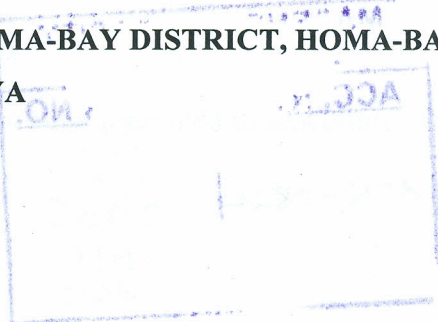


**FACTORS INFLUENCING RECIDIVISM IN HOMA-BAY DISTRICT, HOMA-BAY
COUNTY, KENYA**



BY

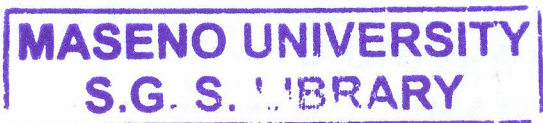
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**A RESEARCH REPORT SUBMITTED IN PARTIAL FULFILLMENT OF THE
REQUIREMENTS FOR THE DEGREE OF MASTER OF ARTS IN SOCIAL
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ABSTRACT

Recidivism is a global phenomenon that afflicts all societies and cultures. Despite the fact that prisoners are expected to reform after serving sentences, the number of recidivists continues to rise. In Kenya, the rate of recidivism has greatly increased over the last decade despite efforts by government and the prison departments to work with and rehabilitate the prisoners while in custody serving sentence. Nearly two thirds of prisoners in Kenya re-offend within two years of release. Prisoners serve their terms; they are released and taken back to society. It is not clearly understood the factors that compel ex-convicts to re-offend after leaving prison. This study sought to examine the factors influencing recidivism in Homa-Bay District. Specifically the study sought to, examine the social factors that influence recidivism; investigate the economic factors that influence recidivism; and the challenges facing correctional systems in fostering recidivism in Homa-Bay District. The study adopted the labeling theory by Becker to help understand how labels shape human behavior. The study area was in Homa-Bay District. The study population included all the re-offenders in Homa-Bay G.K Prison. The re-offenders were sampled purposively. The sample size of 84 re-offenders was used. Data collection methods included Semi-structured questionnaires were administered to the 84 re-offenders in prison, Focus Group Discussions (FGDs) composed of 30 respondents were conducted for the re-offenders who were not literate. Three key informant interviews were conducted with community leaders and government officials such as magistrates, prison officers and police officers who deal with crime issues. The community leaders and government officials were sampled purposively. The data was analyzed quantitatively using the Statistical Package for Social Sciences (SPSS) and the results were presented using frequency and percentage tables, graphs, as well as reports and texts. The data was also analyzed qualitatively by use of content analysis. This involved going through the data collected, sentence by sentence, identifying recurring themes and coding them. The findings of the research were that social factors such as stigma, community's negative attitude and perception of the released prisoners, strenuous family ties after having served time in prison and abuse of drugs and alcohol played a major role in influencing recidivism in Homa-Bay District. Economic factors such as poverty and unemployment influenced recidivism the most. Challenges such as insufficient funds for prisons and lack of cooperation between the prison and other system holders have also contributed to recidivism. In conclusion the factors that influenced recidivism are both social and economic in nature. Further, that the challenges faced by correctional systems fostered recidivism. The recommendations are that there is need for clear re-integration strategies during release of prisoners into their respective communities and families. There is need for sensitization programs to be commenced at the community level with a view of educating the public to perceive offenders positively upon release from prison. Youth unemployment should be mitigated by the State to ensure that the youth can sustain themselves and assist in the eradication of poverty. Also, more non-governmental agencies should join the government in the fight against drugs and alcohol abuse. Lastly, there is need for allocation of sufficient resources at the various prisons in Kenya to enable rehabilitation systems to carry out their duties more appropriately and effectively.

CHAPTER ONE

INTRODUCTION

This chapter discusses the background of the study, statement of the problem, objectives of the study, research questions, justification of the study, scope of the study and the theoretical framework used in the study.

1.1 Background of the Study

Crime is as old as the human race. It is an index of lawlessness and disintegration of social order (McLynn, 1991). Across the world, recidivism forms a large percentage of crimes committed. In as much as the purpose of sentencing and imprisonment should be the successful re-integration of the offender hence minimal cases of re-offence, recidivism still represents a considerable percentage of crime statistics all over the world. According to Maruna (2001), "nearly two-thirds of released prisoners are expected to be rearrested for a felony or serious misdemeanor within three years of their release," which translates into thousands of new victimizations each year. In most cases, it is believed that many prisoners will find themselves right back where they started, in jail.

As per a survey conducted in the U.S.A in 2003 by the Michigan Department of Justice, 53% of arrested males and 39% of arrested females are re-incarcerated. According to that study within 3 years, almost 7 out of 10 released males will be rearrested and half will be back in prison. Recidivism is due to personal and situation characteristics, including the individual's social environment of peers, family, community, and state-level policies. One of the main reasons they find themselves back in jail is because it is difficult for the individual to fit back in with 'normal' life (Travis et al., 2001).

Rising incarceration rates over the past quarter century do not just mean that more people are being locked up. The trend also means that a growing number of inmates are being released from prison back to their communities (Fleisher & Scott, 2001). Globally, with roughly 600,000 prisoners returning to society each year, ex-offenders and the communities to which they return must cope with the challenges of re-entry on a much greater scale than ever before (Maruna, 2001). The most pressing question, perhaps, has to do with offenders' likelihood of recidivating, how many of these ex-prisoners will reoffend and which factors influence recidivism the most.

In the last quarter of the twentieth century, there has been an escalation of crime in Africa (Aronson, 2010). Available statistics on recidivism in South Africa are limited, but estimates indicate that it is unacceptably high. This is as per a study conducted by psychologists working in the Department of Correctional Services at Pollsmoor Prison, Cape Town, to describe the incidence, possible reasons for, and treatment of recidivism. In Nigeria, in a workshop to address the high recidivism in the country, it was stated that "If 100 prison inmates are released, 72 of them go back to the prison within a year," (Prison Fellowship International, 2004).

In Kenya, a wave of criminal violence began from the mid 1980s and has intensified with time (Aronson, 2010). The crime reports from the mass media illustrate the problems and tensions of changes in the social and economic lives of Kenyans (Brown, 1999). Although official statistics on the rate of recidivism in Kenya may be lacking, some non-governmental groups have been keen on monitoring recidivism trends in the country. According to Prison Fellowship Organization (2008), nearly two thirds of prisoners in Kenya re-offend within two years of release. Resources Oriented Development Initiatives (2004), states that recidivism is a problem in Kenya and needs to be adequately addressed through research.

Currently, there are 94 prisons in Kenya holding 40,000-50,000 inmates at any given time with 50% as re-offenders (GJLOS Reform Programme on Access to Justice, 2009). Despite commendable efforts being made by the government, the problem of rehabilitation and reconciliation of the offenders and their victims and the society at large has hitherto remained unaddressed. As a result, prisoners serve their terms, they are released and taken back into society. These ex-prisoners suffer shock, rejection, stigma and discrimination and subsequently most of them revert to crime and end up back in prison as their place of choice (Brown, 1999).

According to prison statistics, recidivism is not an exception in Homa-Bay District. More convicts have engaged into criminal activities months after their release from prison. Reports from studies undertaken in the year 2010 by Prison Fellowship International indicate that the numbers of recidivists has risen hence an indication of a serious problem with the nation's criminal justice system. Meanwhile, prisoners are serving longer sentences than in the past but are then released without the education or skills necessary to find productive employment (Brown, 1999). These formerly incarcerated people return to their communities, frequently those areas with the least capacity to provide them with the needed assistance and all too

often end up returning to prison. Without significant attention by policy makers to the problem of prisoner re-entry, this situation is likely to intensify, resulting in a continuous cycle of poverty and crime (Erisman & Bayer, 2005). It is thus important to understand the social and economic contexts of the recidivist and other factors that account for recidivism.

1.2 Statement of the Problem

Across the world, recidivism forms a large percentage of crimes committed. In as much as the purpose of sentencing and imprisonment should be the successful re-integration of the offender hence minimal cases of re-offence, recidivism still represents a considerable percentage of crime statistics all over the world.

