

**IMPACT OF PRISON REHABILITATION PROGRAMS ON RECIDIVISTS: A
CASE OF PRISONS IN THE NORTH RIFT REGION OF KENYA**

BY

CAROLINE SIKULU NDOMBI

**A THESIS SUBMITTED TO THE SCHOOL OF ARTS AND SOCIAL SCIENCES
IN PARTIAL FULFILLMENT OF THE REQUIREMENTS FOR THE AWARD OF
A DEGREE IN MASTER OF PHILOSOPHY IN SOCIOLOGY OF MOI
UNIVERSITY**

APRIL, 2014

DECLARATION

Declaration by the candidate

This thesis is my original work and has not been presented in any other institution for academic credit. No part of this proposal may be reproduced without prior authority of the author.

CAROLINE SIKULU NDOMBI Signature..... Date.....

REG NO: SASS/PGS/005/09

Declaration by the supervisors

This thesis has been submitted for examination with my approval as the university supervisors.

DR. Joseph. K. RONO Signature..... Date.....

DEPARTMENT OF SOCIOLOGY AND PSYCHOLOGY
SCHOOL OF ARTS AND SOCIAL SCIENCES

DR. KIMANI CHEGE Signature..... Date.....

DEPARTMENT OF SOCIOLOGY AND PSYCHOLOGY
SCHOOL OF ARTS AND SOCIAL SCIENCES

DEDICATION

I dedicate this thesis to my lovely family. Thank you all for the support.

ACKNOWLEDGEMENT

First and foremost, I acknowledge the Almighty God for his love, care and protection in all my endeavors in life. I also thank my supervisors Dr. Joseph. K Rono and Dr. Kimani Chege for their guidance and supervision in writing this thesis. In addition I appreciate my lecturer Dr. Masese and Dr Abuya for their encouragement and tireless effort in ensuring that my work was successful.

I am indebted to my family members for their moral support throughout my studies; I would like to thank my Dad John Lewis Ndombi, my mum Mary Josephine Ndombi, my husband Thomas Cheruiyot, my siblings; Irene Nasenya, Rose Mugeni, Lilian Nafuna, Samuel Tavasi, Bill, Sean, Deanne and my Daughter Chantelle. I love you all!

ABSTRACT

Despite the enormous efforts the Kenyan government has made to reduce reoffending among ex-convicts, recidivism continues to increase in the country. An increase in reoffending among ex-prisoners calls for a complete re-assessment of rehabilitation programs in prisons since it appears that a large number of these programs are not working. The study thus aimed at assessing the various types of rehabilitation programs in prisons and the major factors associated with incarceration the study also sought to find out the impact that physical and human environment in prisons have on inmates and suggested the various ways in which recidivism can be reduced in Kenya. The study aimed at achieving these objectives by employing a survey research design which allowed the researcher to capture a number of prison facilities in the study area. The study used the social cognitive and planned behavior theories and the Trans theoretical model, which assume that behavior is dependent on one's intention to perform and that crime and criminality are driven by both inner and external forces. The study used both purposive and random sampling procedures to select a sample size of 201 respondents who took part in the study. Data was collected by use of questionnaires, interview schedules and focus group discussions for both primary data and secondary data. The collected data was coded by use of SPSS and Ms Excel. The study observed that the current rehabilitation programs in prisons are not effective enough to reduce levels of recidivism in society to significant levels given the high levels of reoffending among ex-convicts. However, there are prisons initiated programs and external organizations that are working towards making rehabilitation effective in Kenya. The study revealed that the lower the socio-economic background of victims, the higher the recidivism. The study also observed that more males than females were recidivists. The study further revealed that younger criminals dominated the sample of recidivists. Moreover, the study found that the lower the level of education, the higher the recidivism. The study recommends that there is need to use the bottom-up approach in addressing the problem of recidivism in society by involving prisoners in decision making processes so that suggestions on the nature and quality of programs that would be more helpful to them after their release actually come from prisoners themselves rather than top-bottom approach. In particular, vocational programs that would enhance a variety of skills that convicts require are of greater significance; especially if such programs will assist reoffenders generate more income. In addition, there is need for the management of prisons to provide guidance and counseling as well as education and training programs among the prisoners so that they can increase their knowledge regarding negative effects associated with recidivism. Furthermore, professional psychologists in prisons should counsel prisoners and help them learn the various ways of coping with extremely stressful circumstances both at home and in society. The Government should also support rehabilitation programs in prisons in terms of both financial resources and professionals in the fields of crime and counseling so as to ensure success of these programs and therefore reduce re-offending in the country.

TABLE OF CONTENTS

DECLARATION.....	ii
DEDICATION.....	iii
ACKNOWLEDGEMENT.....	iv
ABSTRACT.....	v
TABLE OF CONTENTS.....	vi
LIST OF TABLES.....	xi
LIST OF FIGURES.....	xii
LIST OF ABBREVIATIONS.....	xiii
OPERATIONAL DEFINITION OF TERMS.....	xiv

CHAPTER ONE

INTRODUCTION.....	1
1.1 Background to the study.....	1
1.2 Statement of the problem.....	5
1.4 Research objectives.....	6
1.4.1 General objective.....	6
1.4.2 Specific objectives.....	6
1.5 Research questions.....	6
1.6 Significance of the study and Research justification.....	7
1.8 Scope of the study.....	7
1.9 Conceptual framework.....	8
Figure 1.1: Conceptual framework.....	9

CHAPTER TWO

LITERATURE REVIEW.....	12
2.0 Introduction.....	12
2.1 Concept of Recidivism.....	12
2.1.1 World trends in recidivism.....	12
2.1.2 Imprisonment and Recidivism.....	18
2.1.2.1 Effects of Imprisonment: Three Schools of Thought.....	19
2.2 Rehabilitation facilities and programs.....	26
2.2.1 An overview of prisons in Kenya.....	26
2.2.2 The current state of affairs at the Kenya Prisons Service.....	27
2.2.3 Probation and aftercare services in Kenya.....	28
2.2.4 Level of application of rehabilitation programs in Kenyan prisons.....	29
2.2.5 State of the physical and human environment in Kenyan prisons.....	34
2.2.6 Effect of prison rehabilitation programs on prisoners.....	36
2.3.1 Common factors associated with incarceration in Kenya.....	38
2.3.2 Types of rehabilitation programs available in Kenyan prisons.....	40
2.3.3 Effectiveness of rehabilitation programs of in Kenyan prisons.....	45
2.3.4 Impact of the physical and human environment on inmates.....	47
2.3.5 Reasons behind the existence of recidivists in prisons.....	50
2.4 Critical review.....	55
2.5 Knowledge Gap.....	57
2.6 Review of relevant theories (Theoretical framework).....	58
2.6.1 Social Cognitive Theory.....	58
2.6.2 Theory of Planned Behaviour.....	59

2.6.3 Transtheoretical (Stages of Change) Model.....	61
--	----

CHAPTER THREE

RESEARCH METHODOLOGY.....	64
3.0 Introduction.....	64
3.1 Study Area.....	64
3.2 Significance of the study area.....	65
3.3 Research Design.....	65
3.3.2 Target population.....	66
3.3.3 Sampling technique.....	66
3.3.4 Data Collection.....	68
3.3.4.1 Secondary sources of data collection.....	68
3.3.4.2 Primary Data collection.....	68
3.3.5 Data Analysis.....	70
3.3.6 Data presentation.....	70
3.4 Conclusion.....	70

CHAPTER FOUR

DATA ANALYSIS, PRESENTATION AND INTERPRETATION.....	71
4.0 Introduction.....	71
4.1 Demographic information of respondents.....	71
4.1.1 Gender of respondents.....	71
4.1.2 Ages of respondents (Recidivists).....	72
4.1.3 Marital status of respondents (Recidivists).....	72
4.1.4 Level of education attained (Recidivists).....	73
4.1.5 Occupation of recidivists before first imprisonment (Recidivists).....	74

Figure 4.2 Occupation of recidivists before first imprisonment (Recidivists).....	75
4.1.6 Occupation of respondents after first imprisonment (Recidivists).....	76
4.2 Specific information.....	77
4.2.1 Most common factors associated with incarceration (Recidivists).....	77
4.2.2 Types of rehabilitation programs available in Kenyan prisons.....	83
4.2.3 Effectiveness of rehabilitation programs of in Kenyan prisons.....	87
4.2.4 Impact of the physical and human environment on inmates.....	89
4.3 Focus group discussion results.....	94
4.3.1 Most common causes of incarceration.....	95
4.3.2 Types of rehabilitation programs.....	95
4.3.3 Effectiveness of rehabilitation programs.....	95
4.3.4 Impacts of physical and human prison environment on the inmates.....	96

CHAPTER FIVE

DISCUSSIONS, CONCLUSIONS AND RECOMMENDATIONS.....	97
5.0 Introduction.....	97
5.1 Summary of findings.....	97
5.1.1 Demographic information of respondents.....	97
5.1.2 Specific information.....	100
5.1.2.1 Most common factors associated with of imprisonment.....	100
5.2.2 Types of rehabilitation programs available in Kenyan prisons.....	102
5.2.3 Effectiveness of rehabilitation programs of in Kenyan prisons.....	104
5.2.4 Impact of the physical and human environment in prison on inmates.....	105
5.3 Conclusion.....	106
5.4 Recommendations.....	107

5.5 Suggestion for further studies.....109

REFERENCES.....110

APPENDICES.....117

APPENDIX A: QUESTIONNAIRE FOR RECIDIVISTS.....117

APPENDIX B: FOCUS GROUP DISCUSSION GUIDE FOR INMATES.....123

APPENDIX C: INTERVIEW GUIDE FOR PRISON WARDERS.....124

LIST OF TABLES

Table 3.1 Showing Target population.....	65
Table 3.2 Sample Size.....	66
Table 4.1 Gender of the respondents (recidivists).....	70
Table 4.2 Ages of the respondents (Recidivists).....	71
Table 4.3 Marital status of the respondents (Recidivists).....	72
Table 4.4 Occupation of respondents after first imprisonment (Recidivists).....	75
Table 4.5 Cross-tabulation on levels of education of prisoners * Number of times in prison.....	77
Table 4.6 Reasons behind first imprisonment (Recidivists).....	78
Table 4.7 Cross tabulation of reasons associated with first imprisonment.....	79
Table 4.8 Reason behind second imprisonment (Inmates).....	80
Table 4.9 Types vocational training prisoners were engaged in during their first imprisonment (Recidivists).....	83
Table 4.10 Vocational activities prisoners are engaged during their second imprisonment (Inmates).....	84
Table 4.11 Rehabilitative impacts associated with activities engaged during first imprisonment (Recidivists).....	86
Table 4.12 Rehabilitative impacts associated with activities engaged during second imprisonment (Inmates).....	87
Table 4.13 Behavioural trends acquired during custody (Recidivists).....	89
Table 4.14 Showing cross-tabulation between reasons behind 2 nd imprisonment and behaviour acquired in prisons.....	92

