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TIES WITH THE FAMILIES OF CONVICTS SERVING A SENTENCE DEPRIVED OF LIBERTY IN THE ELECTRONIC MONITORING SYSTEM (SDE)¹

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Abstract. The article contains the content and analysis of the results of research relating to serving a prison sentence in the Polish penitentiary system in the Electronic Monitoring System (SDE here and after) in the context of maintaining ties with the social environment, with the family in the assessment of probation officers. The penitentiary system is not limited to isolation. Serving certain forms of punishment outside prisons also contributes to relieving the penitentiary system. The Electronic Monitoring System is an alternative form of execution of the penalty of imprisonment. It allows the state to exercise control over the convict's behavior by means of technical means, eliminating the need for penitentiary isolation as a criminal law response. It is a form of reaction with a much lower degree of discomfort, devoid of the negative consequences associated with isolation, such as demoralization, weakening of family and social ties, change of environment, loss of autonomy, economic degradation or stigmatization. It is an interesting activity related to modern solutions in the field of law, upbringing and family, applied in practice. The probation officer plays an important role in the course of serving the sentence by the convict in SDE, in his social rehabilitation and social adaptation. He is a specialist responsible for supervising and supporting the convicted person. The probation officer performs tasks aimed at implementing court decisions, helps the convict return to society, and prevents re-offending. The key aspect of serving a sentence in SDE is the convict's ability to maintain family ties, his social rehabilitation, the process of preparing for return to society, re-adaptation to social conditions. Serving a sentence in an SDE allows you to maintain family ties, which in turn reduces the risk of recidivism. The prepared and presented content is part of resocialization pedagogy, penitentiary pedagogy, and family pedagogy.

Keywords: Electronic Monitoring System (SDE), family, prison sentence, resocialization, penitentiary pedagogy.

1. INTRODUCTION

Practical pedagogy, pedagogical work in the field of social rehabilitation, penitentiary and educational pedagogy is carried out both in an open and closed environment. Closed environments are equated with prisons, among others. A prison is a place where there are many restrictions, ranging from the loss of freedom of movement and meeting various needs, through restrictions on participation in family and social life and the performance of social roles, to restrictions on information and communication. The Prison is not friendly to people, creating conditions conducive to their comprehensive physical, mental, family and social development. Prison remains a place of restriction of

¹ SDE abbreviation of the Electronic Monitoring System in the Polish penitentiary system.

freedom and rights of people forced to stay there as a response to crimes committed by them (Bulenda, 2006, pp. 295-296), which functions within the penitentiary system in force in a given country. The penitentiary system refers to the structure and functioning of the punishment system through solitary confinement or other forms of sanctions. It is a comprehensive system covering both the repressive and social rehabilitation approach. The penitentiary system means a set of directives specifying the rules and methods of execution of the penalty of imprisonment, taking into account organizational rules and technical and material means that allow these rules and methods to be implemented (Warylewski, 2007, p.186). Another approach says that the system of execution of the penalty of imprisonment, the most important part of which is the penitentiary system, consists in organizing the process of executing the sentences in such a way that they achieve the goals assigned to them as much as possible (Jędrzejak, 2004, p. 7).

The penitentiary system is not limited to isolation. Its important task is the social rehabilitation of convicts, i.e., the process of preparing them to return to society, readaptation to social conditions. Within the penitentiary system, various activities are undertaken aimed at education, vocational training, therapy, rehabilitation and reintegration of convicts. The penitentiary system also aims at restorative justice, which focuses on compensating victims of crime and repairing the damage caused to society (Konopczyński, 2007, pp. 310-311). It should enable the development of new skills and social competences necessary to perform alternative roles (Czarkowski, 2018, pp. 39-54).

In antiquity and in the Middle Ages, prison was not treated as an independent form of punishment, but mainly as a means of preventing the escape of those sentenced to death or other corporal punishment. The concept of deprivation of liberty in its present meaning appeared only in the 18th century. From the end of the 18th century, the development of punishment enforcement systems known in the history of criminal law also dates. In 1791, the cell system (also known as the Pennsylvania or Philadelphia system) was introduced in the prison in Philadelphia, which consisted in the complete isolation of prisoners in individual cells, and in 1826 in Auburn prison, one of the varieties of this system, the so-called the system of silence (also called the Auburn system). In this system, prisoners worked together during the day, had no right to talk to each other, and spent the night isolated in individual cells. In the mid-nineteenth century, a progressive system of imprisonment developed in England and Ireland. It consisted in dividing the sentence into classes, starting with more restrictive conditions (full isolation) and gradually moving to milder conditions, up to the possibility of early release. Promotion to higher classes depended on the progress in social rehabilitation of the prisoner (Gardocki, 1998, p.157).

In the first half of the 20th century, many European countries made a shift in their penitentiary systems from a classic system based on repression and deterrence to one focused on treatment and rehabilitation (Törnudd, 1993). The 1980s and 1990s reflected the then growing concerns about the cost of imprisonment and consequences associated with staying in prisons, which increased the tendency of convicts to return to crime, resulted in arguments for the need to reduce the prison population (Lahti, 1993, pp. 100-117).

Staying in prison means not only deprivation of liberty, but also hinders the ability to undertake one's own life activity and limits ties with the current social environment, mainly with family, professional or peer environment. The prison environment, including its isolationism, is also conducive to the emergence and spread of many behaviors with features of social pathology (Kalaman, 2005, p. 117-135). Therefore, the need for interdisciplinary analysis and solving of this problem is emphasized in order to create the right conditions for effective assistance (Knocińska, & Frąckowiak, 2017, p. 9). Such conditions are created by the Electronic Monitoring System. The aim of the article is to present the results of research on the importance of relationships with family by serving a prison sentence in SDE in the context of the socialization process in the perception of court probation.

