

CRIMINOGENIC COGNITIONS AND THE RISK OF CRIMINAL RECIDIVISM. LITERATURE REVIEW

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Abstract

Assuming that the inclusion of a measure of knowledge of criminal thinking can increase the prediction of criminal recidivism, various criminogenic cognitive styles have been identified, which may explain the involvement of the individual in criminal behavior. These refer to certain cognitive errors, to the inability to be aware of the effects of the act, to a decision-making process based rather on emotion and not on reason, to an unrealistic self-image, as well as to a weak ability to differentiate between needs and desires.

The first prominent conceptualization of criminal thinking is based on the principle that the individual does not take responsibility for the act and is not aware of the erroneous nature of his thinking. Other studies consider criminal thinking to be aimed at obtaining immediate satisfaction, which implies an irrational and disorganized cognitive pattern. At the same time, there is research that draws attention to the implications of psychopathy for criminal thinking.

According to the literature there are studies that have found that criminogenic cognition can be influenced by age, gender, race and marital status. In the case of persons deprived of their liberty, criminogenic cognition can be influenced by the length of the sentence and, therefore, the longer the length of the sentence, the higher the level of criminal thinking could be.

All these aspects indicate that it is absolutely necessary to know the people who have a predisposition towards criminogenic thinking, so that during the custody in the correctional system it is possible to take steps in this regard.

Cuvinte-cheie: gândire criminală, infracționalitate, recidivă, risc.

Key words: criminal thinking, crime, recidivism, risk.

1. INTRODUCTION

Certain personality dimensions, emotions, and criminal thinking styles can affect the way people deal with life's problems. Egan *et al.* (2003) hypothesized that both criminal thinking styles and personality traits may influence criminal behavior, and have questioned the associations between personality traits and

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criminal thinking. Thus, in their study of a sample of 54 persons deprived of their liberty, they concluded that lack of emotional control and indifference can be basic mechanisms of personality of criminals with cognitive impairments, such as exculpatory and excusive cognitions.

Intuitively, the idea that emotions play a role in decision-making seems reasonable, but it remains unknown what their specific role is. According to Pessoa (2008, p. 148), in any attempt to understand the role of emotions in decision-making processes, it is essential to recognize that emotion and cognition are not separate entities, considering that: “complex cognitive-emotional behaviors have based on dynamic coalitions of networked areas of the brain and that they contribute together and equally to the control of thinking and behavior”.

According to this definition, emotional influences, for example in decision-making processes, can be both conscious and subconscious, as well as somewhere in between (Berridge, 2018; Greenwald & Banaji, 2017). For example, a criminal may be aware that he is angry, but he is not necessarily aware of how these emotions may motivate him to reach certain conclusions, actions rather than others (Klamberg, 2017).

Regarding criminogenic cognitions, it should be emphasized that although these dysfunctional thoughts exist, not all of them lead to criminal behavior, therefore, in order to initiate changes in criminal behavior, it is first necessary to change the maladaptive thinking patterns of the individual (Rivera & Veysey, 2018).

As can be seen, although the scientific community is constantly concerned with finding ways to prevent crime, the number of people incarcerated globally is still a cause for concern. According to the World Prison Brief (n.d.), there are approximately 10,769,534 people incarcerated.

The situation in Romania contributes to this figure, so that in September 2021, there were 22,920 people serving a custodial sentence (National Administration of Penitentiaries [ANP], 2021). According to the data provided by ANP (2021), from the beginning of 2021 until the present time (September, 2021) there has been a tendency to increase the crime rate, which demonstrates the need to understand the criminogenic cognitive process and attitudes that lead to crime.

So though the maladaptive dimensions of the personality constitute a mechanism frequently studied in criminology, the current trend regarding the elaboration of perspectives meant to provide explanations regarding the phenomenon often called *criminology in development*, signals the need to identify the factors involved in this process (Boland *et al.*, 2020, p. 4). According to literature, a predictor of criminal behavior is the cognitive construction of criminal identity (Walters & White, 1989; Hochstetler, Copes, & Williams, 2010; Riopka, Coupland, & Olver, 2015). Defined as a complex system that provides justifications and rationalizations for antisocial behavior (Walters, 2002), some research suggests that criminogenic cognition involves a deficient capacity for decision-making in potentially dangerous situations, which may increase the likelihood of committing crime as well as recidivism (Rivera & Veysey, 2018; Walters, 2020). A possible explanation for this may be the self-

supporting cognition of the individual. This type of cognition is demonstrated in the event where he invokes various aspects in order to justify his deed, stating also that he had to commit the crime (Walters & Geyer, 2005; Walters, 2002). Another explanation may be that the offender misinterprets the surrounding situations, often considering them threats to himself (Walters, 2020). At the same time, the criminal thinking that determines the individual to transpose himself into a position of victim, stating that he feels wronged, because society does not give him the same opportunities as it does to other people, can be a factor that influences this phenomenon (Lipsey, Landenberger, & Wilson, 2007).

