case ($M = .94$, $SD = .85$).

Contrarily, participants condemned for another type of crimes did not show such agreement. Except for participants who committed physical injuries and sexual crimes, there was a tendency to perceive prison as the most suitable order, even not considering this sanction the most helpful in the own case. Specifically, people who committed economic ($M = 1.92$, $SD = 1.18$), domestic violence ($M = 2.03$, $SD = .89$), and attempted murder ($M = 3.00$, $SD = .00$) consider that prison is the most appropriate order. However, they consider that suspended sentence would be the most helpful sanction (economic – $M = 1.19$, $SD = .92$; domestic violence – $M = .68$, $SD = .88$; attempted murder – $M = .75$, $SD = .96$).

Regarding sexual offenders, they also affirmed that prison was the most adequate sanction to such offenders ($M = 2.57$, $SD = .54$), considering that this sentence would be less helpful in their case ($M = .67$, $SD = 1.00$), and electing community service as the most beneficial ($M = 1.14$, $SD = .90$). Finally, participants who perpetrated offenses to physical integrity believed that electronic monitoring

was the most suitable sentence, although they mentioned that fines ($M = .82$, $SD = .87$) or community service ($M = .82$, $SD = .87$) would be the sentences that help the most.

Considering these deliberations, we analyzed if participants who considered that prison would be the most appropriated order had already been incarcerated. We found that, despite crimes, most of them had never been imprisoned before.

Perceptions about the purposes of the sentence across different type of orders

The present study also examined in what degree participants considered sentences purposes as being deterrence (special and general), retribution, or rehabilitation. After, we analyzed if there are differences in these perceptions among different types of offenders. Participants evaluated from 0 to 3 according to their level of agreement. The results were then analyzed based on the Bonferroni correction to protect from Type of I error.

The results obtained in this section are presented in Table 3.

Despite the order, most participants consider that the main purpose of the sentences was general deterrence purpose. Rehabilitation was the purpose less considered, apart from offenders who were in provisional process prosecution.

A one-way ANOVA was conducted to compare the perceptions across different groups. Specifically, regarding the perceptions about special deterrence, we found significative differences at the $p < .05$ level between individuals in provisional process suspension and those in community service $F(2) = 4.06$, $p = .02$. Post hoc comparisons using the Broferroni test indicated that the mean score for individuals in community service ($M = 2.25$, $SD = .64$) was significantly different from those in provisional process suspension ($M = 1.43$, $SD = .94$). Specifically, comparing both groups, our results suggest that people in community service considered more the purpose of special deterrence.

Despite this, differences were not found on their considerations about community sanctions aiming to reach general deterrence purposes $F(2) = .83$, $p = .44$. Also, participants did not differ on the perception that orders had retribution as purpose $F(2) = 2.43$, $p = .09$, as well as on the perception that the orders seek the offenders' rehabilitation $F(2) = .85$, $p = .43$.

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Table 3.

Differences on perceptions about the orders' purpose between offenders serving different orders

	Community service	Suspended sentence	Provisional Process Prosecution
	<i>n</i> = 20	<i>n</i> = 127	<i>n</i> = 14
	<i>M</i> (<i>SD</i>)	<i>M</i> (<i>SD</i>)	<i>M</i> (<i>SD</i>)
General prevention	2.40 (.60)	2.30 (.80)	2.07(.80)
Special prevention	2.25 (.64)	2.01 (.86)	1.43 (.94)
Punishment	2.25 (.91)	2.26 (.85)	1.71 (1.40)
Rehabilitation	1.70 (2.20)	1.90 (1.01)	1.64 (1.22)

Perceptions about sentences' purposes across different types of crimes

Results show a tendency to consider retribution – specifically by drug traffickers and attempted murder offenders – and general deterrence – by other kinds of criminals – as the purposes of orders. Moreover, except for participants who committed offenses to physical integrity and sexual crimes, rehabilitation was the least considered purpose.

The results obtained are presented in Table 4.

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Table 4.