2. ANALYSIS AND DISCUSSION

2.1. The Electronic Monitoring System (SDE) as a non-custodial method of executing the penalty of imprisonment

Electronic supervision enables the state to exercise control over the convict's behavior by means of technical means, eliminating the need for penitentiary isolation as a criminal law response. It is a form of reaction with a much lower degree of discomfort, devoid of negative consequences associated with isolation, such as demoralization, weakening of family and social ties, change of environment, loss of autonomy, economic degradation or stigmatization (Jankowska-Prochot, 2019, p. 25). The Electronic Monitoring System (SDE) is a non-isolating method of executing a penalty of imprisonment, which aims to enable convicts to function in an open environment and to promote their social integration. The main objective of SDE is effective, economic and disciplinary influence aimed at achieving the intended goals of punishment.

Electronic surveillance is a broad term referring to various forms of surveillance that use radio and satellite technology to monitor a person as part of a criminal trial. It consists in tracking geographical location, activity, specific behavior and biometric data (Nellis, Lehner, 2012, p. 1). The use of modern technologies as a tool for the supervision of convicts, although relatively new, is an important element of modern penitentiary policy (Black, & Smith, 2003, p.1).

The Electronic Monitoring System is an alternative form of execution of the penalty of imprisonment, it is an interesting, still little researched part of activities related to modern solutions in the field of law and their impact on society, upbringing and families. The history of the introduction of electronic monitoring in the world dates back to 40 years. Already at the beginning of the eighties of the last century, i.e., in 1983, the first pilot program was launched in the United States, which aimed to monitor the perpetrators of crimes (Sielicki, 2005, p. 45). In Poland, the first talks on the introduction of electronic supervision took place in the 1990s. However, it was not until September 1, 2009 that the date of the beginning of the system's operation was recorded (Adamczyk, 2016, p. 58). The Electronic Surveillance System is an innovative solution used in the field of execution of imprisonment sentences. It enables monitoring and control of convicts in a way that does not isolate them from society. It is not a penalty within the meaning of the Penal Code (Act, 1997, Journal of Laws 1997 No. 88 item 553), but its alternative form of execution. The Electronic Monitoring System is a form of punishment, not an isolation penalty, which gives the convict the opportunity to serve his sentence in a free environment (Gucwa-Porębska, 2020, p. 33).

The interest in the subject of the Electronic Monitoring System results from its growing role in the implementation of imprisonment sentences and the wide range of benefits it can bring to society as well as to convicts. As an innovative tool for social rehabilitation and control, the Electronic Monitoring System introduces new possibilities and perspectives in the implementation of criminal sanctions. Finally, the awareness of the Electronic Monitoring System as an alternative tool for the execution of imprisonment is important not only for lawyers and justice professionals, but also for the wider community. During the conference at the Ministry of Justice in January 2023, SDE in Poland is very effective, recording only up to 10 percent. failures, i.e. such a small percentage of people serving their sentence in SDE do not finish it on time (<http://surl.li/lvxcu>, 2023).

The issues of the Electronic Monitoring System in Poland in the first stage were regulated by the Act of 7 September 2007 on the execution of imprisonment outside prison in the Electronic Monitoring System (Act, 2007, Journal of Laws 2007 No. 191, item 1366, Act, 2010, Journal of Laws of 2010, No. 142, item 960, Act, 2011, No. 217, item 1280, Act, 2012, item 692, Act, 2013, item 509, Act, 2013, item 915). The provisions of this Act defined four basic conditions and procedures, which included: 1) serving a prison sentence outside the prison walls by the convict, 2) decisions on granting the convict permission to serve a prison sentence in the electronic surveillance system, 3) organization and control of the process of

execution of the sentence imprisonment, 4) supervision over convicts serving a penalty of imprisonment in the electronic monitoring system. This act was in force from 1 September 2009 to 31 August 2014. Further regulations concerning this matter were included in the Penal Code and the Executive Penal Code.

The Polish legislator assumed that the system of penalties and penal measures should be based on the principle of subsidiarity, i.e., the penalty of imprisonment should be applied only when other penalties and penal measures proved to be insufficient. In this way, the penalty of imprisonment is an *ultima ratio*, which is in line with the international legal norms that Poland has ratified. In addition, this approach is in line with the criminal policy of the European Union, the Council of Europe and the United Nations. In democratic states based on the rule of law, it is recommended to limit the use of imprisonment in favor of developing alternative measures that will avoid the negative effects of prison isolation for convicts (Archiwum Kryminologii, 1994, vol. XX, pp. 193-203).

2.2. Probation officers as part of the execution of punishment in the Electronic Monitoring System

Probation officers play an important role in the execution of punishment in the Electronic Monitoring System. A probation officer is a specialist responsible for supervising and supporting a convicted person who is serving a sentence within the SDE. Probation officers in accordance with the Act on probation officers of July 27, 2001, as amended (Act, Journal of Laws 2001 No. 98, item 1071, Journal of Laws of 2020, item 167, of 2023, item 27), carry out tasks of an educational and social rehabilitation, diagnostic, preventive and control nature, related to the execution of court decisions, as defined by law.

According to executive regulations, the main duties of a professional probation officer include: supervising convicts or perpetrators; controlling convicts or perpetrators during the probationary period in terms of compliance with the obligations imposed on them; submitting motions to change the probationary period in cases related to the enforcement of a decision on conditional release; submitting applications for undertaking conditional discontinuation proceedings, submitting applications for establishing, extending or changing duties during the trial period, releasing from duties or submitting them to supervision or releasing them from supervision, submitting applications for postponement or break in the execution of a penalty or for withdrawal of a postponement or break in the execution of a sentence; submitting applications for parole and revocation of parole; submitting applications for the execution of a penalty whose execution has been conditionally suspended, and for the execution of a substitute penalty; submitting motions regarding the execution of a penalty of restriction of liberty; providing assistance to detainees after their release; participation in court sessions in cases specified in the Act; taking actions aimed at preparing convicts for release from prison; conducting environmental interviews at the request of authorized bodies of enforcement proceedings; performing activities related to organizing and controlling the execution of the penalty of restriction of liberty; performing other activities resulting from this Act and separate provisions (Act, 2023, item 127, art. 173).