Understanding the criminogenic cognitive process and the attitudes that lead to a criminal lifestyle can facilitate the control of several behavioral manifestations, starting from committing a crime, to participating in disciplinary acts in prison and up to criminal recidivism (Walters & Geyer, 2005; Walters & Lowenkamp, 2016).

2. CRIMINOGENIC COGNITIVE MODELS

Research over time has shown that criminals, as a group, have different thinking patterns than the non-criminal population. Thus, the literature has begun to pay attention to the cognitive construction of criminal identity, considering it as a predictor of criminal behavior (Walters & White, 1989; Hochstetler *et al.*, 2010; Riopka *et al.*, 2015). Defined as a complex system that provides justification and rationalization for antisocial behavior (Walters, 2002), some research suggests that criminogenic cognition involves poor decision-making capacity in potentially dangerous situations, which can increase the likelihood of committing crime as well as recurrence (Rivera & Veysey, 2018; Walters, 2020).

The importance of criminogenic cognitions is supported not only by research in the literature, but also by intervention programs that take place at the societal level, such as those for drug users or those for sexual abusers. Since they are based on the will of the individual to make an effort to develop self-control, all these steps can fail when competing with such cognitions. Assuming that the inclusion of a measure of knowledge of criminal thinking can increase the prediction of criminal recidivism, various criminogenic cognitive styles have been identified, which may explain the involvement of the individual in criminal behavior. These refer to certain cognitive errors, to the inability to be aware of the effects of the act, to a decision-making process based rather on emotion and not on reason, to an unrealistic self-image, as well as to a weak ability to differentiate between needs and desires (Walters, 2020).

Over time, research has shown that criminals, as a group, exhibit different thought patterns from the non-criminal population (Walters, 1996; Yochelson & Samenow, 1993; Boduszek & Hyland, 2012). The first prominent conceptualization of criminal thought was presented by Yochelson and Samenow (1977), who believed that the patterns of criminal thought are based on errors that explain the fact that

the individual does not take responsibility for the act, and also that he is not aware of the erroneous nature of his thinking. Through interviews with persons deprived of their liberty, they identified 52 errors of thought that influenced inappropriate behavior and antisocial lifestyle. They were grouped into three main categories, namely: *models of criminal thinking*, *automatic errors of thought* and *the criminal thought process from idea to execution*. The first category represented dysfunctional thought processes consisting in the lack of responsibility, which increased the probability of committing the criminal act. *Automatic errors of thought* have been explained through the affective of the individual, namely the use of reactive emotions to be able to excuse the acts he committed. The third category identified, namely *the criminal thought process*, is represented by the cognitive processes identified before, during and after the crime. The two authors (Yochelson & Samenow, 1977) concluded that in this context, before committing a crime, a mental process occurs that aims to eliminate the deterrent factors. Thus, fear is diminished, and self-confidence increased. At the same time, the state of calm and inner tranquility reach an optimal level, allowing the criminal act to take place (as cited in Mandracchia *et al.*, 2007).

Another important element is the so-called “*festive cognition*”, which occurs after committing a crime. The offender experiences the feeling of power and force, an increase in self-worth and importance, which can lead to the strengthening of criminal behavior (as cited in, Mandracchia, *et al.*, 2007, p. 2).

Starting from the theory of the two authors, Walters (1996) developed one of the most notable models of criminal thought. He described eight cognitive patterns found in the process of criminal thinking. The eight cognitive styles are: 1) *mollification (MO)* – explaining criminal behavior through the use of external factors; 2) *cut-off (CO)* – quick dismissal of thoughts that discourage criminal behavior; 3) *entitlement (EN)* – committing the crime by assigning a right, privileged self-attribution; 4) *power orientation (PO)* – need for maximum control of the environment and of other people; 5) *sentimentality (SN)* – the need to achieve something considered positive, in order to compensate for the negative feelings related to one’s own behavior; 6) *superoptimism (SO)* – trust in one’s own ability to circumvent the consequences of criminal behavior; 7) *cognitive indolence (CI)* – the use of mental shortcuts to the detriment of developed mental strategies; 8) *discontinuity (DS)* – lack of perseverance. Through these styles of criminal thinking, Walters (2005) brings to attention the idea that criminogenic cognition consists in making decisions based on self-indulgence, which positions itself against social standards. He also considers criminal thinking to be oriented towards immediate satisfaction, which implies an irrational and unorganized cognitive pattern.