This study intended to address the factors influencing recidivism in Homa-Bay District. According to a study undertaken in 2005 by the Prison Fellowship Kenya Organization, reports indicate that the rate of crime and recidivism in Kenya prisons has tremendously increased. It was reported in a survey undertaken by Legatum Prosperity Index (2010) that crime and re-offending was high in Kenya in 2009. In Kenya, the question of crime is reflected in the concerns of citizens. According to the Kenya Poverty Reduction Strategy Paper (2005), crime is among the key issues that have been identified by many Kenyans. As per the Prison Fellowship Study (2008), nearly two thirds of prisoners in Kenya re-offend within two years of release. In Kenya factors that may influence recidivism include social and economic deficiencies. In Homa-Bay District, reports from the prison authorities within Homa-Bay District are that the rate of recidivism is almost hitting 40%. If this is anything to go by, it is evident that the criminal justice system focusing on determining the guilt of an offender and then imposing a sentence has not been very effective in curbing crime. In general, crime is reported with less emphasis on whether there are social or economic factors influencing recidivism and whether there are challenges facing correctional systems that foster recidivism. The above mentioned knowledge gaps in addition to the increase in crime and particularly re-offending in the District called for further study.

1.3 Objectives of the Study

The general objective of this study was to examine the factors influencing recidivism within Homa-Bay District.

The specific objectives were as follows:

- i. To examine the social factors influencing recidivism in Homa-Bay District.
- ii. To investigate the economic factors influencing recidivism in Homa-Bay District.
- iii. To analyze the challenges facing correctional systems in fostering recidivism in Homa-Bay District.

1.4 Research Questions

- i. What are the social factors influencing recidivism in Homa-Bay District?
- ii. What are the economic factors influencing recidivism in Homa-Bay District?
- iii. What are the challenges facing correctional systems in fostering recidivism in Homa-Bay District?

1.5 Justification of the Study

Homa-Bay District is among the districts in Kenya which have experienced an upsurge in recidivism. This study focuses on recidivists and particularly about the factors that influence them into re-offending. The significance being that understanding those factors may assist in the achievement of solutions to reduce recidivism.

At a time when evidence based policy development has become increasingly important in the criminal justice policy arena, recidivism research provides a way forward for the crime control strategies targeted at reducing re-offending (Erisman, 2005). This study is in line with Pillar 3 of Kenya Vision 2030; the Political pillar which aims at realizing a democratic political system founded on issue based politics that respects the rule of law and protects the rights and freedoms of every individual in Kenya.

Despite the importance of recidivism, there is a large divide between research and policy. Findings from this study will serve as reference material to scholars and other researchers hence contribute to academia. The public will also access information on the issues of security and safety. The government will benefit from this study as it will be in a position to implement better strategies and policies which will aid in the reduction of recidivism.

The study is basically meant to assist the stakeholders in the administration of justice such as the Corrective and Probation Departments to explore ways for possible alternative modes of

punishing, rehabilitation, deterrence and education to counter the issue of re-offence or recidivism and effective ways to accentuate in re-entry of ex-offenders into the communities to avoid reoffending.

Stakeholders in the criminal justice sector stand to benefit from the study in ensuring that interventions in the criminal justice system are sustainable and effective. Specific reference is made to the prison authorities that are charged with the responsibility of rehabilitation of offenders.

GoK is expected to use the findings to improve on policies such as goal 8 of the Millennium Development Goals which lays emphasis on interdependence between growth, poverty reduction and sustainable development.

This study will therefore provide an insight into the implementation of policies to mitigate against recidivism, to reduce crime and insecurity as well as improve on offenders' livelihoods upon release from prison.

1.6 Scope of the Study

The study was carried out within Homa-Bay District. The people targeted were recidivists and other key informants living and working in the District. The study was for purposes of an academic study and therefore examined the social and economic factors influencing recidivism, and the challenges facing correctional systems in Homa-Bay District.

Only the recidivists at Homa-Bay G.K Prison were targeted. Categories of recidivists included both male and female.

Since each geographical area has its own unique social and economic factors to crime and re-offending, generalizations based on the findings of the study might therefore be quite limiting. Other limitations include not being able to speak the local language of the research participants but this was resolved by use of translators.

1.7 Theoretical Framework

This study was guided by the *Labeling Theory* by Becker (1963) which emerged in America. This is a theory that explored how and why certain behaviors were defined as criminal or more broadly deviant behavior and others were not. Becker views those people that are likely to engage in rule breaking behavior as essentially different from members of the rule-making or rule-abiding society. This theory views criminals not as inherently evil persons but rather as individuals who had criminal status conferred upon them by both the criminal justice system and the community at large.

Those persons who are prone to rule-breaking behavior see themselves as morally at odds with those members of the rule-abiding society (Becker, 1963). Becker uses the term "outsider" to describe a labeled rule-breaker or deviant that accepts the label attached to them and view themselves as different from "mainstream" society. Deviants may consider themselves more "outside" than others similarly labeled. Deviant outsiders might view those rule making or abiding members of society as being the outsiders of their social group (Becker 1963). Deviant behavior can be defined as behavior that differs from the normal, behavior that incurs public disapproval and behavior that is usually subject to some form of sanction.

According to Holstein (1993), the stigma that accompanies the deviant "tag" causes a person to fall into deeper non-conformity. Bryant (2011) states that the basic assumption of the theory is that perceived negative societal reactions lead to development of negative self conceptions and greater delinquent involvement.

Instead of looking at why some social groups commit more crime the labeling theory asks why some people committing some actions come to be defined as deviant, while others do not. Labeling theory is also interested in the effects of labeling on individuals (Holstein, 1993). Labeling theorists note that most people commit crimes at some time in their lives but not everyone becomes defined as a deviant or a criminal. Labeling theory is grounded on the philosophy that social definition or social attribution in which the response of others to an individual's behavior is the key influence on subsequent behavior and/ or an individual's view of themselves. The theory declares that the reaction of other people and the subsequent effects of those reactions create a behavior (Becker, 1963). Once it becomes known that a person has engaged in some certain acts or behavior, he is segregated from convention of

society and a 'label' such as a thief, misfit, and murderer, among others is attached to the person. The process of segregation creates 'outsiders' or 'outcasts' from society who begin to associate with others like themselves.

Through this process of segregation, their self images gradually change as well. The 'labeled' start defining themselves as per the label or attribution which has been allocated to them by the society such that he becomes the thing he is described by others (Becker, 1963). Once someone has been successfully labeled as criminal or deviant, the label attached may become the dominant label or 'master status' which is seen as more important than all the other aspects of the person. He or she becomes a 'hooligan' or 'thief' rather than a father, mother or friend. Each label carries with it prejudices and images and this may lead to others interpreting the behavior of the labeled person in a particular way. For example, a person who volunteers to stay late at work is usually seen as worthy of praise, but, if a person has been labeled as a thief, people might be suspicious that they will steal something (Bryant, 2011). For some people once a deviant label has been applied this can actually lead to more deviance. This happens when people start acting in the way they have been labeled.

Howard Becker (1963) examined the labeling process and found that someone labeled a deviant gets cut off from society and lives in a subculture, which further isolates someone from society at large. This person then associates with like-minded others and shields himself/herself away from the one entity that could help – society at large as it offers some form of normalcy. The ex-convicts on return from penal institutions learn that they are now defined by the community as delinquent. People in the community expect them to act in accordance with that label; they are unlikely to believe that the ex-convicts have turned over a new leaf. However, it is society itself that has labeled that person deviant and almost certainly would not be willing to reabsorb that person into the society because of his/her deviancy. Therefore that isolation almost certainly pushes that person into criminal activity as the only way to survive (Holstein, 1993).

Labeling theory is relevant to criminology and sociology as it explains how criminal behavior is perpetuated by the consequences of "labels". The relevance of the labeling theory to this study is that it will form the basis for understanding why offenders re-offend by explaining how the negative labels stick upon them and influence subsequent behavior. This is because according to the theory, there is a link between labeling a person delinquent and the

CHAPTER TWO

LITERATURE REVIEW

2.0 Introduction

This chapter comprises of literature review which contains four themes namely; recidivism, social factors that encourage recidivism, economic factors that encourage recidivism and the challenges facing correctional systems in fostering recidivism.

