

Socio-Economic Factors That Influence Recidivism in Kakamega County, Kenya

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Abstract

Recidivism is the relapse into criminal activity and is generally measured by a former prisoner's return to prison for a new offence. The rate of recidivism in Kenya is estimated to be about two - thirds, which means that two - thirds of released inmates will be re - incarcerated after their release from prisons. As a result of this, crime by former inmates alone account for a substantial share of the current and future crimes. From the trend in the high prevalence of recidivism in Kenya, there is a staggering high number of people being incarcerated and eventually released back to the community and the high risk of re-arrest and re-incarceration is a concern for policymakers, criminologists, and those involved in corrections. High rates of recidivism result in tremendous costs both in terms of public safety and in monies spent to arrest, prosecute, and incarcerate re - offenders. High rates of recidivism also lead to devastating social costs to the communities and families of offenders, as well as the personal costs to the offenders themselves. A sample of 146 respondents comprising male and female recidivists at Kakamega and Shikusa Prisons in Western Kenya were considered for the study. Research objective and hypothesis were formulated based on the study constructs. A standard questionnaire was used to collect data from the respondents who were identified using purposive sampling technique. Both quantitative and qualitative data was collected and analyzed. Statistically quantitative data was analyzed using inferential statistics. Findings revealed a statistically significant relationship between socio-economic factors and recidivism. This implied that socio-economic factors such as gender, age, level of education, employment status and housing influence the possibility of re-offending. Therefore the need to come up with working pre-release programs meant to enable inmates to have smooth transitions from correctional institutions to their communities by working with the offenders to develop plans, including housing, employment and participation in post-release programs.

Keywords: Socio-Economic Factors, Recidivism, Prison.

1.1 Introduction

Recidivism in a Criminal Justice context is defined as the reversion of an individual to criminal behavior after he or she has been convicted of a prior offence, sentenced and presumably corrected (Maltz, 1981). Recidivism has variously been defined as return to custody for any reason, including technical violations (Verbrugge et al., 2002). Others see it as re-arrest (Benda, 2005), reconviction and re-incarceration (Law, 2004). Recidivism is a technical term which, if construed narrowly, by-passes the important problem it represents, the problem of persistency in criminal behaviour.

There are approximately 83,000 adults in prison in England Wales (Howard League, 2008) which is nearly double the number from 1991-1992 (Morgan & Liebling, 2007). In 2008, the male prison population increased by four per cent in England and Wales, while the female prisoner population increased by 5 per cent to approximately 4,500 female prisoners (Fawcett Society, 2006). In England and Wales in 2002, 67 per cent of male prisoners discharged from prison were reconvicted within two years (LeBel *et al*, 2008). Similarly, in 2004, 64 per cent of female prisoners released in England and Wales reoffended within two years (Fawcett Society, 2006). Prison populations are out of control, for many reasons. Not only are more offenders imprisoned for less serious offences, more are being imprisoned for breaching their release conditions. As Baroness Corston stated in her report 'breach is racketing up the use of custody to little avail and there are alternative community solutions to be explored' (Corston, forward: I, 2007).

Recidivism is now a common phenomenon among inmates in the Nigerian prisons. These include both the male and female offenders/inmates in the Nigerian prison custody. Soyombo (2009) reported that the prevalence rate of criminal recidivism in Nigeria in 2005 was 37.3%. Abrifor (2010) estimated the prevalence of recidivism in Nigeria prisons at 52.4% in 2010. Since then, there has not been any indication that the trend has declined. Wilson (2009) also reported that studies conducted in Nigeria have documented that 81% of male criminal inmate offenders and 45% of female criminal inmate offenders were re-arrested within 36 months of discharge/release from the prison custody.

In Kenya, released citizens have a seventy-five percent chance of committing another crime and a fifty percent chance of returning to prison two years after release from prisons (Gathu, 2012). There are inadequate reintegration programs in the prisons and very few resources on the outside to help returning citizens avoid recidivism. Enhancing the quality of life of Kenyans through strong and safe communities was the premise of

this study and an essential part of the fabric of our society. The study sought to find solutions to the challenges faced by the society. It is a fact that most offenders will one day return to the community and therefore there was need to address factors that influence ex-offender's recidivism.

1.2 Statement of the problem

Data on recidivism around the world show that most offenders leaving prison are likely to be rearrested within 3 years of release; nearly 80% of prisoners are likely to be rearrested within a decade of release (Freeman, 2003). Studies conducted around the world suggest that re-arrest may occur within the first year after release if no support is available to the released offender (Hassin, 1989). High rates of recidivism mean more crime, more victims, and more pressure on the criminal justice system.