2.3. The family and its functions in the context of serving a sentence in SDE

The natural and at the same time the first protective and educational environment of a human being is the family. Therefore, there is no doubt that the task of providing appropriate care, security, development and upbringing, as well as activity, can be found in the family and through the family. Man is a social being (Aronson, 2009, p. 14), therefore there is no doubt that his first and natural environment of care and education is the family. A family is a group of individuals related by blood, marriage or adoption, forming an economic unit whose adult members are responsible for raising children (Giddens, 2007, p. 732). The family is the basic social unit, the fundamental, constitutive element of every society, its main building block (Szlendak; 2011; p. 95). The family fulfills a number of functions. Family functions are "specialized and permanent activities and cooperation of family

members, resulting from tasks they are more or less aware of, undertaken within the framework set by applicable norms and patterns, and leading to specific main and side effects" (Szymczak, 1995. p. 442). The functions of the family are both the goals that the family aims at by undertaking numerous activities, as well as the tasks performed by it for its members (Adamski, 2002, p. 3). Therefore, the family fulfills numerous functions according to various human needs (Walancik-Ryba, 2021, pp. 29-34). Tyszka, recognized the function as a tool necessary for the analysis of the family in action, lists the following functions: care and security, procreation, sexual, material and economic, legalization and control, socialization, religious, cultural, stratification, emotional and expressive, and recreational and social (Tyszka, 1997 , pp. 46-57).

Due to the subject of the research, attention should be paid to some functions, e.g., emotional family. This function is very important in the process of socialization of family members. The family, which mainly consists in providing care to dependent family members, so both children and the sick, the elderly or the disabled, can be fulfilled when the parent or guardian is free or serving a sentence in SDE.

Regarding the educational function, it should be pointed out that this function has evolved. In the 19th century, upbringing was an activity reserved primarily for the family. This concerned especially the better-off classes. Parents quite often entrusted the upbringing of their offspring to others, but they decided about the form and content of this upbringing, employing nurses, vouchers, governesses and tutors. They did not always make their choices in a conscious and responsible way, they were often guided by current fashion and stereotypes (Kalinowska-Witek, 2013, p. 16)

Serving a sentence in SDE allows you to actively participate in the implementation of the educational and socialization function. It will prepare the child for an independent life in society by providing him with basic moral values, cultural values, skills of coexistence with other people, learning to perform self-service activities, communicating, building relationships (Adamski, 2002, p. 36). The role of the family in the socialization process, with the presence of parents is crucial is the most important. Serving a sentence by a family member-parent in SDE allows him to personally, directly participate in fulfilling all functions that are crucial in the process of socialization, including economic (called economic-material-economic), religious. It is definitely conducive to the process of social rehabilitation of the convict in all its dimensions.

2.4. Methodology

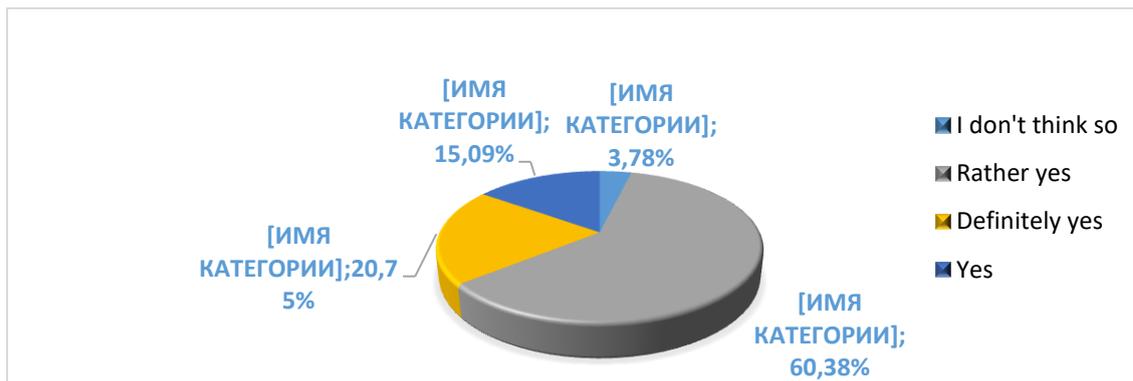
For the purposes of preparing the article, the results of quantitative research (Babbie, 2001, p. 268) conducted in 2022 in Poland were used. A research problem was formulated: What is the meaning of serving a sentence of imprisonment in the SDE system in the context of relations with the family in the perception of court probation officers. The research was conducted among probation officers remaining within the jurisdiction of the District Court in Katowice. The selection of the sample was intentional. 106 probation officers operating the Electronic Supervision System (SDE) participated in the study on a voluntary basis.

The largest percentage, amounting to 35.85% of the respondents, had an internship in the probation service in the range of 11 to 15 years. A much smaller group, 2.83%, had 6-10 years of service, and another 3.77% were in the range of 0-5 years. 29.25% of the probation officers surveyed had 16-20 years of service. The remaining 28.30% of employees had seniority in the range of 21-31 years and more. 100% had higher education degree of MSc. Among probation officers, the research covered both women and men. All respondents were Polish citizens. The research was carried out in the Silesian Voivodship. The region is inhabited by 4.52 million people. The region is characterized by the highest degree of urbanization and population density in Poland. The seat of the region's authorities is Katowice. 100% of the research was carried out personally using a questionnaire to be completed containing Likert categories of answers (Babbie, 2001, p. 278. The main research was preceded by a pilot questionnaire (Presser, & Blair, 1994, pp. 73 - 104). The research was carried out with the consent of the curators. The rules of ethics were respected during the research and analysis.

2.5. Imprisonment in the Electronic Monitoring System in the context of maintaining family ties in the assessment of probation officers

Serving a sentence of imprisonment in the Electronic Monitoring System is important not only for the convict but also for his family. The convict's stay with the family may be desirable for adults as well as for children. The respondents expressed their opinion on the satisfaction of family members regarding the possibility of serving a prison sentence by the convict in the Electronic Monitoring System. The data is presented in Chart 1.

Chart 1. Evaluation of the family's satisfaction with the possibility of implementing the penalty of imprisonment in the Electronic Monitoring System. N=106.



