

Investigated Imprisonment and Its Effects

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Abstract

Prison for families and for community with the costs; Prison costs for the Family remove one of its members especially if the person is head of household will have a great impact on families. The prison administration costs the community and indirectly be imposed on those who behave as per legal standards. Against these costs, the result Execution of prison sentences the community is not important. Especially in the crime genre and new offenders, prison will not only benefit, it will also cost. But the exclusion or limitation of sentence must consider the entire venue and not without all aspects was ordered to remove it.

Keywords: Investigated, imprisonment, effects, punishment, Criminal Code.

Introduction

In case of the original sentences, after the death, penalty was adopted that was considered for mitigation of punishment. Soon afterwards, due to lack of implementation of corrective and disciplinary procedures or treatment in prisons, punishable by imprisonment for corruption and disadvantages became apparent. Although the present assemblies, sentence following the death penalty, the weapons and tools of social defense, fight crime and order and security, and for the present investigation, best method of amendment education and change the types of punishments are contained in the Criminal Code, But still punishment punishable by imprisonment instead of execution and is acceptable to the general public is not specified and try Suspension of punishment, implementing procedures to protect freedom, Semi-free diet, convicts kept in open institutions, weekend jail employment and welfare work, corruption in prisons and increasing criminal population (prisoners) to prevent because the goal Community punishment of offenders is imprisonment. Is a person not trained from birth about the material

and spiritual problems? It is also seen in few months in jail improvement of education? In what ways? How?

People care the four walls of the prison, they are warned or amended and are trained. The people accused and convicted into prison, they have two groups: The first groups are those who, for the first time, entered the prison. Arrival at the prison, with trembling steps and when the shock suggests that anxiety, mental confusion and embarrassment heads are thrown, they are drowning in a sea of sorrow with an iron prison doors closing, relationship with inmates, break free community and modern social life. Within the free society starts, imprisonment in the early days makes his fate and his family sad and depressed, crawls into a corner, refuses contact with others, professional criminals, co-respondent and your future collaborator; among those who are selected as prisoners for the first time, they should be given sympathy and love in the new beginning, otherwise, they will gradually learn secrets techniques and a variety of crimes (SotodeTehrani, 2002).

The second group of professional criminals is those who are known to be prisoners for some time and not make their life bitter to the palate and sometimes tired of criminal activities, for the rest, they do the apparent crime and deliberately returned to prison. According to these two cases, character recognition separates and classify the prisoners through the basic elements, implementation of corrective procedures, and education and health (SotodeJahromi, 2008).

The purpose of implementing corrective and disciplinary procedures or treatment is that the prisoners must be justified and explained to their desire, Implementing the techniques adopted determination and self-purification, edification, their behavior and tried to and work carefully to make referral to return to normal life and social preparation to be hopeful (Tabatabai, 1996).

Review of research literature

To the "realities and experiences", to note from experience, particularly topics in Education, there is an old saying; "Sword, a good half of the draw." If every time, each of the king immediately takes the sword, sword will kill reliability and impressive performance. Accelerate the development and replication Punishment and violence (Especially since another one solutions work more and more viable solution is more effective and constructive) gradually will cause the penalty for trying to mislead in the long run, Ineffective or becomes ineffective, although the short- term is effective and fast. Development, if repeatedly remains bad; it slowly disappears and becomes pale and ugly (Ramezani, 2009; Mahmoudi, 1882).

The one hand, on the other hand, Consecutive sentences on the premise on penalties Including imprisonment, many problems suffered authority under the Government will: A: Assumption, Several times the capacity of prisons Is used; (B): Unlike the experts Prison for having an exceptional knowledge, in spoken and written religious discussion Islam is not a prison(In the broad sense Serious and organized the today the world is)

the honor of Islam god forbid virtually the opposite claim and will be honored Setoodeh, 1998).

C. In this case, Contrary to the statement of Imam Khomeini (pbah) That "Prison should be university." Detainees (the assumption of Prisons Prisoner density) with a variety mass of diverse people diverse thinking interaction and will be published and so the House of Commons:

"Snake, gone to prison, dragon will return to prison." Suppose this person for the first violation, Or Slip over and discounts, affects women's feet, Communicate on the regular dialog Prisoners and offenders and the influence of the prison environment and the Parliament, Negative aspects of personality growth will mass of talent and creation and the rise in crime will be strengthened and that's what Unlike purpose the judicial system of a country(Bagheri, 2010).

Awarded penalty in law

Ties now see do you really legislator Penalties only apply and punish such "prisons" to as pain remedy this has led to the judge Until the last possible and remained so until the blade Penalty for each violation" Detention" is set? The rules applicable depending on the judge's regime? Contrary to some public perception or some of the properties in some cases they are quite popular; the judge left it to the legislature to avoid emotional to find alternative solutions and to apply(Regulation of Prisons, Msvrb, the Judicial Council,1882).

