

Criminal recidivism prevention and Three-strikes principle

Abstract

Significant number of crimes and prisoners are repeat offenders in Czech Republic. Therefore, prevention of recidivism is an important element of penal policy. Although the trend is to focus on more restorative justice and rehabilitation of the offender, there are still calls for more repressive sanctions for repeat offenders which embodies the catchy Three-strikes you're out laws. Three-strikes laws come from Anglo-Saxon criminal justice system and essentially on their basis the justice system can impose more repressive sanctions, usually life imprisonment. These laws are part of penal populism. The goal of this thesis is an analysis of recidivism prevention measures in Czech Republic, the effect of imprisonment on repeat offenders and the state of Czech prison system. Empirical part of the thesis deals with implementation of the Three-strikes you're out principle into Czech penal policy or rather more repressive sanctions for Czech repeat offenders. The analysis is based on key areas. Despite Czech criminal law referencing restorative justice the practise of this concept still faces some serious issues. The full potential of restorative justice in Czech criminal law is being complicated by insufficient technical backing (electronic monitoring) and from legal point of view.

The postpenitentiary care sector lacks systematic legal form in spite of being absolutely crucial in combating recidivism. Positively regarded is the work of Probation and Mediation Service and resocialization programmes. However, there is a room for improvement in terms of social policy measures for needs of people released from prison such as being in debt, the search for housing and work. Imprisonment has limited effect on repeat offenders which reflects the number of people being in prison repeatedly. There are no valid studies supporting that the three strike laws reduce recidivism. In regard to the state and structure of crime in Czech Republic, the current way of sentencing Czech repeat offenders and their personal dispositions implementing the Three-strikes principle into Czech criminal law would not be recommended.

Key words:

recidivism, prevention, Three-strikes principle