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INDIVIDUALIZED RISK ASSESSMENT OF RADICALIZATION IN CRIMINAL JUSTICE SYSTEMS – A LEGAL-FORENSIC APPROACH

ABSTRACT: The phenomenon of radicalization represents a growing challenge for contemporary criminal justice systems, particularly in light of the increasing overlap between criminality and violent extremism. This paper examines the need for an individualized approach to assessing the risk of radicalization within criminal justice systems and their legal frameworks. The main objective of the study is to analyze existing criminal justice mechanisms and assess whether they are adequate for identifying and evaluating the risks posed by individuals involved in extremist activities. The research is based on a qualitative analysis of relevant academic literature, international documents, and selected risk assessment tools used in the context of violent extremism. Particular attention is devoted to the role of the prison environment as a setting in which processes of radicalization may develop, but also be prevented, as well as to the limitations of existing standardized assessment instruments. The findings indicate that current legal approaches often fail to ensure sufficient integration of multidisciplinary knowledge, particularly in the field of risk assessment. The paper argues that the involvement of court-appointed

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experts in the assessment process could significantly improve the accuracy and reliability of judicial decision-making. The main contribution of this paper lies in identifying the key components of an integrated legal-forensic model of individualized risk assessment, combining legal, psychological, and security dimensions. Such an approach may enhance both preventive capacities and the protection of fundamental rights within criminal justice systems.

Keywords: *radicalization, risk assessment, criminal justice system, violent extremism, forensic expertise.*

1. Introduction

In recent decades, radicalization has emerged as a central challenge for contemporary criminal justice systems, raising complex legal, security, and societal concerns (European Commission, 2020; Babanoski, 2020). These challenges are further intensified by evolving terrorist threats characterized by decentralized structures, lone actors, and the use of online platforms for recruitment and ideological dissemination (RAN, 2022).

Radicalization is generally understood as a dynamic and multifaceted process through which individuals adopt extremist beliefs that may lead to violence (Silke & Brown, 2016). Contemporary research emphasizes that this process cannot be reduced to a single cause or profile, but involves a combination of psychological, social, political, and environmental factors (Doosje et al., 2016; Borum, 2011). Importantly, individuals involved in extremist activities often do not significantly differ from the general population in terms of psychopathology, challenging traditional assumptions within criminal law (Horgan, 2005; Horgan, 2008).

A key issue for criminal justice systems is the relationship between criminality and violent extremism, often conceptualized as the "crime–terror nexus". Research indicates that many individuals involved in terrorism have prior criminal histories, suggesting a convergence between these domains (Kupatadze & Argomaniz, 2019). This overlap raises important legal questions regarding classification, prosecution, and risk assessment.

In this context, prisons represent environments where radicalization may both occur and be prevented (Garton Grimwood, 2016; UNODC, 2016). At the same time, the assessment of radicalization risk has become a central issue in both security policy and legal practice. Structured tools such as VERA-2R and ERG22+ have been developed to support this process, although their application in judicial contexts remains limited and contested (van der Heide, van der Zwan & van Leyenhorst, 2019; Monahan, 2012).

Despite these developments, criminal justice systems often lack mechanisms for integrating multidisciplinary expertise into judicial decision-making. In particular, the role of forensic experts in assessing radicalization risk remains insufficiently developed. Given the complexity of the phenomenon, there is a need for approaches that combine legal reasoning with insights from psychology, criminology, and security studies.

Against this background, this paper examines the adequacy of existing approaches to radicalization risk assessment and proposes an integrated legal–forensic model of individualized assessment. It is argued that such an approach may enhance both preventive effectiveness and the protection of fundamental rights within criminal justice systems.

2. Conceptualizing radicalization

The concept of radicalization has become a central analytical framework in contemporary studies of terrorism and violent extremism. Although widely used in both academic and policy contexts, the term remains contested and lacks a universally accepted definition. In general, radicalization is understood as a process through which individuals develop increasingly extreme political, ideological, or religious beliefs that may legitimize the use of violence (Silke & Brown, 2016).