According to the Kenya National Bureau of Statistics, the prison population total including pre-trial detainees and remand prisoners stood at 52,000 as at February, 2012. This is against the official capacity of prison system in Kenya which is 22,000. The occupancy level based on official capacity is 236.4%, a fact that there is overcrowding in the 99 institutions established across the country, which accommodates prisoners, according to the Ministry of Interior and Coordination of National Government. This high figure of prisoners is occasioned by a growing number of re-offenders being incarcerated. According to Dennis Lumiti (2004), 700 out of 744 inmates released under Presidential amnesty it was found that more than 60% of the inmates had returned to prison. This extraordinarily high rate of recidivism has tremendous costs in terms of public safety and in money spent to arrest, prosecute, and incarcerate re-offenders.

From the trend in the high prevalence of recidivism in many countries globally, including Kenya, there is a staggering high number of people being incarcerated and eventually released back to the community and the high risk of re-arrest and re-incarceration is a concern for policymakers, criminologists, and those involved in corrections. As a result of this, crime by former inmates alone account for a substantial share of current and future crimes. From this background, peace, safety of lives and property are threatened thereby affecting the rate of investment in social and economic growth and developmental processes. Thus, it became imperative to examine recidivism by looking at the socio-economic and demographic predictors of recidivism among inmates in Kenyan Prisons Service and the accompanying challenges ex-offenders face once released from prisons and also the role of Kenya Prison Service experience on recidivism. This made the study of recidivism among prisoners in Kenyan Prisons Service to be dynamic and interesting and that is why it was given attention by the researcher.

1.3 Study objectives

The study was guided by the following specific objective;

To determine the socio-economic factors that influence recidivism among inmates serving in prisons within Kakamega County.

1.4 Study hypothesis

Arising out of the above hypothesis, the following null hypothesis was formulated;

H₀1: Socio- economic factors do not have a significant influence on recidivism among inmates serving in prisons within Kakamega County.

1.5 Literature review

There are several factors that influence recidivism among ex-offenders. Ex-prisoners face challenges as they attempt to reintegrate into the community. This chapter reviews discussions of the various factors and trends according to various authors and how they influence recidivism among prisoners. These factors and trends are grouped into three categories, as per the objectives of this study, that is, the socio-economic factors, challenges faced by prisoners during reentry and the prison experience.

Recidivism has been defined as return to custody for any reason, including technical violations (Verbrugge et al., 2002). Others see it as re-arrest (Benda, 2005), reconviction and re-incarceration, (Law, 2004). Maltz (1981) also states that recidivism in a Criminal Justice context could be defined as the reversion of an individual to criminal behavior after he or she has been convicted of a prior offence, sentenced and presumably corrected.

Although the debate over what constitutes recidivism is important and continuing, no matter what the eventual outcome, it is evident that serving time in prison greatly increases the chance of being re-incarcerated somewhere down the track compared to not ever having been incarcerated (Wormith, 1984)

1.5.1 Socio-economic factors and recidivism

In relation to socio-economic factors that influence recidivism, gender, age at the time of incarceration, education levels, employment and housing have been discussed below according to various writers.

1.5.2 Gender

In Benda's (2005) study of 300 female and 300 male graduates of a boot camp, he noted that there are noteworthy gender differences in predictors of tenure in the community without criminal recidivism in a 5-year follow-up. Men are more likely to return to prison because of criminal peer associations, carrying weapons, alcohol abuse, and aggressive feelings. Job satisfaction and education lengthen time in the community more for men than women, whereas the number of children and relationships are more important to tenure in the community for women.

Studies which have investigated sex differences in recidivism rates have consistently found that female offenders are much less likely to reoffend than their male counterparts. For instance the U.S Bureau of Justice Statistics study (1989) investigated the recidivism rates of 108,580 offenders (of which 5.9 percent were women) released from prison in eleven States in 1983, female releasees showed lower recidivism rates than male releasees.

In U.S.A, although women are much less likely to be incarcerated, rates of female incarceration have been increasing much faster than rates of male incarceration. Women are approximately 24% of those on probation, 12% of those on parole, and 7% of those in prison (Glaze & Bonczar, 2007). Female inmates may be seen as "double deviants," who have violated both gender and legal norms (Heimer & De Coster, 1999). Women who have been incarcerated often are seen as less feminine precisely because they were incarcerated.

1.5.3 Age at the time of incarceration

Incarceration, particularly at a young age, can lead to an accumulation of disadvantages over the life course, with future opportunities severely restricted (Sampson & Laub, 1993; Western et al., 2001). Because incarceration is so prevalent among Black men with low education levels, the impact on their individual wages also increases wage inequality on an aggregate level (Western, 2002).

