RECIDIVISM AMONG WOMEN PRISONERS:
A STUDY OF LANG'ATA MAXIMUM WOMEN PRISON IN KENYA

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DECLARATION

I, the undersigned, declare that this project is my original work and that it has never been presented to any other university or institution for any academic credit.

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DEDICATION

This research project is dedicated to my beloved son Melvin Otsieno, my daughter Esther Otsieno and friends especially Mtabari Inanga. For moral, psychological support and encouragement throughout the course of this research.

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LIST OF ABBREVIATION AND ACRONYMS

FBI	-	Federal Bureau of Investigations
KNCHR	-	Kenya National Commission on Human Rights
KCSE	-	Kenya Certificate of Secondary Education
KCPE	-	Kenya Certificate of Primary Education
GOK	-	Government of Kenya
NGO	-	Non Governmental Organization
UN	-	United Nations
UNHCR	-	United Nations High Commissioner for Refugee
CPHRE	-	Centre for Public Health Research and Evaluation
KPSP	-	Kenya Prisons Strategic Plan
KPS	-	Kenya Prisons Service

WOMEN PRISONS IN KENYA

Lang'ata Maximum women prison

Nyeri women prison

Thika women prison

Kakamega women prison

Kisumu women prison

Kisii women prison

Shimo la Tewa

Embu women prison

Machakos women prison

Meru women prison

Nakuru women prison

Eldoret women prison

Kitale women prison

Source: Kenya Prisons headquarters

ABSTRACT

Recidivism is relapsing into criminality after punishment by criminal justice system. Statistical data provided by the research, statistics, data and legal department at prison headquarters of the year 2014 show that we have 11,270 women recidivists in Kenya. This is an increase from 9,581 women recidivists recorded in the year 2013. Therefore, this is a social phenomenon that is on the increase in Kenya and especially among women. In an effort to intervene on recidivism, the government of Kenya through the department of correctional services has established several reform programs to help address the problem of recidivism. Due to this persistent problem the present study sought to establish factors that contribute to recidivism and its levels among Kenyan women prisoners. The study applied both qualitative and quantitative research methods to carry out the study in Lang'ata women maximum security Prison because it is the only women maximum security correctional facility in Kenya that holds both long term and short term prisoners from different parts of the country. The study used questionnaires, interviews and observation to collect data and descriptive statistics to present findings. Strain theory, labeling theory and women liberation movement theory were used to guide the study. A total of 50 respondents (recidivists) filled the questionnaires, with 5 prison warders and 5 prison officers interviewed as key informants. The study summary findings were that 60% of the respondents showed that they would actually go back to criminality upon their release, about 38% had committed crimes twice, while 32% had committed offences thrice and 14% had committed five times and above showing high levels of recidivism. Majority (75%) of the respondents committed crime for financial reasons, because by the third and fourth arrests the respondents had no legal source of income like employment or business, 78% of the respondents who recidivated were youths, 46% of the respondents were single parents and about 52% of the respondents had primary education, while 48% of them had secondary and college education, therefore socio-economic characteristics played a big role on their recidivism. Therefore, study recommended financial assistance and training on management of these finances, moral support from the religious sector, families, NGO's and government institutions to enlighten the society not to discriminate the ex-convicts and other legal programs to support the inmates at risk of recidivating.

CHAPTER ONE: INTRODUCTION

1.1 Background of the study

In the past women were virtually invisible in the literature of crime. Until recently the problems posed by female criminality were generally ignored by most criminologists or were added as the footnotes in the discussion of criminality, Katherine c. Williams (2008). In these accounts the experience of women has generally been marginalized and their criminality has been distorted to fall in with whatever male theory was expounded. In that case criminality was assumed to be a male characteristic and therefore explaining male criminality explained all criminality (Williams, 2008).

However, it has come to the attention of most criminologists that the indulgence of women into criminality has its own explanations and can no longer be ignored, hence bringing a challenge to researchers to research more in this area to provide explanation for these behaviors. This has made a good number of researchers to investigate why women are indulging more in criminal activities, for instance; Halper Catherine, (2008) and Helbrum Kirk, (2004).

This has contributed good information in explaining the reasons why for instance there is an increase in criminality in women as compared to the past. Beyond criminality in women, there is also the problem of recidivism that is increasing at a very high rate, yet very little information has been provided to explain it. Recidivism is as much harmful as criminality to the society in general. Those who recidivate, cause harm to social and economic aspects of the society.

Recidivism is a threat to the orderly existence of the society; it affects almost all institutions in the society. For example, the family, economy and education. Recidivism here refers to going back to committing crime even after being punished by the law and particularly imprisonment for this case. Webster's dictionary defines recidivism as "a tendency to slip back a previous criminal pattern." And for the purposes of this study the definition of recidivism will be based on whether offenders are convicted and imprisoned of a future crime.

Looking at a global level statistics from researches conducted by other scholars and institutions show that there is an increase in recidivism among women offenders. For example research done in USA by Kirk, Jersey and Catherine, (2008) shows that the number

of recidivist women under jurisdiction of state and federal correctional authorities has increased dramatically during the past decades.

Unfortunately, recidivism rate among females released into the community from incarceration are not encouraging. In a 2002 report on inmates released from incarceration across 15 states, the Department of Justice reported that within three years of being released 57.6% of females were rearrested; 39.9% were convicted and 17.3% were resentenced to prison for a new offence (Lagan and Levin, 2002).

Given the increasing numbers of females in correctional system, researchers have begun examining whether female offenders present with different treatment and/or rehabilitation needs.

From 1980 to 1998, the population of females under correctional supervision increased more than 500 percent (General accounting office USA, 1999). By 1998 more than 950,000 women were under correctional supervision. Recent studies indicate that the total number of female offenders increased by 57% between 1995–2005, with the annual growth rate of 4.6 percent among female inmates (Harrison and Beck, 2006).

The purpose of imprisonment is to keep prisoners under lawful custody for purposes of rehabilitating and reforming them. In fact the Kenya Prisons Mission statement reads; "To contain offenders in humane and safe conditions in order to facilitate responsive administration of justice, rehabilitation, social reintegration and community protection." Once this is achieved then the service will have attained its vision which is to be "A correctional service of excellence in Africa and beyond." (Kenya prisons Strategic plan, 2005-2009.)

In the year 2001, the Kenya Prisons Service introduced an 'open door policy' which allowed oversight bodies to check on what was happening in prisons with the intention of pushing for reforms to improve prison conditions in Kenya. This was followed by the Kenya Prisons department organizing for a round Table conference from 14th to 16th October, 2001 at the Mountain Lodge Nyeri to chart the way forward in reforming prisons in Kenya (Kenya Prisons Service and Penal Reform International, 2001.)

Among the key recommendations of the conference were decongesting prisons; improving conditions in prisons in terms of improved diet, clothing, health facilities, recreational facilities and sanitation (KPS and IPR, 2001).However, there is still a debate as to whether

indeed those reforms have taken place since according to reports by the Amnesty International, (2005) and the Kenya National Commission on Human Rights, (2004), conditions in Kenyan prisons are still wanting.

Yet on the other hand, there are those who believe that prison reforms have impacted both negatively and positively on rehabilitation programs in general and vocational training in particular. It is against this background that this study sought to find out the nature of reforms undertaken specifically in women prisons and how these reforms have impacted on the inmates' subsequent behavior in the society. There have been concerns of the rehabilitation programs the Kenya prisons use to reform the offenders, despite their existence, there continues to be a high rate of recidivism amongst women criminals just like their male counterparts. Therefore, this study sought to establish the effectiveness of rehabilitation programs undertaken by the Kenya prisons since 2003 to 2010 and how they have impacted on the women inmates in Kenyan prisons. The relationship between prison reforms or rehabilitation programs and recidivism is direct, therefore affects each other directly and talking of one aspect you cannot fail to talk of the other.

Another compelling reason for this research was that there has been a school of thought which says that the society in general is the biggest contributor of recidivism in women convicts, through the labels, discrimination, and stigmatization among other acts that make onetime convicted women prefer to be in prison than to be freed, Howard Saul Becker (1960). So this research seeks to establish from the prisoners themselves if that is the case that contribute to their behavior.

1.2 Statement of the problem

World over, prisons are meant to be places where criminals are reformed to become law abiding members of the society. That is the reason why they are called correctional facilities and not prisons per se. However, when these correctional facilities fail to reform or rehabilitate the inmates then many questions start being asked. Where is the problem?