2.1 Understanding Recidivism

Recidivism is one of the most fundamental concepts in criminal justice which refers to a person's relapse into criminal behavior, often after receiving sanctions or undergoing intervention for a previous crime (Maltz, 1984). Those in the criminal justice field commonly refer to repeat offenders as recidivists (Spohn & Holleran, 2002).

In most cases, it is believed that many prisoners will find themselves right back where they started, in jail. As per a survey conducted in the United States in 2003 by the Michigan Department of Justice, 53% of arrested males and 39% of arrested females are re-incarcerated. According to that study, within 3 years almost 7 out of 10 released males will be rearrested and half will be back in prison. It was also found that men recidivate more than women. The study says this happens due to personal and situation characteristics, including the individual's social environment of peers, family, community, and state-level policies. One of the main reasons ex-offenders find themselves back in jail is because it is difficult for the individual to fit back in with 'normal' life. Recidivists have to re-establish ties with their family; they often have a poor work history and now have a criminal record to deal with (Lynch & Sabol, 2001). Many prisoners report being anxious about their release; they are excited about how their life will be different "this time" which does not always end up being the case. (Spohn & Holleran, 2002).

According to a study of habitual offenders conducted in 2002 in New South Wales by the Ministry of Youth Development, majority of the recidivists totaling to 76% were youth between 22-40 years. Four out of five of the youth who re-offended after release from prison fall in that age group. In the study, distinguishing characteristics of youth offenders were the personal and family problems that they experience, substance abuse, poverty, unemployment, mental health problems, neglect and poor education (McLaren, 2000).

The U.S Department of Justice conducted a three-year study of prisoners released in 1994 in Baltimore. Among the findings were: released prisoners with the highest re-arrest rates were robbers and burglars. Further that the educational level of re-offenders was closely related to the commission of offences. For instance confinement for burglary, violence and theft was more associated with the lower educational levels. Prisoners who had some college prior to incarceration were convicted of non violent offences such as forgery (Cantwell, 1998).

According to Lynch & Sabol (2001) recidivism rates are primarily affected by the lack of employment opportunities for ex-convicts. Another reason for the large number of repeat offenders is that many ex-criminals return to crime-ridden environments, where they are subjected to more pressure than they can bear. Recidivism is often aggravated by society's negative view of criminals, which motivates some to act according to stereotypes. In some instance, individuals have been out of society for such long periods of time that they lack the life skills to function responsibly in society.

A major factor of recidivism rates is the number of employment opportunities available to ex-convicts. Once individuals are released back into society, they have the same needs as everyone else. Their ability to provide for themselves and for their families is often hampered by their inability to obtain gainful employment. There are some jobs that their convictions may disqualify them from. In addition, employers commonly limit opportunities even further when they find out a person has a criminal record (Ulmer, 2001). Some people are incarcerated for such long periods that it is very difficult, if not impossible, for them to assimilate into society when they are released. Even if there were numerous opportunities, many individuals would not be able to take advantage of them. Consider, for example, a 19-year-old who receives a 30-year sentence. He will likely lack the necessary life skills to function when he is released at the age of 49 (Ulmer, 2001).

After people finish serving their sentences, they commonly return to the areas where they resided before they were convicted. In many cases, these are low-income, crime-ridden locations with limited opportunities, limited positive influence, and often a lot of encouragement to engage in illegal activities. For many people, the pressure of being in such an environment leads to unwise decisions, which contribute to escalating recidivism rates (Cantwell, 1998).

According to Travis (2001) society's attitudes toward convicted criminals also play a role in recidivism rates. There is often a significant amount of social penalizing that occurs even once a person has paid for his crime. Many people stereotype or pass judgment on convicted criminals, refusing to believe that criminals change and therefore maintaining distrustful attitudes. The impact is often extended to those close to an ex-convict, such as his children or intimate partner. This discouraging behavior often leads to a feeling of hopelessness that motivates a person to act as he is perceived.

2.2 Social Factors Influencing Recidivism

2.2.1 Stigma

Ex-offenders in transition report a sense of being stigmatized by their communities and fellow residents. Their families report similar feelings. Recidivists sense that they are labeled as "bad" or otherwise flawed by those living near them (Rose et al., 2003). Dealing with stigma offers four possibilities.

Those who feel stigmatized may; actively try to change the others' opinions; go on about their business, heedless of these opinions; isolate from others who judge them; move to a new community and start over or revert to crime (Rose, et al., 2003).

Effectively changing the opinions of others has positive implications for social capital. A positive opinion promotes a renewed sense of reconnection within the family and between the family and the community. This would enhance both belonging and empowerment domains of social capital, as both residents and ex-offenders learn they can influence one another's beliefs and mutually share a sense of connection. A positive mindset also would enhance a sense of trust among members of the community (Lynch, 2001).

The other options for dealing with stigma have less positive implications for social capital. Either ignoring one's neighbors in daily business or isolating from them promotes a sense of alienation. Those who are stigmatized avoid contact with others; stop participating in social functions such as church services, and look upon their neighbors with distrust and foreboding (Maruna, 2001). Stigmatization undermines a feeling of belonging both for ex-offenders and for residents; each of whom is trying to cope by withdrawing from community life. As

residents withdraw further from each, other participation in community activities diminishes, crime increases and trust erodes (Lynch, 2001).

Finally, ex-offenders have the option of moving to a new neighborhood entirely. Indeed, while some ex-offenders reported their success was due to the help they received from family members when they moved back to the old neighborhood, some attributed their success to their decision to move to a new environment altogether (Lynch, 2001). Family members discussed moving as a strategy they sometimes employed in anticipation of a loved one's return from prison as a way of enhancing the likelihood of successful re-entry. Moving has its downside as it can be expensive and it means people are farther away from social support. Consequently, supporting networks and reciprocity are negatively impacted by moving. New residents diminish, at least temporarily, the ability of communities to establish associational activity and common purpose (Maruna, 2001).

2.2.2 Community's Attitude and Perception towards Recidivists

According to Clear (2001), society's attitudes toward convicted criminals also play a role in recidivism. Nearly all prisoners are eventually released back into the community. Ex-convicts face many obstacles when they leave prison. Ex-convicts need social support networks which may be lacking in the community based on their previous criminal records. There is often a significant amount of social penalizing that occurs even once a person has paid for his crime.

Recidivism is often aggravated by society's negative view of criminals, which motivates some to act according to stereotypes (Gaum & Hoffman, 2006). Many people stereotype or pass judgment on convicted criminals, refusing to believe that criminals change and therefore maintaining distrustful attitudes. The impact is often extended to those close to an ex-convict, such as his children or intimate partner. This discouraging behavior often leads to a feeling of hopelessness that motivates a person to act as he is perceived (Clear, 2001).

According to Fleisher (2001), constructive relationships with the community are important if ex-convicts are to be duly rehabilitated and re-integrated. However such relationships are always not forthcoming based on the community's negative attitude following the harm the ex-convicts committed that made them go away in the first place. Successful reception is normally difficult while the harm caused by the ex-convicts in the past remain unaddressed (Fleisher & Scott 2001).

The community is still non-receptive to ex-convicts. In the event that these people are not able to settle back in the community, they commit new offences. If these people were received well into society, if they got a soft landing, maybe they would be able to do something constructive with their lives (Clear, 2001).

2.2.3 Strenuous Family Relationships

By first removing people from the neighborhood, incarceration interferes with local social networks by disrupting marriages, families, and friendships. Re-entry also can impact supporting networks and reciprocity negatively (Mauer, 2005). Upon reentry, ex-offenders are faced with the task of piecing together their lives. While often this entails finding shelter, obtaining employment, and other necessities, it also is a period when individuals need to repair relationships with family members. O'Brien (2001) finds this is particularly important for women whose mothers may have looked after their children while the women were incarcerated. This can be a difficult task, especially for individuals who may have victimized family and friends (Rose, Clear & Ryder 2000). Sometimes, upon reentry, individuals may find their families have moved or are not welcoming to them (Fleisher & Decker 2001). Women who became independent in their husband's absence may not welcome them returning to their former role in the household (Mauer, 2005).