Differences on perceptions about the orders' purpose between offenders with different types of crime committed

	1 <i>n</i> = 50	2 <i>n</i> = 35	3 <i>n</i> = 16	4 <i>n</i> = 38	5 <i>n</i> = 10	6 <i>n</i> = 3	7 <i>n</i> = 7
	<i>M (SD)</i>	<i>M (SD)</i>	<i>M (SD)</i>	<i>M (SD)</i>	<i>M (SD)</i>	<i>M (SD)</i>	<i>M (SD)</i>
General prevention	2.20 (.87)	2.57 (.56)	2.44 (.63)	2.22 (.82)	2.40 (.52)	2.33 (.58)	1.86 (.69)
Special prevention	1.65 (.93)	2.23 (.73)	2.06 (.77)	2.03 (.90)	1.60 (.52)	2.50 (.71)	2.57 (.54)
Punishment	2.28 (.88)	2.40 (.81)	2.06 (.93)	2.05 (.99)	2.00 (.94)	3.00 (.00)	2.29 (.76)
Rehabilitation	1.64 (1.01)	2.20 (.90)	1.94 (1.12)	1.84 (1.08)	2.00 (.67)	2.00 (1.41)	2.00 (1.16)

Note: 1. Drug trafficking; 2. Property/Economic crimes; 3. Driving-related crimes; 4. Domestic violence; 5. Offenses to physical integrity; 6. Attempted murder; 7. Sexual crimes

Perceptions about society across different types of orders

Also, we analyzed participants' perceptions about society. Specifically, we examined if they felt more revolted, critical or understanding, or if such opinions did not change. We conducted a one-way ANOVA to compare different groups. Once again, to protect our results from Type of I error, Bonferroni corrections were conducted.

No differences were found among offenders at the level of $p < .05$. Specifically, people serving different orders in the community did not differ on the way they feel more revolted $F(2) = .49, p = .62$, critical $F(2) = .60, p = .55$ or understanding $F(2) = 1.14, p = .32$] about society or on the degree their perceptions of society did not change $F(2) = 1.76, p = .18$.

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Table 5.

Differences of perceptions about society between offenders serving different orders

	Community service	Suspended sentence	Provisional Process Prosecution
	<i>n</i> = 20	<i>n</i> = 127	<i>n</i> = 14
	<i>M</i> (<i>SD</i>)	<i>M</i> (<i>SD</i>)	<i>M</i> (<i>SD</i>)
“I felt more revolted”	.80 (1.10)	.93 (1.13)	.64 (1.01)
“I felt more critical”	.95 (1.19)	1.19 (1.18)	.93 (1.07)
“I did not change”	1.55 (1.40)	1.10 (1.27)	1.00 (1.36)
“I felt more understanding”	1.70 (2.2)	2.12 (1.10)	1.73 (1.22)

Discussion

The first purpose of this study was to explore who are the people who are allowed to serve an order in the community. Specifically, we intended to understand what variables could explain why judges condemn some people to a custodial sanction, and others to a community sentence.

Our study shows a substantial difference between the number of men and women. Although previous work emphasized that women are more likely to receive community orders compared to male (Doerner & Demuth, 2014; Leiber, Beaudry-Cyr, Peck, & Mack, 2017), we also know that men have higher crime rates (Bennett, Farrington, & Huesmann, 2005; Li & MacKenzie, 2003). Even if we are not able to ascertain that just because men tend to commit more crimes, they are more likely to be serving an order, such disparity could be a consequence of this tendency since we also know that prison population is mainly composed by male offenders (Moreira & Martins, 2018). Since the rates of male offenders are higher either in prison or in community orders, our results could be explained by this greater prevalence of men serving a sentence.

The mean age of participants serving an order in the community indicates that most of them were in middle adulthood. It also illustrated that most participants were serving a suspended sentence, and, in addition, that the majority of crimes was drug-related. All these indicators go in line with the official statistical data (Moreira & Martins, 2018) and thus, we can deduce that our sample is in accordance with the Portuguese reality. Drug trafficking was mainly prevalent across people who are

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servicing a community order, and this prevalence was reported on previous studies (Johnson & Jones, 1998; Turner, Petersilia, & Deschenes, 1992). The legal framework in Portugal allows consumption, however, many drug trafficking crimes could be enhanced by addiction. It is well-reported that community orders (in)tend to provide adequate interventions programs (Focquaert & Raine, 2012) and because of that, they are considered the more efficiently sentences to address these issues (The Centre for Social Justice, 2004). Also, previous studies have reported that rates of drug use in prison are higher than in the general population (European Monitoring Centre for Drugs and Drug Addiction, 2015). Thus, we can presume that judges tend to opt for this type of sanctions since they could be more helpful in individuals' rehabilitation.