Another pattern of criminogenic cognition is the one proposed by Heilbrun (1982), which identified three specific models of crime by taking into account the relationship between cognitive and pathological factors. The first model, called *cognitive psychopathic*, involves people deprived of their liberty with low IQ

levels, poor impulse control, and a low level of socialization and empathy, which can explain the risk for violence. The second model has been called the *sadistic model*, and involves a high level of IQ, medium impulse control and moderate empathy. Taking into account the sadistic character, although empathy has the role of increasing the offender's awareness regarding the victim's suffering, in this case, by increasing awareness, there is also an increase in the feeling of pleasure for committing the criminal act. The latest model referred to the *non-psychopathic offender* with poor cognitive processing, low empathy and poor impulse control. These elements can increase the likelihood of dangerous situations, due to overcoming one's own cognitive abilities.

The presence of psychopathy has been established as a predictor of relapse in literature (Gendreau, Goggin, & Smith, 2002; Salekin, Rogers, & Sewell, 1996), but given that recent research (Walters, 2016, 2020; Simane-Vigante, Plotka, & Blumenau, 2015) has led to the hypothesis that including a knowledge measurement of criminal thinking can increase the prediction of criminal recidivism, analyzing the impact and correlations with the other aspects of the personality becoming absolutely necessary to facilitate the understanding of this phenomenon.

3. THE IMPACT OF CRIMINOGENIC COGNITION ON CRIMINAL BEHAVIOR

The presence of criminogenic cognition in an individual's personality pattern implies a complex process of interpretation and reaction to a certain stimulus, mediated by associated factors, which together make up the increased risk of criminal behavior.

To analyze this process of criminogenic cognition display and the impact on behavior, Gonsalves, Scalora and Huss (2009) used the Psychological Inventory of Criminal Thinking Styles, on 117 institutionalized individuals of male gender. The results of the study showed that the recidivists obtained a higher score at the *Cut-off*, *Discontinuity*, *Superoptimism*, *Power Orientation* and *Mollification* scales. The same tool was used by Walters and Lowenkamp (2016) in a study with a sample of 81,881 men and 14,519 women, both categories of participants being in federal custody or under judicial control. Thus, the scales that recorded average values for both categories were *Cut-off*, *Discontinuity* and *Mollification*. Analyzing possible correlations between the same cognitive styles and different variables, Palmer and Hollin (2003) concluded that the *Cut-Off*, *Discontinuity* and *Superoptimism* scales recorded negative correlations with the age individuals had at the first offense. So the younger the age at which the individual committed the first criminal act, the more ingrained in his personality were. Also, the *Discontinuity* and *Cut-Off* scales have been positively associated with the number of previous convictions. Thus, the higher the number of crimes committed previously, the higher the level of inconsistency between thought and behavior, and the lower the ability to become aware of the consequences of the deed.

A high score for the *Cut-Off* cognition scale indicates a low tolerance to frustration and a tendency to eliminate factors that can discourage criminal behavior. In this situation, mental deficiencies or addictive behaviors, such as drug addiction, may be encountered. A low score indicates the presence of successful coping mechanisms (Walters, 2002). At the same time, *Cut-Off* cognition incorporates a level of immaturity that involves focusing only on certain aspects and not on the entire scenario, as well as making decisions based on emotionality and not on a rational judgment (Hill *et al.*, 2011). *Cut-Off* cognition is also considered to be a possible predictor for future criminal behavior, with correlations being recorded between this scale and criminal recidivism (Bulten *et al.*, 2009).

For the *Superoptimism* cognition scale, a high score implies that the individual is convinced that he will be able to avoid the consequences of his criminal act, that is, either that he will not be caught or that he will easily escape a possible punishment. A low score reflects a realistic interpretation of the effects that committing a crime can have on oneself (Walters, 2002). *Superoptimism* also occurs when the individual strongly desires that result, therefore his optimism is exaggerated. This desire, which has a causal impact on optimism has been called the *desirability bias* and explains that it is not the hope of success that determines this process, but the lack of a rational judgment (Krizan & Windschitl, 2009).