Source: Own research

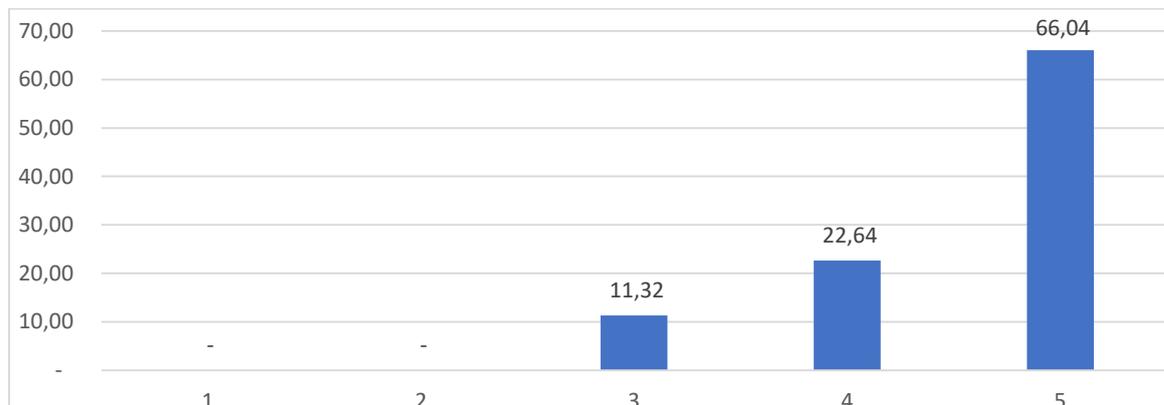
According to 60.38% of the respondents, the family is rather satisfied with the possibility of serving a prison sentence in the Electronic Monitoring System by and their family member. According to 20.75%, the families are definitely satisfied, while 15.09% were of the opinion that the families are satisfied with the possibility of serving a prison sentence by a convicted family member in the Electronic Monitoring System. Only 3.77% were of the opinion that the families were not satisfied with this fact. Thus, in the opinion of the probation officers, the family of the convicted person was satisfied with the possibility of their member serving the sentence of imprisonment in the Electronic Monitoring System. 96.22% is the sum of the indications of the categories: definitely yes, rather yes, yes.

Family satisfaction may come from the fact that their family member is serving a prison term in SDE rather than through solitary confinement in prison. As part of the SDE, the convicted person can still maintain close contact with the family, which is particularly important for maintaining emotional ties, helps the family in its upbringing and care duties. Despite the sentence, the convicted person is not completely isolated from family life.

The respondents expressed their opinions on the assessment of the importance of maintaining family ties for convicts serving a prison sentence in the Electronic Monitoring System. The data is presented in Chart 2

The available data show that 66.04% of the respondents assessed maintaining family ties as a positive aspect for convicts who are serving a prison sentence under the Electronic Monitoring System, giving it a score of 5. For 22.64% of the respondents, this aspect received a score of 4. On the other hand, 11.32% rated it at level 3. From this it can be concluded that probation officers highly rated the essence of maintaining family ties as beneficial for inmates who are serving a prison sentence in SDE. The vast majority of respondents, as much as 88.68%, indicated the value of maintaining family ties, in the 4-5 rating range. Only 11.32% of the respondents recognized the importance of maintaining family ties in the case of inmates serving a prison sentence in SDE at level 3.

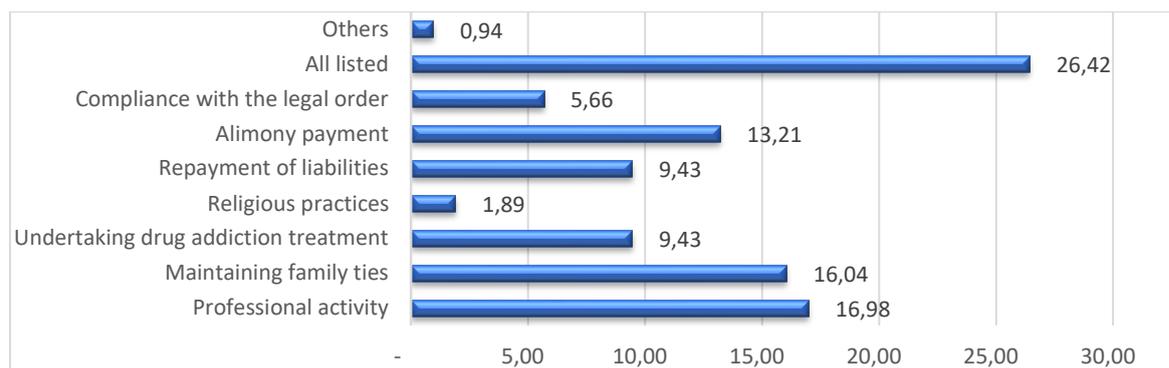
Chart 2. Maintaining emotional bonds in the family, while serving a sentence of imprisonment in the Electronic Monitoring System, in the opinion of probation officers. N=106.



Source: Own research

For social life, the process of social rehabilitation, it is important to re-adapt convicts to conditions of freedom after leaving prison. The data is shown in Chart 3.

Chart 3. Ways of re-adaptation of convicts to freedom conditions in the opinion of probation officers. N=106.