Our data showed us that most of the crimes of our participants were committed without violence. This tendency could inform about judges' considerations when they ponder the sentence. We can presume that there is a propensity to give to non-violent offenders an opportunity not to go to prison. Since that many courts consider that jail could increase the likelihood to perpetrate other crimes (Cid, 2009; Milani & Moghadam, 2015; Tait, 2001; van Ginneken, 2016), we can presume that for less dangerous people, judges are more likely to give them a community order.

Despite this, offenders of our study that were serving a non-custodial sentence due to a violent crime were the oldest participants. This tendency could also be explained by the leniency that is given to older offenders to keep them out of jail (Blowers & Doerner, Jill, 2015; Steffensmeier & Motivans, 2000). Taking into account the harsh conditions of the prison, a higher tolerance may exist towards oldest criminals because judges may consider more appropriate to give an opportunity to these offenders, even if they have committed violent offenses. We noticed that in our sample most people that committed a violent crime and that were serving order in the community were the oldest one.

Also, we noticed that community orders were mainly for people who perpetrated their first offense. Since community orders tend to facilitate reintegration (Aebi, Delgrande, & Marguet, 2015; Capdevila et al., 2016; Cid, 2009; Killias, Aebi, & Ribeaud, 2000; May & Wood, 2005; May, Wood, Mooney, & Minor, 2005; Milani & Moghadam, 2015; Sandu & Ignătescu, 2017; UNODC, 2007, 2012; Weaver & Armstrong, 2011), we consider that judges may give those criminals an opportunity to repair their behavior without losing their community ties. Indeed, as we see in Portuguese penal system and as previous works have noticed, it seems to exist a tendency to sanction the first offenders more leniently and with a probation sentence (Crew, 1991; Hester, Frase, Roberts, & Mitchell, 2018).

Despite this, focusing on driving offenders, we perceived that most of them were recidivists. As mentioned by Glitsch and Knuth (2015) to prevent recidivism for this type of crimes, people should be

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submitted to an educative intervention. We presume that these participants were not able to understand the potential harm of their conduct and thus, they were not willing to change it easily. These people should be educated about the law, in order to promote their association to it, and then fostering their behavior in accordance. In Portugal, a program has been implemented with driving offenders that are serving an order in the community. STOP Program was developed by GDSRPS in order to promote behavioral changes on this type of delinquents (Silva & Fé, 2009). Participants are educated about the importance and the reason why they should obey the law. Given the importance of such interventions, they should be implemented with all offenders as an injunction. We noticed that although this group aggregated the youngest, these participants are those with higher levels of recidivism. Indeed, given the tendency to condemn this type of offenses with a non-custodial sentence, it is possible that they do not perceive the punitiveness of such sanctions, and as a result, they have more difficulties in changing their behavior.

Regarding the marital status, despite the number of single and married participants was similar, examining this distribution across both sexes, we conclude that most men were single while most women were married. Such results could suggest that marriage could have a different influence on the judges' decisions in men and women. Magistrates seemed to be more lenient to women who occupy traditional female roles (Bickle & Peterson, 1991; Castro-Rodrigues & Sacau, 2012; Crew, 1991; Daly, 1987; Herzog & Oreg, 2008). Given the prevalence of the idea that women have other informal mechanisms of control than men (Castro-Rodrigues & Sacau, 2012; Matos & Machado, 2012), it could exist a tendency for judges minimize the need to apply formal ways of control, allowing them an opportunity to serve an order in the community. Oppositely, for men, being married seems to be perceived as an aggravating factor that could result in a superior chance to be imprisoned (Bickle & Peterson, 1991).