1.5.4 Education levels

In U.S.A, just over 40% of young Black men, ages 22–30, with less than a high school diploma were incarcerated on an average day in 1999, and more than half of Black high school dropouts in their early 30s had been incarcerated at some point in their lives (Western et al., 2002). In addition, prisoners have lower than average levels of income in the months before their incarceration and lower than average educational attainment (Harlow, 2003; Solomon et al., 2004).

1.5.5 Employment

The absence of employment is a consistent factor in recidivism and parole or probation violations, and having a criminal history limits employment opportunities and depresses wages (Holzer, 1996). In New York State, labor statistics show that 89% of formerly incarcerated people who violate the terms of their probation or parole are unemployed at the time of violation (Mukamal, 2000). Further research suggests that 1 year after release, up to 60% of former inmates are not employed (Nightingale & Watts, 1996). Nationally, according to a study by Bushway and Reuter (as cited in Solomon, 2004), one in three incarcerated people reported being unemployed before entering state prison, and fewer than half had a job lined up before release.

One of the most frequently cited precursors to successful reentry and criminal desistance is employment (Uggen & Thompson, 2003). Employment provides a stake in conformity, new routines, pro-social ties, and legal income. For these reasons, employment, particularly high-quality employment, is often cited as a primary cause of decreased recidivism (Uggen & Thompson, 2003). High-quality employment can be conceptualized both in terms of stability and economic compensation and in extra-economic terms of gaining a sense of meaning from one's work (Laub & Sampson, 2003).

Former inmates who do find work after their release usually find it through friends or family (Vigne et al., 2004). Although programs assisting ex-offenders with employment have demonstrated some success, these programs are limited in capacity and geographic reach (Solomon et al., 2004). Among those who find work, there also is an issue of retention. Among a three-state sample of former inmates, for example, 65% had been employed at some point 8 months after release, but only 45% were working at the end of that time period (Visher et al., 2008). In addition to the difficulty of finding and keeping a job, the kinds of jobs for which ex-prisoners are most likely to be hired e.g., manufacturing are decreasing in number, and many of the types of jobs available to ex-prisoners are unlikely to be stable, well-paid, meaningful jobs that contribute to desistance (Giordano et al., 2002). Being incarcerated also has a depressive effect on future earnings and thus can reinforce existing structures of inequality (Western, 2002).

1.5.6 Housing

In U.S.A, many newly released former prisoners live with family members. In one Urban Institute study, approximately three quarters of Chicago releasees planned to live with family, and an even higher percentage (88%) were living with family 4–8 months later (Vigne et al., 2004). This is not always an easy or possible choice, as family members may have victimized or been victimized or otherwise hurt by the returning person previously. Female offenders experience high rates of abuse and victimization, often at the hands of family members, in both childhood and adulthood (Chesney-Lind, 2002).

1.6 Theoretical framework

This study was guided by Robert K Merton's strain theory. Strain theory was originally done by Durkheim who initially introduced a term, "anomie" which described a feeling of disorientation and anxiety as a result of the "breakdown of traditional life in modern society" (Giddens, Duneier, & Appelbaum, 2005). Merton built upon Durkheim's term by adding that the concept includes the stress that individuals feel whenever societal norms conflict with social reality. An example is to look at gangs within society. Some gangs resent and reject rules, values, and laws and replace them with norms which reflect a celebration of defiance (Giddens, Duneier, & Appelbaum, 2005).

Merton's Strain theory explains that the real problem is not created by a sudden social change, but rather by a social structure that holds out the same goals to all its members without giving them equal means to achieve them. It is this lack of integration between what the culture calls for and what the structure permits that causes deviant behavior. Deviance then is a symptom of the social structure. According to Merton, there is a discrepancy between culturally defined goals and the institutionalized means available to achieve these goals. This is because not everyone has the equal access to the legitimate means to attain those goals. The stage then is set for strain.

Applying Strain theory to criminality and recidivism among inmates in Kenyan Prisons, the framework suggests that the prevalence rate of crime and inmate recidivism are to be understood as the reflections or products of the approach the society organizes its goals, and the legitimate means available to access these goals. Especially when we don't have equal legitimate opportunities and that the dominant group has an added advantage. When released from prisons, offenders do not have access to equal opportunities in goal attainment. Strain theory as used here refers to the interconnectedness of socio-economic factors in understanding development dynamic in social formations, which in this case is recidivism.