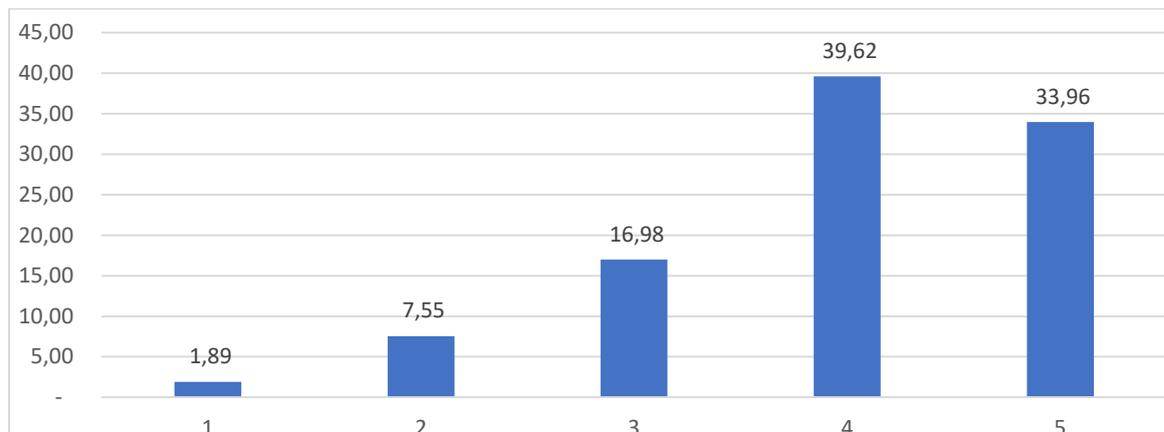


Source: Own research

On the basis of the presented data, it can be concluded that, according to 26.42% of the respondents, all the above-mentioned methods of readaptation are important for the functioning of convicts in conditions of freedom, including: maintaining family ties while serving a sentence. According to 16.98%, professional activity is important. According to 16.04%, maintaining family ties is an important way of readaptation. According to 13.21%, the method of re-adapting the convicts to the conditions of freedom was the payment of alimony. 9.43% of the respondents believed that it was the repayment of liabilities resulting from the court decision and the commencement of addiction treatment. 5.66% were of the opinion that it was important to respect the legal order. According to 1.89%, religious practices were important. On the other hand, 0.94% believed that the so-called other ways of re-adaptation of convicts to the conditions of freedom. Based on the data analysis, it can be concluded that almost one third of the surveyed probation officers indicated that all of the above-mentioned methods of re-adaptation were important for the functioning of convicts in conditions of freedom.

The respondents also indicated that serving a sentence of imprisonment in an SDE allows them to participate in the upbringing of children by convicts. The data is presented in Chart 4.

Chart 4. The importance of participation in the upbringing of children while serving a prison sentence in the Electronic Monitoring System, in the opinion of probation officers. N=106.

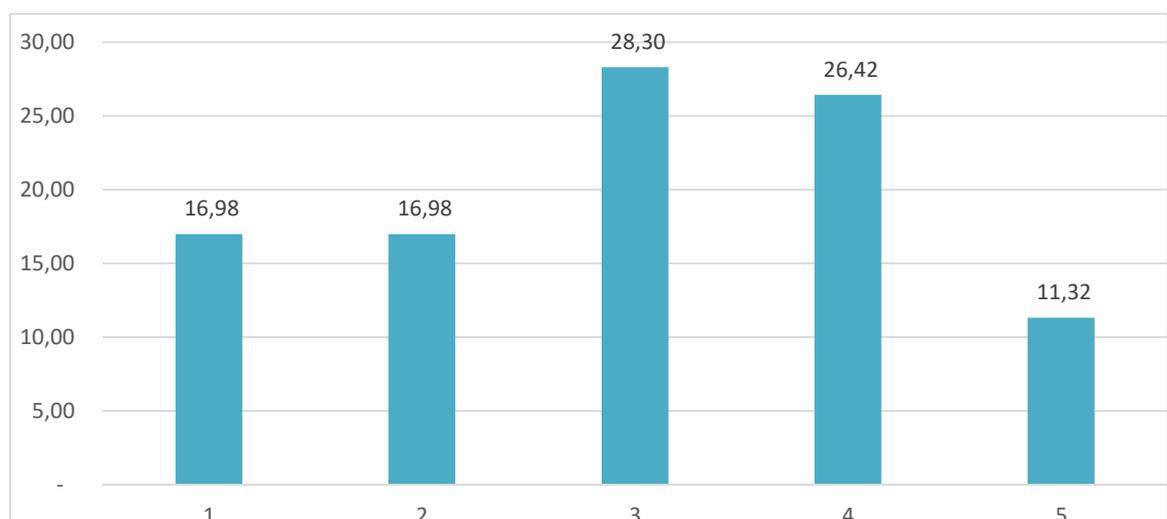


Source: Own research

The analysis of the available data shows that 39.62% of the respondents indicated the importance of the impact on the upbringing of children as a positive aspect for convicts serving a prison sentence under the SDE at level 4. On the other hand, for 33.96% of the respondents this positive aspect was rated at level 5. According to 16.98%, it was rated at level 3. For 7.55% it was level 2, and 1.89% at level 1. Analyzing the available data, it can be concluded that probation officers highly assessed the importance of serving a prison sentence in SDE on the process of raising children. Indications at levels 4 and 5 accounted for a total of 73.58%. On the other hand, only 26.42% of respondents assessed this importance at the level of 1 to 3.

The modification of the schedule due to, for example, fulfillment of parental duties is very important in maintaining contact with the family during the execution of the sentence of imprisonment in the SDE. The assessment of this recommendation, due to the frequency of convicts requesting a change in the schedule of execution of the penalty of imprisonment in the Electronic Monitoring System due to the fulfillment of parental duties, is presented in Chart 5.

Chart 5. Recommendation to change the schedule of serving a prison sentence in the Electronic Monitoring System, due to the fulfillment of parental duties. N=106.

