

Analisi leximetrica

- 1** Cos'è l'analisi leximetrica? Pregi e difetti;
- 2** Identificazione delle variabili;
- 3** Costruzione di una scala neutra;
- 4** Assegnazione dei valori alle singole variabili;
- 5** Valutazione del grado complessivo di repressività della legge.

Variabili del gruppo a)

Condotte considerate dalla legge come illeciti, penali o amministrativi

1. **Vendita** di sostanze cd. leggere e pesanti;
2. **Consumo** (*i.e.* detenzione) di sostanze cd. leggere e pesanti;
3. **Coltivazione per uso personale** di sostanze cd. leggere e pesanti;
4. **Coltivazione per uso non personale** di sostanze cd. leggere e pesanti.

Variabili del gruppo b)

Previsioni che facilitano l'accesso a percorsi trattamentali per soggetti tossicodipendenti che abbiano commesso un reato

1. Chi è sorpreso detenendo sostanze stupefacenti per uso personale può volontariamente iniziare un percorso trattamentale, così evitando sanzioni amministrative? (art. 75 T.U. stup.)

Si 0 – No 1

2. Chi, affetto da tossicodipendenza, commette un crimine può beneficiare della sospensione condizionale della pena nel caso in cui avvii un programma terapeutico? (art. 90 T.U. stup.)

Si 0 – No 1

3. Chi è affetto da tossicodipendenza e commette un reato può accedere, prima o in costanza di esecuzione della pena, ad un programma terapeutico fuori dall'istituto di pena? (art. 94 T.U. stup.)

Si 0 – No 1

Scala di valori per le variabili del gruppo a)

