

## **JAN SMREK: SLOVAKIA**

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### **General Information:**

*Age:* 41

*Gender:* Male

*Country of Origin / Residence:* Slovakia

*Offence types:* Economic criminal activity

*Number of convictions:* One conviction

*Experience of Punishment:* Sentenced on one occasion (three and a half years in custody on remand, one and a half years defer of sentence and eight years in imprisonment, second grade of security)

*Time since last conviction:* two years

*Time since last offence:* twelve years

### **Personal Experience**

I did not consciously start offending; I was sucked into it at the beginning of my business career. My future business partner approached me to start a business with him. He said that everything would be managed by him and I would administer what was needed within the company. Later on it became a criminal activity. The criminal activity stopped a long time ago. It ended when they took me into custody, but we had already stopped the criminal activity some time before that.

I was aware of the fact that a crime was being committed; I just wanted to close my eyes to it. Then my business partner disappeared and it was too much for me. There was absolutely nobody who would have been able to manage the organization he had created. All the suppliers, buyers and so on disappeared. There were no contacts left, so the criminal activities we had been running did not continue under my control. Unfortunately, until that moment my own conscience was not bothering me as I closed my eyes to everything that was happening in the company.

Later on a certain group of people, who stood behind my partner, tried to make me continue. By that time, an investigation had already begun and everything broke down, so the group didn't exert too much pressure on me to continue with these activities and they (the group) looked for different ways.

No one in my neighbourhood knew that we committed crime. I didn't want anyone to get involved, and thus no one was able to support me in stopping it.

For me it was easy to stop committing the crime, because I made no profit from it. What was hard was to get out of it, to survive, because there operated this group of people who murdered business executives and witnesses. It was difficult when you know the position to stay away from this group, to try to avoid them, not to listen to their promises and not to be lured out somewhere.

I did not think that "staying involved" would have some benefit for me; because it had no benefits for me, I had no profit from it, it was quite easy to stop and it didn't make sense to continue. My partner was murdered (probably he was, some people say not, some investigators argue that yes, he was and I think he was murdered), so all the links were cut-off. For some time this group continued, just from persistence in crime, but then when someone blabbed out and when the police started to investigate, then the group began to step away from it too. There was strong pressure from the police and the police activity caused the crime to stop. Personally, I waited for and lived through that, that it has to come, the police must come and take us and the punishment will follow, too. Until this moment, I just tried to survive and live. I felt very relieved when we stopped criminal activities. It was the first time I felt so good. I tried to trade legally for a while until we were taken into custody. Actually, I was successful with the business.

When I received the sentence, then everything changed, everything became apparent (that I had closed my eyes to things) and I was marked down as an accomplice. My family did find out, my wife, friends, acquaintances, strangers and so on, because the case was publicized. I was divorced after I was released - but the marriage broke down while I was sitting in jail. I had nothing left, just some friends remained, friends and acquaintances who did not turn

away from me. I now have no problem saying to this circle where I was, why I was there and what I was doing. My story can no longer scare anybody, either.

During my time in jail I went through something like an inner purification. I had enough time to think about myself, what I had committed, what had led me to do it and how weak I had been. About the moments I should have stayed firm but retreated. I think I've changed a lot and for the better, and if not, then at least I know what my weaknesses are.

I started with this business, not only because I wanted security for my family, but because it involved my personal ambition to achieve something, to prove to myself and maybe to others that I can achieve something. Now, I don't have this ambition anymore, I don't need to prove anything to myself and I am so much happier with what I have now. Although, recently I have wanted to win the lottery!

I see myself as humbler and more mature. I have more grey hair and I assume that grey hair is bringing some life wisdom, as we say. Behind me is experience which it was not necessary to have, but from which I took a lesson in life. Otherwise, I am satisfied. My relationship with my parents is much better than before; they are supporting me a lot (that was what I missed before). So after all, in some ways it was a positive experience, too.

What happened has still not been forgotten, so for sure it still influences me. I need to pay the cost of the arrest, every month I need to think about that again. In the future if I started a business again, I would definitely do it only by myself. Probably, I will not trust other people anymore. Even when I think about it now I feel still very gullible. I believe that we all are born small, unstained as a clean sheet and this must stay somewhere inside of us forever. Every person is basically good, but just makes mistakes.

I was in detention for three and a half years, which is different from prison as in detention there is a lack of supporting services. Although, there is a teacher, he is too busy all the time. In detention you can't do anything, you can't study, nothing. The place where I served my sentence I sometimes missed something like this, because people who are locked up there for a couple of years could manage to complete some education programmes before

probation. There was a barber course on which I enrolled. A computer course, I enrolled on that too, but the course was at such a basic level, that people only learned how to switch the computer on and off. No additional tuition using the internet, which could be useful in job searching after their release.

You could go and talk to the teacher every time over there and they are willing to help you, explain things for example about how to manage your visits, how to get to the phone, what the claims are about ... but they have a lot of additional work and very little time. For example I wasn't able to go for walk outside, because they didn't have enough time to manage them, to play football, walking. I was there for six months but I went out for a walk only three times. Of course there are opportunities to have different free time activities – knowledge quizzes, competitions, programmes on how to work with anger, but only once a month. If you had a job or duties you were not able to join them. Mostly, it was only written on paper that there was something going on. All of this was run by internal teachers. Recently, I saw on TV that somebody graduated, or is studying a university course for three years, but those are only the easily rehabilitated groups with security level one. They can commute to schools outside the prison. This is way too limited for people in second and third correctional groups. People from second and third groups can be educated only inside the prison and have only limited options, even though they may be equally or more intelligent people. You just need some kind of “window of hope”. You can't earn anything just by sewing shoes.

When they released me, I left prison with only what my family had sent to me and that was all I had in my bank account (and the fare to travel home). I was actually punished twice. (Three and a half years in custody, then Appeal Court and a further period of imprisonment). I wasn't able to have a normal life between these two periods. Life had brought me to other circumstances and I needed to feed myself, too. The uncertainty about when they would take me to prison again, telling my employer the truth, that I don't know when I will leave the job, when I may leave my employer in the lurch because I have to start a period of imprisonment. These are things that should be taken into account during the counselling sessions with a psychologist. I should have been told about and warned about this before my release. And again, after I was released I got only 20 Euro for my trip home. I didn't get

anything else, no support phone number. They didn't care what would happen to me, if I would be homeless on the street. I think this should work in a different way, to get some paper with contacts in place to arrange where to stay in the area of your permanent residence. To cut a long story short, to provide something which can help people released from prison to manage their life and to get through the period when a person is looking for a job so you do not need to start criminal activities again. If he had tried hard to change, he has taken lessons from his life but then got 20 Euro to live on, he will steal again. And most importantly, if the family don't support you, and in many cases it's like that, then many people are soon back in jail, because their families don't have adequate resources to support them.