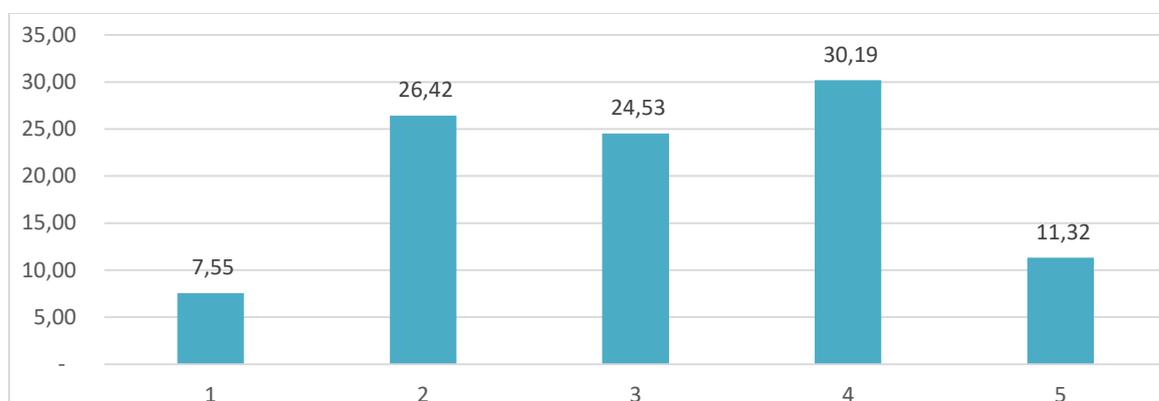


Source: Own research

The analysis of the data shows that 28.30% of the respondents assessed the recommendation regarding the change of the schedule of serving the sentence of imprisonment in the SDE by convicts, due to the performance of parental duties, at level 3. For 26.42%, it indicated level 4. In turn, 11, 32% rated this recommendation at level 5. 16.98% of respondents considered the recommendation at level 1-2. It can therefore be concluded that the practical recommendation of probation officers regarding the change in the schedule of serving a sentence of imprisonment in SDE, related to the performance of parental duties by inmates, received high marks, as many as 66.04% rated it at the level of 3-5. On the other hand, 33.96% at level 1-2.

Interesting from the research point of view were the recommendations to change the schedule of serving a prison sentence in the Electronic Monitoring System due to the family situation. The data is presented in Chart 6.

Chart 6. Recommendation to change the schedule of serving a prison sentence in the Electronic Monitoring System due to the family situation. N=106.



Source: Own research

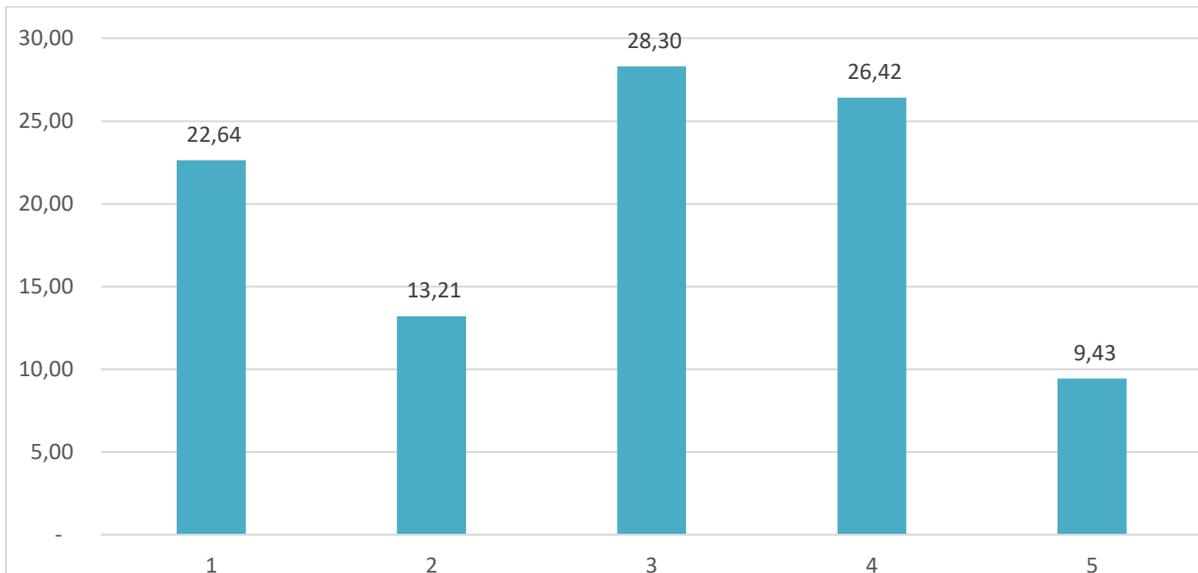
The presented data show that, according to 30.19% of the respondents, the recommendation in practice of probation officers to change the schedule of imprisonment in the SDE due to the convict's family situation was rated at level 4. According to 24.53%, it was rated at level 3. 26.42 % was rated at level 2, and 11.32% of respondents indicated it at level 5. According to 7.55% of respondents, the recommendation was rated at level 1. Therefore, the vast majority of the respondents, as much as 81.14% of the respondents, were of the opinion that the recommendation in practice of probation officers to change the schedule of imprisonment in the Electronic Monitoring System due to the convict's family situation was important, which was confirmed by the choice of ratings at the level of 2-4. On the other hand, 19.86% of the respondents rated the recommendation as 1 or 5.

Tightening ties with the family is important in social rehabilitation work with prisoners. The assessment of this recommendation, due to the frequency of convicts asking for a change in the schedule due to strengthening ties with the family, is presented in Chart 7.

The presented data show that according to 28.30% of the respondents, the recommendation in the practice of probation officers to change the schedule of imprisonment in the Electronic Monitoring System due to the convicts' strengthening family ties was rated at level 3. According to 26.42% of the respondents, the recommendation was rated at level 4. In the opinion of 22.64% of respondents, this recommendation was rated at level 1, while 13.21% of respondents indicated a recommendation at level 2. According to 9.43%, they indicated a recommendation at level 5. The analysis of the presented data shows that more than half of the respondents, i.e., 64.15%, were of the opinion that the recommendation in practice of probation officers to change the schedule of imprisonment in the Electronic Monitoring System, due to the convicts' strengthening of family ties, was highly rated, which was confirmed by the selection of ratings at the level of 3 to 5. On the other hand, 35.85% of the respondents rated the

recommendation at the level of 1 to 2.