Radicalization is examined through interdisciplinary frameworks, particularly within social psychology and criminology (Borum, 2011; Christmann, 2012; Stanojoska, Babanoski & Ilijevski, 2025). However, the concept itself has been criticized for its ambiguity and overuse in policy discourse (Neumann, 2013).

Importantly, contemporary research rejects the notion of a fixed “terrorist profile”. Empirical studies have demonstrated that individuals involved in extremist activities often do not exhibit distinct psychological abnormalities and may not significantly differ from the general population (Horgan, 2008). Instead, radicalization is increasingly understood as a context-dependent process shaped by identity, perceived injustice, social networks, and exposure to ideological narratives.

A key distinction in the literature is between radicalization as a cognitive process and violent extremism as behavioral manifestation. Not all individuals who adopt radical beliefs engage in violence, and the majority of radicalized individuals do not progress to committing terrorist acts (UNODC, 2016). This distinction is of particular importance for criminal law, as it raises questions regarding the point at which radical beliefs become legally relevant. Some authors refer to 'violent radicalisation' to emphasise the violent outcome and differentiate the process from non-violent forms of 'radical' thinking (Neumann, 2010).

This conceptual ambiguity is particularly problematic in criminal law, where legal certainty requires a clear distinction between radical beliefs, extremist rhetoric, and conduct that justifies criminal intervention (Silke & Brown, 2016). This creates significant challenges for legal systems, particularly in determining when radical beliefs transform into legally actionable conduct, while ensuring the protection of fundamental rights.

Given these complexities, it becomes evident that radicalization cannot be adequately addressed through simplified or generalized approaches. For criminal justice systems, this implies the necessity of adopting individualized assessments that take into account the specific circumstances, motivations, and trajectories of each individual case. Such an approach requires not only legal analysis but also the integration of interdisciplinary knowledge, particularly from psychology and criminology.

3. Radicalization in prison systems

Prison systems are increasingly recognized as important environments in the study of radicalization and violent extremism. While imprisonment primarily serves to ensure public safety, detention settings may also unintentionally facilitate processes of radicalization, placing prisons at the intersection of security, rehabilitation, and human rights concerns.

Research indicates that the concentration of vulnerable individuals, combined with social isolation and exposure to radical ideologies, can create conditions conducive to extremist influence (van der Heide, van der Zwan & van Leyenhorst, 2019; Garton Grimwood, 2016; Basra & Neumann, 2020). In particular, individuals with prior criminal backgrounds may be more susceptible to extremist recruitment, reflecting the broader dynamics of the crime–terror nexus (Kupatadze & Argomaniz, 2019).

At the same time, prisons do not inherently produce radicalization. Most inmates do not become radicalized, and distinguishing between legitimate expressions of belief and violent extremism remains a key challenge for prison authorities (UNODC, 2016). In this context, prison conditions and management practices play a significant role. Factors such as overcrowding, lack of activities, and insufficient staff training may increase vulnerability to radicalization, while well-managed environments can mitigate these risks (Silke, 2011; UNODC, 2016). Strategies such as "dynamic security," based on continuous staff–inmate interaction, are particularly important in identifying and preventing radicalization (Council of Europe, 2016).

International frameworks increasingly emphasize individualized approaches to managing radicalized offenders, including rehabilitation and reintegration programs (Marsden, 2019; UNODC, 2016). At the same time, prison authorities must balance security measures with the protection of fundamental rights. Such measures must be necessary and proportionate, in line with legal standards (Ashworth & Zedner, 2014), as overly restrictive practices may produce counterproductive effects (Silke & Brown, 2016).

These considerations highlight that addressing radicalization in prison systems requires a multidisciplinary approach and individualized risk assessment, including the potential contribution of forensic expertise.