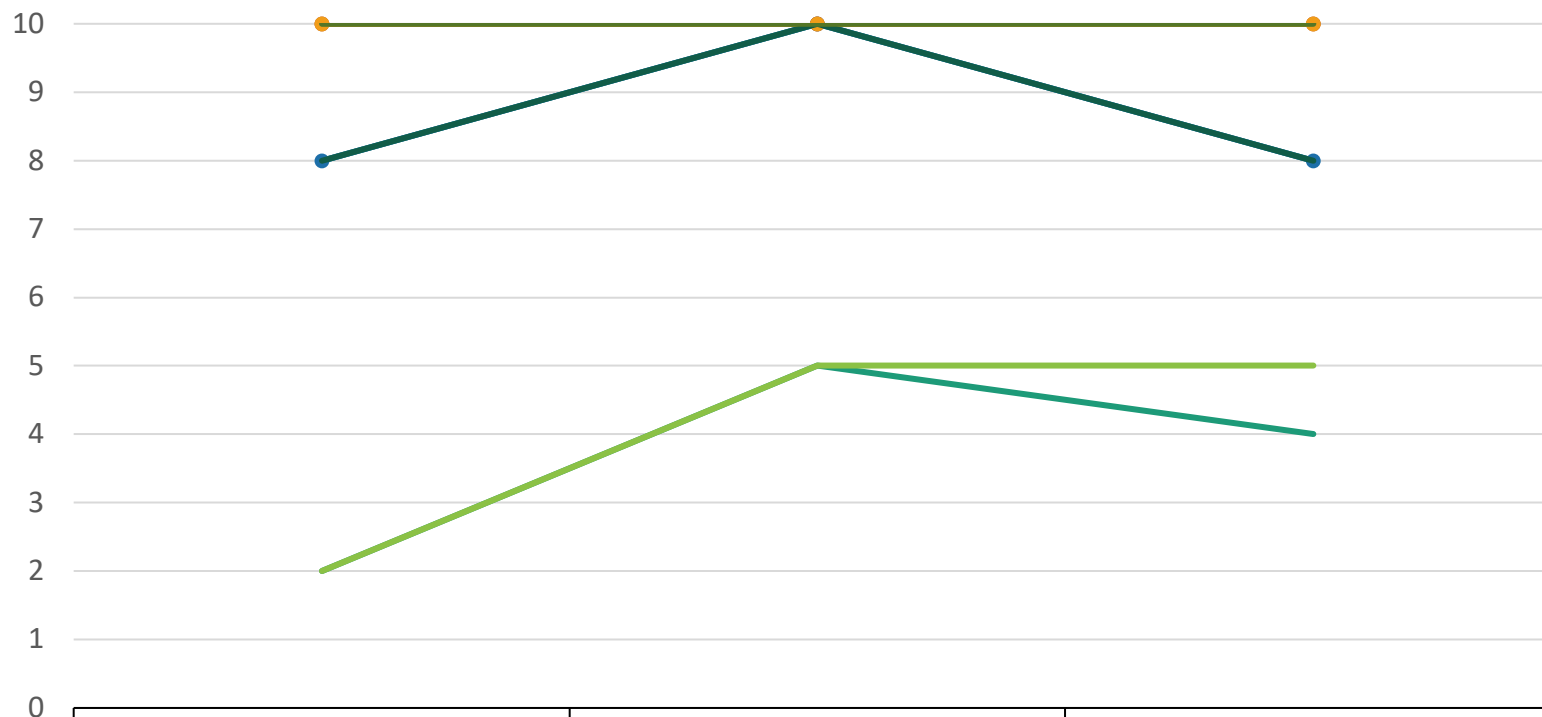
SCORES	1	2	3	4	5	6	7	8	9	10
SANCTIONS	Withdrawal of any administrative licence (e.g. driving licence; gun licence).	Prohibition of expatriation (e.g. withdrawal of passport or of the touristic visa).	Obligation to remain in a certain territory (e.g. obligation of presenting himself to the police on determined hours during the week).	Prohibition of going out from the city of residence or obligation to come back home at a certain hour and to remain there during a determined time.	If it is established some form of conversion into a custodial penalty	until 3 years of detention	until 5 years of detention	until 10 years of detention	until 15 years of detention	until 24 years of detention or life imprisonment
EXPLANATION	In this case the sanction barely affects the primary rights of human beings.	This sanction partially reduces the freedom of circulation.	This sanction has an increasing impact on the freedom of circulation and movement.	This sanction has an increasing impact on the freedom of circulation and movement.	In case the omitted observance of the administrative prescriptions leads to the possibility of prison detention it moves closer administrative and criminal offences.	In this case the judge can apply 'substitutive penalties', as semi-detention; controlled liberty; monetary sanction, that engender a reduce limitation of the personal freedom.	Because it is one of the conditions for the application of art. 131-bis c.p. It consents the extinction of the crime if it is considered of a slight entity.	This sanction has an increasing impact on the restriction of personal freedom.	This sanction has an increasing impact on the restriction of personal freedom.	This is the maximum of the custodial penalty, as established by the art. 23 c.p. (Italian criminal code).

Valori associati alle variabili del gruppo a) e b)

Variables	d.P.R. n. 309/90 (from 1990 to 2006)	Law n. 49/2006 (from 2006 to 2014)	Law n. 79/2014 (from 2014 to 2018)
How is it punished the sale of 'hard drugs'?	10	10	10
How is it punished the sale of 'soft drugs'?	8	10	8
How is it punished the cultivation of 'hard drugs'?	10	10	10
How is it punished the cultivation of 'hard drugs' for personal use?	10	10	10
How is it punished the cultivation of 'soft drugs'?	8	10	8
How is it punished the cultivation of 'soft drugs' for personal use?	8	10	8
How is it punished the consumption (i.e. detention for personal use) of 'hard drugs'?	2	5	5
How is it punished the consumption (i.e. detention for personal use) of 'soft drugs'?	2	5	5

