

Effective Measures to Improve the Supervision Activities of Community Correction Personnel

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Abstract: At present, various social problems and interests diversification bring various resistance to the application of community correction. The pressure from external institutions, the disjunction of linking procedures and the pressure from community correction institutions all affect the effective allocation of community correction in the application of penalty by people's courts. The community group has serious thinking of severe punishment and is indifferent to and repels community correction personnel. In addition, the lack of survival skills of the correction personnel makes the application of community correction insufficient. Interfering factors in the application of community correction need to be solved and prevented by coordinating various forces. Therefore, academic research can not only stay at the level of surface analysis of the application of community corrections, but also must explore the motivation behind it and find corresponding countermeasures. Only when the legislative system is perfected, external influence factors are reduced, correctors and community groups are updated, and so on, can the community correction system be more scientific. It will play a certain role in promoting the progress of the rule of law in the country and contribute to the progress of the entire country and the nation.

1. Introduction

In recent years, with the rapid development of China's economy, the continuous progress of people's ideas and the continuous advancement of judicial civilization, China's concept of punishment has also undergone great changes [1]. Nowadays, non-custodial penalty has gradually replaced custodial penalty as a new international execution trend, and community correction system is one of the fastest growing areas [2]. The theoretical construction and practice of community correction in our country are also being carried out in a larger scope. In the process of implementation, the humanistic spirit embodied in community correction and the characteristic of mobilizing social forces to correct criminals have become a highlight of the penalty execution in the process of building a socialist harmonious society in our country [3]. Carrying out community corrections is conducive to promoting the reform of China's penal system and actively promoting the building of socialist democracy and the rule of law [4]. It is conducive to improving the quality of education reform for criminals and continuously enhancing the effectiveness of punishment. It can alleviate the current crowded prison staff and reduce the execution cost of execution [5]. It is conducive to raising the level of civilization of the country, promoting long-term stability and stability of the country, and safeguarding the country's social stability.

As a criminal law enforcement mode, community correction started from the socialization of execution in the late 19th century [6]. The new social defense school advocates that the criminals should be reformed and perfected rather than retaliated. They believe that the purpose of punishment is to socialize criminals whose social personality is not perfect and who cannot carry out social life normally [7]. Community correction has greater advantages than prison correction, and has become the dominant execution method in western countries, and has also become the trend of the reform and development of penalty systems in all countries in the world [8]. Since 2003, the community correction work has been officially launched in China. After 10 years of development, it has achieved certain results. However, in the process of judicial practice, community corrections

still face many problems [9]. Therefore, we must focus on improving the quality of criminal correction, focusing on humanized management, and taking the special work of “preventing prevention, leak prevention, and preventing serious crimes” as the carrier [10]. Make full use of various social resources and various social forces to increase the supervision of community corrections personnel.

2. The Theoretical Basis of Community Correction

2.1. Definition of community correction personnel supervision system

The logical starting point of any academic research is first to define the basic concept, which is the rational Abstraction and generalization of the essential attributes of the inspected object. Mr. Shen zongling once pointed out: “the difficulty of research begins with the definition, which is implied in the user's concept and his research activities.” The research on the supervision activities of community correction personnel begins with the basic definition and grasp of the applicable concept of community correction. Community correction refers to an order formed by the operation mechanism of community correction and relevant norms under the legal framework of criminal proceedings. The application of law refers to a special activity in which a specific state organ applies the legal system to a specific case in accordance with legal procedures and methods. This activity is often called judicature because it exercises judicial power in the name of public power. The application of the broad law includes the exercise of the judicial power of the judicial organs and the executive power of the public security organs. The application of the narrow law usually refers to the application of the legal system by the people's court in the adjudication of cases. The application of community correction is a special activity of applying community correction to the judgment of criminals who meet the legal conditions on the basis of the narrow application of law.

2.2. The idea of applicability of community correction

The concept of community correction application refers to the criterion that runs through the whole process of community correction application and plays a value-oriented and integration role in the whole process of application. The applicable concepts of community correction are modesty and restoration. The purpose of the legislation is to obtain the maximum community benefits with the minimum social cost expenditure, and take this as the origin to correct and reform the criminals, so as to effectively realize the punishment and prevention of crimes “. The modesty of the application of punishment makes it impossible for the judiciary to apply punishment to the perpetrators when investigating their criminal responsibilities, which reflects the in-depth correction of the perpetrators. The modest and conservative concept is conducive to reducing the overall economic cost of punishment and promoting the harmony of the whole society. The concept of restorativeness is to seek to integrate the divisions within the community that have already been caused, and try to reflect on the shame of the perpetrators from the heart and restore the sense of social peace. Encourage them to gain the understanding and forgiveness of victims or community groups by taking the initiative to bear the losses caused by their own criminal behavior.