Analyzing the parental domain among different defendants, we found that with the exception of people who committed drug trafficking crimes, who might not be given this opportunity, all other types of offenders of our study had children. These results could be explained by judges' propensity to give offenders who have children an opportunity to maintain the familiar proximity. Previous work has already noticed fewer probabilities for those who have children to be incarcerated (Chatsverykova, 2016; Crew, 1991; Freiburger, 2010). Despite this, it is curious to note that this tendency seemed not to be applied to drug trafficking offenders, which might reveal that judges have distinct considerations in case of drug trafficking. Extra-legal variables might influence the judges' verdict. Specifically, although parenthood could be perceived as a factor that promotes desistance from crime when considering drug

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trafficking crimes, parental responsibilities could be understood by judges as an aggravator since they could consider that offenders could expose their children to higher risk.

Our results showed a correspondence between driving offenses and community service; domestic violence and provisional process prosecution; and finally, drug crimes and suspended sentence. All these results are similar to the official statistic of GDSRPS (Moreira & Martins, 2018), and thus we can presume that there is a kind of pattern among magistrates. It is curious to note that judges probably establish a consensus about which order would be more suitable for different crimes. These considerations stresses the importance of analysing if these decisions are evidence-based or if they are based in judges' considerations – such as seriousness of crimes, and individuals' dangerousness and rehabilitation potential (van der Stouwe et al., 2016; de Castro Rodrigues, Sacau, de Oliveira, & Gonçalves, 2018).

Driving offenders presented in our study were mainly condemned to community service. Since drive related offenses do not usually involve a direct victim, and given the benefits that this order could offer to the community, it is possible that judges tend to opt for a sentence that provides public restitution while it enhances the offenders' reintegration (Bazemore & Karp, 2004) Also, in our study, domestic violence was mainly associated with provisional process suspension. Indeed, many domestic violence offenders who were serving an order in the community were not condemned. The influence of some stereotypes on judges' decisions has already been reported (Easteal, Bartels, & Mittal, 2019) and thus, it could be possible that some magistrates tended to devalue some of these crimes, ended by not condemning them. Finally, we noticed that drug trafficking offenders who were convicted to a community order were mainly serving a suspended sentence. As mentioned before, many of these offenders probably have addiction problems. Since this order is usually accompanied with the imposition of some injunctions, such as the obligation to participate in treatment programs (UNODC, 2012), it is possible that magistrates tended to opt by this order.

Furthermore, we analyzed if participants' perceptions differed when they talked about crimes committed by others or crimes committed by themselves. We concluded that participants tended to express a very punitive attitude towards crime, apart from their own offenses. These results are interesting to be analyzed considering the purposes that participants believed sanctions have. Rehabilitation was the less considered purpose for almost all type of offenders. Despite this, we noticed a tendency to consider general deterrence as the primary goal of sanctions. We could suppose that despite offenders exhibited a tendency to be severe when they ponder the adequacy of the sentences, they did not consider that such severity could enhance their reintegration. This raises important

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information about the need to develop rehabilitation initiatives in terms of improving individuals' awareness about the social reprehensibility of their act.

Our study shows that only those who were serving a community order due to driving or drug trafficking crime demonstrated congruence between the sentence they considered adequate for that type of offenses in general and the sanction that they thought it could help them more to desist from crime.

Offenders in the community who did not show this correspondence were those who had committed violent crimes with a victim present – domestic violence, sexual crime, offense to physical integrity, and attempted murder –, with the exception of those who committed economic crimes, which offenses did not encompass direct harm to a person. We noticed that most of these participants considered that prison would be the more adequate sanction for the type of crime each of them has committed. However, they did not believe that this sentence would be the most helpful. Even if these individuals recognize the seriousness of their crimes – and thus believe that prison should be suitable – they might presume that, while in prison, other types of offenders could enhance their propensity to engage on crime. A lot of work has been done in order to demonstrate that prison could increase the likelihood to maintain a criminal life since it might be a school of crime (Cid, 2009; Milani & Moghadam, 2015; Tait, 2001; van Ginneken, 2016). These results are corroborated by previous work, which shows that offenders tend to agree that community orders contribute more for their wellbeing and provide more support to desist from crime (Hayes, 2015; Moura, 2009; Weaver & Armstrong, 2011).

Our study also indicated that most of the participants who revealed differences between the sentence they consider adequate and the one they consider more helpful had never been in prison before. It is probable that these individuals tend to develop a more negative perception about prison since they do not know precisely how to live under custody is. Previous studies showed that people who never experienced imprisonment tend to perceive this sentence as more dreadful comparing with those who have been incarcerated before (May et al., 2005; Williams et al., 2008).