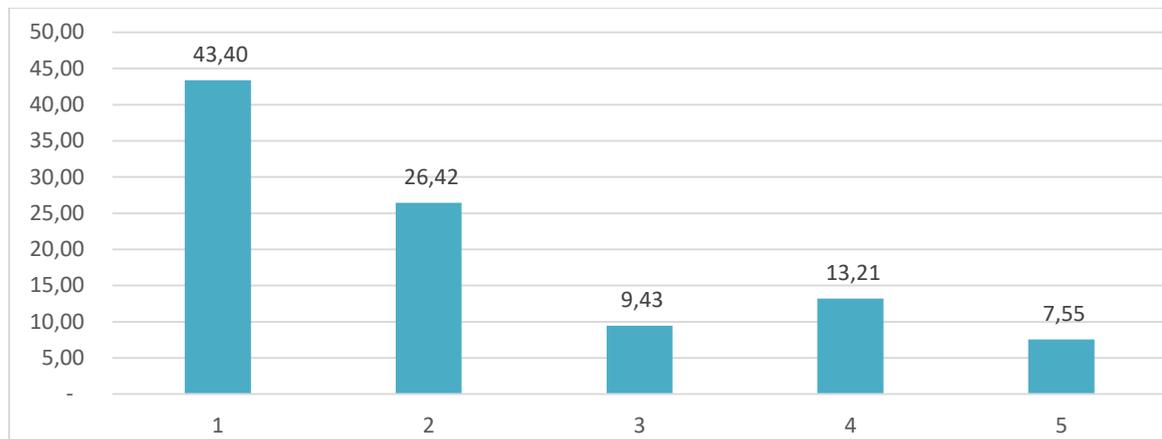
Chart 7. Recommendation to change the schedule of serving a prison sentence in the Electronic Monitoring System due to strengthening ties with the family. N=106.



Source: Own research

A recommendation in professional practice in working with charges to modify the schedule of execution of the penalty of imprisonment in the Electronic Monitoring System was the argument - family trip. The assessment of this recommendation is presented in Chart 8.

Chart 8. Recommendation to change the schedule of serving a prison sentence in the Electronic Monitoring System due to a family trip. N=106.



Source: Own research

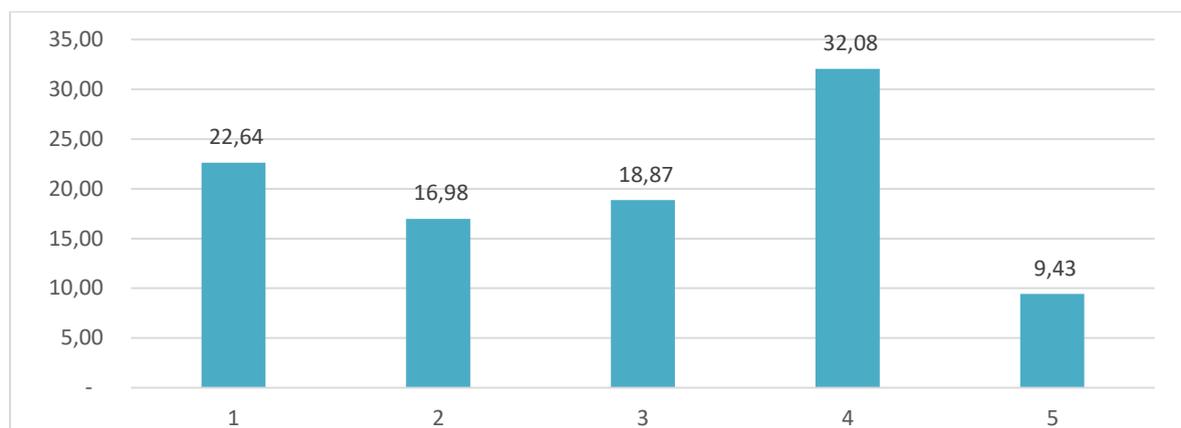
The presented data show that, according to 43.40% of the respondents, the recommendation in the practice of probation officers to change the schedule of execution of the sentence of imprisonment in the SDE, due to the family trip of the convicts, was rated at level 1. 26.42% of the respondents rated the recommendation at level 2. According to 13.21% of respondents, the recommendation was rated at level 4. According to 9.43% of respondents, the recommendation was rated at level 5. The analysis of the presented data shows that more than half of the respondents, i.e., 69.82% of respondents, were of the opinion that that the recommendation in practice of probation officers to change the schedule of imprisonment in the Electronic Monitoring System due to the family trip of the convict was rated very

low, which was confirmed by the choice of ratings at the level of 1 to 2. On the other hand, according to 30.18% of the respondents, they assessed the recommendation due to the family trip convict, making ratings from the category of choices, at a level in the range of 3 to 5.

The results obtained from the data analysis were surprising, because it turned out that a family trip was not a significant recommendation to change the schedule for prisoners serving a prison sentence in SDE.

Indications in terms of recommendations in professional practice in working with charges for modifying the schedule of serving the sentence of imprisonment in SDE were important - the argument - care for other family members. The data is presented in Chart 9.

Chart 9. Recommendation to change the schedule of serving a prison sentence in the Electronic Monitoring System due to the care of other family members. N=106.



Source: Own research

The presented data show that, according to 32.08% of the respondents, the recommendation in practice of probation officers to change the schedule of imprisonment in SDE, due to the convicts taking care of other family members, was rated at level 4. On the other hand, 22.64% of respondents 1. According to 18.87% of respondents, the recommendation was rated at level 3. According to 16.98% of respondents, the recommendation was rated at level 2. On the other hand, 9.43% of respondents believed that the recommendation was rated at level 5. From the analysis of the presented data shows that more than half of the respondents, i.e., 60.38% of the respondents, were of the opinion that the recommendation in practice of probation officers to change the schedule of imprisonment in the Electronic Monitoring System due to the convict taking care of other family members was rated highly, level 3-5. In the opinion of 39.62%, the recommendation was included in the range of numbers 1-2.

3. DISCUSSION

The essence of social rehabilitation activities related to serving a prison sentence is the process of social readaptation. Imprisonment in solitary confinement is a difficult situation for the convicted person. This form, to a large extent, provides freedom and the ability to satisfy basic existential needs, in particular the break of family ties, and consequently limits the possibilities of social readaptation. It should be assumed that maintaining relations with the family, undertaking treatment, therapy, gainful employment, health status are the key factors that are important when making a decision to apply for serving a sentence in the Electronic Monitoring System. It is worth noting that the premises supporting the application for serving a sentence in the SDE, tailored individually to the needs/expectations of convicts, may improve social rehabilitation results, increase the chances of success in social reintegration after serving a sentence, reduce the rate of relapse to crime. The process of social readaptation of convicts actually reflects the recidivism rate. On average, in the years 1999-2020, penitentiary recidivists

account for 49% of the entire prison population. In all years, this percentage exceeded 40%, in 2011 it was 50%, in 2012 - 53.8%, in 2014-2020 it increased from 53.3% to 57.5% in 2020. percentage of penitentiary recidivists in the prison population in the assessed time period was increasing in Poland (Nawój-Śleszyński, 2022, p 249-250). In other countries, recidivism rates are just as high. In the United States, about 46% of convicts return to prison three years after release (Taylor 2017, p. 3) and as much as 69% - in Chile (Dammertre 2018).