4. The crime-terror nexus

The relationship between criminality and terrorism, commonly referred to as the "crime–terror nexus", has become an increasingly significant topic in contemporary criminological and legal literature. Traditionally, crime and terrorism were conceptualized as distinct phenomena, differing in motivation, structure, and objectives. Criminal actors were primarily driven by profit, while terrorists pursued ideological, political, or religious goals. However, recent developments have challenged this clear distinction, revealing a growing convergence between these two domains. This convergence also reflects broader transformations in contemporary security environments, where traditional distinctions between crime and terrorism are increasingly blurred (Schuurman, 2020).

Early models of the crime–terror nexus emphasized cooperation between criminal and terrorist groups, particularly in relation to financing activities (Makarenko, 2004; Ristov, Babanoski, Dimovska & Ivanov 2026). More recent research shifts the focus to individual pathways, showing that many individuals involved in terrorism have prior criminal histories (Kupatadze & Argomaniz, 2019).

This convergence is often explained by shared social and psychological factors, such as marginalization, identity crises, and exposure to violence, which may predispose individuals to both criminal and extremist pathways (Kupatadze & Argomaniz, 2019; Tešović, 2026). In this context, criminal involvement may function as a pre-radicalization phase.

The implications of the crime–terror nexus for criminal law are profound. Legal systems are typically structured around clear distinctions between types of offenses, with separate frameworks for dealing with organized crime, violent crime, and terrorism. However, the convergence of these phenomena blurs these boundaries, raising questions about appropriate legal responses. Issues such as the qualification of acts, the determination of intent, and the application of preventive measures become more complex in cases where criminal and extremist elements are intertwined.

Moreover, the nexus has significant implications for evidentiary standards and judicial decision-making. The assessment of whether an individual poses a risk of violent extremism cannot rely solely on traditional indicators of criminal behavior. Instead, it requires a more nuanced understanding of individual trajectories, motivations, and contextual factors. This further underscores the importance of incorporating interdisciplinary expertise into legal processes.

At the same time, it is important to avoid overgeneralization. Not all criminals become terrorists, and not all terrorists have criminal backgrounds. Some scholars have cautioned against exaggerating the extent of the nexus, emphasizing that relationships between crime and terrorism are often temporary, opportunistic, and context-dependent (Kupatadze & Argomaniz, 2019). This highlights the need for careful, evidence-based analysis rather than broad assumptions.

In contemporary security environments, the crime–terror nexus is further shaped by globalization and digitalization, which facilitate transnational operations and shared infrastructures. Overall, this phenomenon challenges traditional legal frameworks and highlights the need for individualized approaches to risk assessment within criminal justice systems.

5. Risk assessment tools in violent extremism

The assessment of risk in cases of violent extremism has become a central concern for both security practitioners and criminal justice systems. Given that radicalization is a dynamic and context-dependent process, evaluating the likelihood of extremist violence is essential for prevention and legal decision-making.

A range of structured risk assessment tools has been developed, including VERA-2R, ERG22+, and other structured professional judgment (SPJ) models. Early frameworks, such as those proposed by Pressman and Flockton (2012), emphasize the role of professional judgment supported by structured indicators. These tools assess factors such as ideology, intent, capability, and contextual influences (van der Heide, van der Zwan & van Leyenhorst, 2019).

However, their application in legal contexts remains limited due to concerns regarding reliability, subjectivity, and compatibility with due process (Monahan, 2012; Ashworth & Zedner, 2014). As many of these tools originate from security and intelligence frameworks, their evidentiary value in judicial proceedings is often uncertain. The broader implications of such approaches have been examined within the concept of preventive justice (Ashworth & Zedner, 2014), highlighting tensions between risk-based decision-making and fundamental legal principles.

These limitations underscore the importance of interdisciplinary expertise, particularly the role of forensic experts in interpreting risk indicators within specific legal contexts. At the same time, international guidelines emphasize the need for individualized assessments that take into account personal, social, and contextual factors (UNODC, 2016).