According to a study conducted in 1998 by the U.S.A Center for Demographic Studies in Washington Federal Prison, majority of the re-offenders were not married. About half had never been married and another 30% were either divorced or separated. Only 20% were married (Cantwell, 1998).

While family and friends may be glad to be reunited with those who have been gone, the social networks suffer another strain: trying to figure out how to reincorporate into the relationship ex-offenders who are re-learning how to be "husbands" and "fathers." This is true particularly when a spouse has moved on to another relationship but the returning ex-offender wants to be reunited with his children (Maruna, 2001).

Without social networks in place ex-offenders have little social support to draw upon during the transition process. Often, however, ties to former friends and gang networks are easily reestablished (Fleisher & Decker, 2001) increasing opportunities for re-offending. To the extent that returning ex-offenders maintain ties with former "colleagues" pockets of social

capital may be enhanced or maintained, but in ways that do not benefit the community. Indeed, Fleisher and Decker (2001) made this point when they said it is unrealistic to expect ex-offenders to sever ties to gangs because foregoing social capital investments increases their social isolation and reduces the amount of social support available to them.

Re-entry poses ex-offenders and their families with a challenge: whether or not to rebuild the relationship. Rebuilding the relationship means relations can be restored, resulting in enhanced levels of trust and empowerment, both within the family and within the community at large. Choosing not to rebuild, however, impacts negatively on the levels of trust, norms and values and an overall sense of belonging (Spohn et al., 2002). While many residents reported they would offer assistance to their fellow church members who might be experiencing the incarceration of a loved one (a supportive action), many also said that ex-offenders would have to prove their worthiness before assistance and interaction would be offered (Maruna, 2001).

Many assume that children benefit from the removal of a criminal (perhaps violent) parent from the home (Hagan & Ronit, 1999). It follows that these children would not benefit from the return of their parent. Yet, children feel the loss of their parent and typically want that person home. Again, the manner in which ex-offenders return to their communities is also important. In missing this opportunity to strengthen family units, they leave these units weakened as sources of social capital for the children who live within them (Maruna, 2001).

2.2.4 Drugs and Alcohol Abuse

Higher crime rates can appear in regions with high levels of illegal drugs and alcohol consumption (Maruna, 2001). This trend is also observed in regions where illegal drugs are widely cultivated and traded. The rising production and trade of cocaine in Colombia, for instance, is the most important factor to explain the increase of crime rates in that country in the last few decades. According to an article published in *The Guardian Newspaper*, Illinois (2004), drugs and alcohol abuse are the cause for most crimes perpetrated by mentally ill people, contrary to the mental disease itself.

2.3 Economic Factors Influencing Recidivism

According to Levitt (2001) ex-offenders return to the community with limited financial resources but many financial needs. Not only do they need the fundamental means for survival (food and shelter) they regularly need money for new clothes, transportation and, frequently, for criminal justice costs too. Upon their return to the community, these individuals have three financial choices: find a job; remain unemployed; return to crime.

Jobs available to ex-offenders tend to be low-paying and highly unstable. Ex-offenders who found jobs were offered too few hours, meaning they did not qualify for benefits, thus requiring they hold more than one job (Maruna, 2001). Most, however, unable to find employment, opted for unemployment. Unemployed individuals typically relied upon their families for financial support (Spohn et al., 2002). As a result, families experienced additional financial strains. Financial hardship reduces the level of civic participation and also may undermine the ability for successful association activity and common purpose (Ulmer, 2001).

One by-product of large-scale unemployment experienced by high incarceration neighborhoods is the increase in men congregating on street corners. Fewer employers mean fewer jobs for ex-offenders and residents alike. According to Travis et al (2001) the importance of work for building self-esteem and for keeping individuals tied to mainstream norms and values. Thus, at the community-level, aggregate unemployment may be impeding the development of collective norms and values (Spohn et al., 2002). Finally, ex-offenders may return to crime to resolve their financial needs. In the aggregate this reduces community safety (Ulmer, 2001).

2.3.1 Poverty and Low Economic Growth

When released inmates leave prison and return home, they face a number of pressing challenges including finding housing, securing employment, receiving treatment, and complying with the terms of supervision (Maltz, 1984). Not surprisingly, ex-offenders rely on neighbourhood resources, services, and amenities to successfully reintegrate. Without access to these assets, they are at a greater risk to recidivate.

According to Travis et al. (2001) during periods of economic recession and unemployment, poverty and crime rates tend to increase. When the economy is down, it seems logical that unemployed people can get more motivated to commit crimes involving theft, but this theory is disputed among social scientists. People living in extreme poverty who lack basic necessities such as food can see in crime the only alternative for their survival.

For example, a study of prisoner re-entry in Chicago, Illinois determined that substance abuse was prevalent among a sample of 400 male prisoners. A self-report survey of these soon-to-be released inmates discovered that 66 percent reported some drug use and 48 percent reported having drunk to the point of intoxication in the 6 months prior to their current prison term. Of the drug users, 22 percent reported using heroin, 15 percent reported using cocaine, and 25 percent reported using marijuana on a daily basis (Rose et al., 2000). Undoubtedly, many of these prisoners will return to their communities with unresolved substance abuse problems.

2.3.2 Economic Inequality

The income difference between people living in the same region generates a big social-economic gap, breeding social tensions that can increase crime rates (Maruna, 2001). The feeling of dissatisfaction and unfairness, specially reflected in educational and job opportunities, or the lack thereof, can lead the poor to seek compensation through violence and crime. As of 2009, Atlanta, New Orleans, Washington D.C., Miami and New York had the highest levels of inequality in the U.S., similar to those of Abidjan in Cote d'Ivoire, Nairobi in Kenya, Buenos Aires in Argentina and Santiago in Chile, according to the United Nations Human Settlements Programme - UN-HABITAT.

2.4 Challenges Facing Correctional Systems in Fostering Recidivism

The poor economy has affected our society in a variety of ways, and the prison system has not been spared from what often feels like across-the-board budget cuts. States across the nation are struggling to manage burgeoning offender populations in the face of major budget cuts. According to Klein & Caggiano (1986), prisons and jails are operating at or over capacity and the offender population continues to grow. Policy-makers are focusing increasingly on community corrections, recognizing the need to rely more heavily on less expensive and more effective methods of supervising offenders. Correctional leaders are

being called on to alleviate system pressures by supervising increasing numbers of offenders more efficiently and effectively; maintaining public safety with a larger population of offenders and a smaller budget. The challenge being that it is difficult to do so with a small budget and minimal resources. A higher number of offenders warrant more prison staff to ensure effective supervision (Klein & Caggiano, 1986).

Secondly, is the way correctional agencies do business. According to Ulmer (2001), change is needed because traditional methods of offender supervision will not meet the current challenges facing correctional agencies. This is no easy task because it requires energetic leadership with a willingness to place equal focus on evidence-based principles in service delivery, organizational development, and collaboration. Evidence based principles form the basis of effective supervision and service provision. Organizational development is required to successfully move from traditional supervision to evidence based practice. Correctional facilities must rethink their missions and values; gain new knowledge and skills; adjust their infrastructure to support this new way of doing business; and transform their organizational culture. Leaders of corrections agencies, who want to implement evidence-based principles, must be willing to extensively evaluate their own strengths and weaknesses to see how best to work with re-offenders (Ulmer, 2001).

Thirdly, is that there are presently more prisoners with mental health issues. According to Spohn et al. (2002), judicial officers are sentencing criminals with mental-health issues to prisons because there is no room for them in mental-health institutions. That is because mental-health institutions are very few in number and the existing ones experience lack of funding. With very few or no place to commit prisoners with mental health issues, the alternative is prison which will not deal with the underlying mental conditions suffered by a convict. For example, a study of prisoner re-entry in Chicago, Illinois determined that substance abuse was prevalent among a sample of 400 male prisoners. A self-report survey of this soon-to-be released inmates discovered that 66 percent reported some drug use and 48 percent reported having drunk to the point of intoxication in the 6 months prior to their current prison term. Of the drug users, 22 percent reported using heroin, 15 percent reported using cocaine, and 25 percent reported using marijuana on a daily basis. Despite this extensive abuse, only 2 percent participated in a drug or alcohol treatment program, 8 percent attended Alcoholics or Narcotics Anonymous meetings, and 10 percent participated in both.