The overall divergences between offenders were also suggested in previous studies (Kolber, 2009; van Zyl Smit, Snacken, & Hayes, 2015). They should be explored with more caution since there seems to exist an association between offenders' future behavior and their perceptions about the way they were sentenced (Andrews & Bonta, 2010; Gendreau et al., 1999).

Regarding sentences' purposes, we noticed a tendency to consider punishment and general deterrence as the main purposes and, a propensity for the rehabilitation to be the purpose less

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considered. We found that offenders in community service valued more general deterrence as the purpose for sanctions comparing with those in provisional process suspension. The differences that exist between both orders in terms of injunctions could be one of the reasons for these results. We know that people in community service have to provide their services to some institution and this could enhance the development of work habits, which is associated with desistance from crime (Uggen & Staff, 2001). On the other hand, individuals in provisional process suspension know that if they accomplish the injunctions without committing more crimes, their criminal record could be cleaned, and this could give to them the sense that did not have pejorative consequences at the long term.

Finally, we analyzed if participants' perceptions about society changed (or not) as a result of the crime. In fact, despite the order, most participants considered that they became more understanding with society as a result of the sentence. However, we did not find any statistical difference between groups. We can hypothesize that individuals tended to perceive all community orders in the same way, and then, they were just able to distinguish between custodial and non-custodial sentences.

All these findings provide relevant information to the current knowledge. Many variables were analyzed in the present study and the found particularities should be addressed to improve the rehabilitative purpose of the penal system. We observed that different individuals exhibited different insights and criminogenic needs and such discrepancies should be emphasized during the rehabilitative process.

Despite this, the present study presents some limitations. Indeed, the practice of sentencing might change according to the geographic area. Since our analysis only embraced individuals living in the north of Portugal, we should be careful to generalize these findings for all population. Additionally, our study included a fewer number of women comparing with men, and despite this disparity reflects the Portuguese reality, we should attend this difference when comparing both genders.

This exploratory study provides information about who are the people who are given an opportunity to serve an order in the community. Until now, no previous work has focused on the individual characteristics of these offenders, and thus, our findings might contribute to understanding the way sentences are applied. Also, this study provides data about the way non-custodial offenders perceive community orders, and thus it could give us some critical orientations to improve the effectiveness of the legal system. However, more research is needed to consolidate our findings. Despite the data that already exists, we noticed discrepancies on the categorizations of crimes and therefore, we propose that other studies could be done in order to analyze if there is a matching between offenders' perceptions and the reality. In future studies, we suggest our results to be

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complemented with qualitative analysis, as well as with other types of relations between variables because it could exist other factors that influence either the offenders' perceptions or the judges' considerations.

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Appendixes

Appendix A - University of Minho Ethics Commission (CEUM)



Universidade do Minho

Conselho de Ética

Conselho de Ética - Ciências Sociais e Humanas

Identificação do documento: SECSH 069/2018

Título do projeto: *Perceção dos indivíduos em cumprimento de penas em comunidade acerca da eficácia da sentença e acerca do crime.*

Investigador(a) Responsável: Joana Andrade, estudante do 2º ano do Mestrado em Psicologia Aplicada, Escola de Psicologia, Universidade do Minho

Outros Investigadores: Andreia de Castro Rodrigues (Orientadora), Centro de Investigação em Psicologia (CIPsi), Escola de Psicologia, Universidade do Minho e Rui Gonçalves Abrunhosa (Coorientador), Centro de Investigação em Psicologia (CIPsi), Escola de Psicologia, Universidade do Minho

PARECER

O Conselho de Ética analisou o processo relativo ao projeto de investigação acima identificado, intitulado *Perceção dos indivíduos em cumprimento de penas em comunidade acerca da eficácia da sentença e acerca do crime.*

Os documentos apresentados revelam que o projeto obedece aos requisitos exigidos para as boas práticas na investigação com humanos, em conformidade com as normas nacionais e internacionais que regulam a investigação em Ciências Sociais e Humanas.

Face ao exposto, o Conselho de Ética nada tem a opor à realização do projeto, emitindo o seu parecer favorável.