LIST OF FIGURES

Figure 1.1: Conceptual framework.....	9
Figure 4.1 Highest level of education attained by respondents (Recidivists).....	73
Figure 4.2 Occupation of recidivists before first imprisonment (Recidivists).....	74
Figure 4.3 Number of times in prison (Recidivists).....	76
Figure 4.4 Reason behind second imprisonment (inmates).....	81

LIST OF ABBREVIATIONS

ICPS -	International Centre for Prison Studies
U.K. –	United Kingdom
U.S. –	United States
ABS -	Australian Bureau of Statistics
RODI -	Resources Oriented Development Initiatives
CBO -	Community Based Organization
OFOP -	Organic Farming Outreach program
SOAP -	Schools Organic Agriculture Program
PREP -	Prisoner Rehabilitation Program
CLIGs -	Community Livelihood Improvement Groups
G.K. –	Government of Kenya
SPSS -	Statistical Package for Social Sciences

OPERATIONAL DEFINITION OF TERMS

Incarceration: The detention of a person in prison, typically as punishment for a crime (custodial sentence).

Rehabilitation: The process of helping an individual to achieve the highest level of independence and quality of life possible - physically, emotionally, socially, and spiritually which could be achieved through therapy or education.

Recidivism: This is the act of a person repeating an undesirable behavior after they have either experienced negative consequences of that behavior, or have been treated or trained to extinguish that behavior.

Prison: A place in which people are physically confined and, usually, deprived of a range of personal freedoms.

Crime: The breach of rules or laws for which some governing authority (via mechanisms such as legal systems) can ultimately prescribe a conviction.

CHAPTER ONE

INTRODUCTION

This chapter discusses background of the study, statement of the problem, purpose of the study, objectives of the study, research questions, hypothesis of the study, significance of the study, justification of the study, scope of the study, and conceptual framework.

1.1 Background to the study

The effect of incarceration on former prisoners has been a very common topic of discussion for many years (Allan, *et al.*, 2003) In most cases, it is believed that many prisoners will find themselves right back where they started, that is in jail. In the United States, 53% of arrested males and 39% of arrested females are re-incarcerated (Jones *et al.*, 2006). This act of a person repeating an undesirable behavior after they have either experienced negative consequences of that behavior, or have been treated or trained to extinguish that behavior is referred to as recidivism. The term recidivism is also used to refer to former prisoners who are rearrested, (Baldry, 2003). Recidivist is thus the person who repeats some sort of criminal activities even after he/she has been punished for such or other previous criminal activities.

Recidivist gets severe punishment because they are second offenders who commit crime knowing fully well the repercussions that would follow. To be counted as recidivism, the re-offending requires voluntary disclosure of arrest and conviction, so the real recidivism rate may differ substantially from reported rates. As another example, alcoholic recidivism might refer to the proportion of people who, after

successful treatment, report having, or are determined to have, returned to the abuse of alcohol (Lind, 2003). Rehabilitation on the other hand is the process of helping an individual achieve the highest level of independence and quality of life possible - physically, emotionally, socially, and spiritually which could be achieved through therapy or education. The assumption of rehabilitation is that people are not permanently criminal and that it is possible to restore a criminal to a useful life, to a life in which they contribute to themselves and to society. The goal of rehabilitation is to prevent habitual offending or criminal recidivism.

Rather than punishing the harm out of a criminal, rehabilitation would seek, by means of education or therapy, to bring a criminal into a more normal state of mind, or into an attitude which would be helpful to society, rather than be harmful to society. Rehabilitation is done through various facilities available in prisons. Prisons conduct rehabilitation by employing rehabilitation programs which have been developed and tested and their level of effectiveness determined with some level of certainty. A rehabilitation program thus refers to a program designed and developed for restoring someone to good health, sound mind and emotional stability in cases where such was the problem (Jones *et al.*, 2006).

Worldwide, the rates of recidivism is still high despite efforts made by different governments to try and lower these rates. For instance, in recent history, the rate of recidivism in the U.S. has increased dramatically, resulting in prisons being filled to capacity leading to bad conditions and environment for inmates. In many prisons, crime continues inside the prison walls. Gangs exist and flourish on the inside, often with many key tactical decisions being made by leaders who are in jail (Cain, 1998). In Australia, in the year 2008, it was estimated that the annual

financial cost of crime stood at \$19 billion. This was an additional \$13 billion compared to the previous year (Mayhew 2009).

Recidivism in most countries of the world, Kenya not exempted, becomes obvious that there is need to change the trends. The UK can only boast of lower rates of recidivism in comparison to the U.S. but at country level, the rates are still high considering that it stands at 50%. What needs to be done is to ensure that the rehabilitation programs in prison facilities be developed in such a way that they will at all costs discourage former prisoners from ever being re-incarcerated. This study with its focus on the impact of rehabilitation programs on the level of recidivism will go along way in setting trends in the right direction. The study evaluated the existing rehabilitation programs and suggested ways of ensuring that they are restructured to meet the objectives for which they are developed.

At the macro level these figures indicate the economic importance of crime to the Australian community. At the micro level it demonstrates the impact of crime on individuals, families and communities; an impact that is clearly indicated by national victimization estimates, which suggest that every year almost 10 percent of Australians are victims of personal crime (robbery, assault and personal theft) while one in five households experience a burglary, theft or motor vehicle theft (Johnson 2005). The two examples, suggests that the rate of crime rates continue to be high in spite of ever increasing measures to reduce crime. What is more is that the crimes are in most cases committed not by first time offenders but by recidivists.

In Kenya, crime rate is high mostly in major towns such as Nairobi, Mombasa and Kisumu among others. There are regular reports of attacks against tourists by

groups of armed assailants. Pickpockets and thieves carry out "snatch and run" crimes on city streets and near crowds. As a result, visitors have found it safer not to carry valuables, but rather to store them in hotel safety deposit boxes or safe rooms. However, there have been reports of safes being stolen from hotel rooms and hotel desk staff being forced to open safes. Walking alone or at night, especially in downtown areas, public parks, along footpaths, on beaches, and in poorly lit areas, is dangerous because it makes one vulnerable to criminals. What should be noted is that not all the people who commit these crimes are first time offenders. Within this group are recidivists who after coming from prison and find it more difficult to fit back to the society due to other due issues like stigmatization. They therefore end up relapsing to criminal activities as a means of not only sustaining their livelihoods but also as a way of trying to fit into the society that have harshly handled them. Kenya was ranked 12th in Africa and 117th world wide out of a total of 218 countries in which a survey on the rates of incarceration per every 100,000 of the national population was carried out by the ICPS (Makkai and Verrar, 2003). This shows that Kenya has its share of trouble as far as recidivism is concerned. The North Rift Region of Kenya just like all other parts of Kenya has its share of crime perpetrators and as such there are recidivists in this area too. The region has correctional facilities in Eldoret, Kitale, Kapsabet, Tambach, Mt. Elgon, Kapenguria and Lodwar among others.

1.2 Statement of the problem

Many governments have been faced with the challenge of soaring crime rates within their territories, a phenomenon which persists despite the spirited efforts made by such governments to bring this undesirable activity to the least levels. The question that arises after carefully examining countries' levels of expenditure on

the criminal justice systems and rehabilitation programs is; what ails these programs? This is because despite most of the criminals having gone through the correctional facilities and dully completed their sentences, statistics show that in a country like U.S., within 3 years almost 7 out of every 10 released criminals will be rearrested and half will be back in prison (Santos, 1995). This is same scenario is reflected in Canada and in most other countries world wide.

The Kenyan statistics might not exactly replicate the trends in the U.S. and Canada but one sure thing is that there are many criminals who after being released into the community either through presidential pardons or after dully serving their sentences, still find their way back into prisons for various reasons. There is therefore need to find out whether programs employed by the correctional facilities have any effect on the rates of recidivism. This is because in most cases, the criminal justice system tends to focus its efforts at the front end of the system, in prisons locking people up. Such programs do not exert equal efforts at the tail end of the system for example, by aiming to decrease the likelihood of reoffending among formerly incarcerated persons. This is a significant issue because ninety-five percent of prisoners will be released back into the community at some point. At this rate, there is reason for concern because if almost half of that percentage is to find their way back into prison, it then follows that they will have done a lot of damage to the society before they get back to prison, a phenomenon that is not desirable by all means. The concern on recidivists prompted the researcher to examine the impact of prison rehabilitation programs on recidivists with a focus on the North rift region of Kenya.

1.4 Research objectives

1.4.1 General objective

The aim of the study was to determine the impact of prison rehabilitation programs on recidivists with a focus on the North rift region of Kenya.

1.4.2 Specific objectives

The study was guided by the following objectives;

1. To find out the most common factors associated with incarceration.
2. To establish the types of rehabilitation programs available in Kenyan prisons
3. To investigate the effectiveness of rehabilitation programs in Kenyan prisons
4. To find out the impact of the physical and human environment on inmates

1.5 Research questions

The study sought to answer the following research questions;

1. What are the most common causes of incarceration?
2. What types of rehabilitation programs available in Kenyan prisons?
3. How effective are rehabilitation programs of in Kenyan prisons?
4. What impact does the physical and human environment in prison have on inmates?