Undoubtedly, many of these prisoners will return to their communities with unresolved substance abuse problems (Spohn et al., 2002).

In addition is the issue of collaboration among correction departments. There is insufficient collaboration among corrections departments, and administrators have become more isolated in tight times because they fear sharing resources (Erisman, 2005). If the primary goal of corrections is to achieve public safety through reduced recidivism by effectively managing offenders within the community, then correctional agencies must reach out to collaborative partners. According to Erisman (2005) as more comprehensive approaches to supervising offenders are implemented in the field, enhanced collaboration is required to provide the assistance and additional resources necessary to promote offender success. For example, with the increased understanding and implementation of integrated case management systems around the country, communication among criminal justice professionals and community partners is more important than ever. Such new approaches to community supervision require strong partnerships with the community (including the victim and offender). Collaboration with system stakeholders enhances internal and external buy-in and creates a more holistic system change (Spohn et al., 2002).

Further, is the lack of innovation in the correctional facilities. Since the re-offenders will continue to remain in custody till when they serve their term, they still need to grow more so in their skills. The corrections industry must avail the re-offenders opportunities to equip themselves with useful skills. According to Lynch and Sabol (2001) “convicts spend years learning to be prisoners, hence the question should be when they will be ready to be citizens again.” In an economy increasingly diverging into a high skills/high technology sector and a broad low skill service economy, few offenders have promising prospects for advancing out of the bottom rungs of the job ladder. Coupled with this, fewer inmates today have marketable skills or are sufficiently literate to become gainfully employed once released. Among a cohort of soon-to-be-released offenders in 1997, it was determined that about one-third were unemployed prior to entering prison and about two thirds had not completed high school—yet most of these inmates did not receive employment training in prison (Lynch & Sabol, 2001).

Indeed, the percentage of inmates getting any kind of training has been steadily declining. In 1997, 27 percent of the soon-to-be-released inmates reported that they participated in

vocational programs and 35 percent stated that they participated in educational programs; these figures are down from 31 and 43 percent in 1991, respectively (Lynch & Sabol, 2001). The Chicago study mentioned above also notes employment deficits in the sample of returning prisoners. Notably, however, almost all respondents (96 percent) believed that finding a job after release was important and 87 percent believed that securing a job was necessary to remain out of prison. Unfortunately, only 14 percent of the sample had any kind of job lined up upon release (Lynch & Sabol, 2001).

According to a study undertaken in Chicago in 1998, an ex-offender project manager noted that the average prisoner returning to the city received \$40 on release but owed \$8,000 in child support, had no means of transportation, no place to live, and could not find a job. In short, inmates re-entering into the society today are more likely to have failed at parole previously, not to have participated in educational and vocational programs while in prison, and to have served longer sentences (Lynch & Sabol, 2001)—conditions ripe for reoffending. It is not surprising, therefore, that many who leave prison end up returning shortly after release—usually within a year. Studies report recidivism levels around 30 to 35 percent (Rose & Clear, 2003; Maruna, 2001) although some noted percentages as high as 43 percent (Spohn et al., 2002).

CHAPTER THREE

METHODOLOGY

3.0 Introduction

This chapter discusses the research design, study area, study population and sampling procedure, data collection methods, data analysis and ethical considerations.

3.1 Research Design

This was a cross-sectional study as well as a case study. This is because it was within one study unit namely Homa-Bay G.K Prison. It employed both qualitative and quantitative techniques of data collection. The target population (recidivists) in Homa-Bay G.K Prison was studied and the overall finding was based on their views.

3.2 The Study Area

The study was carried out in Homa-Bay District within Homa-Bay County. Homa-Bay District is one of the 3 districts within Homa-Bay County. The District has a population of 288,540 and an area of 1,160 km² (Census, 2009). Homa-Bay borders Rachuonyo District to the North West, Migori and Rongo Districts to the South, Kisii District to the East and Suba District to the West. Homa-Bay District is home to six divisions namely: Kobama, Ndhiwa, Asego, Rangwe, Kobodo and Riana. It is located along the North – Eastern part of Lake Victoria.

Homa-Bay District hosts one correctional facility namely Homa-Bay G.K Prison. Homa-Bay District was chosen as the study area due to the fact that it has in the last 10 years experienced high cases of recidivism (Prison Fellowship Kenya, 2009).

3.3 Study Population and Sampling Procedure

The study was conducted in Homa-Bay G.K Prison which is within Homa-Bay District since that is the only correctional facility in the County. To have qualified for this study, the respondents were re-offenders in that correctional facility in the District. The total number of prisoners in the correctional facility was 364 but the re-offenders were 84 (Prison Statistics, 2013).

According to Mugenda (2008), purposive sampling is a technique that allows a researcher to use cases that have the required information with respect to the objectives. Cases of subjects are handpicked because they possess the required characteristics. A researcher must specify the criteria for choosing the particular cases (Mugenda, 2008). Purposive sampling technique was used in this study to select prisoners in the correctional facilities the criteria being that the prisoners must have been re-offenders. Hence the study population which equaled the study sample consisted of all the 84 re-offenders who were all handpicked.

Purposive sampling technique was also used to select a few prison officers (warders) from the correctional facility to collect quantitative data. The selected prison officers were the In-Charge of Homa-Bay G.K Prison, 2 departmental heads in charge of building and carpentry training programs, the welfare officer and the chaplain. Only selected participants were interviewed. The criteria being those prison officers in Homa-Bay G. K. Prison who dealt directly with the re-offenders during the period in incarceration while undergoing rehabilitation.

3.4 Data Collection Methods

Data for this study was obtained from both primary and secondary sources. The research employed both quantitative and qualitative tools to gather data. The advantage of this approach is that while quantitative methods tells us how many, how much, or to what extent a particular situation occurs, the qualitative methods explains why the situation occurs.

3.4.1 Semi - Structured Questionnaires

Semi-structured questionnaires were administered to the 84 recidivists at the Homa-Bay G.K Prison who were literate so as to collect information from them on the social factors and economic factors influencing recidivism. The questionnaires were self administered and had both open-ended and close-ended questions. Close-ended questions were meant for respondents' socio-demographic characteristics and other questions that had infinite answers. Open-ended questions on the other hand were utilized for further insight into the social and economic factors that influenced recidivism. An interview guide was used for the illiterate recidivists and was conducted with the help of a translator.

3.4.2 Key Informant Interviews

Key informants included 2 chiefs, 2 village elders, 2 magistrates, 2 religious leaders, 2 police officers and 2 probation officers all from Homa-Bay District. The key informant interviews were used to collect data from informants who had been dealing with crime issues with regard to the challenges facing correctional systems in fostering recidivism.

3.4.3 Focused Group Discussion (FGD) Guide

Three Focus Groups comprising of 10 members each were conducted. The first one was for the recidivists who were illiterate, the second one for the prison officers and the third for the community leaders and government officials such as magistrates, police officers and probation officers. Each of the groups was homogeneous in terms of gender and age groups. The discussions were guided by the researcher to direct the respondents on the issues to be discussed. Interview guides were used to obtain data on the social and economic factors that influence recidivism as well as data on the challenges facing correctional systems in fostering recidivism.

3.4.4 Documentary/Sources

A wide range of texts from books, conversations, both formal and informal concerning recidivists were examined. Using content analysis it was possible to identify intentions, focus and trends of recidivists as well as describe their attitudinal and behavioural responses. These were obtained from library research, literature from both published and unpublished sources, journals, internet and annual publications.

3.5 Data Analysis

The study employed both qualitative and quantitative techniques for data analysis. These included content analysis (qualitative) and exploratory analysis (quantitative). Data was checked for completeness while in the field. This was done by performing quality control checks while sorting the data by groups of informants.

Quantitative, analysis entailed measuring numerical values by assigning unique values to attributes and determining the relationships among the attributes. The data collected was

further analyzed using the Statistical Package for Social Sciences (SPSS). Descriptive statistics were run to produce frequency distributions, percentages and cross tabulations. This was done to summarize the raw data so as to display it in compact form in columns and rows for interpretation.