In this sense, risk assessment should not be treated as a purely technical exercise, but as a multidisciplinary process integrated into legal decision-making. This provides the basis for developing more comprehensive and legally robust models of individualized risk assessment.

6. The role of forensic expertise in assessing radicalization risk

The growing complexity of radicalization and violent extremism presents significant challenges for criminal justice systems, particularly in the context of risk assessment and decision-making (Doosje et al., 2016; Horgan, 2008). Although structured risk assessment tools provide useful analytical frameworks, they remain limited by methodological uncertainties and contextual variability. In this regard, the integration of forensic expertise represents a crucial complement to existing approaches.

Forensic expertise plays an important role in criminal proceedings by providing specialized knowledge beyond the competence of the court. In the context of radicalization, experts in psychology, criminology, and security studies contribute to the interpretation of complex behavioral patterns and risk indicators. Given the interdisciplinary nature of radicalization (Borum, 2011), its assessment requires a comprehensive approach that integrates psychological, social, and contextual factors.

In particular, forensic experts contribute to understanding individual trajectories of radicalization, including susceptibility to influence, identity dynamics, group affiliation, and exposure to extremist narratives. They also play a key role in distinguishing between ideological belief and behavioral intent, which is essential for legal qualification and the proportionality of measures (Horgan, 2008).

A central contribution of forensic expertise lies in the contextualization of risk. While structured tools identify general indicators, experts interpret these within the specific circumstances of a case, enabling a more nuanced and individualized assessment (van der Heide, van der Zwan & van Leyenhorst, 2019). This reduces the risk of overgeneralization and enhances the quality of judicial decision-making.

At the same time, the inclusion of forensic expertise strengthens procedural fairness and transparency. Expert findings presented in court are subject to scrutiny, cross-examination, and methodological justification, in line with principles of due process (Ashworth & Zedner, 2014). However, several challenges remain, including the lack of standardized methodologies, ethical concerns related to predicting future behavior (Monahan, 2012), and the need for specialized training.

International guidelines emphasize the importance of multidisciplinary and individualized approaches in addressing radicalization (UNODC, 2016). Accordingly, forensic expertise should be systematically integrated into legal procedures, rather than applied on an ad hoc basis.

Such an approach improves both the accuracy of risk assessment and the legitimacy of judicial decision-making by combining legal reasoning with scientifically grounded expertise (Ashworth & Zedner, 2014).

7. Proposed model: integrated legal-forensic risk assessment

The preceding analysis has demonstrated that existing approaches to assessing radicalization risk within criminal justice systems remain fragmented, methodologically limited, and insufficiently aligned with legal standards (Monahan, 2012; van der Heide, van der Zwan & van Leyenhorst, 2019). While structured risk assessment tools offer useful frameworks, and forensic expertise provides essential interpretative capacity, these elements are rarely integrated into a coherent model suitable for judicial application. In response to these shortcomings, this paper proposes an integrated legal–forensic model of individualized risk assessment.

The proposed model is based on the premise that radicalization is a complex, dynamic, and context-dependent process (Doosje et al., 2016; Borum, 2011), that cannot be adequately evaluated through standardized instruments alone. Instead, effective assessment requires the combination of legal reasoning, structured analytical tools, and expert interpretation. The model therefore seeks to bridge the gap between security-oriented methodologies and the requirements of criminal law, particularly in relation to fairness, transparency, and proportionality. In this respect, the model also responds to broader concerns associated with preventive justice, where anticipatory interventions must remain constrained by legal safeguards and proportionality requirements (Ashworth & Zedner, 2014).

At its core, the model consists of three interconnected components: (1) legal qualification, (2) structured risk indicators, and (3) forensic expert evaluation. Operationally, the model proceeds from legal qualification to structured indicator review, and finally to individualized forensic interpretation. This sequential structure ensures that risk assessment remains anchored in legal standards while allowing for flexibility through expert interpretation.