As for the *Mollification* cognition, high scores reflect an attitude of privilege, while the low scores denote a good capacity to differentiate between needs and desires (Walters, 2002). This type of thinking also involves self-centered behavior. The attribution of other people's actions, based on the belief of his own incompetence and on the idea that the individual deserves a special treatment regardless of the situation, expresses a high level of self-centeredness, which supports the manifestation of criminal behavior (Mandrachia *et al.*, 2007). Kroner and Morgan (2013) shows that self-centered people have a high level of cognitive immaturity, therefore they have a poor ability to think rationally and low levels of responsibility.

For the *Discontinuity* scale, a high score denotes inconsistency in thinking and behavior, and a low score represents the ability to track their intentions through behavior, respectively to carry out an activity (Walters, 2002). This type of cognition expresses the tendency to lose sight of one's own objective, due to the influence of environmental events (Bulten *et al.*, 2009). The *Discontinuity* scale has been negatively correlated with agreeability, which means that the higher the intermittency, the more likely it is that the person will have a manipulative attitude (Cobb-Clark & Schurer, 2012). It has also been associated with neuroticism, that is, with a high level of emotional instability, generalized fear and poor tolerance to frustration (Megreya, 2013).

Regarding the *Power Orientation* scale, the high score implies the need to obtain a sense of control and authority over others, and the low score refers to social conformity, compliance with the rules and norms imposed by society (Walters, 2002). Palmer and Hollin (2003) point out that this dimension is

correlated with the commission of disciplinary misconduct in the penitentiary environment, both for men and women serving a custodial sentence. Moreover, they concluded that the scores differ depending on the regime of execution of the sentence, i.e. the level of security in which the person is in custody, which is established depending on the type of sentence and the risk posed by the detainee for the safety of the penitentiary.

The investigation of the criminal thought structures also revealed a distorted self-image, the person having a general attitude of self-pity. An example of this can be the search for approval from others as an indication of valorisation, the assignment of external causes in case of success and absolute feelings of hopelessness in case of failure (Mandrachia *et al.*, 2007). Likewise, a profound analysis of the concept of criminogenic cognition, and its impact at the level of behavior, revealed that criminogenic cognition influences not only the criminal behavior of one's own person but also that of his entourage (Walters, 2016). Therefore, if a person with criminogenic cognition is at risk both for committing a crime and for successfully influencing the people around him, knowing in detail the phenomenon can facilitate the increase of the level of security and well-being of the entire society.

Bourke, Boduszek, & Hyland, (2013) emphasize that one of the most important characteristics that define antisocial cognition is criminal thinking. In this way, the whole system, which includes attitudes and beliefs, is used to rationalize and justify criminal behavior.

Another aspect that may be a factor influencing the manifestation of criminogenic cognition is age. While Walters (2002) found that the age of interpersonal hostility can increase with age, Palmer and Hollin (2003) found that Cut-Off thinking can be more meaningful during adolescence. Dembo, Turner, and Jainchill (2007) also concluded that age may be related to the level of criminogenic cognition, with the possibility that in adolescence, offenders may have higher levels of criminal thinking than older ones. However, there are studies whose results suggest that such relationships may not exist (Walters & Schlauch, 2008; Mandrachia & Morgan, 2010).

In terms of sex, according to Walters (2002), there is a possibility that women may have higher levels. However, (Staton-Tindall *et al.*, 2007) did not find gender differences in his studies in which he used the scale of criminogenic cognitions. The same result was obtained by Dembo *et al.* (2007).

From a racial point of view, while Walters (2020) argues that there is a possibility that in the case of black criminals there will be a higher level of criminogenic cognition unlike their white counterparts, Dembo *et al.* (2007) did not find such relationships possible in this regard.

According to the literature, it seems that high levels of criminogenic cognition can be influenced by both the length of the sentence (Mandrachia & Morgan, 2010; Walters & Schlauch, 2008) and marital status, so there is a possibility that single people may have a greater predisposition for criminal thinking (Walters, 2007).

4. LIMITS IDENTIFIED

Although qualitative studies in the literature of criminology describe how criminals think about their own criminal identity (Brezina & Topalli, 2012; as cited in Svensson, 2021; as cited in Farrall, 2013), these investigations are limited to the ability of criminals to introspect themselves and the willingness to report their own criminal knowledge. In this situation it is important to underline that it is very likely that individuals will not be fully aware of the potential impact of committing a criminal act (Amemiya, Kieta, & Monahan, 2017). Thus, there is a probability that the declared aspects have a high level of error, which decreases the validity of the information obtained. At the same time, their willingness to report their own criminal knowledge is limited, as it is based on the motivation for self-reporting. Given that at the societal level crime is subject to stigmatization, individuals can be motivated to minimize this process of confession (Rivera & Veysey, 2018). Another limit refers to the fact that very few studies examine these issues according to the criminal category (*eg.* rapists, criminals, thieves etc.), therefore, there is no detailed information depending on the specific criminogenic needs (Whited *et al.*, 2017).