3. Investigation and Analysis of Community Correction Personnel

3.1. Survey sample and implementation method

In order to ensure the authenticity and validity of the survey results, we randomly selected some community correction staff, government community staff and ordinary residents in Jinhua Jindong District as the subjects of the questionnaire, and recovered 122 valid questionnaires. Questionnaire survey is designed to accurately and truly understand the living conditions, supervision and assistance of community correctors in the jurisdiction, and to investigate the impact and feedback of corrective assistance work in society. In the early stage of compiling the questionnaire, the unstructured interview method in the field investigation method was used. Through visiting various judicial offices and community correction centers in Jindong

District, unstructured interviews were conducted with the director of the judicial department, community correction specialists, community (village) correction volunteers, etc. Evaluate and demonstrate the drafted questionnaire, delete and supplement the questionnaire factors, and determine the key survey contents and methods. The first is the actual living conditions of community correction personnel and their cognition, satisfaction and suggestions on the supervision of community correction. The second is the identity of the investigated personnel, their attitude and feedback on correction personnel and supervision.

3.2. Analysis of survey results

The investigation of the basic situation of community correction personnel includes an analysis of the sample's gender, age, education level, schooling and employment status, and assistance needs. Through the induction and comparison of data, we find that the personnel structure of correction personnel is dominated by male, young and middle-aged people and those with educational background below high school. And this part of people happens to be the mainstream people who bear the main source of family life and social responsibilities. At the same time, they are also under great pressure from life, work, public opinion and many other aspects. Although most people have entered the employment situation, the difficulties in material life and psychological barriers are still the biggest problems facing this group. For example, from the survey results, the majority of community correctors were male, accounting for 75.23%, while the proportion of women was small. However, through field visits to community correction staff, it is found that the proportion of female crime has increased in recent years, and the proportion of female in community correction staff has also increased year by year. Specific data analysis is shown in Table 1 below.

Table 1 Structure distribution of community correction personnel

Gender	Number	Proportion	Age	Number	Proportion	Educational level	Number	Proportion
Women	28	22.95%	Under 18	8	6.56%	Junior high school and below	85	69.67%
Man	94	77.05%	18-45 years old	82	67.21%	High school or technical secondary school	32	26.23%
			46-60 years old	32	26.23%	College and above	5	4.1%
Total	122	100%		122	100%		122	100%

From the questionnaire collected, the education level of community correctors is generally low. Visits revealed that some community correctors were even illiterate who could only write their own names. For example, Zhang and his wife, a community corrector in a street, have been living on recycling waste products and sentenced to probation for the crime of intentional injury. Because of their low educational level, they borrowed usurious loans by mistake, which made it worse for families who were not rich enough to pay their compensation. How to manage different groups according to the level of education should be the key factor to be considered when setting personalized correction programs. In addition, except for the correction personnel who are attending school, most of the community correction personnel are in employment, which accounts for 79.5% of the total sample, but a considerable number of personnel are unemployed, which is also an important factor leading to the instability of their lives. The statistical results have important reference value for the management of district correction personnel, and community correction institutions in all jurisdictions attach great importance to it. Specific data analysis is shown in Table 2 below.

Table 2 Distribution of school and employment of community correcting personnel

Study and Employment Situation	Number distribution	Proportion of samples
Schooling	5	4.1%
Employment situation	97	79.5%
Unemployment	20	16.4%
Total	122	100%

4. Problems to be solved in the Supervision of Community Correctors

4.1. The main body of work does not have the right to enforce the law

Judging from the provisions of the Criminal Law, the Criminal Procedure Law and other laws and regulations, the public security organ is the subject of non-custodial sentence. However, the “Measures for the Implementation of Community Correction” stipulates that the working subject of community correction is the judicial administrative organ, which leads to the disunity between the working subject and the law enforcement subject. In actual work, community correction workers are difficult to implement the real penalty because they do not have police status. In the process of supervision, community correction workers lack effective coercive measures for the implementation of the supervision and the tracking of personnel who have been released from the supervision. It is impossible to force law enforcement to send correctional personnel to the prison or bring them back. They can only request the public security organs to cooperate with them to assist in the implementation. Invisibly increases the difficulty of supervision and reduces the efficiency of supervision. In addition, from the perspective of legal provisions, the penalties and enforcement activities that restrict and deprive civil liberties should go through the strict legislative procedures of the highest legislative body of the state. However, the current normative documents have not fundamentally solved the problem of the “bottleneck” of the community correction work law.