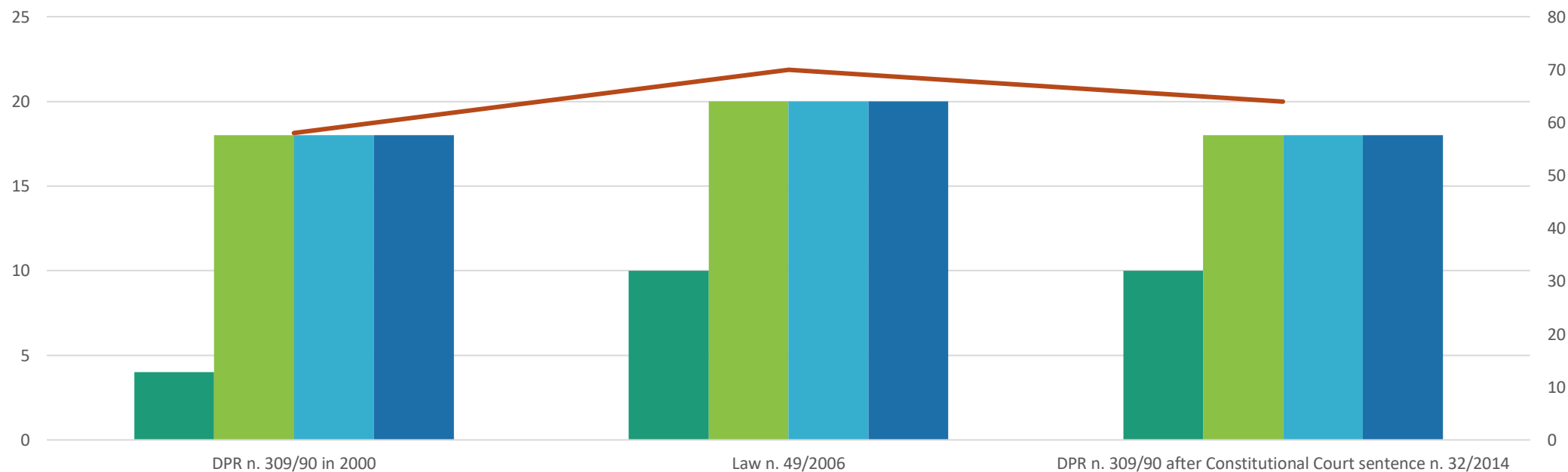
Variables	d.P.R. n. 309/90 (from 1990 to 2006)	Law n. 49/2006 (from 2006 to 2014)	Law n. 79/2014 (from 20014 to 2018)
Who is caught detaining drug for personal use can voluntarily start a therapeutic treatment, avoiding any administrative sanction?	0	1	1
If someone that is drugs' addicted committed a crime can benefit of a suspension of the sentence in case of starting a therapeutic programme?	0	1	1
If someone that is drugs' addicted committed a crime, during or before the execution of the sentence, can accede to a therapeutic programme out of the jail?	0	0	0
Total, degree of severity of the law	58	72	66

Evoluzione delle
variabili del
gruppo a) nel
tempo



	DPR n. 309/90 in 2000	Law n. 49/2006	DPR n. 309/90 after Constitutional Court sentence n. 32/2014
Consumption for personal use of 'soft drugs'	2	5	4
Consumption for personal use of 'hard drugs'	2	5	5
Cultivation of 'soft drugs'	8	10	8
Cultivation for personal use of 'soft drugs'	8	10	8
Cultivation of 'hard drugs'	10	10	10
Cultivation for personal use of 'hard drugs'	10	10	10
Sale of 'soft drugs'	8	10	8
Sale of 'hard drugs'	10	10	10

COME CAMBIA IL GRADO DI REPRESSIVITÀ DELLE SINGOLE LEGGI



Personal consumption of 'soft' + 'hard' drugs

Cultivation for personal use of 'soft' + 'hard' drugs

Repression

Cultivation of 'soft' + 'hard' drugs

Sale of 'soft' + 'hard' drugs