1.6 Significance of the study and Research justification

This study is of benefit to the prisons department of Kenya due to the fact that it will provide information that will assist in making better, the rehabilitation

programs that are in place. This, the study shall achieve this by assessing the effects that the current rehabilitation programs have on prisoners. The study is thus expected to come up with ways of improving these programs and therefore inform policy. The study is also expected to benefit other countries which are experiencing high rates of recidivism and therefore assess their criminal justice systems of the pressure posed by recidivism. Furthermore, the study shall act as the basis of literature for future studies and will suggest to the scholars on areas that still require further inquiry. They will have a foundation to base their studies on.

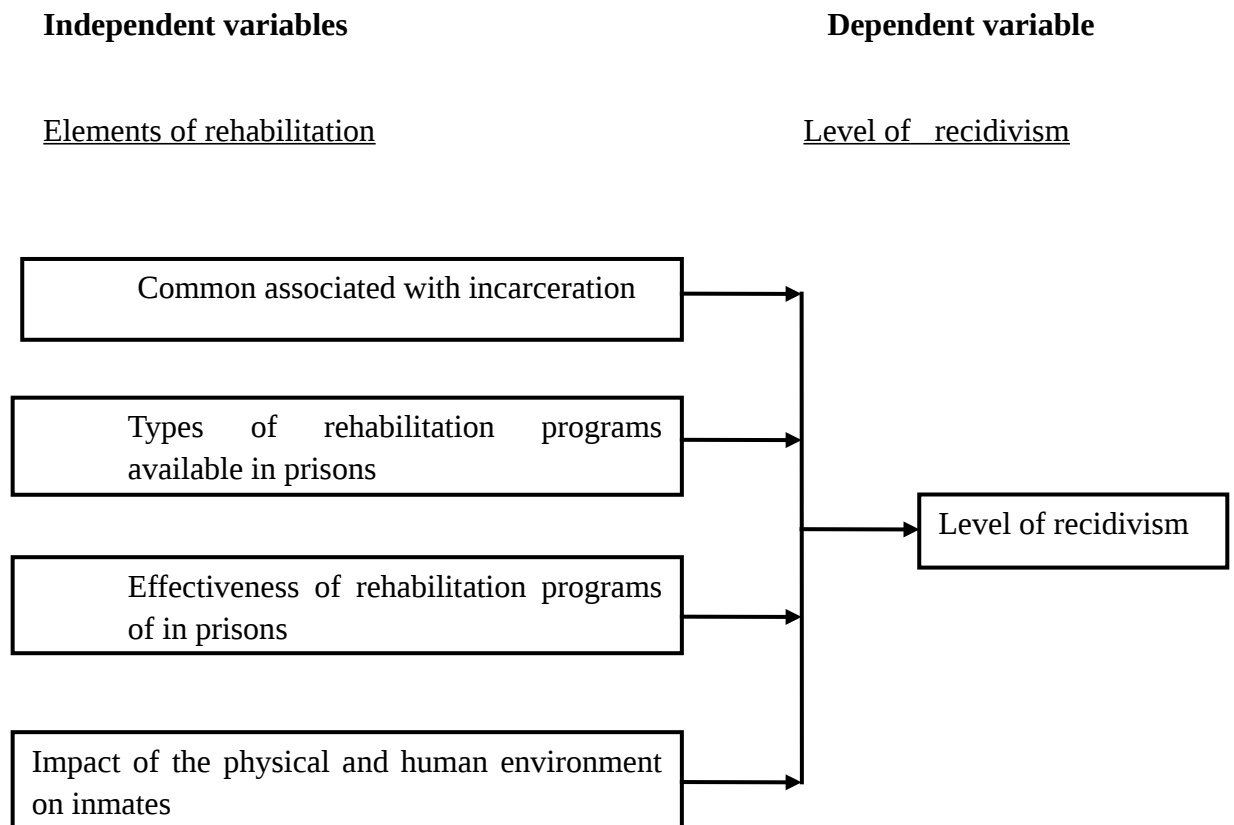
Theoretically, the study adds to the pool of knowledge on the impacts of rehabilitation programs in prison on recidivists in Kenya and consequently inform policy makers on ways of how to improve prison conditions the positions taken by various scholars who have conducted studies in the area of behavior in the country and other changes aimed at generating effective programs that are helpful to prisoners and prison officials so as to reduce recidivism in Kenyan.

1.8 Scope of the study

The study was limited to the impact of rehabilitation programs on the level of recidivism with a focus on the North rift region of Kenya. This implies that any factors influencing recidivism other than the rehabilitation programs employed by the prison facilities are outside the scope of this study. Additionally, any consequences that rehabilitation programs might have on the prisoners that are not linked with recidivism are similarly outside the scope of this study. The study was conducted between the months of January and May 2012.

1.9 Conceptual framework.

The conceptual framework defines the relationship between the variables of the study. This study examined the impact of rehabilitation programs as the independent variable and the level of recidivism as the dependent variable. Differing aspects of rehabilitation programs contribute in various ways to the level of recidivism as illustrated in the figure below;

Figure 1.1: Conceptual framework

The most common factors associated with incarceration in Kenya are often thefts, robberies, assault, loitering aimlessly, handling stolen goods and being caught in possession of illegal drugs among many others. It is however important to note that reasons behind the first incarceration are in most cases lighter in comparison to subsequent cases of incarceration for recidivists. The factors associated with incarceration are therefore important when the impact of rehabilitation programs are being considered since they give insights into establishing whether programs offered in prisons are helpful to prisoners, (Carcacach, 1999:10)

The contribution of rehabilitation programs to the level of recidivism is important. This is because the level of recidivism can be considered an indicator of the effectiveness of rehabilitation programs in the correctional facilities in a country or region. Rehabilitation programs have increasingly been adopted by many countries as alternatives to the traditional punitive nature of prisons. Over time, strong advocates of human rights have been at the forefront in calling for better ways of ensuring that offenders never do things which could redirect them to prison. In effect, there are several programs run by prisons and other correctional facilities which are aimed at changing the participants into responsible law abiding citizens. The types of programs available at whatever facility are therefore important as they determine whether prisoners will end up in prison again or change completely to become a good citizen, (Drabsch, 2006:10).

The effectiveness of the many rehabilitation programs run by prisons and other correctional facilities has been a subject of debate for quite a long time. This is because currently governments continue to invest heavily in such programs yet the rates of crime still soar and what is more is that the perpetrators of the criminal activities are in most cases individuals who have been in prison on one or two occasions (recidivists) and are thus thought to have undergone life changing training programs aimed at making them good citizens. It is therefore generally thought that if these programs have to be effective, they have to be structured in ways that will address the needs of the prisoners adequately. The debate that has been going on in itself is a clear indicator that the level of effectiveness of rehabilitation programs in prisons has a direct bearing on the level of recidivism and thus the calls for improvement, (Broadhurst, 1990:11).

Numerous psychological studies (Drabsch *et al.*, 2006) have been conducted world wide and from such studies, it is clear that the environment, be it physical or human has an impact on the behavior patterns of prisoners. Based on this position, it becomes important for this study to examine the environment in prison and find out how it affects the behavior of those in custody. This is so because harsh prison conditions as was the case in the past only bred hardened characters that could do unimaginable things on their release. The environment in prison thus has a bearing on the level of recidivism depending on whether it moulds sociable and responsible characters or some hardened individuals who will engage again in crime, (Guarnieri, 1993: 11).

CHAPTER TWO

LITERATURE REVIEW

2.0 Introduction

Chapter two reviews the existing literature on recidivism and how the programs that are offered in prisons impact on prisoners with the view of making it quite clear that rehabilitation programs affect prisoners to an extent of re-offending.. This literature review is organized under the following sub-headings; past studies, empirical review, a critical review and the knowledge gap, review of relevant theories and conclusion of the reviewed studies.

2.1 Concept of Recidivism

2.1.1 World trends in recidivism

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 chances of being re-incarcerated somewhere down the track compared to not ever having been incarcerated (Wormith, 1984). Having served a term in prison is far from deterrence to further offending. This may sound facile but it is an important observation as those who are included in recidivism figures in South Africa include the large percentage of those who serve full-time prison on remand (between 18 and 20% of the prison population-30% of women) and those who serve short sentences (more than half of those who flow through prisons every year) (Kutin *et al.*, 2003). Included in these numbers are persons with mental illness, cognitive disability, dual diagnosis, Indigenous women and remandees, a significant number of who do not end up receiving a custodial sentence at the end

of their remand period. Many of these individuals could and should be kept out of prison in the first place. This is salient because in the current policy and legislative climate of building more prisons to manage risk and therefore to deal with difficult social problems, more people with little capacity to negotiate the criminal justice system will be imprisoned and the more persons imprisoned, the more they return to prison (Kutin *et al.*, 2003).

Although there are many ways and points at which to intervene to help prevent offending or re-offending, including during early childhood, support for disadvantaged families, parenting support, court diversion, restorative justice approaches and alcohol and other drug rehabilitation, a crucial period is post-release (Kutin *et al.*, 2003).

A global study by the Pew Center (2010) concluded that on average, more than 40 percent of ex-convicts commit crimes within three years of their release. They in turn wind up back behind bars, despite billions in taxpayer funds spent on prison systems that are supposed to help rehabilitate them. According to this study there was only marginal improvements in the nations' recidivism rate even as spending on corrections departments has increased by about 73% annually since decade ago. About 43 percent of prisoners who were let out in 2004 were sent back to prison by 2007, either for a new crime or violating the conditions of their release, the study revealed. The persistent recidivism rates are a sign that programs and policies designed to deter re-offenders were falling short of expectations and lawmakers should consider alternative programs to achieve lower rates of recidivism (Jones, *et al.* 2006:13).

Adam Gelb of the center's Public Safety Performance Project in U.S. (Gelb, 1999), was quoted to say,

"We know so much more today than we did 30 years ago when prisons became the weapon of choice in the fight against crime," he said. "There are new technologies and new strategies that research has shown can make a significant dent in return to prison rates. There are fewer and fewer policy makers who think that spending more taxpayer money to build more prisons is the best way to reduce crime."

Gelb cautioned that corrections departments alone aren't to blame - prosecutors, courts, probation officers and faith-based organizations also should be held accountable (Jones, *et al.* 2006:14).