The analysis of qualitative data was undertaken simultaneously with data collection. Data collected through KIIs and open ended questions in the questionnaire were processed and analyzed by first organizing it in thematic areas derived from the study objectives. The data was then summarized into daily briefs after each interviewing session and described to produce interim reports. Systematic analysis and interpretation of the interim report was then done and thereafter, integrated with data in the main report.

3.6 Ethical Consideration

The researcher fully explained the purpose of the study to the respondents and sought their consent to participate. Participants were assured of privacy and confidentiality to information they divulged for the purpose of the study. The researcher ensured that the identities of the participants were safeguarded and were not revealed to anyone without their consent. The researcher upheld utmost ethical standards as the topic is very sensitive. Respondents were assured of their personal safety from any harm (socio-psychological) which might have resulted from their participation in the study.

CHAPTER FOUR

STUDY FINDINGS AND DISCUSSION

4.0 Introduction

The chapter presents and discusses findings of the study as stipulated in the objectives. The chapter gives a general overview of major issues captured in the study.

4.1 Socio-Demographic Factors of the Respondents

Socio-demographic characteristics of respondents was of importance. These characteristics helped to tell the structure or kind of respondents who participated in the study.

4.1.1 Gender of the Recidivists

Out of 84 respondents whom participated in the study, 67% were Male and 33% were female who were held in prison for commission of different offences (Table 4.0). This was important as it tells the gender that was most commonly put in custody. This is in line with the survey conducted in the U.S.A by the Michigan Department of Justice (2003), 53% of arrested males and 39% of arrested females were re-incarcerated for having committed various crimes. The study further indicated that men recidivate more than women.

Table 4.0: Respondents by Gender

Respondents	Frequency N	Percentage %
Male	56	67
Female	28	33
Total	84	100

4.1.2 Age of the Recidivists

Findings from the study show that majority 71.4% fall within the age group of 25-35, 15.5% fall within 14-24 and the remaining 8.3% fall in the age group of 36-46 as illustrated in Table 4.1 below. This revealed that the age upon which majority of recidivists fall in is between the

age of 25 and 35. This corroborates with the study conducted on habitual offenders in New South Wales by the Ministry of Youth Development (2002), majority of the recidivists totaling to 76% were youth aged between 22-40 years.

Table 4.1: Respondents by Age

Respondents Age	Frequency N	Percentage %
14-24	13	15.5
25-35	60	71.4
36-46	7	8.3
No response	4	4.8
Total	84	100

4.1.3 Marital Status of the Recidivists

Findings from the study showed that 57% of the recidivists; out of which an estimate of 65% are male and 35% female of prisoners were married, 23%; out of which an estimate of 69% are male and 31% female were single, 12%; out of which an estimate of 80% are male and 35% female are separated and 8% were widowed as illustrated in Table 4.2. The findings showed that married people were more recidivists than the single or widowed categories. The findings were different from those of a study conducted in 1998 by the U.S Center for Demographic studies in Washington Federal Prison, majority of the re-offenders were not married. About half had never been married and another 30% were either divorced or separated. Only 20% were married.

Table 4.2: Respondents by Marital Status

Respondents	Frequency N	Percentage %
Married	48	57
Separated	10	12
Single	19	23
Widowed	7	8
Total	84	100

4.1.4 Respondents Educational Level

Results obtained from the study clearly illustrated that majority of the prisoners attained low educational levels. From Table 4.3, it is clear that 58% attained primary education while 32% attained secondary education. Findings from FGDs second the argument as most of the participants' attained primary education with few reaching secondary and not completing. This goes hand in hand with the study conducted in 1998 by the U.S Center for Demographic Studies in Washington Federal Prison; the educational level for re-offenders was closely related to the commission of offences. For instance confinement for burglary, violence and theft was more associated with the lower educational levels. Prisoners who had some college education prior to incarceration were convicted of non violent offences such as forgery.

Table 4.3: Distribution of Respondents by Level of Education

Respondents	Frequency N	Percentage %
Primary	49	58
Secondary	27	32
No response	8	10
Total	84	100

4.2 Social Factors Influencing Recidivism in Homa-Bay District

Study results show that the lives of released prisoners experienced difficulties socially. An approximate of 60% suffered discrimination from the society and family members. For instance in a Focus Group Discussion, one argued that, “community didn’t want anything to do with me and offered no jobs”.

A total of 34% are faced with the challenge of not securing jobs due to the fact that they are from prison. In addition to this, they experience abandonment and separation from society and family alike. For example during interviews, they reported that, “I was branded a thief by fellow community members, my family abandoned me and my children, my husband left. There were no jobs. Even the place where I was working sent me away after my first release from prison”.

These results were reinforced by the findings from FGDs; out of which approximately 100% of the participants agreed that they are faced with challenges of discrimination, unemployment, ridicule and abandonment. For example, “the community would gossip that I was from jail. This hurt me a lot. At times I would not want to leave the house because they would call me names”.

Findings of this study were in line with Rose et al (2003), who argued that, offenders in transition report a sense of being stigmatized by their communities and fellow residents.

Their families report similar feelings. They sense that they are labeled as "bad" or otherwise flawed by those living near them.

Findings from Table 4.4 show that 54%; out of which 62% are male and 37% female; of prisoners released after incarceration were not well perceived by the society and their families after their first release from prison. While 44%; out of which 68% are male and 31% female; argue that they were well perceived by the society and family members (Table 4.5). The respondents argued that the society and their family abandoned, gossiped, ridiculed and mocked them since they knew about their unlawful behavior. For instance, one responded "since neighbors knew I took bhang, they didn't want my company. My friends and my family abandoned me". Another argued that, "my wife deserted me. She no longer wanted to be married to a man from prison. She also didn't want me to relate with the children. My friends also segregated me".

Table 4.4 Distribution of Recidivists with regard to Perception by the Society and Family after Release from Prison the First Time

Respondents	Frequency	Percentage
	N	%
Positive Perception	37	44
Negative Perception	45	54
No response	2	2
Total	84	100

Findings from FGDs were hand in hand with results from the respondents since participants agreed that prisoners are not well perceived once released from prison. For example, one reported that, "the community judged me harshly they called me a thief. I even had to relocate because even the children called me 'thief'".

Findings produced from the key informants showed that offenders were perceived negatively by the society upon release from prison. The society has stigma associated with the jailed,

labeled them names and viewed them as first suspects. The magistrates reported that, “community re-brands the re-offenders with names such as thief. If somewhere has been broken into, the community will first think it is the ex-convict who had been accused of stealing even if it is not him. The community judges them very harshly. They are mistreated and not given jobs”.

According to Lynch (2001), name calling and stereotyping leads to isolation from the rest of the community. News of the imminent release of inmates often sparks fears of an upsurge in crime. Nearly all prisoners are eventually released back into the community. Ex-convicts face many obstacles when they leave prison and therefore need support networks which may be lacking in the community based on the ex-convicts’ previous criminal record. Constructive relationships are important if ex-convicts are to be duly rehabilitated and re-integrated. However such relationships are always not forthcoming based on the community’s negative attitude following the harm they (ex-convicts) committed that made them go to prison in the first place. This argument is corroborated by the study carried out in Homa-Bay G.K Prison whereupon findings showed that recidivists were negatively perceived by their communities and families upon their first release from prison.

4.2.1 Nature of Crime Committed

Table 4.5 illustrates that, 21% of the respondents were arrested because of drugs, 57% because of robbery, 16% because of burglary and assault, and the other 6% because of murder. Despite the respondents report on the nature of crime committed, they attested a common behavior of using drugs. Majority agreed that they committed crime while drunk. This is corroborated with the ideas of Maruna (2001) who argues that, higher crime rates can appear in regions with high levels of illegal drugs and alcohol consumption (Maruna, 2001). For example, a study of prisoner re-entry in Chicago, Illinois determined that substance abuse was prevalent among a sample of 400 male prisoners. Of the drug users, 22% reported using heroin, 15% reported using cocaine, and 25% reported using marijuana on a daily basis. This argument was also proved by the study carried out in Homa-Bay G.K Prison despite the percentage being less whereupon findings show that 10% of the recidivists were drug users.