Authors like Alper,(1974), Abreo,(1972), Rutere,(2003),Davies,(1974), all attribute this problem to the overcrowding, cruelty and conditions of captivity that exist therein. But the question is, is that the case in Kenyan situation?

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In the year 2001, Kenyan prisons reportedly embarked on reforming prison conditions first through opening up the prisons to oversight bodies that have pushed for reforms. However, there is conflicting information where some human rights activist bodies like Kenya National Commission for Human Rights, (2004) argue that little or no reforms have been realized versus members of the public who argue that prisons have reformed so much so that it has impacted negatively on rehabilitation programs within prisons.

According to Madoka, (2008) an investigative report on the prisons indicated a long list of ills in correctional facilities which he said in their report included overcrowding, omissions, commissions, indiscipline and modern slavery which portrayed prisons as a wild jungle.
Therefore, one of the compelling reasons for this research was that since the inception of these reforms, there has been little documented evidence on the impact being made other than the status survey done by Kenya National Commission for Human Rights between 2003–2004. This has also been evident in the number of inmates and or offenders who go back to criminal behaviors even after serving their sentence in correctional facilities.

This study therefore sought to establish the reasons that make Kenyan women offenders go back to criminal behaviors despite reform programs that have been put in place since 2002 to date, to make them law abiding citizens. And also establish how these reforms have impacted on women inmate behaviors even after serving their sentences.

1.3 Research questions

   i. Do socio-economic characteristics enhance recidivism among women offenders?
   ii. Does the family support affect women's recidivistic behavior?
   iii. Do women recidivate on the same type of crimes?
   iv. What is the respondents' perception on their recidivistic behavior?
   v. Does Imprisonment affect women's recidivistic behavior?
   vi. What is the level of recidivism among Kenyan women prisoners?

1.4 Objectives of the study

The study aims to meet the following objectives:

1.4.1 Broad Objective

To establish factors responsible for women recidivistic behavior in Kenya.

1.4.2 Specific Objective

The objectives are to:

i.   Establish the socio-economic characteristics of women recidivists.
ii. Find out the level of family assistance on women recidivists.
iii. Establish whether or not recidivists commit the same crimes.
iv. Find out respondents perception on their recidivistic behavior.
v.   Establish if imprisonment had an effect on recidivistic behavior.
vi. Find out the level of recidivism among Kenyan women prisoners.

1.5 Justification of the study

Most studies that have been done on recidivism focus on males and generalize the findings, not forgetting that recidivism particularly in women offenders is also a problem that has risen to higher levels. So this research is expected to generate information not only in the academic world for explaining this problem in the Kenyan context but also the information that may be used to address the very problem of recidivism on women.

This study was to find out the causes of recidivism in women and particularly in Kenya so as to discover the root cause and if they are different from those causes established from other countries through similar studies. This would help in the establishment of policies and or programs by the concerned stakeholders like the ministry of interior co-ordination through the department of correctional services and the Kenyan criminal justice system as a whole. When the problem of recidivism is addressed the costs that are spent on inmates in prisons who habitually go back to prison will reduce this will be in terms of food stuffs, beddings, employment of many prison warders is likely to be reduced by a big percentage.

Another major reason for doing this research was to find out the prevalence of recidivism amongst Kenyan women even after all these changes that have been initiated in the

prison/correctional department to assist reform the inmates who mostly come out otherwise not reformed hence go back to their behavior of committing crime again (recidivate).

Generally, there has been a long standing interest in identifying factors that predict recidivism. These predictive factors are translated into instruments used in determining sentences, assigning security classification and making decisions about releasing inmates from prison facilities and this research has to establish these factors.

Much of what is known about recidivism comes from research on male offenders hence the need to have information on women recidivists. Given the increase in women being released from prison only to return after a short while, it is therefore important to identify factors that contribute to their recidivistic behavior.

1.6 Scope and Limitations of the Study

Although there are many female recidivists outside Kenyan prisons, this study will focus on those sentenced and imprisoned because of their second or subsequent criminal convictions. The study confined to a representative sample drawn from the population of Lang'ata women maximum security prison, the only biggest and female maximum security prison in Kenya. The study was on adult female recidivists from 18 years and above.

1.7 Key terms

Prison reforms – Refers to the attempt to improve prison conditions aiming at a more effective penal system. It implies the changing of old practice and work processes to achieve dramatic improvement in initial measures of performance. The voluntary, self-initiated transformation of an individual, lacking in social or vocational skills into a productive, normally functioning citizen.

Rehabilitation – Has been broadly defined as the result of any social or psychological intervention intended to reduce the offender's further criminal activity.

Inmates – Persons held in serving a sentence of imprisonment and undergoing treatment.

Open door policy – refers to opening up prison operation to scrutiny by civil society organizations and the members of the public.

Recidivism- is the act of repeating an undesirable behavior that is criminal for this case even after being punished by the law and particularly after being imprisoned.

CHAPTER TWO: LITERATURE REVIEW AND THEORETICAL FRAMEWORK

2.1 Introduction

This chapter seeks to introduce the concept of recidivism, by providing insights on various scholars understanding of recidivism, its different causes and the extent of prevalence in our society. To fully understand this concept of recidivism which the researcher seeks to study, it is important to highlight recidivism as a problem in our society in general. This chapter will then encompass the dynamics and dimensions of recidivism and seek to further review the factors that bring about recidivistic behaviors. The purpose of this literature review and theoretical framework therefore is to set the study subject in a broader context through investigation of relevant literatures, other studies and theories.

The chapter has been thematicised to give an introduction to opinions of other scholars:

2.2 Recidivism

Recidivism according to this research refers to committing of crime more than once and individuals who do it particularly women for this case are punished by law through imprisonment or otherwise.

Durkheim, (1947) considered crime as an integral part of all societies. He saw crime as an inevitable consequence of social complexity and individual freedom. He argued that crime is present in societies of all types. Its form only changes depending on the societies in which it is committed, therefore criminals are everywhere.

Recidivism in the U.S.A is a phenomenon that has been given a lot of attention by FBI and independent authors. According to the FBI report of 1963 there were a total of 56,000 serious adult offenders in the United States who were known to be repeat offenders. These repeaters had a record of 266,000 finger-printed arrests. The majority, 75%, of the offenders with two or more arrests to their credit displayed a crime span of ten years from first to last arrest.

Subsequent studies done by the USA in the 1990's showed the upsurge in female incarceration rates during this time and has generally been attributed to the increased participation of female in criminality and particularly in substance use and get-tough policies of the war on drugs.

Multiple sources have demonstrated that significant numbers of women have entered the prison system as a result of drug convictions and property related crimes (Bloom, Chesney and Owen, 1994; Bloom, Owen and Conington 2004; Bush-Baskette, 1999; Mishane and Williams 2006; Owen 1998; Women's Prison Association, 2004). As a result the female prison populations have experienced a dramatic increase.

Nationwide statistics reveals the total number of female prisoners increased by 77% during the same period (Harrison and Beck, 2000). Between 1995 and 2005, the incarceration rate for female increased from 47 to 64 per 100,000 whereas the rate for males increased from 789 to 925 per 100,000 residents (Harrison and Beck, 2006) in obsolete numbers, the number of women increased in states and federal prisons have risen more than eightfold from 12,000 in 1980 to over 106,000 by mid-year 2005; thus females represented 7% of the prison population at the mid-year 2005, compared to 6.1% in 1995 (Harrison and Beck, 2006).

The reason behind these population increase difference between women and men BJS data (Harrison and Beck, 2003) indicate that for women drug and property related crimes represent the largest sources of growth. Moreover, women commit significantly less violence than males over the course of their criminal careers (Steffensmeier and Allen 1996).The question is this the same to Kenyan situation? In Kenya we have 10,478 female prisoners, 60,725 female remandees, out of the 10,478 female prisoners 11,270 female prisoners are recidivists.

At Lang'ata maximum security women prison we have a total of 1803 convicted prisoners serving their sentence plus 2311 remandees a waiting judgment to be made on their cases, out of the total number of convicted prisoners, 319 are recidivists; this information is as per the research, statistics, data and legal department at the prison headquarters, 2014 statistical data. This research seeks to answer the question of whether characteristics suggested by scholars are the same. This research looked into these factors are as follows;

2.3 Socio-economic characteristics

These refer to;

2.3.1 Age

Cressy& Ward (1969) argue that the younger a first offender is arrested and charged in court the higher the possibility that she/he will relapse into crime on release. Muga (1975) further supports this by arguing that crime is a youthful activity.