The first component, legal qualification, involves the assessment of relevant legal elements, including the nature of the alleged conduct, the presence of intent, and the applicable legal framework. This stage ensures that the evaluation remains grounded in established legal standards and that any assessment of risk is directly linked to legally relevant criteria. It also serves to distinguish between protected forms of expression and conduct that may justify intervention (Ashworth & Zedner, 2014).

The second component focuses on structured risk indicators derived from existing assessment tools such as VERA-2R and ERG22+. These indicators include ideological commitment, personal grievances, social networks, capability for violence, and situational triggers (van der Heide, van der Zwan & van Leyenhorst, 2019). Within the proposed model, such indicators are not treated as determinative but rather as guiding elements that structure the assessment process. Their role is to ensure consistency and comprehensiveness, while avoiding rigid or mechanical application.

The third and most critical component is forensic expert evaluation. In this phase, qualified experts analyze the individual case in depth, interpreting risk indicators in light of personal history, psychological characteristics, and contextual factors. This includes assessing the individual's trajectory of radicalization, the distinction between belief and intent, susceptibility to influence, and potential for disengagement. The expert's role is to provide a scientifically grounded and methodologically transparent opinion that supports judicial decision-making (Horgan, 2008).

A key feature of the proposed model is its emphasis on individualization. Rather than relying on generalized profiles or assumptions, the model requires a case-by-case analysis that takes into account the unique circumstances of each individual. This approach is consistent with international standards, which highlight the importance of tailored interventions in managing radicalization and violent extremism (UNODC, 2016).

In addition, the model incorporates procedural safeguards designed to ensure compatibility with fundamental legal principles. Expert findings must be subject to scrutiny, including the possibility of cross-examination and methodological review. The use of risk indicators must be transparent and clearly justified, and decisions must be based on a balanced consideration of all relevant factors. This enhances both the legitimacy and accountability of the assessment process.

The proposed model also recognizes the importance of interdisciplinary cooperation (Borum, 2011). Effective implementation requires collaboration between legal professionals, forensic experts, psychologists, and security practitioners. Such cooperation facilitates a more comprehensive understanding of radicalization and supports the development of informed and proportionate responses.

From a practical perspective, the model can be applied at various stages of the criminal justice process, including investigation, trial, sentencing, and post-release supervision. In each of these phases, individualized risk assessment can inform decisions regarding preventive measures, sanctions, rehabilitation programs, and monitoring strategies.

However, the implementation of this model also presents certain challenges. These include the need for specialized training of experts, the development of standardized methodologies, and the allocation of sufficient institutional resources. Additionally, it is important to avoid overreliance on expert assessments or the misuse of risk evaluation as a basis for disproportionate restrictions.

Despite these challenges, the integration of legal and forensic perspectives offers significant advantages. By combining structured analysis with expert interpretation, the proposed model enhances the accuracy, reliability, and legal robustness of radicalization risk assessment. It provides a framework that is both scientifically informed and consistent with the principles of criminal justice.

In conclusion, the proposed integrated legal–forensic model represents a step toward a more comprehensive and balanced approach to addressing radicalization within criminal justice systems. By emphasizing individualization, interdisciplinary cooperation, and procedural safeguards, it contributes to the development of more effective and legally sound responses to violent extremism (Ashworth & Zedner, 2014).

8. Conclusion

The phenomenon of radicalization presents a complex and evolving challenge for contemporary criminal justice systems, requiring approaches that go beyond traditional legal frameworks and strategies. This challenge is not only operational but also conceptual, as the term "radicalization" itself remains contested and subject to varying interpretations in academic and policy discourse (Neumann, 2013). As this paper has demonstrated, radicalization is a dynamic, multifaceted process shaped by a combination of individual, social, and contextual factors. Its increasing connection with criminal behavior, particularly within the framework of the crime–terror nexus, further complicates legal classification and response.