In the penitentiary system, in prisons, many different social rehabilitation activities are undertaken, which are approved by the convicts and their high evaluation. In the opinion of Ijeom B. Uche and co-authors (Uche et al., 2015, p. 167), 86% of convicts positively assess the actions taken, indicating that they had a positive impact on changes in their functioning after leaving prison. In turn, Mark W. Lipsey and Francis T. Cullen (Lipsey, Cullen 2007, pp. 301, 308–309) stated that various activities and interventions contribute to a decrease in recidivism. Deterrence causes a decrease of 26%, and especially social rehabilitation programs aimed at changing social behavior and attitudes, taking into account risk factors and needs of convicts, even up to 60%. Despite this, a significant proportion of inmates return to prison.

Undoubtedly, family ties are crucial. Isolation has devastating effects on the emotional needs of the individual. Serving a sentence in an SDE gives you the opportunity to ensure, maintain family ties, contacts, real participation of the convict in the socialization process (Iwanowska, 2013, pp. 26–29). Undoubtedly, maintaining and strengthening family ties in this form of serving a sentence is possible. re-adaptation and social rehabilitation process for a convicted person, reduces the risk of recidivism in the context of modern threats (Walancik, 2018).

4. CONCLUSIONS

The main purpose of the research and work was to examine and describe the meaning of serving a sentence in SDE in the context of relations with the family from the perspective of probation officers. Based on the obtained results, it was possible to answer the formulated research problem: What is the assessment from the perspective of probation officers of the usefulness of serving a sentence of imprisonment in the SDE system in the context of relations with the family in the process of socialization. The analyzes carried out show that the family is satisfied with the fact of serving a sentence in SDE from the perspective of probation officers. The total result of the category indications: definitely yes, rather yes, yes is 96.22%. These indications are confirmed by members' statements during meetings of probation officers with the families of inmates who are serving their sentence in the SDE system or who are applying for serving their sentence in the SDE system. It is worth adding that all probation officers surveyed had at least 10 years of work experience. Other indicators are also promising. 66.04% of the respondents at the highest level 5 indicated that serving a sentence in an SDE serves to maintain emotional ties in the family. The total indicated at level 5 4 and 3 gave 100%.

Family satisfaction may come from the fact that their family member is serving a prison term in SDE rather than through solitary confinement in prison. As part of the SDE, the convicted person can maintain close contact with the family, which is particularly important for maintaining emotional ties in the process of re-socialization, socialization and, consequently, not returning to crime.

In the opinion of almost 40% of court probation officers, at the highest level, they indicated that serving a sentence of imprisonment in the SDE allows for participation in the upbringing of children by convicts. It can be assumed that later indications of probation officers at a high level of at least 4 related to the recommendation to change the schedule of serving a prison sentence in the Electronic Supervision System due to: family situation, strengthening ties with the family, care for other family members were above 30% of indications.

The sum of indications of levels 3, 4 and 5 in these categories is over 70%. Only in the case of family trips it was above 10%.

Publication restrictions did not allow to present the position of convicts and penitentiary judges.

Researchers will do their best to present the position of all groups studied. It can be assumed that the research conducted in this way allows for the generalization of the research results that serving a sentence of imprisonment in the SDE system by convicts, in the opinion of the process supervisors, court probation officers, definitely promotes not interrupting family ties, strengthening ties, the process of re-adaptation of convicts, which is crucial from the point of social rehabilitation and penitentiary pedagogy in resocialization process.

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Валанцік Марек, Завішляк Беата. Зв'язок із сім'ями засуджених, які відбувають покарання, позбавлених волі, в електронній системі нагляду. *Журнал Прикарпатського університету імені Василя Стефаника*, **10** (3) (2023), 83-97.

Стаття містить зміст та аналіз результатів дослідження стосовно засуджених до позбавлення волі в Польщі в системі електронного моніторингу у контексті підтримання зв'язків із соціальним середовищем, сім'єю в оцінці офіцерів Служби нагляду за виконанням покарань (пробації). Пенітенціарна система не обмежується ізоляцією, виконання певних видів покарань за межами в'язниць також сприяє її розвантаженню. У статті доведено, що система електронного нагляду є альтернативною формою виконання покарання у вигляді позбавлення волі і дозволяє державі здійснювати контроль за поведінкою засудженого за допомогою технічних засобів, усуваючи необхідність пенітенціарної ізоляції як кримінально-правової реакції. Ця форма реагування із значно меншим ступенем дискомфорту, позбавлена негативних наслідків, пов'язаних з ізоляцією, таких як: деморалізація, ослаблення сімейних і соціальних зв'язків, зміна оточення, втрата автономії, економічна деградація або стигматизація. З'ясовано, що офіцер пробації відіграє важливу роль у процесі відбування покарання засудженим, його соціальної реабілітації та соціальної адаптації. Адже він є фахівцем, відповідальним за нагляд і підтримку засудженого. Обґрунтовано, що працівник пробації виконує завдання, спрямовані на виконання судових рішень, допомагає засудженому повернутися до суспільства, запобігає вчиненню повторних злочинів. Ключовим аспектом відбування покарання, на думку авторів статті, є можливість засудженого підтримувати родинні зв'язки, його соціальна реабілітація, процес підготовки до повернення в суспільство, реадптація до соціальних умов. Відбування покарання дозволяє підтримувати родинні зв'язки, що, в свою чергу, знижує ризик рецидиву. Підготовлений та представлений змістовий контент є частиною педагогіки ресоціалізації, пенітенціарної педагогіки та сімейної педагогіки.

Ключові слова: електронна система моніторингу, сім'я, позбавлення волі, ресоціалізація, пенітенціарна педагогіка.