Shover (1985) argues that the youths are very active in the criminal activities but as they become older their criminal activities reduce. He argues that age; most of them forsake criminal behavior and establish conventional lives. hover observes that analysis of aggregates arrest statistics show that the young are disproportionately arrested for and presumably commit more crime than older citizens.

Observers seem to argue that the largest increase in involvement is to be found among the older adolescent and young adults and the peak in age curve of involvement is reached somewhere around 20 years of age (Shower 1985). Therefore if the young have a high crime rate, a society with large proportion of young people in its population will have a high overall crime rate than it would have been if young people are fewer.

According to the U.S department of justice (1983), 50% of all persons arrested for property crimes are aged 19 years or fall under, 20-29 years were 31% and 30 years or older age groups were 19%. This shows that there is an inverse-age-crime relationship. Therefore a study on the relationship between age and crime and particularly on women is important in Kenya, because first, most of the Kenyan population is composed of young women or women youths and this would probably explain why crime rate is increasing in them.

Secondly it would shed light on how it is connected to recidivism if it is proved that most recidivists are young women.

Thirdly, the study also seeks to establish the level of recidivism in women offenders in Kenya among all age groups. The reason for this is that studies that have done in Kenya have been general in nature where criminality in men have been equated to criminality in women, this has not been the case in the countries like in the USA and in those countries studies shows that criminality and recidivism in women is now high than men, this kind of studies lack in Kenya and therefore this study intended to fill this gap.

2.3.2 Sex

For a long time it has been argued that crime is an activity for men. It was argued that African cultures do not provide room for women to commit crimes. Muga (1980) argued that the criminal justice system which includes the law enforcement officials (the police, magistrates' lawyers and judges.) sympathizes with women unlike men.

Therefore women are likely to be acquitted when in fact they are guilty of offences. If we go by Muga's findings it would mean that we have very few or no women offenders and hence no recidivists at all. To him women hardly get a chance to become criminals. However, in Kenya currently we have women prisons full of women inmates in fact with very high rate of imprisonment according to KNHCR 2005 report. So, this study sought to find out whether there are women recidivists; why they recidivate; and if their number is increasing or not. Sutherland and Cressy (1995) points out that those societies whose female are politically and socially dominant, the female crime rate should exceed the male rate.

Radzinowicz and King (1977) argues that when women took some traditionally male roles in Germany during World War II, the crime rates of females rose to nearly the same levels as male rates. When women returned to traditionally female roles after the war, their crime rates dropped to pre-war levels. This suggested that with the increase in equality of gender roles crime rates of females might go higher just like that of males. In Kenya today the number of educated women has increased and some occupy positions that were previously occupied only by men. This study sought to establish what effect these changes have on female criminality and subsequently on their recidivistic behavior in Kenya.

The marital status of the adult person appears to have considerable significance in crime commitment in women (Cressy and Ward 1969). They argue that the rate of commitment to prison is lowest for the married, second lowest for the widowed and highest for single and divorced women. These figures are however affected part by age. Therefore, Cressy and Ward (1969) concluded that marital status is a direct causative factor in crime. Therefore, recidivistic behavior is directly affected both by age and marital status of an individual.

2.3.3 Level of Education

Scholars have pointed out the impact of increased learning opportunities for women and the fact that traditional sex roles have undergone considerable transformation. The following is the view:-"*The more recent increase in female criminality has been due to increased learning opportunities together with changes in traditional sex roles which previously emphasized production of goods and services, bearing and rearing of children, female submissiveness and stay-at-home attitude.*" (Clinard and Meier 1985:86).For this reason, women are exposed to opportunities to commit crime just as men do.

(Cooper 1974:160) also adds that women in men's positions have not shown themselves to be strong enough to resist the temptations to bribery, fraud and embezzlement. This also makes them develop a habit of committing crime and see it as a normal thing, hence recidivism.

Mushanga (1985) therefore argues that most nations in the third world are reporting crime increase. Clinard and Abbott (1973) noted that, "as the less developed nations attempt in one or two generations to bring about these transformations that have culminated from several centuries of development for most industrialized nations, several severe repercussions are evident." According to Mushanga this means that abrupt social change with its emphasis on development without adequate provision for non-delinquent social value may lead to crime increase.

However, some scholars still think that not much has been done in many third world countries to open up for women hence the reason for their high illiteracy levels. This automatically blocks them from competing fairly with men who have always been ahead, with that problem, employment becomes difficult and hence economically they remain poor. Economic problems influence a lot not only on men but also on female criminality. Scholars believe that economic ends are the primary means to the ultimate happiness, viewing crime as an alternative means to such ends where 'one cannot make it legitimately,' (Cressy and Ward; 1971: 317). The proponents of Marxist school of thought also hold the following belief: "society is profoundly affected by its economic institutions since economic activity is central. The key to the problem of a society, like crime, might lie in its economic arrangement. " (Vold; 1959:121) it can then be concluded that there is a strong tendency for crime and delinquency to be associated with poverty which most women are suffering from. Wotton, (1969) also adds that women offenders tend to be unfortunate in their social and economic backgrounds.

Studies have shown that in many developing countries, prostitution for instance is a means of earning an income, an outcome of dire economic need as a choice between survival and starvation for women. (Smart 1977-9) said that, "prostitution is today not a reality for women in worst. It is still a fact for others living in third world countries and the tendency to reject the argument that prostitution is a consequence of extreme poverty may therefore only be a relevant in advanced industrial societies where absolute poverty is uncommon altogether not unknown."

Muga (1977:69) also concludes that unemployment and its attendant poverty gives rise to prostitution, the culprits being the young school drop-out who also happen to be unmarried mothers and cannot therefore take care of their children. Therefore telling such people not to indulge in prostitution or any other criminal activities, through the law or otherwise it is like you are telling them to go and die. These then results into their recidivistic behavior, because criminality becomes their career.

2.4 Family Support

There has been a large amount of research bearing in some way on the relationship between family factors and criminal behavior.
Policy makers, practitioners and researchers often consider the family a critical ingredient in any individual's subsequent involvement in crime, Loeber and Loeber-Stauthammer, (1986).
Researchers have undertaken a number of investigations to better understand the relationship between various family factors and crime. A negative family characteristic such as poor parental supervision, labeling with bad tittles to an individual or child is often a risk factor for future delinquency or criminal behavior. Therefore individuals from such families or homes are at greater risk to commit crime. When the reverse occurs-such an individual or child growing up in a loving supportive family-researchers often refer to these variables as 'protective' factors, as they provide protective barriers to onset or a repeat of criminal behavior.
A number of studies examining the role of the family and other social, psychological and environmental factors on crime and it are on the basis of these factors that already identified offenders, some will become recidivists and others will not.
It also provides opportunity to analyze the factors that are most persuasive in these already identified offenders becoming recidivists or not, Gottfredson and Tonry, (1997). Therefore there's a correlation between the family and recidivistic behavior in an individual.

2.5 Perception of recidivists

According to Nelson and Quick (1997) "social perception is the process of interpreting information about another person." What this definition clearly highlight is that the opinions you form about another person depends on the amount of information available to you and the extent that to which you are available to correctly interpret the information acquired.

Rao and Narayan (1998) share the same definition above. However, they emphasize that perception ranks among "important cognitive factors of human behavior" or the psychological mechanisms that enable people to understand their environment. They argue that perception is the single most important determinant of human behavior, stating further that "there can be no behavior without perception."

The researcher sought to establish how the recidivists perceive themselves in relation to other members of the society and how this affected their behaviors.

2.6 Imprisonment

Once one has been convicted of a crime and found guilty, the criminal may be sentenced to imprisonment and while in prison the criminal is expected to reform and become a good citizen who is a law abided upon release. It is in the prison where an inmate is expected to learn her mistakes and correct them. However, this has not been the case because we still have recidivists.

Hood and Sparks (1970) suggest that there is need to find out exactly what impact the experience of imprisonment has on those who undergo it. In prison criminals interact with one another, they become friends and find out from one another what crimes they had committed. Some criminals have committed criminal activities longer than others and therefore have more skills. They therefore teach the amateurs better skills to commit crimes and never get caught (Sutherland 1970), so the longer they interact the more skills they learn. They may maintain this friendship even after release and form criminal gangs like those of drug trafficking or commit other crimes, hence relapse into criminal activities. This has been seen as a contributing factor to hardening of first time offenders into recidivistic behaviors. (Mushanga, 1985).

Mushanga also says that denial of prisoners' basic rights like freedom to move freely, see their family has a general impact on their late lives. It is on this basis that prisons like Lang'ata Women's prison have started allowing family members to come and visit their members to show them some solidarity hence serving as a therapeutic measure towards recidivistic behavior. But the question to ask is, has this assisted in changing their criminal behaviors?