The analysis has highlighted the significant role of prison systems as environments in which radicalization may both develop and be mitigated. While prisons can facilitate processes of extremist influence, they also offer opportunities for intervention, rehabilitation, and disengagement. This dual nature underscores the importance of carefully balanced strategies that combine security measures with respect for fundamental rights.

Furthermore, the examination of existing risk assessment tools has revealed both their practical value and their limitations. Although instruments such as VERA-2R and ERG22+ provide structured approaches to evaluating risk, they cannot fully capture the complexity of individual trajectories. Their application within judicial contexts remains particularly challenging due to issues of reliability, transparency, and compatibility with legal standards.

In this context, the integration of forensic expertise emerges as a crucial element in improving the assessment of radicalization risk. Expert analysis enables a more nuanced understanding of individual cases, bridging the gap between standardized indicators and the specific circumstances of each situation. However, the role of forensic experts must be clearly defined and supported by appropriate methodological and procedural safeguards.

The main contribution of this paper lies in the proposal of an integrated legal–forensic model of individualized risk assessment. By combining legal analysis, structured risk indicators, and expert evaluation, the model offers a more comprehensive and balanced framework for addressing radicalization within criminal justice systems. Such an approach enhances both the effectiveness of preventive measures and the protection of fundamental rights.

In conclusion, addressing radicalization requires a shift toward individualized, interdisciplinary, and legally grounded approaches. The integration of forensic expertise into risk assessment processes represents a promising direction for future development, contributing to more informed, transparent, and proportionate responses to violent extremism, in line with broader shifts toward preventive justice models that emphasize risk management alongside the protection of fundamental rights (Ashworth & Zedner, 2014).

Conflict of Interest
The authors declare no conflict of interest.

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INDIVIDUALIZOVANA PROCENA RIZIKA RADIKALIZACIJE U KRIVIČNOPRAVNIM SISTEMIMA – PRAVNOFORENZIČKI PRISTUP

APSTRAKT: Fenomen radikalizacije predstavlja sve veći izazov za savremene krivičnopravne sisteme, posebno u svetlu sve izraženijeg preklapanja kriminaliteta i nasilnog ekstremizma. Ovaj rad razmatra potrebu za individualizovanim pristupom proceni rizika od radikalizacije u okviru krivičnopravnih sistema i njihovih pravnih okvira. Glavni cilj istraživanja jeste analiza postojećih mehanizama krivičnog pravosuđa i ispitivanje njihove adekvatnosti za identifikovanje i procenu rizika koji predstavljaju lica uključena u ekstremističke aktivnosti. Istraživanje se zasniva na kvalitativnoj analizi relevantne naučne literature, međunarodnih dokumenata i odabranih postojećih alata za procenu rizika koji se koriste u kontekstu nasilnog ekstremizma. Posebna pažnja posvećena je ulozi zatvorskog okruženja kao prostora u kojem se procesi radikalizacije mogu razvijati, ali i sprečavati, kao i ograničenjima postojećih standardizovanih instrumenata procene. Rezultati ukazuju na to da postojeći pravni pristupi često ne obezbeđuju dovoljnu integraciju multidisciplinarnih znanja, posebno u oblasti procene rizika. U radu se zastupa stav da uključivanje sudskih veštaka u proces procene može značajno unaprediti tačnost i pouzdanost sudskog odlučivanja. Glavni doprinos ovog rada ogleda se u identifikaciji ključnih komponenti integrisanog pravnoforenzičkog modela individualizovane procene rizika, koji objedinjuje pravne, psihološke i bezbednosne dimenzije. Takav pristup može unaprediti kako preventivne kapacitete tako i zaštitu osnovnih prava u okviru krivičnopravnih sistema.

Ključne reči: *radikalizacija, procena rizika, krivičnopravni sistem, nasilni ekstremizam, sudsko veštačenje.*

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