Table 4.5: Distribution of Recidivists with regard to the Nature of Crime Committed

Recidivists	Frequency	Percentage
	N	%
Abuse of drugs	17	20
Robbery	47	56
Burglary and Assault	13	16
Murder	5	6
No response	2	2
Total	84	100

4.3 Economic Factors Influencing Recidivism in Homa-Bay District

Findings from table 4.6 show that 57%; out of which 54% are married and 21% single have committed crime twice, while 25%; out of which 55% are married and 15% single; have committed crime once. Results show that a few percentages have committed crime more than twice; 17% have committed crime thrice while only 1% has committed crime four times. The percentages of those married argue that they commit crime due to lack of employment yet they have families to take care for. This is in line with the findings gathered from the FGDs as the participants argue that they engaged in crime since they had to fend for their families. For example, one argued that, “I am the eldest at home and the breadwinner. I also have my family to fend for. I was not employed and I had to engage in crime so as to put food on the table”.

Table 4.6 Distribution of Recidivists with respect to Number of Times the Respondents Committed Crime

Recidivists	Frequency N	Percentage %
1	20	24
2	46	55
3	14	17
4	1	1
No response	3	3
Total	84	100

Findings from this study show that more than half (57%) of the prisoners committed crime the second, third or fourth times due to lack of a source of income. A total of 25% argued that they were abandoned by their families after incarceration and they had to survive. Approximately 10% suggested that they were drug addicts and had to find money to buy drugs. For example one of them suggested; “I was a drug addict. Since I was unemployed I had to get money to buy bhang and cocaine”.

This result was reinforced by the findings from FGDs composed of Recidivists where most participants attested to committing crime twice. Results of the key informants were directed in the same line that most prisoners are recidivists due to lack of employment to fend for themselves.

According to Maruna (2001) ex-offenders return to the community with limited financial resources but many financial needs. Not only do they need the fundamental means for survival (food and shelter) they regularly need money for new clothes, transportation and, frequently, for criminal justice costs too. Jobs available to ex-offenders tend to be low-paying and highly unstable. Most, however, unable to find employment, opted for unemployment. This made ex-offenders return to crime to resolve their financial needs. Similarly according

to Travis et al. (2001) people living in extreme poverty who lack basic necessities such as food can see in crime the only alternative for their survival. Those arguments were proved by the study carried out in Homa-Bay G.K Prison whereupon findings show that the largest percentage of recidivists was either poor or unemployed. Hence the reason for them to have committed crimes more than once.

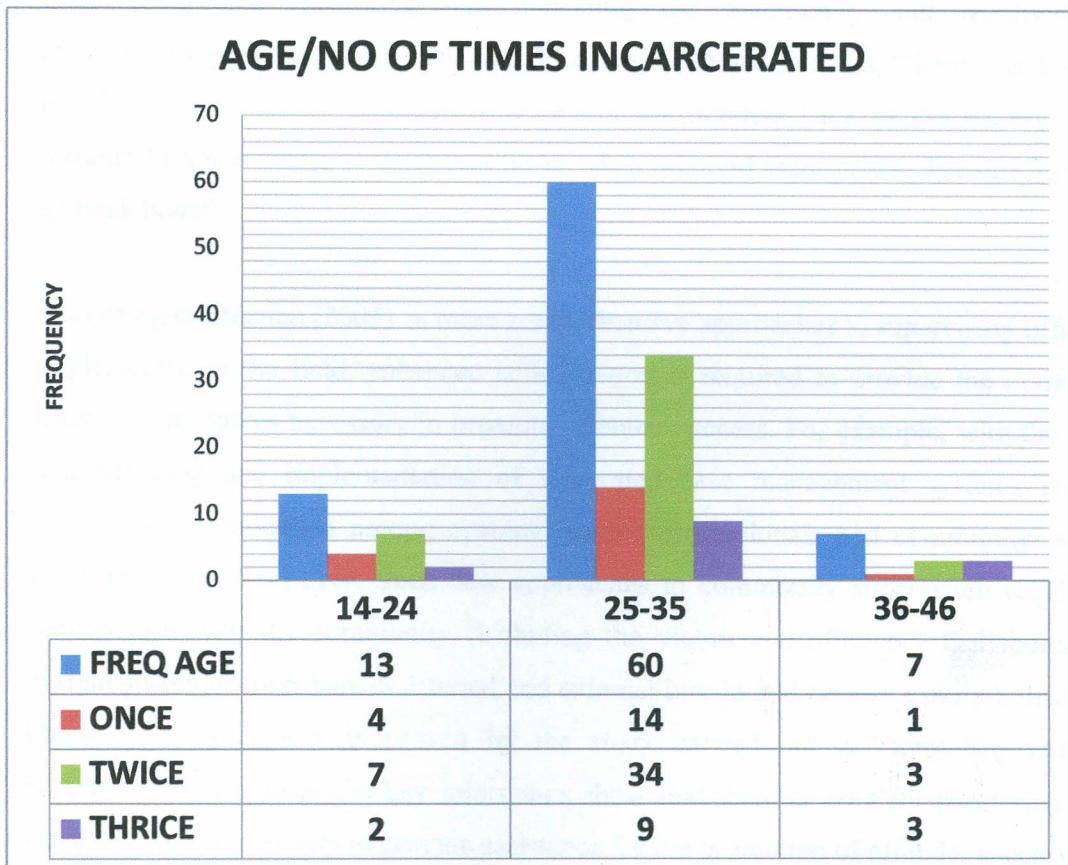


Figure 4.0

4.4 Challenges Facing Correctional Systems in Fostering Recidivism in Homa-Bay District

Findings from this study under the instrument of key informants illustrate that corrective systems face an array of challenges. A great percentage of the respondents (100%) agreed that, they are compelled to offer more harsh judgment on recidivists that lead to overcrowding in the prisons. For example, magistrates; as key informants responded that,

“where repeat offenders are concerned, one is compelled by law to pass harsher sentences that are deterrent in nature. This is mostly by way of custodial sentences which also contribute to overcrowding at the local prisons.

In addition to this, several government officials and the police who participated in the key informant interviews delivered more information about the challenges faced by corrective systems in fostering recidivism. Findings illustrated that there are insufficient resources to offer counseling, mentoring and educating the community and recidivists during incarceration periods and after release. For example, they argue that; “there is lack of funding for sensitization of the community to accept re-offenders back to the society. It is also difficult to know where re-offenders go to when released from prison, because some do not go back home”.

According to Erisman (2005) as more comprehensive approaches to supervising offenders are implemented in the field, enhanced collaboration is required to provide the assistance and additional resources necessary to promote offender success. For example, with the increased understanding and implementation of integrated case management systems around the country, communication among criminal justice professionals and community partners is more important than ever. Such new approaches to community supervision require strong partnerships with the community (including the victim and offender). Collaboration with system stakeholders enhances internal and external buy-in and creates a more holistic system change. This argument is proved by the study carried out in Homa-Bay G.K Prison whereupon results from the key informants show that there is need for partnering with the other system stakeholders to provide assistance for the promotion of offender success.

The poor economy has affected the society in a variety of ways, and the prison system has not been spared from what often feels like across-the-board budget cuts. States across the nation are struggling to manage burgeoning offender populations in the face of major budget cuts (Klein & Caggiano, 1986). In line with Klein and Caggiano (1986), findings from the key informants illustrated that the aspect of poor education gained by the recidivists are partially improved by offering formal and informal education. However, this program faces a lot of setbacks since distribution of educational resources is unproportional. This is because big prisons have more facilities than small prisons. For instance they argue that; “teachers posted in small prisons such as Homa-bay G.K Prison are not graduates”. Again offenders are given

the choice to enroll freely and participate in either formal education or training, such that those who do not enroll do not benefit.

The challenge being that it is difficult to do so with a small budget and minimal resources. A higher number of offenders warrant more prison staff to ensure effective supervision (Klein & Caggiano, 1986). This argument is proved by the study carried out in Homa-Bay G.K. Prison whereupon findings show that prison facilities are hampered due to the little resources allocated to them.

Table 4.7 illustrates that, 66% of the respondents acknowledge receiving a form of formal education while in prison while the remaining 34% reported not receiving any kind of formal education. This was of importance to show the kind of correctional services received by prisoners while in custody since the government has always made it clear that formal education is practiced in correctional centers.