Imprisonment especially of women also brings with it a lot of stigma in most societies. Goffman; 1990 assumes that possession of stigma makes one deviant. According to him,

people are actors, meaning that social interactions are sustained through the manipulation of appearances.

Those actors have different attribute of self in different environments. That process of impression management is dynamic in the sense that such people have to keep changing the social role depending on which one favors their interest at a particular point in time. According to Goffman victims of stigma deal with it through concealment, covering and passing depending on the obstructiveness or un-obstructiveness of the stigmatized attributes.

2.7 Theoretical Framework

According to Khasahala (1994) a theoretical framework is essential to understanding of factors that may influence or be associated with the identified problem. Thus, a theory is a statement of fact, which is subject to falsification. It is a statement about phenomenon, which can either be proved right or wrong. It is in view of this that this study adapts differential opportunity theory, labeling theory and women liberation theory to explain why offenders recidivate even after being punished by the law or the society.

2.7.1 Labeling Theory

It was developed by a socialist Howard S. Becker; Labeling theory holds that deviance is not inherent to an act, but instead focuses on the linguistic tendencies of majority to negatively label minorities or those seen as deviant from norms. The theory is concerned with how the self-identity and behavior of individuals may be determined or influenced by the terms used to describe or classify them, and is associated with the corrupt of a self-fulfilling prophecy and stereotyping.

This theory suggests that people obtain labels from how others view their tendencies or behaviors. Each individual is aware of how they were judged by others because she or he has attempted many different roles and functions of social interactions and been able to gauge the reactions of those present. If deviance is a failure to conform to rules observed by most of the group, the reaction of the group is to label the person as having offended against their social or moral norms of behavior. This is the power of the group to designate breaches of their rules as deviant and to treat the person differently depending on the seriousness of the breach.

The more differential treatment the more the individual's self-image is affected. Individuals who are arrested, prosecuted and punished are always labeled as criminals. Others then view and treat these people as criminals and this increases the likelihood of subsequent crime for several reasons. Labeled individuals may have trouble obtaining legitimate employment, which increases their level of strain and reduce their stake in conformity.

Labeled individuals may find that conventional people are reluctant to associate with them and they may associate with other criminals as a result. This reduces their bond with conventional others and fosters the social learning of crime. Finally labeled individuals may eventually come to view themselves as criminals and act in accordance with this self-concept, therefore ending up committing crime more and more. For example, the study done by Matsuida showed that labels, formal or informal, affects individuals' subsequent level of crime by affecting their perception of how others see them; if they believe that others see them as delinquents and trouble-makers, then delinquency becomes part of them.

2.7.2 Strain Theory

This theory is advanced by Cloward and Ohlin (1960). They argue that the structural positions of individuals must be viewed not only in terms of the strain of blocked legitimate opportunities but also in terms of illegitimate opportunities available to individuals in specific social settings. In other words there is differential opportunity to reach cultural goals by legitimate means and there is also differential opportunity to use illegitimate means to reach the goals. The two types of opportunities are differentially distributed.

According to them the discrepancies between aspiration and legitimate chances of achievement are very high in lower class structure where most women happen to fall in Kenya. The lack of access to legitimate means to reach cultural goals produces intense frustrations among the lower class people. These frustrations drive them to search for illegitimate means to reach their cultural desires (goals).

Crime is caused by reason of inadequate opportunities that encourage criminal behaviors or activities. That there exists differences in access to what Cloward and Ohlin called performance structures, that is the opportunity to join with others who share a similar problem of adjustment and the opportunity to gain peer approval for one's behavior. According to this theory, the social structure of the community determine the access that the lower class women would have to both learning and performance structure (Cloward and Ohlin 1960).

Strain theory has been an important contribution to this study of crime causation and crime control. The crime is reduced by increasing the legitimate opportunities available to ex-convicts or inmates most of whom belong to the lower class in the society.

The repetition of criminal behavior in women ex-convicts is as a result of lack of employment due to stigmatization by other members of the society, lack of proper rehabilitation programs and counseling to help them adapt to the hostile social environment thus making them vulnerable to slipping back to criminality, lack of proper training to give them skills to use while outside the prison. The criminogenic factors cause the inmate to commit crimes that implies that opportunities to promote societal norms in inmates or former offenders can change their attitudes to fit well in the society.

2.7.3 Women Liberation Movement Theory

Scholars such as Adler and Simon; have claimed that the increase in female criminality in the last 30 years is the result of reduced control which they argue is the direct result of the women's liberation movements.

Adler (1975) contends that there is very little actual difference between potential criminality of men and women; previous differences in criminal activities were reduced to sex role differences. The women movement has, she says, led to a change in women's social position in all legitimate spheres. This has also brought with it an increase in women's criminal activity, particularly in areas which have traditionally been associated with men; for example crimes of violence and robbery. In fact, for Adler, the female criminality is an indicator of the degree of liberation achieved by women; more female crimes mean more female liberation.

Women's liberation has brought out their competitive instincts, making them more assertive, more aggressive and generally more 'masculine.' The movement has also been seen as having opened up structural opportunities for women in both legitimate and illegitimate fields. She argues that whenever men had previously been active in a particular area, women saw it as prestigious and appealing to emulate them and were drawn into all previous male activities, including criminality.

Therefore, Adler's explanation on increased criminality in women, can be related to the Kenyan scenario, where women are now involved in crimes like robbery and many other violent and non-violent crimes, that previously were dominated by men, mainly drug trafficking, substance/drug abuse, corruptions and violent crimes that were mainly dominated by men. On the entrance in these fields of crime, it becomes a career for them hence the recidivism even after they are arrested and punished by the law. So the question to ask is why the repeat and not be reformed?

Simon (1975) argued rather differently, that the women's movement has given rise to an increase in the opportunities for women to commit crimes and thus increase in their crime rates, but that increase is mostly in financial or property crimes. Because they go out to work, they are likely to participate in the type of crime for which their occupations provide them with opportunities for crime. Therefore, Simon does argue that the increase in criminality in women rises out of an opportunity to which liberation gives rise.

2.8 Conceptual Framework

This research aimed at studying factors that influence women to commit crimes repeatedly. Therefore the conceptual framework describes the factors presumed to influence women offenders to recidivate. This study premised that personal characteristics determine a lot whether a person will commit another crime after being convicted or charged in court. A part from personal characteristics, another factor that may lead to recidivism is the imprisonment experience that women inmates go through in the prison where they may graduate from petty offenders to hardcore or capital offenders and this leads to recidivism.

On the other hand socio-economic factors like the level of education of women also determine the probability of them engaging in criminality. Highly educated women are less likely to engage in criminal activities neither recidivate because mostly they have stable incomes, this stabilizes their families because a part from being able to provide for themselves and their families in cases where they are single, they also play part in all aspects of supporting their families, these reduces the probability of them involving in criminal activities. But in cases of single and divorced women and with low educational level the probability of having stable incomes are low therefore the likelihood of them engaging in criminal activities becomes high.

The conceptual model is a representation of the underlying conceptualization of the information contained in. The figure 1 below shows the inter-link between independent and dependent variables as shown below. First, when an individual is punished by imprisonment and released there are factors that predispose her to going back to committing crime again. These factors are; Personal characteristics which include, age, sex, level of education, marital status and another factor is access to rehabilitation programs, these are independent variables and hence these individuals recidivate which is dependent on them.

Figure 1: The link between the variables of the study

Independent variables   Dependent Variable

Socio-economic characteristics

Categories of crimes committed

Level of family support

Perception of recidivists

Imprisonment

Recidivism
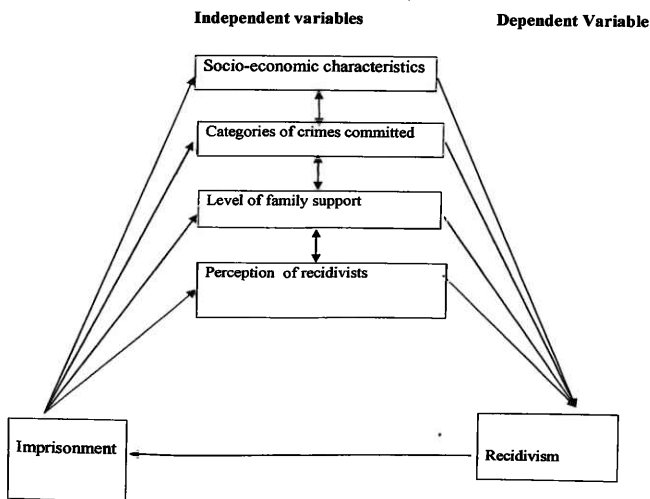
Imprisonment is one of the punishments that are a warded in the criminal justice system as a deterrent to further involvement in criminal activities. However, a number of factors come into play to determine whether an individual will go back to criminality (recidivate), hence going back to prison or not recidivating.