5. CONCLUSIONS

Although there are situations in which people can manifest criminal behaviors due to the influence of external factors (for example, response to a physical threat), research in the field proves that the association of these experiences with criminal cognitions increases the probability of committing a criminal act.

The importance of criminogenic cognitions is supported not only by research in the literature, but also by intervention programs that take place at the level of society, such as those for drug users or those for sexual abusers. Since they rely on the will of the individual to make an effort in the development of self-control, all these steps can fail when competing with such cognitions. Micle, Oancea and Săucan (2012) also highlight the issue of extrinsic motivation. Oriented towards the fulfillment of criminogenic needs, extrinsic motivation is predominant in the case of criminals, so one of the challenges encountered in the process of rehabilitation of criminals is the development of intrinsic motivation for change. Taking into account that the manifestation of these cognitions is directly related with both age and life experience of the individual, the complexity of the effects and even the difficulties regarding the necessary control in these cases increase. Criminogenic cognition can also be supported by the involvement of criminals in an antisocial subculture, for example, the execution of a custodial sentence for a longer period, during which the person acquires traits characteristic of the prison population. However, even if these dysfunctional thoughts exist, not all of them lead to criminal behavior, therefore, in order to initiate changes in criminal behavior, it is

first necessary to modify the maladaptive thinking patterns of the individual. A possible solution may be to improve the relationship with the family, which can become an important value in the process of transforming the manifested behavior.

A possible influencing factor may be the development of the level of self-control, the link between self-control and behavior being of theoretical and applied interest, as it probably affects people's desire or ability to effectively regulate their behavior. In the case of people with a criminogenic cognitive pattern, it was concluded that self-control may be negatively influenced by substance abuse, suicide, risky sex, criminal history before incarceration, abuse of illegal substances after release and recidivism.

Also, given that man is a social being and able to use environmental influences for optimal functioning, it is extremely important that external factors meet the needs, in a constructive manner, to develop this potential for development which disposes. In this sense, taking into account that a large part of the population of people with criminogenic cognition is at risk for drug use, alcohol, and risk to mental health, the process of reintegration and automatically the prevention, requires the existence of social support. Cullen (1994) discussed the theory of social support, looking at it as a general framework for instrumental and emotional support, provided to the whole community. According to him, social support is relevant to crime prevention and offender treatment, and can be provided informally and formally through churches, schools, government assistance programs and the criminal justice system.

It is absolutely necessary to know the people who have a predisposition towards more criminogenic thinking, so that during the custody in the correctional system to be able to take steps in this regard. In conclusion, the prediction of recidivism is still an important aspect of forensic psychology, being a category that requires the conduct of continuous studies and analyzes.

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REZUMAT

Pornind de la ipoteza că includerea unei măsuri de cunoaștere a gândirii criminale poate spori precizarea recidivei infracționale, au fost identificate diverse stiluri cognitive criminogene, care pot explica implicarea individului în comportamentul criminal. Acestea fac trimitere la anumite erori cognitive, la incapacitatea de a conștientiza efectele faptei, la un proces decizional bazat mai degrabă pe emoție și nu pe rațiune, la o imagine de sine nerealistă, precum și la o slabă capacitate de diferențiere între nevoi și dorințe.

Prima conceptualizare proeminentă a gândirii criminale are la bază principiul potrivit căruia individul nu își asumă responsabilitatea faptei și nici nu este conștient de natura eronată a gândirii sale. Alte studii consideră gândirea criminală ca fiind orientată spre obținerea unei satisfacții imediate, fapt ce presupune un tipar cognitiv irațional și neorganizat. Totodată, există și cercetări care aduc în atenție implicațiile psihopatiei asupra gândirii criminale.

Conform literaturii de specialitate, din punct de vedere al corelațiilor cu variabilele demografice, există studii care au găsit că cogniția criminogenă poate fi influențată de vârstă, gen, rasă și statut marital. În cazul persoanelor private de libertate, cogniția criminogenă poate fi influențată de durata pedepsei și, prin urmare, cu cât durata pedepsei este mai mare, cu atât poate crește nivelul gândirii criminale.

Toate aceste aspecte indică faptul că este absolut necesară cunoașterea persoanelor care au o predispoziție spre o gândire criminogenă, astfel încât în timpul custodierii în sistemul corecțional să se poată realiza demersuri în acest sens.