In this respect namely emphasis on legal texts topics also include it is worthy of careful study: (Code of Criminal Procedure in civil rights and civil lib forest training judicial published in, 2010).

1. General Penal in Chapter Three (Suspension of punishment), Article 25 says: "All of convicted of imprisonment and the inhibitor can implement all or part of the penalty 2 to 5 years in accordance with the following conditions should hold A. condemnation against Conviction Background certain Punishment is not the below:

1-Sentencing certain extent.

2-definite conviction to cut or defects,

3-The final condemnation of Sentence of more than one yearIn intentional crimes,

4-The final sentence fined as the amount of two Million Rials

5 - Final sentence Background two or more any amount due to intentional crimes

B -The Court considering the social status and life history condemned and circumstances that Causes of crime of all or part of the punishment does not fit. "

2. Changes in jail and fined in addition to the above prescribed we see that the legislator In respect of the suspended sentence the judge has the authority to suspend, very many other cases the legislator explicitly ruling the sentence of imprisonment and has free cash penalty. Article 532 of the Penal Code "the imprisonment of one to five years, or "cash payment of thirty rial" express, this is the sentence.(Pyrhady, 2007).

Unfortunately it seems only practical view of the evolution process tendency of some judges Slowly the preferred sentence and, consequently, leaving obsolete above measures And authority contained in this materials pushed the procedures and the tendency to gradually In the unwritten rule is, it also however, there are cases where the although Judge Imprisonment or cash fine of between Facultative and compelling need "only" Selects one of these two penalties, Surprisingly both penalty both elected and appointed!

Establish ways of mitigating punishment for conversion

If the proven offense and thus to be punished, again: a ache court can Citing Article 22 of the Islamic Penal Code At his sentencing "discount" is allowed . [Text of Article 22 of the Islamic Penal Code These are: "the court can if the authentication mitigating aspects, term and alleviate punishment deterrent or conversion to penalty another type is It had better be charged.

Mitigating aspects are:

A. Complaint or claim over private

B. Defendant's statements and guidelines the partners recognize or accessory or found objects mass education is to be effective.

C. Certain circumstances Anne's influence a crime has been committed Such provocative behavior and speech Savior against or honorable motivations In crime

D. Prosecute the accused before or admit the in the study effective in detecting crime. Particular situation, or her experience trying accused of mergers or in order to mitigate the effects of crime and compensate for its loss.(Hojatiashrafi, & Amiri, 1986).

Conditional release

After imposing sentence the court can (using the provisions of Article 38 of the Penal Code) On offenders who their prison term of up to three years, and a half have passed or a term of imprisonment of more than three years, and two-thirds of those who have passed With qualifications in the context of Article (Article 38 of the Penal Code) mentioned the condemned "Conditional release order" is issued.(Homan, 1986).

Negative effects of imprisonment

Now another question remains. despite all these measures the legislative basis judge Hand's door open the delicacies of Education and Social according to the provisions of their respective And be able to choose alternative punishments, why are some of our judges are drawn to the direction Penalties are often "locked" and the harder it Preference and In some cases even the "change" that it must inevitably only one of the two penalties (imprisonment or fined) is determined, move both together?(Nikokar ,1986).

Despite extensive controls administrative, economic, health and educational Informative and useful medium that are used in prisons?

The answer is:

A: The debate over the omission is not punishable by imprisonment. The penalty, if in his in the case given that I really respect all the principles and with regard to all aspects there is no other choice, in such cases it is not the problem. (If it is), this is out of the circle. Our discussion mainly refers to the condition that of prison sentences to an "increasing trend" In a "procedure on the prevalence of" we observe. Imprisonment not general principle is dominant. Exceptions to the rule should be close.(Bagheri,2010).

(B).Gradually we seem to have forgotten before and after the revolution once in place to promote and describe Judicial and penal systems have emerged Islam. often not recognized And found a lack of jail and prison In honor of the school's divine text books have been published in the we have emphasized the fact. So much so that some have even claimed that basically in Islam there is a phenomenon called Prison and not approved. temporary and occasional arrests general and special treatment, no endorsement of the concept of institutional

There was not blowing the prison.(Khoeyini, 2008).

2. The rise of Islamic compassion growth phenomenon to prison prevalence and procedural under Sentences gradually creates a situation that another dimension of Islam, this is the next victim. "The Rise of Islamic compassion" It is a basic principle. The main extension and consolidation of the Faith Movement (Since the beginning of Islam) have a fundamental role if the other principles not more, Certainly not less. Who be denied mood Prophet Muhammad (PBUH) and compassion and mercy, the spread of Islam and even strengthen the Islamic Movement far from the sword of Ali (PBUH) wealth and blessing Khadija (SA) work is stronger and more effective?(Homan, 1986).

Compassion of the Prophet (PBUH) the criminals also have been used. prophet and the Imams of religion however, the about decisively to implement Islamic In order to punish criminals Fully believed Since it was deemed appropriate to the lowest a day or less explicitly There was also the lowest quality, not only for sentencing and the punishment came.