Operational definition of Dependent and Independent variables

A variable can be defined as a characteristic that is being measured. Variables can be dependent or independent. A dependent variable is one that depends upon or is a consequence of the other variable. Singleton (1993) defines the dependent variable as one that the researcher is interested in explaining and predicting. The independent variable is one that influences and explains the dependent variable. In this study the variables are as such: Operationalization defines how variables were used in this research.

Dependent variable

Recidivism

The study looked at recidivism as an act of going back to criminal life. Recidivism here was used to show the number of times a prisoner has gone back to criminal life and the likelihood of her relapsing to crime life.

Independent variables

a) Socio-economic characteristics

Age

The focus of the study was the age of 18 years and above, this was because anyone below this age cannot be imprisoned or put together with adult prisoners in Kenyan.

Education

In this study education was considered in terms of level attained. These levels were from primary, secondary and university/college education.

Occupation

Occupation was based on how women subjected to this research earned their living. This was categorized by salaried class, self-employed, unemployed and any other source of income named together with their husbands.

Income

This study looked at income inform of how much the respondents earned at the end of every month.

Marital status

The focus of the study was on whether an individual was married, divorced, widowed and single.

b) Family support

Referred to the assistance the respondents got from the family members while in prison or while living with them or out of prison. The assistance was in form of visits to the prison, counseling, and legal aid. The relationship of the family members was also considered.

c) Categories of crimes committed by the respondents

Referred to the crimes the respondents committed during their crime life. These crimes were categorized as petty, medium and serious.

d) Imprisonment

This was used to refer to the time the respondents spent in prison. Under this factor, the level of recidivism and accessibility to rehabilitation programs in prison was also looked at. This referred to the level of accessibility of the respondents to rehabilitation programs and how they felt on their successfulness to change them.

e) Perception of the recidivists

Referred to how the respondents perceived their behavior in relation to other members of society. I.e. how they thought other people treated them in the society.

CHAPTER THREE: RESEARCH DESIGN AND METHODOLOGY

3.1 Introduction

Kombo and Tromp (2009) describe research design as the structure of research. It basically shows how all the elements in a research project work together, in a bid to try and explain the research questions raised by the researcher.

Therefore, this section deals with research procedures including data gathering techniques, sampling procedures, site survey unit of analysis, analytical techniques and methodological problems encountered during the process of investigation. The study was descriptive and was aimed at describing the relation between recidivistic behavior in women and factors affecting them to recidivate as individuals, the society or institutions which manage them. The study employed purposive sampling procedure, women recidivists serving their jail sentence in Lang'ata women maximum security prison, interviews were conducted on key informants being the prison officers and prison wardens who were also purposively selected to give more information. Both qualitative and quantitative methodologies were used.

3.2 Research Site Selection and description.

The study site was Lang'ata Women prison in Nairobi located next to St Mary's Hospital in Lang'ata estate. Lang'ata Women's Prison was chosen as the most suitable due to the fact that it is the only maximum women security prison in Kenya, holding both petty and hardcore female offenders, including those condemned to death, thus the only one that detains both short-term and long-term prisoners from all over Kenya. It also has a high number of inmates who have witnessed changes that have taken place between 2003 to date. These factors make it possible to generalize the findings since Lang'ata seems to be quite representative. This site was also purposively selected because it was easily accessible to the researcher.

3.3 The unit of analysis

Singleton and straits (1999) describe unit of analysis as an object of study or item under study, or simply as what or who is to be described or analyzed. The unit of analysis in the study was on women recidivist. Therefore, this study involved adult women who were 18 years of age and above who had committed crimes more than once.

3.4 Unit of observation

A unit of observation is an object about which information is collected, Paul J Lavrakas (2008). For this study, the unit of observation was women recidivists serving second and subsequent sentences. They were easily identified due to the fact that they were confined and therefore through the assistance of the prison officials and records to identify them was seen easy. Lang'ata is a maximum security female prison that accommodates all persons convicted of all types of criminal behaviors from all over the country.

3.5 Target population

The target population for this study was women recidivists at Lang'ata maximum security prison who had been imprisoned more than once during their criminal life.

3.6 Sample selection and sample size

A sample is part of the target population that is procedurally selected to represent the population (Sogunro, 2001). Kombo and Tromp (2009), define that sampling as the procedure a researcher uses to gather people, places or things to study. This shows that the sampled respondents from a larger population for the purpose of survey in the prisons. A total of 50 respondents (recidivists) were targeted in the study.

Using interval sampling, a sample of 50 respondents was selected, the selection involved going through the prison register from which a list of recidivists was created (the sampling frame) which was 319, from which after every interval of six a respondent was taken until the total number of 50 was reached. Five (5) prison warders and five (5) prison officers were purposively selected as key informants.

Table 1: Sampling Frame

Strata	Population	Sample	Sampling method
Recidivists	319	50	Interval sampling
Prison Officers	15	5	Purposive sampling
Prison wardens	44	5	Purposive Sampling
Total	**378**	**60**	

3.7 Sources of Data

Both primary and secondary methods of data collection were employed. Primary data was collected from the target population and key informants. Secondary data was collected from documentary sources. These were mainly official reports and statics obtained from the Lang'ata women maximum security prison. These documents were mainly prison's record sheets monthly returns and annual returns. Data was collected from prison files i.e. monthly and quarterly returns. The researcher reviewed literature from different sources on recidivism and criminality amongst women in order to establish views of other scholars.

3.8 Data collection

Data were collected using questionnaires. A questionnaire is a designed research instrument (written, typed or printed) for collecting data directly from people (Ogula, 2002). They were economical to use, ensured anonymity and permitted use of both open and closed ended questions, and they had uniform procedure and which were easily scored by the respondents.
The questions were formulated as per the objectives of the study. There were 46 questions in total, in English language. The questionnaire included both structured and non-structured questions. The structured were easy in filling out responses and because they kept the respondents with the subject matter due to their restricted nature. However non-structured questions were included because they were less superficial and thus offer a better understanding of the inmates.
This also gave the researcher an opportunity to probe in greater depth of the responses that were obtained where required. In all there were 46 questionsin total of which 20 were structured and 26 were non-structured.
In the prison, the investigator made the necessary formal introductions supported by the letter that was already in the file from the officer in charge of the Lang'ata maximum women prison. The researcher was introduced to the staff officer in-charge of administration. The administration officer was to give all the required assistance during the period of the study.
The recidivists were interviewed with the help of the questionnaires which were administered by the researcher. The researcher was also keen to observe and record any information that was observable, for example the researcher observed that many of the inmates at Lang'ata maximum prison were mostly youthful.

The researcher also interviewed prison officers using interview guide. This was important especially those who have served there for long they did shed more light on correctional reforms, the reform programs offered in their facility and what they felt was still lacking to perfectly achieve their goals. However they did not wish their names to be exposed.

The researcher did all the interviews to avoid incorrect responses and to get more information.

3.9 Ethical Issues and Compliance

Just like any other task, challenges cannot be avoided; the researcher encountered a number of problems. The first problem to the researcher was the reception from the members of the staff was not cordial despite researcher having the right documents allowing him to carry out the research, the junior prison officers treated researcher with a lot of suspicion thinking that the researcher had gone to investigate them, they thought he was from the human rights bodies or otherwise send by other arms of government to monitor them how they work. The researcher explained to them, that the research he was conducting was purely for academic purposes and that in fact, apart from the academics. The researcher also works in the same criminal justice system in which they too serve.

Lack of co-operation from inmates, some inmate recidivists had to be replaced severally because for one reason or another best known to them they refused cooperate in filling the questionnaires or be interviewed even after taking a lot of time convincing them that I will not share the information they give and that the information gathered from them was solely for a research and nothing else, therefore the researcher acquired their consent first. This took a lot of time. First, when changing non cooperating recidivists, second when inmates had been assigned some other duties I had to take a lot of time to wait for them finish them give them the questionnaires and lastly for those inmates who couldn't understand the questionnaire I had to assist them by translating the English structured questionnaires into Swahili for them to understand better, these would consume a lot of time. I also took a lot of time to convince them that I only want to use research for academic purposes but they would insist that I want to go and use this research to source funds, so I should give them some money first before they fill the questionnaires.