Braga, 31 de outubro de 2018.

A Presidente

Anexo: Formulário de identificação e caracterização do projeto

Appendix B – Informed Consent

Declaração de Consentimento Informado

*Considerando a “Declaração de Helsínquia” da Associação Médica Mundial
(Helsínquia 1964; Tóquio 1975; Veneza 1983; Hong Kong 1989; Somerset West 1996 e Edimburgo 2000)*

Eu, (nome completo) -----

-----, **abaixo-assinado**, compreendi a explicação que me foi dada acerca da minha participação no projeto “Percepções de indivíduos em cumprimento de penas não privativas de liberdade face à eficácia das penas e face ao crime”, da responsabilidade das Investigadoras Joana Andrade e Andreia de Castro Rodrigues, nomeadamente ao nível de conhecer a minha percepção relativamente ao cumprimento da pena e relativamente ao crime.

Tomei conhecimento de que tenho o direito de recusar em qualquer momento a minha participação no estudo, sem que isso possa ter qualquer prejuízo para mim, assim como de que os dados resultantes serão apenas utilizados para fins científicos, e sem qualquer referência à minha identidade.

Data: ____ / ____ / 201__

Assinatura: _____

As Investigadoras responsáveis:

Nome: Joana Andrade & Andreia de Castro Rodrigues

Assinatura:

Appendix C - Questionnaire of Experiences and Perceived Effectiveness of Penal Sanctions

QUESTIONÁRIO DA VIVÊNCIA E EFICÁCIA PERCEBIDA DAS SANÇÕES PENAIS
Castro Rodrigues, A. & Gonçalves, R. A. (2016)

O presente questionário tem por objetivo recolher informação sobre a forma como as penas são percebidas e vividas.
 Não existem respostas certas nem erradas pois estamos interessadas na sua opinião. Para que este estudo tenha resultados válidos, é fundamental a sua sinceridade.
 As suas respostas são confidenciais, isto é, não serão, em nenhuma circunstância, partilhados com os serviços.
 O conteúdo dos questionários será analisado para fins exclusivamente científicos.

Nos grupos que se seguem, pedimos-lhe que **coloque um X em cada linha**, de acordo com o grau em que concorda com cada afirmação.

Motivações para o cometimento do crime pelo qual está a cumprir pena:

	Discordo totalmente	Discordo	Concordo	Concordo totalmente
Dinheiro				
Estatuto / Obter o respeito dos outros				
Consumo de substâncias				
Impulsividade				
Sexualidade				
Gostar do risco / desafio				
Questões passionais (ciúme, raiva)				

Comprometimento com o estilo de vida criminal:

	Discordo totalmente	Discordo	Concordo	Concordo totalmente
Cometer crimes é um estilo de vida ocasional				
Cometer crimes é um estilo de vida permanente				
O crime é a forma mais fácil de se ter o que se quer				
Uma coisa boa do crime é a excitação de contornar o sistema				

Intenções de desistência:

<i>Quando terminar de cumprir a minha pena, eu vou provavelmente:</i>	Discordo totalmente	Discordo	Concordo	Concordo totalmente
Centrar-me na minha família				
Procurar um emprego				
Procurar aumentar as minhas competências/qualificações				
Procurar fazer novos amigos/as				
Tentar endireitar a vida				
Tentar evitar voltar a cumprir uma pena				
Voltar a cometer crimes				

INDIVIDUALS SERVING COMMUNITY ORDERS

Caraterização da rotina durante o cumprimento da pena:

	Discordo totalmente	Discordo	Concordo	Concordo totalmente
Tenho atividades em que me posso envolver				
Tenho tempo para pensar na minha vida e no que quero mudar				
Tenho condições para pensar na minha vida e no que quero mudar				
Tenho ajuda de profissionais para pensar na minha vida e no que quero mudar				
Gasto tempo a proteger-me de outros/as reclusos/as				
Gasto tempo com sentimentos negativos relativamente à minha situação				

Perceções relativamente à sociedade e à pena:

<i>Em que medida a sua ideia acerca da sociedade mudou durante o cumprimento da pena?</i>	Discordo totalmente	Discordo	Concordo	Concordo totalmente
Tornei-me mais revoltado/a				
Tornei-me mais crítico/a				
Não mudou				
Tornei-me mais compreensivo/a				