In the United States, there are about 1.5 million prisoners, or 615 prisoners per 100 000 of the population. In some of the states, this figure is as high as 1 000 per 100 000 of the population. Wyoming and Oregon had the lowest overall recidivism rates for offenders released in 2004, with rates hovering below 25 percent. Minnesota had the highest - more than 61 percent - while Alaska, California, Illinois, Missouri and Vermont all topped 50 percent. The recidivism rate in Kansas dropped by more than 22 percent between 1999 and 2004, while it increased by about 35 percent in South Dakota over the same period. The 41 states that provided data for 2004 could save a combined \$635 million in one year if they can slash their recidivism rates by 10 percent. California, the home of America's largest prison system, could save \$233 million in one year by slashing its recidivism rate by 10 percent (Williams, 2006:14).

Justice and Corrective Services Departments across Australia have over the past decade introduced through care policy in an attempt to reduce re-offending. Through care is the continuous, co-ordinate and integrated management of offenders, from the offender's first point of contact with correctional services to

their successful reintegration into the community and completion of their legal order. The post-release aspect of through care requires that justice and human service agencies cooperate and coordinate their activities prior to release, during transition and for some period after release to assess and assist persons with multiple needs. The first month or two is a crucial time during which releases, especially those with mental health, intellectual disability and drug problems, are often re-arrested or breached for parole infringements (Lievore, 2004:15).

It requires high level and consistent liaison amongst all agencies involved in working with offenders before, during and after a sentence, especially after time in prison. Community Correctional Officers (Probation and Parole), post-release non-government agencies and release themselves have extreme difficulty in most jurisdictions finding the resources needed for post-release. There is often poor communication between prisons and community corrections (Jones, *et al.* 2006:14). The majority of prisoners who have done programs in prison find there is no complementary program in the community, and parole officers find liaising with some departments and agencies difficult, as ex-prisoners are seen to be unworthy or to be too difficult to work with. Those with dual and multiple diagnoses have little chance of securing mental health, alcohol and other drug and cognitive disability services linked with other social support. And as all criminal justice agencies are required, in this risk-averse climate to guarantee no risk (a complete nonsense of course) more and more high needs prisoners are assessed as high risk and locked into the criminal justice revolving door. The risk management paradigm overwhelms through care by taking the lion's share of the resources and relegating post-release support to a poor second place (Mouzos J, Smith L & Hind N, 2006:15).

Research in Australia indicates that upon release most ex-prisoners face multiple and significant challenges to being socially included and to avoid reoffending. Health surveys of prisoners suggest very high levels of mental illness (30-45%) and intellectual disability (up to 12%) with many prisoners having both (ABS, 2005:16). On the African continent, crime and punishment have always been part of human society as has been the case elsewhere. The world-wide trend in imprisonment is reflected in South African statistics.

In July 1996, the average detention cycle for an awaiting trial prisoner was 76 days. By July 2000, this figure had increased to 138 days. For regional court cases, the average period is 221 days or seven and a half months. The latest estimated cost of imprisonment is R 86 per day per prisoner or R31 390 per year. It is therefore not surprising that the Department of Correctional Services' budget grew rapidly from R751 million in 1989/90 to R3.51 billion in 1997/8, and R5.78 billion in 2000/1. Despite these massive increases, the ratio of staff to prisoners did not improve and was reported in 1997/8 as being 1:4.54, an increase from the previous year's 1:3.47.43 Under these conditions, it becomes nearly impossible to render quality services to prisoners in general (Baldry, E., & Maplestone, P, 2003:16).

Every year, thousands of mainly young men are sent to prison, often for very short periods of time. Even a short prison term can have a dramatic effect on the emotional and personal well-being of any person. Apart from exposure to hardened criminals and prison gangs, a young man leaving prison after only six months has probably experienced some of the worst situations and conditions in his life so far. The fact that much of South Africa's prison population is serving sentences of less than six months and that, in all likelihood, no services will be provided to assist

them upon their release, is of concern, which with no doubt is partially to blame for the current recidivism rates (Mouzos, Smith & Hind, 2006:17).

Prison is a society in and of itself, operating with its own rules and mechanisms. The patterns of behavior learned in prison are generally not in line with those that are acceptable in society. The power wielded by gangs in prisons and perpetuated outside prison is indicative of the pervasiveness of the gang culture in prisons and its effects on prisoners and former prisoners. Learning new rules and standards of behavior and applying them in everyday decision making are essential in offender reintegration. It also has to focus on unlearning, for example, that violence is an accepted solution for conflict, that responsibility can always be shifted to someone else, and that immediate gains always supersede long-term goals (Baldry, E., & Maplestone, P, 2003:17).

The structural condition of South African prisons such as overcrowding, staff shortages and infrastructural collapse severely undermines the potential positive outcome of a term of imprisonment. When people are living in conditions that are inhumane and are often treated as something other than human, it is unlikely that they will treat other people humanely. Treating and respecting prisoners as human beings, with all their rights and responsibilities, form the foundation of all offender reintegration initiatives. Without this, the chances for success are severely diminished (Blumenthal, 1999).

2.1.2 Imprisonment and Recidivism

The application of sanctions by the legal system has been at the forefront of society's efforts to control criminal behavior. The most recent trend, especially in the U.S., has been to use prison sentences, particularly what are known as

mandatory sentences, to achieve this goal. Mandatory sentences are grid-like sentencing prescriptions that attempt to make the "punishment" fit the crime (Borzycki, 2005:18). Judicial discretion is severely limited as regards weighting of individual circumstances in sentencing. Almost all U.S. states and the federal government have some sort of mandatory laws, wherein drug crimes have featured prominently (Borzycki, 2005).

California leads in this area as the proponent of one of the broadest, toughest and most rigorously applied mandatory minimum policies, commonly known as the "three strikes and out" law (Stolzenberg & D'Alessio, 1997:18). The state provides a mandatory sentence of 25 years to life for a third felony and there is no distinction among types of felonies. To illustrate how harsh mandatory sentences can be, consider one Greg Taylor (Bellisle, 1999:18), whose first two crimes (or strikes) were stealing \$10.00 and a bus pass, then robbing a man on the street. Fourteen years later, he was caught attempting to break into a church to steal food (his third strike). He received a sentence of 25 years to life. Even first strike sentences can be tough as evidenced by the case of a Ms. Renée Bojé who has no criminal record. She lived in Vancouver, because she was facing a minimum of 10 years in prison for watering a marijuana plant on a balcony in California should she return to the U.S. A major justification of mandatory prison sentences is that they teach offenders that punishment is certain and severe, and thus that "crime does not pay" (Andersen, 1999:18).

2.1.2.1 Effects of Imprisonment: Three Schools of Thought

There are three schools of thought regarding the ability of prisons to punish. The first is that prisons definitely suppress criminal behavior. The second perspective, the "school of crime" viewpoint, proposes just the opposite, that is, that prisons

increase criminality. The third, which we label the "*minimalist/interaction*" position, contends that the effect of prison on offenders is, with few exceptions, minimal (Buckman, J, Livingstone, M & Lynch, M., 2003:19).

i) Imprisonment as punishment

Historically, imprisonment was based on punishing those who wronged society, by inflicting suffering of the body – similar to the pound of flesh depicted within Shakespeare's Merchant of Venice. In contrast to this concept, today's imprisonment is no longer simply intended as an acute form of corporal punishments, but a method by which to work on a person's mind as well as his body, through 3 distinct areas – which include: punishment, deterrence, and rehabilitation. Zanna, M. P., & Rempel, J. K., 1988:19).

These three unique areas, when interlinked into a single process are intended to allow society to remove criminals from a position where they may continue their criminal behaviour, place them into an institution that satisfies the masses who desire some form of retribution, persuade other would be criminals that such activities are not beneficial, and in time sculpt them into productive and law abiding citizens through positive psychological conditioning who may later be re-integrated into society.

In theory, such a concept fairs well – but unfortunately in reality, a large range of negative psychological experiences encountered within prison do not lead to this otherwise well thought out plan. The view that the experience of prison in itself acts as a deterrent is rooted in the simple specific deterrence theory (Andenaes, 1968:19) which predicts that individuals experiencing a more severe sanction are

more likely to reduce their criminal activities in the future. Economists have taken the lead in support of the specific deterrence model (Hirsch *et al.*, 1999:20). They maintain that incarceration imposes direct and indirect costs on inmates such include, loss of income, stigmatization (Nagin *et al.*, 1998). Thus, faced with the prospect of going to prison or after having experienced prison life, the rational individual would choose not to engage in further criminal activities. In addition, another "cost" argument, identical to that which the "*schools of crime*" advocates employ, is that, if prison life is a degrading, dehumanizing experience then it surely must be regarded as an additional "*psychological*" cost of doing punishment (Nagin *et al.*, 1998).

Surveys indicate that both the public and offenders consider prison to be the most severe or effective form of punishment for offenders (Doob *et al.*, 1997). Policy makers often assume that prison is the severest punishment available (Wood & Grasmick, 1999). DeJong (1997; 20) remarked that the expectations of the public and policy-makers are that incarceration has powerful deterrent effects.

Nagin (1998;20), feels strongly that the deterrence literature in general is persuasive but despairs that if the rate of imprisonment keeps climbing, prisons will be seen as less stigmatizing thereby neutralizing any possible deterrence effect. Others suggest that only some classes of offenders may be *deterable*, such as those who are more strongly bonded to society (i.e., at lower risk) (DeJong, 1997:20). Orsagh and Chen (1988; 20) have posited a U-shaped threshold theory for the punishing event, by which a "moderate" dosage of prison would be optimal. And, there is the current view that the modern prison is too comfortable; only "no-frills" prisons offer enough punishment to act as an effective deterrent (Corcoran et

al.,1997:21). As in days gone by, prisons should be places of only bare bones necessities, where life is lived in fear for example caning is appropriate (Nossiter, 1994:21).

ii) School of crime

The belief that prisons are "*schools of crime*" also has widespread support. The earliest writings on crime by scholars such as Bentham, De Beaumont and de Tocqueville, Lombroso and Shaw, suggested that prisons were breeding grounds for crime (Lilly *et al.*, 1995:21). Jaman *et al.*, (1972;21) put the matter succinctly by stating that "the inmate who has served a longer amount of time, becoming more prisonised in the process, has had his tendencies toward criminality strengthened and is therefore more likely to recidivate than the inmate who has served a lesser amount of time". This viewpoint is widely held today by many criminal justice professionals and policy makers (Cayley *et al.*, 1987), some politicians (*e.g.*, Clark, 1970; Rangel, 1999, who said that prisons granted Ph.D.s in criminality), and segments of the public. Aspects of our popular culture (*e.g.*, cinema) also reinforce the notion that prisons are mechanistic, brutal environments that likely increase criminality (Mason, 1998; 21).