The strictness of access to information in the whole prison department; starting from prison headquarters the Lang'ata prison itself proved to be a challenge because it took a lot of time for verification and interrogation of what any other intention I would want to use the

information to be collected apart from the academic reason I had given them, even after explaining myself well every time I had an engagement with most officers. Therefore the researcher obtained the necessary documentation to carry out the study.

3.10 Data Analysis

The study employed both qualitative and quantitative methods. Each study concept was coded for easy analysis. The data collected was analyzed using descriptive statistics including cross tabulation, frequencies, percentages and mean. Findings were also presented in tables, graphs and pie charts.

Table 5: Level of education of the respondents

Level of education	Number	%
Lower primary	11	22.0
Upper primary	15	30.0
Secondary	15	30.0
Diploma/Degree/other trainings	9	18.0
Total	**50**	**100**

4.2.5 Occupation of the respondents

According to Rossi et al (1980), unemployment among ex-criminals increases the likelihood of recidivism. This information was supported by the research findings in this study. 46% of the respondents had jobs, such as accountants, business managers and credit managers before the 1st arrest. 32% of the respondents were business women and 22% had no jobs at all.

Out of the twenty three (46%) of the respondents, only 36% got employed after their first release, the rest could not get employed because of their imprisonment (criminal) record. The number for business women was sixteen (32%) before the 1st arrest and nine (18%) after the third release from prison.

The number of unemployed respondents was eleven (22%) before first imprisonment, sixteen 32% after the 1st release, 46% after 2nd release and 60% after the 3rd release. This then indicted how ex-convicts find it hard to get employed after serving their sentences. Figure 2 below shows respondent's occupations.

Figure 2: Occupational activities involved in by respondents

☐ Not employed　▨ Business women　▥ Employed (salaried)
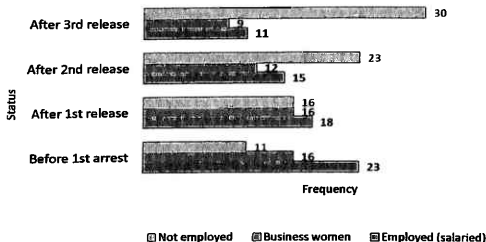
4.2.6 Income

Majority of the respondents (23%) earned below Kshs 3,000, 18% earned Kshs 3,001 to 8,000, 17% earned Kshs. 8,001 to 11,000, another 17% earned Kshs 11,001 to 13,000, 10% of the respondents earned Kshs 13,001 to 16000 and 15% of the respondents had a monthly income of above Kshs 16,000. Finally, it was clear that the respondents who earned below Kshs 13,000 per month were 75%, while 25% earned above Kshs 13,000. Figure 3 below presents the information on income generation.

Figure 3: Income distribution among the respondents
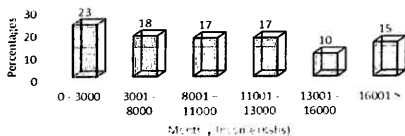
4.3 Level of assistance by family members and friends

The second objective of this study was to establish the level of family support the respondents were given by their family members. This was indicated by the level of assistance from the family members and their relationship with them together with friends. The assistance referred to here was in the form of counseling the respondents, visiting, legal aid and material support. The relationship to family members, relatives and friends was also considered as another support respondents could get.

Figure 4 shows that, a majority (48%) of the respondents were assisted by their family members, while 42% of the respondents did not get any assistance from their family members i.e. both parents, husbands, relatives and friends. Out of the total respondents only 10% said they did not have families and friends to seek assistance from. Those that did not get any

assistance gave varying reasons of either being ashamed to seek assistance from them, the family members refusing to associate with them or they did not have any family member that could assist them. All these had an effect to their criminal behavior because no one close to them assisted in making decisions that led to their recidivism.

Figure 4: Assistance by family members and friends of the respondents
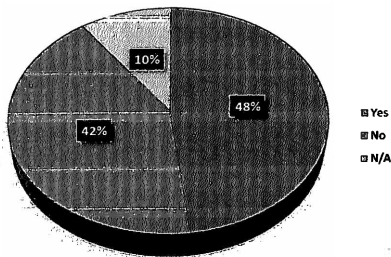
4.2.7 Relationship to family members, relatives and friends

A majority of the inmates felt that their relationships with their family/relatives and friends changed once they discovered they were arrested. For example, during the first arrest, 30% of the respondents said they had cordial relationship with their family/relatives and friends. But, after the second arrest and imprisonment the relationship trend reduced significantly with only 20% reported having cordial relationships while in the subsequent arrest, the third and fourth, the statuses reduced significantly, to only 8% and 0%, respectively reporting a cordial relationship. The responses are presented in Table 8 below.

Table 6: Respondents relationship with their families, relatives and friends after arrest and release

Relationship	Second time		Third time		Fourth time	
	No.	%	No.	%	No.	%
Cordial	10	20.0	4	8.0	-	-
Strained	27	54.0	28	56.0	20	40.0
No relationship	13	26.0	18	36.0	30	60.0
Total	50	100	50	100	50	100

4.2.8 Relationships with spouses

According to the study findings, 24% of the total respondents sampled were divorced. The reasons for divorces varied in the group. A majority of them five (42%) had been divorced because they had been imprisoned, while three (25%) said it was because of their behavior that their husbands decided to leave, a large number (33%) did not disclose reasons as to why their marriages collapsed or they did not know why their marriages had collapsed. The data is presented in Table 4 below.

Table 7: Reasons given by the respondents for divorce/separation

Reasons	Number	%
Were divorced because they were imprisoned	5	42.0
Were rejected because of their behavior	3	25.0
Did not know the reasons	4	33.0
	12	100

4.2.9 Re-marrying and Co-wives

Eleven out of fifty respondents had co-wives. Table 8 shows that 63.6% of respondents, said they had one co-wife, while four (36.4%) had two co-wives and a majority of the respondents, thirty nine in number did not have co-wives. These women recidivists had co-wives but they denied any link of their criminal behavior to this aspect as shown in Table 8 below.

Table 8: Number of co-wives per respondent

No. of co-wives	Number	%
One	7	63.6
Two	4	36.4
Total	11	100

4.4 Categories Offences committed by the respondents

The third objective of this study was to establish if the respondents committed the same type of crimes or not. According to the study findings, 30%, 44% and 42% of the respondents committed petty crimes for the first time, the second time and the third time respectively. Majority of the respondents i.e. 40% and 46% respectively, committed medium crimes during the first offence and third offence. Only 30% of the respondents committed serious offences for the first time. There was clear indication that many of the respondents who had committed petty crimes for the first time, i.e., (30%) the percentage reduced to (16%) in the second time

of committing crime meaning they either moved to committing serious or medium crimes. The same was the true of those who committed medium crimes for the first time, whose number reduced from 40% to 36% for the second time they committed crime. Therefore there is an indication of respondents graduating from either petty to medium or serious crimes or medium to serious crimes. This information is presented in Table 9.

Table 9: Categories of Crimes Committed

Category	1st time		2nd time		3rd time	
	No.	%	No.	%	No.	%
Petty	15	30.0	22	44.0	21	42.0
Medium	20	40.0	18	36.0	23	46.0
Serious	15	30.0	8	16.0	6	12.0
Total	50	100	50	100	50	100

4.5 Perception of recidivists

The fourth objective of this research was to establish the perception of the respondents about their recidivistic behavior. Table 10 below shows that 57% of the respondents strongly agreed they were discriminated upon, while about 43% agreed that they were discriminated by everybody. A majority (60%) of the respondents strongly agreed and only 40% agreed that everybody perceived them as criminals. Half of the respondents strongly agreed while, 30% agreed and 20% were not sure whether they were labeled criminals. When asked if no one supported them hence they had no option involving in crime, 52% agreed while 48% disagreed. When asked if they felt good in committing crime 84% strongly disagreed, 6% were not sure while 10% agreed that they felt good in committing crime. From this data it is clear that most of the respondents felt that they were perceived negatively by other members of the society. This information is further presented in Table 10.

Table 10: Respondent's perceptions of other person's behavior towards them.