Perceções relativamente à sua pena:

	Nada	Pouco	Alguma coisa	Muito
Na sua opinião, a pena que está a cumprir tem um efeito dissuasivo da prática de novos crimes?				
Há quem diga que as prisões são escolas do crime. Concorda?				
Pensando no crime que cometeu, olha para ele de outra maneira como resultado da pena que está a cumprir?				
Concorda com o facto do crime que cometeu ser ilegal?				
Concorda com o facto do crime que cometeu ser punido com a pena que está a cumprir?				
Considera a sua pena justa?				

Qual é, na sua opinião, o aspeto mais importante para não voltar a cometer crimes?

	Discordo totalmente	Discordo	Concordo	Concordo totalmente
Que a sociedade faça algo por mim				
Que eu decida não voltar a cometer crimes				

Um dos intuitos das penas é ajudar as pessoas a mudar a sua vida, no sentido de não voltarem a cometer crimes.

O que acha que as diferentes penas que se encontram neste quadro lhe fariam a si?

	Não ajudaria	Poderia ajudar a mudar de vida	Ajudaria a mudar de vida
Multa			
Prisão por dias livres			
Trabalho comunitário			
Prisão domiciliária			
Pena de prisão suspensa			
Prisão efetiva			

INDIVIDUALS SERVING COMMUNITY ORDERS

Ordene as seguintes penas, dando a cada uma um valor de 1 a 6 (sendo o 1 para a pena que considerar melhor e o 6 para a pior), relativamente à sua capacidade de reabilitar as pessoas:

Multa de 500€	
4 meses de prisão por dias livres	
100 horas de trabalho comunitário	
9 meses de prisão domiciliária	
12 meses de pena suspensa	
6 meses de prisão	

A realidade Portuguesa:	Muito menos	Um pouco menos	Mais ou menos o mesmo	Um pouco mais	Muito mais
O número de crimes cometidos em Portugal nos últimos 5 anos tem sido					
O número de pessoas condenadas a penas de prisão em Portugal nos últimos 5 anos tem sido					
O número de pessoas "importantes" a ser condenadas em Portugal nos últimos 5 anos tem sido					

Perceção quanto à adequação de diferentes penas aos crimes:

Na sua opinião, quanto é que uma pena de multa se adequa a:	Nada	Pouco	Alguma coisa	Muito
Crimes relacionados com drogas				
Violação/abusos sexuais				
Violência doméstica				
Ofensas à integridade física				
Condução sem habilitação legal ou sob efeito de substâncias				
Crimes económicos				
Furto				
Homicídio				

Na sua opinião, quanto é que uma pena de trabalho a favor da comunidade se adequa a:	Nada	Pouco	Alguma coisa	Muito
Crimes relacionados com drogas				
Violação/abusos sexuais				
Violência doméstica				
Ofensas à integridade física				
Condução sem habilitação legal ou sob efeito de substâncias				
Crimes económicos				
Furto				
Homicídio				
Na sua opinião, quanto é que uma pena de pulseira eletrónica se adequa a:	Nada	Pouco	Alguma coisa	Muito
Crimes relacionados com drogas				
Violação/abusos sexuais				
Violência doméstica				
Ofensas à integridade física				
Condução sem habilitação legal ou sob efeito de substâncias				
Crimes económicos				
Furto				
Homicídio				

INDIVIDUALS SERVING COMMUNITY ORDERS

<i>Na sua opinião, quanto é que uma pena de prisão por dias livres se adequa a:</i>	Nada	Pouco	Alguma coisa	Muito
Crimes relacionados com drogas				
Violação/abusos sexuais				
Violência doméstica				
Ofensas à integridade física				
Condução sem habilitação legal ou sob efeito de substâncias				
Crimes económicos				
Furto				
Homicídio				
<i>Na sua opinião, quanto é que uma pena de prisão suspensa se adequa a:</i>	Nada	Pouco	Alguma coisa	Muito
Crimes relacionados com drogas				
Violação/abusos sexuais				
Violência doméstica				
Ofensas à integridade física				
Condução sem habilitação legal ou sob efeito de substâncias				
Crimes económicos				
Furto				
Homicídio				
<i>Na sua opinião, quanto é que uma pena de prisão efetiva se adequa a:</i>	Nada	Pouco	Alguma coisa	Muito
Crimes relacionados com drogas				
Violação/abusos sexuais				
Violência doméstica				
Ofensas à integridade física				
Condução sem habilitação legal ou sob efeito de substâncias				
Crimes económicos				
Furto				
Homicídio				