There is a large body of literature of primarily an anecdotal, qualitative, and phenomenological nature, which asserts that the *prisonisation* process destroys the psychological and emotional well-being of inmates (Bonta & Gendreau, 1990; Cohen & Taylor, 1972;21). In contrast to the prisons as punishment view, "schools of crime" advocates view the glass as half-full rather than half-empty. By their reasoning, if prison psychologically destroys the inhabitants, then their adjustment

to society upon release can only be negative, with one likely consequence being a return to crime.

A more precise specification of the mechanisms involved comes from behavioral analysts. These researchers pay less heed to putative psychologically destructive features of the prison environment, rather, they focus simply on which beliefs and behaviors are reinforced or punished therein. Bukstel and Kilmann's (1980) classic review of the effects of prison literature summarized several studies (e.g., Buehler, Patterson, & Furniss, 1966) that employed behavioral technologies to examine and record in detail the social learning contingencies that existed in various prisons. Bukstel and Kilmann (1980:22) claimed that each study found "overwhelming positive reinforcement" by the peer group for a variety of antisocial behaviors, so much so, that even staff interacted with the inmates in a way that promoted a procriminal environment. As with the phenomenological literature, the inference here is that prisons should promote criminality.

iii) Minimalist/interaction school

Different frames of reference have contributed to this perspective. The first three coalesce nicely to provide compelling reasons why prisons should have no appreciable effect on recidivism. There is the human and animal experimental learning and behavior modification literatures (Gendreau, 1996:22). Coupled with the social psychology of persuasion knowledge base, they provide ample evidence to refute the notion that it is an easy matter to coerce offenders. Furthermore, the offender personality literature attests to the fact that the makeup of offenders is a

complicating factor. Firstly, there has been a tremendous amount of research on which punishing events are the most effective in suppressing behavior (Matson & DiLorenzo, 1984). Prison life events are not included among them. In addition, there are several absolutely crucial criteria that must always apply in order for punishment to be maximally effective (Schwartz & Robbins, 1995). Some of these are that the punishing stimuli must be immediate, as intense as possible, predictable, and the delivery of punishment serves as a signal that reinforcement is not available for the punished response. Given the nature of these strictures, it has been noted that

"it is virtually impossible to meet these criteria in the real world in which offenders live unless some unbelievably efficient Orwellian environment"

(Gendreau, 1996; 23) exists akin to a giant Skinner box. Others who have examined this issue have come to a similar conclusion (Clark *et al.*, 1995). Furthermore, and this is a critical point, punishment only trains a person what not to do. If one punishes a behavior what is left to replace it? In the case of high-risk offenders, simply other antisocial skills! This is why punishment scholars state that the most effective way to produce behavioral change is not to suppress "bad" behavior, but to shape "good" behavior (Blackman, 1995:23).

Also, the road travelled from committing a crime to incarceration is circuitous given that only a "tiny fraction" of criminal victimizations result in prison time, in most cases, months later (Bennett *et al.*, 1996:23). And, offenders' knowledge of sanctions, even of highly publicized ones (Bennett, *et al.*, 1996), is far from accurate. Secondly, the social psychology literature on persuasion and resistance processes provides another compelling rationale as to why at least the threat of

punishment, such as prison, is decidedly problematic. This is a complex literature which deserves a fuller analysis; suffice it to say, that for persuasion to occur the principle of positive reciprocity (i.e., do something nice to somebody) must apply. The source of the message must be credible, attractive, and authoritative (but not authoritarian), and the appeal of the message engineered so that commitment on the part of the receiver is achieved (Cialdini *et al.*, 1993). Once commitment has occurred, several other steps must be met in order for behavior to change (Fishbein, 1995:24).

Additionally, clinicians who are skilled in breaking down resistance to change express empathy, avoid argumentation, support self-efficacy, and do not excessively confront or threaten (Miller & Rollnick, 1991: 24). To repeatedly threaten someone is to invite the well-documented process of psychological inoculation whereby individuals think of reasons to resist change (Eagly & Chaiken, 1993:24). It is suspected that offenders are masters of this behavior. A study by Hart (1978:24) of punishment in the army is a good example of the occurrence of the inoculation principle.

Thirdly, the question must be asked as to who the criminal justice system wishes to punish. The salient beliefs and attitudes of higher risk offenders, whom one most wishes to change, are antagonistic to education, employment, and supportive interpersonal relationships. Their personalities can be highly egocentric, manipulative, and impulsive. They frequently engage in skewed decision-making processes that greatly over-estimate the benefit of antisocial actions vs. the costs involved (Andrews & Bonta, 1998). They may often be under the influence of a substance thereby further distorting their perceptions of reality. Some would agree

that the nature of offenders is such that they may be resistant to punishment even under circumstances where optimal punishment conditions apply (Andrews & Bonta, 1998).

Taken together, these three sets of literature suggest that the effects of prison are likely minimal. A closely allied view is that the effects of imprisonment are conditional, that while prisons generally have little effect on offenders, there are exceptions to the rule. Originally, researchers from this camp came into the field with the expectation that prisons were "schools of crime" only to conclude from their work and the available evidence that prisons were basically "*psychological deep freezes*" (Zamble & Porporino, 1988:25). In essence, they were stating that the behavior seen in prison was similar to that which existed prior to incarceration. Cross-sectional and longitudinal studies of length of incarceration and differential prison living conditions have found a few negative psychological results of incarceration (Bonta & Gendreau, 1990); in fact, in some areas the opposite result has occurred (Zamble, 1992:25). Offenders, moreover, who have been the most anti-social in prison and the most likely to recidivate upon release, have also tended to be higher risk going into prison (Gendreau, Goggin, & Law, 1997:25).

Despite this overall trend, these researchers left room for some interactions to occur (Bonta & Gendreau, 1990; Paulus & Dzindolet, 1993; Wright, 1991:25) by asking the questions what types of offenders under which prison living conditions might be adversely affected (Bonta & Gendreau, 1990:25). For example, Zamble and Porporino (1990:25) found the higher risk incarcerates coped the least well in prison. They suggest that they could be prone to a greater degree of recidivism. On the other hand, a commonly expressed view is that it is low-risk offenders for

whom prison has the greater negative impact. Leschied and Gendreau (1994:25) contended, on the basis of aggregate recidivism trends in Canada and a social learning model of criminal behavior (Andrews & Bonta, 1998:26), that incarcerated low risk offenders should be negatively influenced by the potent antisocial values of their higher risk peers (also see Feldman, Caplinger, & Modarsky, 1983; Leschied, Jaffe, & Austin, 1988:26). Higher risk offenders should be little influenced by a term of imprisonment.

2.2 Rehabilitation facilities and programs

2.2.1 An overview of prisons in Kenya

In 1911, the Kenya Prison Service was established under the Ministry of Home Affairs, Heritage and Sports. In 1917, the posts of Commissioner of Prisons and Assistant Commissioner of Prisons were created, and the control and management of prisons became the sole responsibility of the commissioner. There are 92 correctional institutions in Kenya which include 89 prisons, two borstals homes and one youth training centre (CIS, 2010:26).

During the period between 1911-1917, 319 staff supervised 6,559 inmates, Since 2002, when president Kibaki came to power, prisons have undergone major reforms that have seen television sets, computers and educational facilities provided in prisons. The prison service has also cultivated a good public image. Inmates now have access to television radio broadcasts. TV sets are fitted on walls of prison halls. Prisoners spend their evenings watching news and other programs. These have been aimed at instilling better standards for the treatment of prisoners by making them more accommodative and developing a human attitude. Major events are organized by the prison service to showcase how prisons have come-catwalks, fashion and design, exhibitions convicts sitting national exams and

provision of sanitary towels dental and medical check-ups (CIS, 2010:26). Prison warders are more friendly and more helpful indeed to inmates. Senior officers listen to prisoners' views and complaints and addresses their welfare, where inmates are made and asked probed regarding their welfare and problems. Ailing inmates are interviewed and treated by Government doctors. Consequently, inmates are treated much more humanely than was the case years ago (CIS, 2010:27).

2.2.2 The current state of affairs at the Kenya Prisons Service

Kenya Prisons Service is currently headed by the commissioner of prisons. It derives its mandate from the Prisons Act, Borstal Act and Public Service Commission Act. Kenya Prisons Service's functions are to contain and keep offenders in safe custody, rehabilitate and reform offenders, facilitate administration of justice and promote prisoners opportunities for social re-integration. To decongest the prisons, non-custodial sentences such as community service are used by courts as alternative to jail terms (Kenya Crime & Safety Report, 2008:27). The prison's Rapid Results Initiative (RRI) was launched in the year 2007 to harness team strength and client participation to speed up delivery of services within 100 days. The approach tackled large-scale, medium and long-term change efforts through a series of small-scale, results-producing and momentum-building initiatives.

The Office of the Vice President and Ministry of Home Affairs identified 12 thematic areas covering all departments, five of which were directly related to prisons. One was to decongest prisons and the goal was to reduce the number of petty convicted offenders and remand inmates by 20 per cent — from 3,816 to 3,053. In 100 days, their number reduced from 3,816 to 2,902, a decrease of 24 per

cent (914 discharges). Another aim was to increase revenues in prisons from prison-produced goods and agriculture by 19 per cent from Sh 130 million (\$1.625 million) to Sh 155 million (\$1.9375 million) in 100 days and it worked. Revenue collection increased to Sh 62.6 million (\$2.0325 million). The third aim was to boost security in prisons and thus increase morale of staff and inmates by 20 per cent within 100 days. According to data from a survey that was conducted after the elapse of the 100 days, staff and inmate morale increased by 19.79 per cent (Kenya Crime & Safety Report, 2008:28).