	Strongly Agree %	Agree %	Not Sure %	Disagree %	Strongly Disagree %
Discriminated by everybody	57.0	43.0	0	0	0
Everybody thinks you are a criminal	60.0	40.0	0	0	0
Everybody has labeled me a criminal hence continuity in committing crime	50.0	30.0	20.0	0	0
No one supports you in any way hence I have no option	0	52.0	0	48.0	0
I just Feel good when committing crime	0	10.0	6.0	0	84.0

4.6 Length of imprisonment

The fifth objective of this study was to look at the length of a time respondent had been imprisoned. Table 11 shows the period for which the respondents were imprisoned, 58%, 46%, 38% and 32%, for 1st, 2nd, 3rd and 4th times, respectively being a period of less than 12 months. For 1 to 3 years it was 20%, 16%, 10%, 8% for 1st, 2nd, 3rd and 4th, respectively. For 4 to 6 years it was 12%, 16%, 20%, and 20%, respectively. From 7 to 9 years it was 6%, 12%, 18%, and 20%. For ten years and above, it was 4%, 8%, 14%, and 18% respectively. For those on death sentence, it was 0%, 2%, 0% and 2%. This data is presented in Table 11 below.

Table 11: Length of Imprisonment of the respondents

Length	1st time		2nd time		3rd time		4th time	
	FR	%	FR	%	FR	%	FR	%
1-11 months	29	58.0	23	46.0	19	38.0	16	32.0
1-3 years	10	20.0	8	16.0	5	10.0	4	8.0
4-6 years	6	12.0	8	16.0	10	20.0	10	20.0
7-9 years	3	6.0	6	12.0	9	18.0	10	20.0
10 years and above	2	4.0	4	8.0	7	14.0	9	18.0
Death sentence	0	0.0	1	2.0	0	0.0	1	2.0
Total	50	100	50	100	50	100	50	100

It is critical to note, as reflected in the research outcomes, that the longer the period of imprisonment, the lesser the rate of recidivism and vice versa. The staff officer administration (S.O.A) one of the key informants agreed that the length of imprisonment had an effect on recidivist's behavior; this is done through interaction of inmates who get new behaviors or get hardened.

4.7 Recidivism

According to the respondents, of course, all had committed crimes more than once. Notably, about 38% had committed crimes twice, while 32% had committed offences thrice and 14% had committed five times and above. This information is presented in Table 12 below.

Table 12: Number of times the respondents had committed the crimes

No. of times	Frequency	Percentage %
Two times	19	38.0
Three times	16	32.0
Four times	8	8.0
Five and above	7	7.0
	50	100

4.8 Pre-disposing factors to committing crimes in future.

According to the study, about 60% of all respondents admitted that they were likely to commit crime(s) on release if they still had no any other source of income that was legally accepted. About 20% of them said the motivation behind going to commit another crime was to revenge for those who set them up to be arrested while committing their previous crime they were imprisoned for. About 10% said they just liked committing crime because it was their hobby. While about 12% did not give any reason as to why they would go back to criminal activities. About 8% indicated that when the opportunity would arise they would do the same in future bearing in mind that they avoid being caught by authority.

Table 13: Respondents reasons for going back to criminal activities

Reasons for recidivism	Number	%
Lack of legally accepted source of income	30	60.0
Revenge to those who set them up to the authorities to be arrested	5	10.0
Like as an occupation	10	20.0
Did not give any reason	6	12.0
If the opportunity arises	4	8.0
	50	100

From the above data it was clear that there was a high level of recidivism amongst Kenyan women inmates. Most of the respondents who reported going back to criminal activities pointed to the problems of poverty they faced that they had never gone away and the responsibilities they still had of looking after their children.

4.8.1 Access to rehabilitation programs

Table 14 shows how the respondents answered when they were asked if the rehabilitation programs offered were accessible and well enough to change their criminal behavior. About 62.5% of the respondents agreed that the programs offered could rehabilitate them, while 37.5% said they were not enough and two respondents were not sure if these programs were enough to change them therefore excluded.

Table 14: Responses on whether reform programs are accessible and enough to change

	Number	%
Yes	30	62.5
No	18	37.5
Total	48	100

4.9 Conclusion

The study findings revealed that a majority (78%) of the respondents were female youths. Most of the respondents (58%) were in the age bracket of 18-29 years, 28% in the age bracket of 30-39 years, 26% respondents were between the age of 40-49 years and 16% were 50 years and above. A high percentage (46%) of single parenthood was recorded while 24 % of the respondents had been divorced and or separated. Most of the respondents had some level education. A high percentage (52%) of the respondents had primary education, while 48% of them had secondary and college education.

A majority (48%) of the respondents were assisted by their family members, while 42% of the respondents did not get any assistance from their family members i.e. both parents, husbands, relatives and friends. About 57% of the respondents strongly agreed they were discriminated upon, while about 43% agreed that they were discriminated by everybody. A majority (60%) of the respondents strongly agreed and only 40% agreed that everybody perceived them as criminals.

CHAPTER FIVE: SUMMARY, CONCLUSION AND RECOMMENDATIONS

5.1 Summary

Recidivism is committing crime more than once. It does not matter what crime one commits, whether the same crime or different types of crime, petty or serious throughout her criminal life, this individual is referred to as a recidivist. This study involved 50, recidivists who had committed different crimes which were categorized as petty, medium and serious offences. From these crimes the respondents seemed to graduate from petty to serious offences and those who were involved in serious offences from the first time of their arrest conviction and imprisonment.

The study found that majority of female youths, 78% of the respondents who were involved in criminal activities were 18-39 years. While the respondents were asked to indicate their age, majority of them (58%) were in the age bracket of 18-29 years, 28% in the age bracket of 30-39 years, 26% respondents were between the age of 40-49 years and 16% were 50 years and above, therefore the finding is that female youths are more likely to recidivate than the aged women. Out of 50 respondents interviewed a high percentage (46%) of single parenthood was recorded, twelve (24 %) of the respondents had been divorced and or separated, therefore marital status has an effect on recidivism.

Majority 52% of the respondents had primary education, while 48% of them had secondary and college education. Only about 13% of the respondents had well paying jobs, such as accountants, business managers and credit managers. Out of fifty of the respondents interviewed, only 16 sole traders, 46% had been employed before their first arrest and when they had served their first sentence to completion. It was clear that the respondents who earned below Kshs 13,000 per month were 75%, while 25% earned above Kshs 13000. About 60% of all respondents admitted that they were likely to commit crime(s) on release if they would still have no any other source of income that is legally accepted. About 20% of them said the motivation behind going to commit another crime was to revenge for those who set them up to be arrested while committing the crimes they were imprisoned for. About 10% said they just liked committing crime. Generally it can be concluded that socio-economic characteristics had an effect on recidivism among Kenyan women

Majority 48% of the respondents were assisted by their family members, while 42% of the respondents did not get any support from their family members i.e. both parents, husbands,

relatives and friends, therefore family support had an effect on their recidivistic behavior. About 57% of the respondents strongly agreed they were discriminated upon, while about 43% agreed that they were discriminated by everybody. Majority 60% of the respondents strongly agreed and only 40% agreed that everybody perceived them as criminals. Half of the respondents strongly agreed while, 30% agreed and 20% were not sure whether they were labeled criminals.

The period for which the respondents were imprisoned, 58%, 46%, 38% and 32%, for 1st, 2nd, 3rd and 4th times, respectively being a period 1-11 months. For 1-3 years it was 20%, 16%, 10%, 8% for 1st, 2nd, 3rd and 4th, respectively. Therefore it was found that the lesser the period of imprisonment the higher the chance that these women will recidivate.

5.2 Conclusions

It can be concluded from the study that recidivism of female individuals could be attributed to socio-economic situation prevailing in the country facing most women and bearing in mind they too had responsibilities just like their male counter-parts. Therefore, they mostly participated in criminal activities due to financial reasons. For example, they had children to take care of, their basic needs such as shelter, food and clothing despite the fact that they had no legal source of income.

Those who were imprisoned for petty crimes such as brewing or selling illicit liquor, prostitution, shop lifting, felt that the government or courts should not had failed them and claimed that if released they would go back to do the same because they termed their imprisonment as unfair and time wastage. This meant that the sentence they were serving was not reforming them and in any case they were learning other criminal behavior from their hard core criminal inmates and therefore on release the likelihood of committing even more serious crimes was higher.