1.7 Methodology

This study adopted a descriptive survey design where 146 respondents were identified using purposive sampling from Government of Kenya Prisons in Kakamega County. A standard questionnaire was used to collect data from the respondents. Questionnaire method is preferred especially where there are large numbers of respondents to be handled because it facilitates easy and quick derivation of information within a short time (Kerlinger, 2004). The structured (closed-ended) and unstructured (open-ended) items were used so as to get the responses from respondents. The data obtained from the field was organized, edited to ensure completeness, comprehensibility and consistency, classified and coded according to the study hypothesis and objective for analysis. Study data was analyzed by use of both descriptive and inferential statistical procedures by the use of the Statistical Package for the Social Sciences (SPSS) version 22.0 for windows. Each question related to a variable was assigned a score or numerical value by use of likert scale method. The number on a likert scale was ordered such that they indicated the presence or absence of the characteristics being measured. All statistical measurements were performed within 95% confidence level.

1.8 Findings

Respondents were asked to indicate the types of offences they were convicted of during the first, second third and fourth convictions and findings presented in table 1.

Table 1: Summary on types of offences committed by recidivists in each conviction

Type of offence committed by the recidivist	First conviction		Second conviction		Third conviction		Fourth conviction	
	No. of offenders	Percentage (%)	No. of offenders	Percentage (%)	No. of offenders	Percentage (%)	No. of offenders	Percentage (%)
Homicide	0	0	4	2.8	4	4	3	7.5
Offences against humanity	9	6.4	8	5.7	3	3	2	5
Offence against persons	18	12.9	18	12.9	9	9	3	7.5
Offences against property	15	10.8	48	34.5	39	39	4	10
Drug related offences	37	26.6	40	26.6	20	20	5	12.5
Robbery	3	2.1	9	6.4	15	15	22	55
Criminal damage	6	4.2	12	8.4	5	5	1	2.5
Corruption	4	2.8	8	5.6	5	5	3	7.5
Juvenile delinquency	48	34.5	-	--	-	--	-	-
Total	139	100%	139	100%	100	100%	43	100%

Findings in table 1 indicate that 34.5% of the recidivists committed their first offences which were juvenile related offences when they were below the age of eighteen years followed by drug related offences at 26.6%, crimes against persons at 12.9%, crimes against property at 10.8 and the lowest was robbery at 2.1%. It is worth to note that there was no recidivist who committed a homicide offence during first conviction. However during the second and subsequent convictions, that is third and fourth conviction, there was a noticeable change in the trend of offences committed by recidivists.

There was a steady increase in homicide offences from 2.8%, during the second conviction to 4% during third conviction and 7.5% during the fourth conviction. Findings also show that there was an incredible increase in the robbery offences committed by recidivists from 2.1%, during the first conviction, 6.4% during second conviction to 15% during third conviction and 55% during the fourth conviction. These means that the higher the number of times offenders are incarcerated and released, the higher the chances of the offenders engaging in more felonious crimes. There was a noticeable decrease in offences against persons from 12.9%, during the first conviction to 9% during third conviction and 7.5% during the fourth conviction. This can be occasioned to the non-utilitarian nature of such offences prompting the recidivists to shun away from committing such offences.

Table 2: Distribution of 22 robbers who had re-offended four times according to prior convictions

Number of prior convictions	Frequency	Percentage (%)
One	1	4.5
Two	4	18.2
Three	17	72.3

Findings in table 2 reveal that 72.3% of the recidivists who had been convicted for robbery had three previous convictions followed by those who had been convicted twice at 18.2% and only 4.5% for one previous conviction. This means that the more an offender is incarcerated the more he is likely to commit felonies like robberies.

Table 3: Distribution of 22 robbers who had re-offended four times according to their age at first conviction

Age at first conviction	Frequency	Percentage (%)
Below 18 years	14	63.6
18-25 years	5	22.7
26-35 years	3	13.7

According to findings in table 3, 63.6% of the recidivists who had been convicted of robbery first

offended when they were below the age of eighteen years whereas 22.7% first offended when they were between the ages of eighteen to twenty five years. Only 13.7% of the robbers had offended when they were between the ages of twenty six to thirty five years. This means that engagement in crimes at an early age predisposes offenders to engaging in felonies since they progress from committing minor offences to serious offences such as robbery.

Table 4: Pearson Correlation Coefficient for the relationship between Socio-economic factors and recidivism

		Socio-economic Factors	Recidivism
Socio-economic Factors	Pearson Correlation	1	
	Sig. (2-tailed)		
	N	139	
Recidivism	Pearson Correlation	.757(**)	1
	Sig. (2-tailed)	.039	
	N	139	139

** Correlation is significant at the 0.01 level (2-tailed).

* Correlation is significant at the 0.05 level (2-tailed).