2.2.3 Probation and aftercare services in Kenya

Crime is complex and demands comprehensive solutions from criminal justice agencies and the public. The probation service in Kenya is one of the key Government agencies whose mandate is to rehabilitate offenders in the community which reduces to crime. The history of probation service in Kenya dates back to 1943 when a series of commissions appointed by the colonial government recommended its establishment (Kenya Crime & Safety Report, 2008:28). Notable among these was the Peterson Commission. Probation service as practiced in Kenya today owes its origins from Britain when the probation ordinance was passed in 1943. Its actual commencement in Kenya was in 1946. In its formative stages, it was confined to Nairobi and predominantly dealt with juveniles and women offenders. Administratively, the department has over the years has been under different ministries. Now it is in the vice president's Office and Ministry of home Affairs. The services of the department have grown and expanded tremendously over the years the initial coverage of the capital Nairobi (Oundo, 2002:28).

The department has a presence all over the country at all court stations owing to this growth and expansion, more Government programs have been added to its operation. The services are delivered through the headquarters in Nairobi, provinces, districts, division, courts, penal institutions and communities. Probation officers rehabilitate those given community sentences and those received from penal institutions. The officers also enforce the conditions of court orders and also generate pre-sentence reports to courts for effective and fair sentencing of offenders. Further the officers provide information to penal institutions offenders' backgrounds and identify workplaces for community service orders offenders (Oundo, 2002:29).

2.2.4 Level of application of rehabilitation programs in Kenyan prisons

Kenyan prisons have tried out rehabilitation programs in the recent past as opposed to how the case was in the early years that is before and immediately after independence. Such rehabilitation programs are run with the help of organizations such as Resources Oriented Development Initiatives (RODI) Kenya (Kayeke, 2011: 28). This is a Kenyan Development organization started in 1989 as a Community Based Organization (CBO) interested in promoting alternative forms of agriculture within the reach of poor farmers. It was originally known as Organic Farming Outreach program (OFOP). RODI is registered as an NGO under the NGO co-ordination bureau in Kenya and as a Charity in the UK.

RODI's mission is to reduce poverty, crime and re-offending by training school pupils and prisoners in organic agriculture, agro-processing, value addition, natural resource management and HIV/AIDS and drug and substance abuse prevention. This work is carried out through two strategic programs: Schools Organic Agriculture Program (SOAP) where we work with pupils to promote organic

agriculture and to fight the spread of HIV/AIDS and drug and substance abuse. With the high prevalence of HIV/AIDS and drug abuse in Kenya, children are targeted for sex with the belief that they are not infected and for drug consumption and trafficking. It is strategic to target pupils because their character is at formative stage and before onset of adolescence. Pupils are also good in peer education and passing on information to parents and the wider community.

Prisoner Rehabilitation Program (PREP) where prisoners are trained in preparation for crime free life by equipping them with skills and technology for self-support and for passing on to the community to speed up acceptance and reintegration and for fighting poverty, a major cause of crime. Ex-prisoners are followed up to monitor their performance and to work with them and their home communities. Prisoner Rehabilitation Program (PREP) has been in operation since the year 1994; the program started its activities in 2 prisons in Nyanza province later reaching 27 prisons and over 50 community groups in 5 provinces in Kenya. As of December 2010 the program was implementing its activities in Rift Valley, Nyanza, Central, Nairobi and Western provinces.

It has been particularly successful in training prisoners, prison officers, ex-prisoners and community group members in the areas of sustainable agriculture, natural resource management, appropriate technology, HIV/AIDS and drug and substance abuse. The program has been concerned with the increasing rates of poverty, unemployment, crime and re-offending in Kenya. The aim of this program is to equip the target beneficiaries with skills for self reliance, poverty reduction, food security and make them aware of the issues of HIV/AIDS, gender and drug &

substance abuse so as to cut the cycle of poverty, crime and re-offending (Kayeke, 2011:30).

The program builds the capacity of prisoners by equipping them with skills and technologies for self reliance and income generation after they leave prison. After release of the inmates, we have a component of ex-prisoners follow-up to monitor their progress/performance, give them additional training, assess project impact and to support them to re-integrate back to the community. The ex-prisoners are encouraged to share the skills he/she acquired while in prison with the community members and to form Community Livelihood Improvement Groups (CLIGs) to speed up their acceptance and address poverty at community level. In addition the ex-prisoners are supported to set up income generating projects (Kayeke, 2011:31).

The program is well guided by a clear training curriculum for prisoners, prison officers and community members. To make the implementation of the training effective; the curriculum is shared with the target beneficiaries. Upon graduation, prison officers and prisoners are expected to implement the skills acquired in their respective prisons and communities which enable RODI to scale up the program widely. RODI advocates for good prisoner rehabilitation with the prisons department while at the same time creates awareness with community members to enhance prisoner re-integration and poverty reduction (Onunga, 2009:31).

RODI implements farmer to farmer training in Kenyan prisons and at community level and intends to scale-up the experience to Eastern Africa Region prisons based on proper guidelines and processes. Proper action plans are drawn and implemented within prisons and community groups. The prisons and community groups set up demonstration farms and organize exchange visits to share good

practices. Proper documentation of the good practices using farmer led documentation boosts the extension program. The program sets up model demonstration farms in prisons and within the community which act as farmer field schools for training of other beneficiaries. Community members and ex-prisoners are equipped with skills in group mobilization and dynamics so as to be able to form more groups to speed up the process of re-integration of the ex-prisoners. RODI encourages ex-prisoners and community members to access the existing government funds to assist them set up income generating activities (Kayeke, 2011).

In the last few years the need to address poverty related problems, break the cycle of poverty crime and re-offending, influence changes within the prison in the way rehabilitation of prisoners is done. Demand for the program services has increased country wide and in the Eastern Africa Region, this calls for RODI to plan on how to strengthen the program and expand it to reach more beneficiaries. The program intends to pursue a strategy that mainstreams the program to its beneficiaries, increases sustainability of the program, increases coverage of the program in the Eastern Africa Region, influences change and policy within prisons and sharpens poverty focus by implementing an intensive training program for prisoners, prison officers, ex-prisoners and community trainers in order to build their capacity as Trainers of Trainers (ToTs) and to adopt the strategy of farmer to farmer learning approach.

RODI Kenya works with the following list of prisons in Kenya:

Name of prison

Region in Kenya

Kisumu medium prison	Kisumu County
Ruiru prison	Kiambu County
Thika main prison	Kiambu County
Kisumu women prison	Kisumu County
Thika women prison	Kiambu County
Kiambu prison	Kiambu County
Kakamega main prison	Kakamega County
Nyeri main prison	Nyeri County
Kamiti medium Prison	Kambu County
Kapsabet main prison	Nandi County
Kapsabet women prison	Nandi County
Eldoret main prison	Uasin Gishu County
Eldoret women prison	Uasin Gishu County
Kibos medium prison	Vihiga County
Ngeria prison	Uasin Gishu County
Nyeri medium prison	Nyeri County
Shikusa main Prison	Kakamega County
Shikusa Boarstal	Kakamega County
Kakamega women prison	Kakamega County
Langata women prison	Nairobi County
Athi-river prison	Machakos County
Jamhuri prison	Nairobi County
Kamiti YCTC	Kiambu County
Nairobi west prison	Nairobi County

Source: Ministry of Home affairs, (2013)

RODI Kenya has been at the fore front in calling for Government, well wishers and potential donors to support its programs in terms of funds and materials. This is

because the funds and materials are used to set up training demonstration plots in prison for training of inmates, prison officers and their families. The materials also form a start up kit for ex-prisoners to be able to settle and start small projects to earn income for self reliance. This entire program is aimed at breaking the cycle of poverty-crime and re-offending (Kayeke, 2011:34).

2.2.5 State of the physical and human environment in Kenyan prisons

What is the situation in Kenya in regard to the treatment of prisoners? One positive development is that most African countries have agreed to comply with the various international conventions on the treatment of offenders, including the UN Standard Minimum Rules for the Treatment of Prisoners. Some of them have even embarked on reforming their laws and practices, taking into account those instruments (Oundo, 2002:34).

Nevertheless, in comparison with countries in a number of other parts of the world, prison conditions in many African countries fall far short of the internationally agreed standards. Worse still, prisons in Africa "have been, and in some cases still are, very secret, closed institutions." In Kenya, the state of prisons in the past was deplorable until the year 2003 when President Kibaki took office. In the past, overcrowding, poor infrastructure, under-budgeting, high death rates, incidents of torture and ill-treatment of inmates, and other bad practices characterized by the Kenyan penal institutions (Oundo, 2002:35).

The introduction of television sets in Kenyan prisons and the improvement of the living conditions of inmates as well as prison warders received a lot of attention from the Kenyan media at the time when the reforms were being carried out. This could be due to the how the situation had been in the past. Currently, it cannot be

said that the situation in Kenyan prisons is perfect, it obviously falls short of some international standards but using the previous state of affairs as the point of reference, much has been achieved (Oundo, 2002:35).

It is during this time that the prisons were decongested of petty offenders who had unnecessarily placed the prisons under immense pressure due to their high numbers. The meals that were offered to inmates were also reported to have been improved to better quantities and quality. This was aimed at trying to make the conditions in the prison facilities more human like (Oundo, 2002:35). The physical condition of the prison facilities have also received attention with money generating activities being boosted to ensure that prison facilities can use this money in addition to funds from other sources to improve on their physical infrastructure. Prisons are currently engaged in money generating activities ranging from agriculture, wood work, metal work and textile work to participation in activities such as beauty pageants which are aimed at identifying and developing the talents of the inmates (Oundo, 2002:35).

2.2.6 Effect of prison rehabilitation programs on prisoners

Studies have shown that normalizing the prison experience through the offering of education programming, vocational training, and work for pay, along with transitional skill building reduces recidivism exponentially. Prison should not be - for the inmate - a life of leisure with no sense of responsibility to the larger society. Prison should however, be a place where the inmate can make amends, find societal redemption, and learn skills allowing him to live in the larger society as a positive force instead of a liability (Nyauchi, 2009:36).