Over 80% of the respondents earned less than Kshs 10,000 per month and much of these earnings were through illegal means. This brings out of the fact that when legal means fail individuals turn to illegal means for survival. For example an average of 35% of the respondents engaged in serious crimes from the first to the third time, that is, robbery, robbery with violence, murder, fraud, etc, for the petty crimes an average of about 50% respondents engaged in, stealing, sold illicit liquor, prostitution etc. From the research statistics it can be said that 78% of respondents committed crime for financial reasons,

because by the third and fourth arrests the respondents had no legal source of income like employment or business. It was clear that while most respondents got imprisoned for shorter periods, their level of recidivism was high. For example, 58% of respondents imprisoned for the first time were imprisoned under twelve months. It can be derived from the Table 11 that the shorter the period of imprisonment, the many times an individual is likely to be incarcerated. It was reported that the shorter the imprisonment period the higher the possibility of going back (recidivism) because long periods of imprisonment denied one opportunity to commit further crimes. Those who had been imprisoned for 10 years and above were only 4% for the first time and the figure increased slightly to 8% compared to those on short term periods as shown in Table 9.

5.3 Recommendations

a) The correctional facilities should establish mechanisms to formally accept back inmates after release to the society unconditionally for her to positively relate with others.

b) Proper training of prison officers involved in reform programs in prison department should be initiated so as the programs offered become efficient and effective in changing the inmates to fit into the society after release.

c) The ex-convicts should be given tools and financial assistance after release from the prison in order to enable them secure legitimate source of income. This will not only keep them busy but also give them means of living, this together with follow up program can improve their economic status to avoid relapse into criminal activities and as well training them on financial management skills.

d) The Department of Correctional Services should set up an office that should be talking to the family of the convicts especially when they visit so as to offer the necessary support to the prisoners or ex-convicts to help them adjust and fit back into the society and also avoid breakage of their families and also make probation services easily available in all correctional departments for counseling.

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UNIVERSITY OF NAIROBI
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RESEARCH QUESTIONNAIRE

I am Otsieno Kennedy Duncan, a student of Criminology and social order, from the University of Nairobi. This research, for which I have a permit, is part of my academic requirement for the master's degree. Whatever information you provide will be kept confidential. It will be useful to the policy makers and may benefit people like you in the future. Your cooperation in answering the questions will be highly appreciated. You may choose not to participate or free to decide not to continue along the way. Thank you.

Date……………………………………   **Prison: LANG'ATA MAXIMUM SECURITY WOMEN PRISON**

Respondent's number (Name: optional) …………………………………………………

Your home district /County……………………………………………………………

INSTRUCTIONS: Please tick [√] the box where applicable

1. **Personal characteristics**

    a) **Age**

    Respondent's age

         i)   18-29   [   ]

         ii)   30-39   [   ]

         iii)   40-49   [   ]

         iv)   >50   [   ]

    b) **Marital status**

         i) Married   [   ]

         ii) Widowed   [   ]

         iii) Single   [   ]

         iv) Divorced   [   ]

If married

   i) When did you get married?

       a) Year……..

   ii) Are you the only wife of your husband?

       a) Yes [ ]

       b) No   [ ]

   iii) If no how many co-wives are there? ……………………………………………………

   iv) What is the occupation of your husband?

       a) Businessperson   [ ]

       b) Other self employment[ ]

       c) Salaried employment [ ]

C) Education

   i) Which of the following level of education did you achieve?

       a) None   [ ]

       b) Lower Primary (1-4)   [ ]

       c) Upper primary (5-8)   [ ]

       d) Secondary   (9-12)   [ ]

       e) Certificate/Diploma/ degree [ ]

   ii) How many children do you have in school?

       a) Nursery and below………………...……

       b) Primary………………………………….

       c) Secondary…………………………….…

       d) College/ university………………...…….

   iii) Who supports your children in school?

       a) Yourself   [ ]

       b) Husband   [ ]

       c) Relatives   [ ]

       d) Friends   [ ]

       e) Others specify ………………………….

d) Occupation

i) Were you employed at the time of arrest?

       a) Yes [ ]

       b) No   [ ]

ii) If yes what form of employment.

    a) Salaried employment (specify)…………………………………………………………

    b) Other Self employed (specify)…………………………………………………………

    c) Businessperson

iii) What was your monthly net income at the time you were convicted? Kshs………………

iv) If you were not employed how you did make ends meet?

…………………………………………………..

v) If you were employed did you get back to your previous employment after serving your sentence(s)?

a)

	Yes	No	If No why
1st Release			
2nd Release			
3rd Release			
4th Release			

2. Categories of crimes committed by the respondent.

    a) What crimes were you convicted of?

	Offence	When convicted	Length of sentence
1st time			
2nd time			
3rd time			
4th time			

    b) Will you commit more crimes when released?

      i) Yes   [ ]

      ii) No   [ ]

    c) If yes why? ……………………………………………………………………

    d) If No why? ……………………………………………………………………

3. **Recidivism.**

   a) Is this your first imprisonment?

   i)   Yes   [   ]

   ii)   No   [   ]

b) If No how many times have you been in prison? …………………………………

c) Indicate

	Offence	When convicted	Length of sentence
1st			
2nd			
3rd			
4th			

d) Have you ever committed crime without being noticed by the authorities?

   i) Yes   [   ]

   ii) No   [   ]

e) Did you commit these crimes as an individual or as a group? ………………………………

   i) If as a group is it organized or not? ……………………………………………

   ii) If organized were you arrested and punished together with other members of the
        group? ………………………………………………………………………………

   iii) If not where do you think they are? ……………………………………………………

4. **Family support**

a) While serving your sentence(s) have you been supported by members of your family
   and friends?

   i) Yes   [   ]

   ii) No   [   ]

b) If Yes indicate the number of visits by your;

   i) Husband [   ]

   ii) Children [   ]

   iii) Relatives [   ]

   iv) Friends   [   ]

   c) Did the family hire a lawyer for you?

i) Yes   [   ]

ii) No   [   ]

d) If no why do you think so?..

e) Does the family support you with basic needs in prison?

    i)   Yes [   ]

    ii)   No   [   ]

f) If No why?..

g) Did you go back home after your first release?

    i)   Yes [   ]

    ii)   No   [   ]

h) If No why……………………………………………………………………………

i) How was your husband's reaction towards your imprisonment?...............................

    j) How was your relationship with your relatives and friends when you were last
released?

        i) Cordial   [   ]

        ii) Strained   [   ]

        iii) No relationship [   ]

    k) Have your family members counseled you not to continue committing crime? ....

5. Access to rehabilitation programs.

(a) What rehabilitation program activities are offered in prison to help you in your
rehabilitation?

Activities	In which way are they helpful

b) How long have you been involved in these rehabilitation activities?................................

c) If No in which way are you reforming?..

d) Do you think that rehabilitation services, activities or programs that are offered in this
enough to rehabilitate you?

        i) Yes   [   ]

        ii) No   [   ]

e) If Yes which rehabilitation programs and activities are more beneficial to you?

....

f) If No what do you think is lacking that should be added these programs and activities.

....

6) Perception of recidivists

a) What are your perceptions of the following;

What would you say you are:

	Strongly agree	Agree	Not agree	Strongly disagree
i) Discriminated by everybody				
ii) Everybody thinks you are a criminal				
iii) Everybody has labeled you a criminal hence continuity in committing crime				
iv) No one supports you in any way hence I have no option in committing crime				
v) I feel good in committing crime				

ANNEX 2: INTERVIEW GUIDE

Interview guide for prison officers/wardens.

1. For how long have you known about reforms in the prison department?
   ....

2. Do you think the reforms that are in women correctional facilities enough to rehabilitate women inmates?...

3. Why do you think women prisoners recidivate? Basing on your experience.
   ....
   ....

4. What do you think is their rate of recidivism?
   ....

5. Which age bracket of women do you think recidivate most?
   ....

6. Which are some of the reform programs that are in place to assist these women inmates to rehabilitate?..
   ....
   ....

7. How accessible are these programs to Kenyan women inmates?
   ....

8. i) What do you think are the challenges of implementing these programs?
   ....
   ....

   ii) what do you suppose could be done to make the programs effective?...
   ....

9. Do families of women prisoners give enough to support them while in prison or after first release? ....

ANNEX 3: LOCATION MAP

Steps		1	2	3	4	5
Description		Data collection	Data analysis	Result writing	Report writing	Compilation and presentation
Number of weeks	1	■				
	2	■				
	3	■				
	4	■				
	5		■			
	6			■		
	7			■		
	8				■	
	9					■
	10					■

The Research is proposed to take approximately 11 weeks including the report writing

ANNEX 5: BUDGET

The following is a budget proposal of the total amount of money to be spent:

Item/ Activity	Stationery	Printing/ Photocopying	Tran sport	Binding	Contingents	Total Cost
Estimated cost (Kshs)	2,000	5,000	10,00 0	5,000	5,000	22,000