Table 4.7 Distribution of Respondents with respect to Receipt of any Form of Formal Education while in Prison

Respondents	Frequency	Percentage
	N	%
In Receipt of Formal Education	50	60
Not in Receipt of Formal Education	26	31
No response	8	9
Total	84	100

Findings in Table 4.8 illustrate that 38% have attested receipt of training at the correctional facility with majority falling under building; welding was reported to be done by 26%, 12% were trained on carpentry, 10% did not respond to the question, 8% on electrical wiring and 6% on tailoring as illustrated in Table 4.8 below. This result deviates from the arguments of Lynch and Sabol (2001) who reported convicts spending years learning to be prisoners, hence the question would be when; will they be ready to be citizens again? And particularly in an

economy increasingly diverging into a high skills/high technology sector and a broad low skill service economy, few offenders have promising prospects for advancing out of the bottom rungs of the job ladder. Coupled with this, fewer inmates today have marketable skills or are sufficiently literate to become gainfully employed once released.

Table 4.8 Distribution of Recidivists with respect to Type of Training Received

Recidivists	Frequency	Percentage
	N	%
Building	32	38
Carpentry	10	12
Electrical Wiring	7	8
Tailoring	5	6
Welding	22	26
No Response	8	10
Total	84	100

According to Lynch & Sabol (2001), among a group of soon-to-be-released offenders in 1997, it was determined that about one-third were unemployed prior to entering prison and about two thirds had not completed high school—yet most of these inmates did not receive employment training in prison. This finding differs from the results in the study conducted at Homa-Bay G.K Prison whereupon it emerged that more than half of the recidivists are in receipt of training while in incarceration. The recidivists agreed that the training will assist them upon their release from prison.

CHAPTER FIVE

SUMMARY, CONCLUSION AND RECOMMENDATIONS

5.0 Introduction

This chapter presents the summary of findings, conclusions, recommendations, contributions to the body of knowledge and suggestions for future research.

5.1 Summary of Findings

5.1.1 Social Factors Influencing Recidivism in Homa-Bay District

This study revealed that the major social factor that influenced recidivism was discrimination and ridicule. The community and the family discriminated and abandoned prisoners released from prison. Once released from prison, the community developed a negative perception about the prisoners. The relations with their families turned to be strenuous to an extent of abandonment.

It also emerged that most recidivists were drug users. This was because drugs gave them the courage to commit crime. A sizeable number of recidivists abuse drugs. Findings from this study show that approximately 10% of the recidivists were drug addicts and had to find money to buy drugs.

5.1.2 Economic Factors Influencing Recidivism in Homa-Bay District

Poverty and unemployment are the biggest contributing economic factors to recidivism. Findings from the study show that an estimate of more than half of the recidivists (56%) committed crime the second, third or fourth time due to lack of a source of income.

5.1.3 Challenges Facing Correctional Systems in Homa-Bay District

One of the reasons of overcrowding in prisons is due to the harsher judgment sentences passed by the Courts to discourage recidivism. Findings from the key informant interviews were that the Courts enforce a harsher deterrent sentence to a recidivist. In the process the recidivists end up overcrowding the prisons and impact negatively on first time offenders.

There is lack of enough resources allocated to prisons to enable the offering of counseling of recidivists as well as monitoring them after their release. Findings from the key informant interviews from the prison officers were that the prison cannot effectively be operated to mitigate on recidivism with the little resources availed to them.

The community is not sensitized to accept re-offenders back to the society. Findings from key informant interviews from selected members of the community revealed that the community is not sensitized on how to handle offenders upon their release from prison.

There is minimal collaboration from other system stakeholders with the prisons. Findings from the key informant interviews revealed that other stake holders of the Criminal Justice System such as the Judiciary or Police fail to provide the assistance and additional resources necessary to promote offender success.

5.2 Conclusion

The factors that influence recidivism are both social and economic in nature. It is due to stigmatization faced by the recidivists upon their release from prison; the negative attitude and perception by the community towards the recidivists and the strenuous family relations that the recidivists face after release from prison that influence offenders to re-offend. If the community is sensitized so as to embrace the offenders upon their release from prison, the issues of stigma, labeling, hostility would minimize. A majority of the recidivists who participated in the study stated that if the community accepted them back, then there would be no need for them to re-offend.

Poverty and unemployment which featured as the biggest contributor to recidivism by offenders in Homa-bay G.K Prison should be looked into and intervened by the State. Most of the recidivists are youth who are unemployed and it is the art of survival as well as idleness that leads them back to re-offending. Jobs should be made available to the youth. The issue of drug and alcohol abuse by offenders should also be tackled and mitigated upon by the State as it is among the causes of re-offending.

The State does not allocate enough funds to the prisons and this hampers them in functioning more effectively. The minimal cooperation between the prisons and other criminal justice players also contribute to recidivism. This is because other criminal justice players such as

the Judiciary or Police fail to provide the assistance and additional resources necessary to promote offender success re-integration of the recidivists back to the society and family is lacking yet it requires a lot of attention as its success will lead to the decrease in re-offending. Challenges facing community corrective systems foster recidivism. For recidivism to reduce these factors have to be considered and mitigated. The dearth in literature on factors that influence recidivism in Kenya requires more detailed research; qualitative in nature; to explore on the remedy to be employed to ensure proper integration of the recidivists in the society.

5.3 Recommendations

There is need for clear re-integration strategies during release of prisoners into their respective communities and families. Certain groups should be targeted such as the partners (spouses) of released prisoners and employment agencies who abandon them. Community roles should be constantly negotiated and clearly defined for successful re-integration. There is need for sensitization programs to be commenced at the community level with a view of educating the community to perceive offenders positively upon release from prison. Negative perception by the community really proved a challenge in this study. Government implementers should prioritize on educating and sensitizing the society to accept the released prisoners as humans like any other.

Unemployment should be mitigated upon by the State. More jobs should be availed to the youth to keep them occupied and discourage them in the engagement of crimes. Furthermore creation of more jobs will ensure that the youth can sustain themselves and assist in the eradication of poverty. More non-governmental agencies should join the government in the fight against drug and alcohol abuse. This will greatly assist in the decrease of recidivism among the youth who were most affected by abuse of drugs and alcohol.

There is need for allocation of sufficient resources; funds and human labor at various prisons in Kenya. This will enable rehabilitation systems carry out their duties appropriately and effectively. There is also need for more comprehensive approaches to supervising offenders. Enhanced collaboration is required to provide the assistance and additional resources necessary to promote offender success in prisons. For example, with the increased understanding and implementation of integrated case management systems around the country, communication among criminal justice professionals and community partners is

more important than ever. Such new approaches to community supervision require strong partnerships with the community (including the victim and offender). Enhanced collaboration with system stakeholders enhances internal and external buy-in and creates a more holistic system change.

5.4 Suggestions for Future Research

1. Discrimination and stigmatization by the families and communities was a social challenge faced by recidivists. This calls for further research to determine the sudden change in perception on released family and community members.
2. A research should be carried out to follow up on employment and re-employment of released prisoners. Specifically the research should focus on mechanisms that can be put in place to ensure employment and re-employment of recidivists is considered in the job market.
3. It emerged that correctional facilities suffered a challenge of insufficient resources. Therefore, a study needs to be done to find out the cause and the desired resources in every correctional centre.

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Introduction

The purpose of this study is to examine the relationship between the duration of incarceration and the probability of recidivism. The study will use data from the National Longitudinal Survey of the Adult Population (NLSAP) to investigate the impact of incarceration on recidivism rates.

The study will focus on the following research questions: 1) How does the duration of incarceration affect the probability of recidivism? 2) What factors are associated with recidivism? 3) How does the severity of the offense affect recidivism rates?

Characteristics of Recidivists

1. Gender (Male, Female) _____

2. How old are you? _____

3. Which religion do you profess? _____

4. What is your marital status? _____

5. How many are you in your family (including yourself)? _____

6. What type of job did you have? _____

7. How many times have you been arrested? _____

8. How many times have you been incarcerated? _____

9. Why did you commit the crime(s) for which you were arrested? _____

10. What was the duration between the commission of your primary offense and the start of your current sentence? _____

11. What type of sentence are you currently serving? _____

12. How many years of formal education have you completed? _____

13. What are the positive or negative impacts of your incarceration? _____