Based on studies that have been conducted in most parts of the world, it has become very obvious that the keeping of prisoners behind bars should be focused on deterrence and keeping such persons away from the society. Rehabilitation programs have in the recent past come out strongly as the best way to handle prisoners to the change so that they do not get him/her back to prison. Instead they need to find something meaningful to engage in so that at the end of the day, the rates of crime are reduced. Among the programs that are employed in prisons to rehabilitate prisoners include; allowing mothers to keep children born in prison, victim offender mediation, boot camp for minors, faith-based prison programs, dogs in jails where inmates are used to train dogs. These programs require a lot of patience and persistence so that prisoners go through it time and again. So as to learn skills, preserve family bonds and increases the chances of success for a prisoner's eventual return to life outside prison; other programs include prison contemplative programs, drug treatment and the honor program (Nyauchi, 2009:36).

State prisons and juvenile facilities generally offer at least basic education programming, allowing inmates to work toward a high school diploma or general education equivalency certificate. Some community colleges and universities may offer programming as a public service, allowing inmates to further their education at no costs such programs contribute to the employment prospects of inmates and will thus reduce the likelihood of recidivism. Inmates may learn valuable employability skills that translate to opportunities for employment upon release. An increase in positive inmate programming has proven to minimize institutional violence because of decreased idleness. Inmates are involved in purposeful activities, giving them a sense of being a part of the larger community (Nyauchi,

2009:37). Programs such as this have the potential for successfully transitioning inmates from prison to the world of work. Helping to create success for inmates may involve a change in how prison culture is allowed to dictate interaction at every level of institutional life. Many prisons are moving toward a therapeutic model, foregoing the punitive approach as something that has not worked (Oundo, 2002:37).

Yet a holistic approach to corrections is needed if change is to occur. Communities must get involved in the re-entry process. Many local community-based organizations are at the forefront in helping to effect change in the ways that inmates can from arrest, to prison, and then through rehabilitative and transitioning process and back into the community again as assets, rather liabilities (Nyauchi, 2009:37).

2.3.1 Common factors associated with incarceration in Kenya

There is a generally a high rate of crime in all regions of Kenya, particularly in major towns such as Nairobi, Mombasa, Kisumu, and coastal beach resorts. Regular reports of attacks against tourists by groups of armed assailants have been issued in the past (Kenya Crime & Safety Report, 2008:38). However, among the most common crimes in Kenya which lead to incarceration are as below:

Carjacking

Among the most common crimes in Kenya is carjacking in order to commit an armed robbery. In early 2007, two U.S. citizens were killed and one critically injured in two separate carjacking incidents (Kenya Crime & Safety Report, 2008:38). Nairobi in particular averages about ten vehicle hijackings per day and yet the Kenyan authorities have limited capacity to cope with the challenge of deterring and investigating such acts. Public transportation vehicles tend to be

targeted since they carry passengers who are perceived to be having potential sources of valuables including money. Although these attacks are often violent, victims are generally not injured if they do not resist. However, victims are sometimes tied up and put in the back seats or trunks of their own cars. Criminals who commit such crimes will not hesitate to shoot victims who uncooperative or who may appear to comply to their demands (Kenya Crime & Safety Report, 2008:38).

Theft and banditry

Pickpockets and thieves carry out "snatch and run" crimes mostly on city streets and near crowds. There have been reports of safes being stolen from hotel rooms and hotel desk staff being forced to open safes. Thieves routinely snatch jewelry and other objects from open vehicle windows while motorists are either stopped at traffic lights or in heavy traffic. Thieves on public transportation vehicles and trains may steal valuables from inattentive passengers. Many scams, perpetrated against unsuspecting tourists, are prevalent in and around towns. Many of these involve people impersonating police officers and using fake police ID badges and other credentials. Highway banditry is common in much of North Eastern Province, Eastern Province, the northern part of Coast Province, and the northern part of the Rift Valley Province. These areas are remote and sparsely populated. Such incidents also occur occasionally on Kenya's main highways, particularly at night (Kenya Crime & Safety Report, 2008:39).

Terrorism

Terrorism is somewhat common on Kenya's border with Somalia as certain religious fundamentalists travel between Somalia and Kenya. At least one al-Qaeda

cell (Al-Shabaab) has been operating within Somalia, and may continue such operations and planning despite the war that was recently waged against it by the Kenyan military. Several terrorist attacks have been witnessed in Kenya such as the 1998 East Africa Embassy attacks and the 2002 Kikambala attacks. The most recent have been grenade attacks that have rocked several parts of the country. The attacks have linked to the war that was wedged against the Al-Shabaab by the Kenyan defense forces beginning late last year (2011). The threat of terrorist attacks is thus a reality that Kenyans live with every single day as they go about their normal business and this has led to many people especially of Muslim orientation being apprehended and put in custody (Kenya Crime & Safety Report, 2010:39).

Dangerous drugs

The handling of dangerous drugs and drug abuse is become a major issue in Kenya, especially in the Coastal region which is affected by this issue more than any other part of the country. Young men in their early 20s have been the most affected demographically. Women in Coastal region have held public protests, asking the government to move quickly to arrest young people using narcotics. In Mombasa and Kilindini, there are approximately 40 maskani (meaning "places" in Swahili) where drug abusers meet to share drugs. Bhang smoking has until recently been the drug of choice, but heroin injection is becoming increasingly popular. In addition to drug abuse, the trafficking of illegal drugs in the country has become a major issue as well. An estimated 100 million dollars is trafficked within the country each year. This makes drugs one of the major factors linked to incarceration in Kenya (Kenya Crime & Safety Report, 2010:39).

2.3.2 Types of rehabilitation programs available in Kenyan prisons

These include type of rehabilitation programs available in Kenya prisons.

Prisons farms. The main objectives of establishing the prison farms were rehabilitation of prisoners through training in such enterprises as field crop production, horticulture and livestock management. Over and above rehabilitating the prisoners, it was also expected that the farms would generate funds from the sale of farm produce and thus supplement Treasury's support to the department's training expenditure. The type of enterprises in each prison farm, are determined by ecological aspects and equally important, by potential market (CIS, 2010:40)

The horticultural enterprise is multifaceted as follows: Olericulture (vegetable production), Pomology (fruit production), Sericulture (silk production), Floriculture (flower production), Spices and herbs production. Livestock enterprises entails:- cattle, goats, pigs, poultry, rabbits, apiculture, fisheries and sericulture. Field crops such as maize, beans, sorghum, rice, finger millet are also produced. The major producing stations of these crops are located in Rift Valley, Western and Nyanza provinces (CIS, 2010:41).

Committal to probation hostels

There are several probation hostels across the country, which are normally aimed at helping offenders reform. The objectives of establishing such facilities include: provision of home away from home, institutionalized, intensive and close supervision, removal of probationers from environments which are unfavorable for rehabilitation, and provision of vocational training. These facilities offer probationers with an array of engagement activities engage in to help them reform

under strict supervision of concerned authorities. Such facilities are mostly used by young offenders worked (Oundo, 2002:37).

Community Service Orders

A Community Service Order is an order of the court requiring the offender to perform unpaid public work for the benefit of the community for a period specified in the order. Section 3 (a) of the Community Service Orders Act No. of 1998, Community Service Orders applies to persons who have convicted of an offence. Punishable by imprisonment up to three years with or without an option of a fine, and other offences punishable by imprisonment of three or more years, but for which the Magistrate would have imposed a custodial sentence of three years or less (Flanagan, 1980:42)

Community Service therefore targets those offenders who have committed non-serious offences. The Community Service Orders Program in Kenya has set itself to decongest the already overcrowded Kenyan prisons, to rehabilitate the offender so that he becomes a better member of society, and enables offenders perform unpaid public work for the benefit of the community as a way of paying back to the community for the wrongs done. It also reduces offending, keeps non-serious offenders from the hardcore criminals who more often than not educate them on how to commit more serious crimes and also enable offenders maintain family ties. Further this program provides for the offenders' family while at the time performing the sentence in addition to, reconciling offenders with their victims, and offers counseling for those who need to rediscover themselves so as to abandon deviant behavior. Stakeholders in this program include the Judiciary, the Probation, the Police, the Prisons, NGOs, the Civil Society, Religious Leaders

representing the community. It has a total of 17 members. From among the members of the National committee a smaller committee known as the Executive Committee is formed comprising the Chairman, Vice Chairman, national Coordinator and three other members. This committee which should be meeting monthly generally supervises the work of the secretariat and makes recommendations to the national Committee (CIS, 2010:42).

After-Care Rehabilitation

Aftercare may be defined as the whole range of services which may be provided for all categories of offenders be they men, women or youthful offenders to resettle back into the community upon release from various penal institutions (Onunga, 2009:43). The ultimate aim of Aftercare services is to reduce recidivism (re-offending behavior). A reduction in offending behavior by released offenders should therefore be an indication of a successful supervision rehabilitation and re-integration by the service providers. The main concern in Aftercare therefore should be towards improving the quality of life of the released offenders and their families. This could be by helping them in finding accommodation, employment, training, education and the acquiring of appropriate social skills. Released offenders come from different economic social and cultural settings and represent a diverse group of individuals representing a cross section of society (Onunga, 2009:43).

Of importance to note is that the situation to which an offender returns upon release from penal institutions and the environments he continues to live in has a great impact on his/her immediate subsequent behavior. The Probation Officer as the supervising officer should try to ensure that the supervisee is re-integrated and resettled in the social setting where he had been removed for the period of

incarceration. A successful after care program should have a direct effect of improving the social welfare of a particular individual, his immediate family as well as the community which in turn helps in creating and maintaining a conducive secure environment for social economic development (Nyauchi, 2009:43).