Perceção quanto à certeza da punição:

<i>Quão provável acha que é alguém que comete um dos seguintes crimes acabar por responder perante a lei?</i>	Nada provável	Pouco provável	Algo provável	Muito provável
Crimes relacionados com drogas				
Violação/abusos sexuais				
Violência doméstica				
Ofensas à integridade física				
Condução sem habilitação legal / sob efeito de substâncias				
Crimes económicos				
Furto				
Homicídio				

<i>No seu caso:</i>	Nada provável	Pouco provável	Algo provável	Muito provável
Quão provável achava que era responder perante a lei?				
Tinha noção de qual era a pena em que arriscava?				
Qual acha que seria a probabilidade de cometer o mesmo crime se soubesse que a pena era mais pesada?				

INDIVIDUALS SERVING COMMUNITY ORDERS

Perceção quanto aos objetivos das penas:

<i>Em Portugal quais são os objetivos que acha que as penas procuram atingir?</i>	Nada	Pouco	Alguma coisa	Muito
Dissuasão do cometimento de novos crimes pelo próprio (prevenção especial)				
Dissuasão do cometimento de novos crimes na sociedade (prevenção geral)				
Punição				
Reabilitação				

Perceção quanto à gravidade dos crimes:

	Nada	Pouco	Alguma coisa	Muito
Qual o grau em que considera que a criminalidade é negativa para a sociedade?				
Qual o grau de gravidade que atribui ao crime que cometeu?				
Qual o grau de remorso que sente relativamente ao crime que cometeu?				
Acha provável voltar a cometer um crime como o que cometeu para estar a cumprir esta pena?				

Nesta pergunta, pedimos-lhe que selecione a opção, de 1 a 5, que mais se adequa à sua opinião, sendo o 1 uma opinião que concorda totalmente com a afirmação do lado esquerdo, e o 5 uma opinião que concorda totalmente com a afirmação do lado direito.

O que faria com que as penas, no geral (quer na prisão quer na comunidade), fossem mais eficazes a reabilitar as pessoas?

Torná-las mais breves	1	2	3	4	5	Torná-las mais longas
Não ter preocupação com o tempo de atribuição da pena	1	2	3	4	5	Atribuir a pena mais rapidamente
Atribuir penas apenas a algumas das pessoas que cometem crimes	1	2	3	4	5	Atribuir penas a todas as pessoas que cometem crimes
Tentar não afastar as pessoas dos seus empregos	1	2	3	4	5	Afastar as pessoas dos seus anteriores empregos
Tentar não afastar as pessoas das suas famílias	1	2	3	4	5	Afastar as pessoas das suas famílias
Tornar as penas mais fáceis de passar	1	2	3	4	5	Tornar as penas mais duras de passar
Tornar as penas mais ativas	1	2	3	4	5	Tornar as penas mais monótonas
Preparar a reinserção durante a pena	1	2	3	4	5	Não considerar a reinserção durante a pena

Idade: _____

Sexo:
 Feminino Masculino

Situação conjugal:
 Solteiro/a Casado/a / união de facto Viúvo/a
 Divorciado/a / Separado/a

Situação parental:
 Sem filhos Com filhos a cargo (até à pena)
 Com filhos a cargo de terceiros Com filhos já independentes

Dados da pena que está a cumprir:
Tipo de pena
 Trabalho a favor da comunidade Pulseira eletrónica
 Pena suspensa Liberdade condicional Suspensão provisória processo

Duração da pena: _____
Quando começou a cumprir a sua pena? _____
Crime(s): _____

Situação penal
 1ª pena 2ª pena 3ª pena ou mais
 Se cumpriu penas anteriores quais foram:
 Multa Trabalho a favor da comunidade Pulseira eletrónica
 Prisão por dias livres Pena suspensa Prisão