4.2. Relatively backward means of technical supervision

The supervision method of using mobile phone location monitoring has greatly facilitated the community correction work, which is helpful for the supervision work. However, since the adoption of this technology, many regulatory issues have begun to emerge. The main problems are: poor positioning accuracy, the current mobile phone base station positioning generally has an error of about 200 meters, and sometimes even larger. The network is not uniform. Since the mobile phone monitoring is based on the network of the mobile phone operator, the mobile phone of the community correction target may use a variety of different networks such as telecommunications and mobile, which also brings certain troubles to the monitoring work. It is easy to separate man from machine. In the actual supervision work, there are various situations such as community correction personnel losing power on their mobile phones and deliberately not taking mobile phones, which brings great difficulty to the supervision work. In addition, community correction staff should undertake many functions such as legal publicity and people's mediation while undertaking correction work. Often a person needs to face dozens of community correction objects, and has to complete many tasks such as ideological report, community service, supervision and education every month. The contradiction between fewer people and more things is particularly prominent, and the supervision quality is worrying.

5. Measures and Suggestions for Perfecting the Supervision of Community Correcting Personnel

5.1. Strengthen the propaganda of community correction related laws

To further strengthen the publicity of community correction related laws and regulations, on the one hand, through the use of news media and other publicity channels to expand publicity, increase the influence of community correction work. To enable the general public to have a deeper

understanding of the nature and content of community correction work. Gradually eliminate the potential anxiety and uneasiness of the masses to the community correction objects, and gradually win the support of the masses to the community correction work. On the other hand, by creating an atmosphere of public opinion, the legislative voice is formed and the legislative process is accelerated. The “Community Correction Implementation Measures” issued by the two high schools is the main document currently guiding the development of community corrections. Other laws and regulations such as the Criminal Law and the Criminal Procedure Law also stipulate that it is of great significance to enact the Community Correction Law in due course. Therefore, it is necessary to create an atmosphere for community correction legislation by expanding publicity, enhancing influence and other means.

5.2. Increase technical input to comprehensively enhance the means of community correction supervision

Considering the different levels of social and economic development across the country, it is difficult to establish a unified community correction and supervision platform. However, the supervision of a province and a city can try to establish a unified information platform for supervisors by increasing financial investment in community corrections. Use the electronic platform to include personal information about community correction objects in the jurisdiction. In the current situation of relying on mobile phone location and monitoring, there are many drawbacks, you can learn from Shanghai and other places to adopt more advanced electronic pedal equipment. The electronic shackle positioning method that has been adopted in Shanghai is mainly used for monitoring strict community correction personnel. Through electronic shackle recording, the movement track of community correction personnel can be stored. Timely grasp of the location of community correction personnel has achieved good results. In addition, testing equipment can be placed in prohibited places. When community correction personnel wearing electronic shackles or carrying monitored mobile phones enter the place, the equipment will automatically alert the regulatory authorities. It not only strengthens the daily orientation of community correction personnel, but also solves the problem of difficult enforcement of restraining orders in current community correction work.

6. Conclusion

As a special group in the social structure, community correction personnel have encountered great pressure, including cost of living, family and social relations, schooling, employment and social exclusion. These pressures are likely to become obstacles to their successful reintegration into society. How to improve the supervision activities of community correction personnel to help this part of the population to return to society has high social value and practical significance. Vigorously carry out modern community correction, give full play to the advantages of modern psychology, education and computer technology, so that each criminal's correction procedure is more scientific. While earnestly improving the quality of corrections, it also lays a good foundation for every criminal to return to society after employment. In today's intricate society, personalized living habits have become commonplace. With the rejuvenation of criminal groups, the advancement of criminal means and the individualization of criminal psychology, it is inevitable that community corrections must catch up with the pace of social development. Correction of correctional personnel in a scientific, creative, and healthy manner can better enable them to be truly corrected.

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