Findings in table 4 reveal a statistically significant relationship between socio-economic factors and recidivism ($r=0.757$; $P<0.05$). This means that socio-economic factors such as gender, age, level of education, employment status and housing influence the possibility of committing crimes.

In order to determine the extent to which each socio-economic factor plays a part in influencing recidivism, the means, standard deviations, correlations, and reliability estimates (Cronbach alphas) for all the socio-economic factors was computed. All analyses were conducted with structural equation modeling. The findings are presented in table 5;

Table 5: Means, Standard Deviations, Correlations and Reliability estimates for socio-economic factors

Socio-economic factors	M	SD	1	2	3	4	5
Gender	0.71	0.45	-				
Age	29.95	9.56	.698**	-			
Education level	2.75	0.82	.813*	.378.	-		
Housing	1.78	1.56	.561**	.653**	.965***	-	
Employment	2.06	0.73	.497	.811*	.975***	.953***	-

Note: $N = 139$; reliability coefficients = .819.

* $p < .01$. ** $p < .05$. *** $p < .001$.

Dependent variable: Recidivism

Findings in table 5 reveal a statistically significant influence of the various socio-economic factors on recidivism. Analysis based on gender indicated that there were more male recidivists than their female counterparts with a standard deviation of 0.45 and mean of 0.71.

Gender was statistically significant as a determinant influencing recidivism among inmates in Prisons. The reasons for the larger proportions of male recidivists in Prisons compared to their female counterparts can be linked to the fact that male convicts have higher tendency to recidivate into crime than female convicts. This can be attributed to the fact that male criminals are likely to be more adventurous and involved in a variety of anti-social activities than females. This finding can equally be linked to the masculine nature of male criminal recidivists compared to their female counterparts. This finding corroborates Benda's (2005) findings that there are noteworthy gender differences in predictors of criminal recidivism, and that men are more likely to return to prison because of criminal peer associations, carrying weapons, alcohol abuse, and aggressive feelings.

With regard to age, it was found that more young people were likely to recidivate than their older counterparts with a standard deviation of 9.56 and mean of 29.95 and $r=.698$ at $P<0.05$. This shows that more youthful people are channeling their energies into crime as opposed to national building. This finding on age is in line with another finding in a study by Eisenberb (1985) who established that the younger a person is the more likely it is that they may commit a series of crimes even after several other convictions for similar or different crimes.

Education level, housing and employment posted varied degrees of correlation with recidivism at .813 ($P<0.01$), .561 ($P<0.05$) and .497 ($P<0.05$) respectively. This means that more educated people would most likely not recidivate as compared to the less or not educated people. Housing and employment go hand in hand since those who are employed seemed to stay in their own houses as opposed to those who were not employed who stayed with friends and relatives. This finding on education level, housing and employment corroborate the findings of Mcelfresh, Yan and Janku (2009) who found that education level, type of accommodation and employment status influence recidivism among people of all ages and gender.

1.9 Conclusions and recommendations

There is a statistically significant relationship between socio-economic factors and recidivism, meaning that socio-economic factors such as gender, age, level of education, employment status and housing influence the possibility of committing crimes after first conviction. It can be concluded that offenders face challenges during reentry and the time spent in prison was a statistically significant predictor of the reentry experience of offenders. This study revealed that the longer the duration spent in prison, the worse the reentry experience since those inmates who were served longer sentences suffered the greatest reentry experiences occasioned by disintegrated families, inability to easily secure employment after release, and high chances of reoffending. A conclusion can also be made that there is a statistically significant effect of prison experience on recidivism and that prison experiences of inmates enhance the possibility of recidivism.

There is a need to come up with working pre-release programs meant to enable inmates to have smooth transitions from correctional institutions to their communities by working with the offenders to develop plans, including housing, employment and participation in post-release programs. These programs should involve both the community and correctional institutions. This will help inmates to successfully reenter their communities since members of the community would have been involved in the process.

There is need to work with various stakeholders to build a social service networks to connect people to post-release supportive services such as treatment, counseling, housing assistance, education and job training and placement. Inmates for instance released from prisons may be referred to community-based counseling, job training and job placement programs, among other supports, that can help those who want to legitimately transition from incarceration to their communities

While in prisons, prisoners should have the opportunity of engaging in training and educational programs that will increase their employability. There should be an assessment of the individual prisoner's competences, needs and aspirations, at the point of admission, and on the basis of which an appropriate resettlement plan can be developed. The training that is offered in prison should be geared as closely as possible to the needs of, and skills gaps in, the surrounding labour market. Additionally, hard core criminals should be separated from minor offenders to avoid to avoid transmission of criminal traits through social learning.

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