It has at least three reasons: First replication and extension penalty of doubt, it does not. Bad does not reduce crime, Jerry brought up and not being rude, because as much as showing weakness no punishment (as a procedure) there would be presumptive. The opposite is true. (Khoeini, 2008).

1. Criminology and Prevention regardless of what was said, If indeed philosophy of punishment "decriminalize" and cleaning of the offense, today, after centuries of experience and research has not shown the purpose of the (mostly) not possible with sanctions. Precisely the science of "Criminology" and experiences about certain "Preventing fields» Decriminalize the Bulls? In this case do not use the deterrent punishment (Which is usually the terminal event after event) to the extent that of our commitment into effective preventive agents the use of (Criminology) and "social psychology" and the contribution of these factors. And place it there?(Tabatabai, 1996).

If you want to practice any violation of the slide mass the "punishment" answer, other (implemented in practice "for other factors. What remains in place except that the amount of midst the books the lectures can be here? If the activities the judiciary can't, Is that where possible non-custody solutions to take advantage. And the 'virtual' through Partly on the "Criminology" and so recommendations data due to its close? What's the science of criminology? If you refer to extremes theories of criminology scholars about the do not accept, do not at least "strong and clear" from the science of determining the penalty to apply and thus "refers to extremes" On Theory "the best prison sentence The Peacemaker is the best " Justify actually happen?(Mohamadi, 1976).

2. Adverse consequences of conviction to imprisonment really negative consequences of jail sentence in addition to the positive impact it seems to have we have fully evaluated? The damaging effects of this type of sentence in the present life and future life of human beings adequate measure we've played all rounds?

First, the arrest of a person usually breadwinner or the donor's family Stop the work and proceedings of previous earnings the "one generation removed from the production chain and becomes non-productive consumption." the premise of Prison Jail and Prison Population Inflation, existing facilities can not to the extent that either each prisoner can quite The previous status of the work as to restore the family's income and expenses.(Nikokar, 1986).

Lack of head of family

Children and dependents or attributed to the person so confined often orphaned by or otherwise are faced with heavy losses. however, we need to protect Kian family and insisted on the need for environmental monitoring, such as res and on the other the preferred solution for custody Kian has shaken the And the environment are affected by the reduced monitoring and the negative effects of parental absence home and family environment appropriate ground for crime and crime

reduction provides fertility (Hamid Givi, 2009). It is true that Sometimes imprisoning offenders can means removing the corrupt members living at home and families to be considered, but in addition to the Even in this case to compensate for the absence of a specific no member of the media And if there is again, the absence (Hojatiashrafi, & Amiri, 1986);(Jafarilangeroud, 2003).

However, the inclusion of negative adverse effects At least it would be basically preference and priority (prison sentence) Into a situation that creates Can ,t say Really and truly all or most of the material, Imprisonment of one member means removing inflammatory agents holy Family was living.(Mohamadi, 1976).

Profane character and deviations from it

Mindedness and inferiority defamation as the width and Brow the house them in school and neighborhood and community conspicuous and the defendant is isolated, officers to break character and its affiliates will result in a prison. This poor soul grounds for Incidence of mental illness nerves and the growth of hatred, and hatred and the movement toward acceptance Types of deviations and anomalies and co will provide (Mohseni, 2011).

Discussion

The end of this topic, as a result, provides the possible solutions that states: First, the independent teams and a special team to study, research, evaluation and conclusion issued on the ballot (voting criminal) especially in regard to sentence formation, Or if such a group exists, Its performance is more serious and more practical, and more. The group of judges, criminologists and psychologists and researchers, and so is adopted will be responsible for the calm and deliberate cross depth of the current affairs into comprehensive experience according to objective experience and works Long-term. The impact success and sentences on penalty of imprisonment; the evaluation shall consistently found to be what are the advantages and disadvantages of this method. Prison environment and how it is managed, modified or corruption caused the Life in prison and especially her family life?

Secondly, for instance, the status of prisoners and the circumstances of its minimum stay of one week in prison; face as the appearance of the prisoner; as the final stage of the process need to be considered for judicial trainees. It may depend upon hearing those or read the proposed and unfamiliar nature of this proposal, who are uncomfortable with the word exercise of wise (surprisingly) command (Relax) addressing the issue of conscience.

But the truth is that Judge student work Such training of Anthropology and Sociology many times it is in dire need example to students of sociology and anthropology, and psychology, because Judge Soon the lives, property and honor and all aspects of public life. The work poses but other students frequently in theoretical studies and various theories remain and if you have foot surgery field, Legal action will never be compared.

Unfortunately our university building more on the theory is based on and a BA in Law During the study have less complex channel the fact that Justice pass. As legal trainees in the beginning, Petition writers around the courthouse are more experienced than her.

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