Prisoner Rehabilitation Program (PREP)

RODI Kenya has a successful extension program called Prisoner Rehabilitation Program (PREP) which has been in operation since the year 1999. The program was started in two prisons in Nyanza province later reaching twenty seven prisons and over fifty community groups in five provinces in Kenya. Currently the Program is implementing its activities in Rift Valley, Nyanza, Central, Nairobi and Western provinces (Nyauchi, 2009:44). It has been particularly successful in training prisoners, prison officers, ex-prisoners and community group members in the areas of sustainable agriculture, natural resource management, appropriate technology, HIV/AIDS and drug & substance abuse. The program is concerned with the increasing rates of poverty, unemployment, crime and re-offending in Kenya. The aim of this program is to equip the target beneficiaries with skills for self reliance, poverty reduction, food security and make them aware of the issues of HIV/AIDS, gender and drug & substance abuse so as to cut the cycle of poverty, crime and re-offending (Nyauchi, 2009:44).

The program builds the capacity of prisoners by equipping them with skills and technologies for self reliance and income generation after they leave prison. After release of the inmates, we have a component of ex-prisoners follow-up to monitor their progress/performance, give them additional training, assess project impact

and to support them to re-integrate back to the community. The ex-prisoners are encouraged to share the skills he/she acquired while in prison with the community members and to form Community Livelihood Improvement Groups (CLIGs) to speed up their acceptance and address poverty at community level. In addition, ex-prisoners are supported to set up income generating projects (Nyauchi, 2009:45).

2.3.3 Effectiveness of rehabilitation programs of in Kenyan prisons

There is a notion that rehabilitation programs reduce recidivism quite markedly with among in some circumstances. It is not surprising to find that some questions will be raised, for example, with whom they are implemented and under what circumstances the programs work. To answer these questions, we need to understand the characteristics of offenders and the rehabilitation programs in use (Nyauchi, 2009:45).

Since people commit crimes because of different reasons, characteristics of offenders are varied. Some types of offenders, especially those who commit crimes because of external factors, such as economic problems, peer group pressure or lack of knowledge, among others, can be rehabilitated by general programs like vocational training and education.

For those who commit crimes because of internal factors, such as psychological problems, behavior disorders, or antisocial attitudes, their situations are more complicated and they are in need of special psychological treatment programs for rehabilitation (Nyauchi, 2009:45). In order to term the rehabilitation programs as effective or ineffective, there is need to address the distinctive needs of individuals, and choose appropriate rehabilitation programs which should be applied to the respective types of offenders. Normally, the rehabilitation programs being

implemented by prisons are referred to as programs promoting the socio-economic ability of offenders, such as prison work, vocational training, and education (Weekes, 1992:46).

These types of programs are provided to almost all offenders in most countries such as Nigeria, South Africa and Egypt. However, there are some specific types of offenders who need special treatment due to the complexity of their problems, for example, drug addicted offenders, sex offenders, violent offenders and organized crime offenders. To rehabilitate these types of offenders in prisons, the application of specially designed rehabilitation programs is considered to be indispensable.

If offenders are provided with proper treatment programs in prisons, there will be a higher chance to reduce recidivism. However, the implementation of this idea cannot be made possible in some prisons, due to a lack of resources or other reasons. Moreover, the treatment programs cannot be effective without the participation of prison staff. Therefore, the potential of prison should also be boosted to be able to implement parts of the programs that they should implement (Weekes, 1992:46).

Kenyan prisons have been endeavored to ensure that the rehabilitation programs they offer are effective and achieve the purposes for which they are intended. This has been seen in their involvement of external organizations to assist them in rehabilitating inmates so that the impact of their programs can be felt. The effectiveness of these programs should be established from the number of former prisoners finding their way back to prisons.

The rates of recidivism in Kenya may not have significantly gone down going by the figures that exist. But as the population grows and the numbers of criminals increase, the programs in place should be able to either maintain the figures at a given acceptable level or bring them down to the least possible levels. Organizations such as RODI Kenya have for some time tried to assist Kenyan prisoners with some programs that should assist them to fit back into the community but the organization only works with a given number of facilities such that even if its programs were effective as they are, they are only limited to some prisons and not all. (Nyauchi, 2009:47).

2.3.4 Impact of the physical and human environment on inmates

It has been hypothesized that environment influences behavior at several levels. Immediate behavior is a function of the settings in which it occurs. For example, the arrangement of furniture in a room influences the way in which people in the room interact. The characteristic personality make-up of persons in a prison is shaped by the nature and type of environment to which they are subjected for long periods of time. Racial differences in personality can to a large extent be traced to the influence of different environments to which people of different races have been subjected for generations (Moos, 1976:47).

For example, it is supposed that climate influences temperament. The cold climate presumably makes people 'Rajasik'. The possibility of freezing induces insecurity and in a cold place one has to keep working to warm up the body. People in a cold region have to plan ahead, hoard food and firewood and make warm clothes and footwear for winter. The hostile and scarce environment makes people aggressive and aggressiveness necessitates artificial moral control. People in such

environments develop linear intelligence and they become practical, their approach to the environment being characterized by one of aggression, competition, exploitation and manipulation. It is said that science and technology are the result of this kind of approach to the environment (Lee, 1998:47).

In contrast, people in a very warm climate are likely to be 'Thamasik'. This kind of temperament is characterized by laziness and inertia. In a very hot place, it is unpleasant to keep working, because of perspiration and fatigue. In the tropics, the seasons do not change much and resource extraction is easy throughout the year. This kind of climate makes for an attitude of surrender and the approach to the environment is marked by fear and superstition (Rempel, 1988:47).

The moderate climate is most conducive for the 'Sathwik' temperament. This is characterized by an awareness of oneself and the relationship of the environment to one's adjustment. Consequently the Sathwik approach involves living in harmony with the environment. The insight into the role of the environment in our well being leads to a felt need to conserve the natural environment. The Sathwik temperament is holistic, intuitive and well balanced (Lee, 1998:48).

Prisons have often been scenes of brutality, violence and stress. Prisoners are faced with incidence of violence and are always concerned for their safety. A long-term prisoner named Jack Abbott had stated "*everyone is afraid. It is not an emotional or psychological fear. It is a practical matter. If you don't threaten someone at the very least, someone will threaten you...Many times you have to "prey" on someone, or you will be "preyed" on yourself*" (Tosh, 1982:48).

Prisons aim to cure criminals of crime; however, their record has not been encouraging. Instead, prisons do more harm than good. The pains of jail confinement affect all prisoners in different ways. To begin with, the prisoners need to withstand the entry shock by adapting quickly to prison life. Prisoners are exposed to a new culture, which is very different from their own culture. Then they need to maintain outside links. For example, keeping in contact with family and friends becomes frustrating. While being in prison the prisoner must determine his/her ways of passing the time since the hours appear endless (Tosh, 1982). For some prisoners, the major source of stress includes the loss of contact with family and friends outside the prison. There is also the fear of deterioration. There is lack of personal choice within the prison environment which affects prisoners. After many years of being told what to do they may well lose the ability to think for themselves and may not make their own decisions and choices freely (Tosh, 1982).

Every animal is only at home in its natural environment and in unnatural settings, its behavior becomes deranged. This applies to the persons in prisons too. The approach that is increasingly being adopted by most countries where prisoners are subjected to conditions as close as possible to normal conditions they were in before they were incarcerated. This could be seen as an attempt at making sure that they are not influenced undesirably by the environment change.

From the examples that have been given, it is obvious that the inhuman and harsh conditions that have been associated with prisons only end up manufacturing inhumane and aggressive characters who when released back into the society, find it more difficult to fit back into society (Glanz *et al.*, 2009:49). Prisons and other correctional facilities that handle offenders need to appreciate this and come up with ways of ensuring that if the environment is to have any impact in prisoners in

Kenyan prisons, then the impact needs to be more positive to modify the characters of the prisoners fiut back to become more acceptable in the community (Glanz *et al.*, 2009:49).

2.3.5 Reasons behind the existence of recidivists in prisons

There exist recidivists in prisons. Some of the reasons for their existence are as follows;

i) Uncoordinated re-entry programs

As a result of the prison population growing at such an alarming rate in the 1990s, there has been much debate over what to do with this growing subset of our population. Around the year 2004, “*around 600,000 men and women (over 1,600 per day) would be released from prisons compared to around 170,000 released in the 1980s*”. This figure is alarmingly high when you must then consider the difficulties facing these ex-offenders in successfully re-entering society. The Bureau of Statistics in 2001 concluded that “*Of 459,000 US Parolees who were discharged from community supervision in 2000, within 18 months 42% were returned to incarceration – 11% with a new sentence and 31% in some other way.*” In response to these figures, an increased focus on “*re-entry*”, as it's been called, has developed in recent years in order to attempt to correct this (Fong, 1990:50). This is not to say that nothing is being done to address the problem.

While most prisons, do have programs started by employees to help prepare the offenders for re-entry, the national programs are the result of the need for recidivism reform in many countries. Prison reformers have been increasing focus on national re-entry programs in the past few years. Unfortunately, these reformers

are under heavy fire from others who strictly believe in the theory of desistance. Desistance is the idea that people change without the assistance of correction intervention and instead mature and grow out of crime on their own accord (Fong, 1990). Although, it would make sense to think that this may assist the idea of re-entry and rehabilitation in general, it actually does the opposite. After all, since supporters of desistance theory make the argument that criminals will naturally stop their involvement in criminal activities, why would the government is inclined to spend so much funds on rehabilitation programs? Despite the prison reformers who believed in desistance theory, some prison re-entry programs have been created.

These programs are aimed at assisting ex-offenders to enrol in various employment-based programs that would hopefully increase their worth in the job market in future years (Borzycki, 2005:50). They do this by developing relations with Department of Correction officers so that they can make contact with the prisoners earlier in the hopes that this will have a greater effect on the actions they take when they leave. The programs consist of training programs for many areas including a job readiness course that involves a series of workshops designed to improve skills such as interviewing, resume writing, work attitudes, and behaviour. In addition to this the program assigns each participant a caseworker that regularly meets with the ex-offender in order to make sure they are still on the appropriate track to success. The caseworker is an integral part of the programs and as a result of this, has caused the program to be likened to parole in some cases. This could be considered a bad thing.

As Criminologist James Austin said, “*even though 're-entry' has become the new buzzword in correctional reform*” the term is often simply just another word for

parole supervision which many have tried to discredit and dismantle (Fong, 1990:51). At this point in time the Re-entry Initiative program has a 59% employment success rate. This seems like a solid figure but considering the fact that there are roughly 600,000 prisoners released yearly, something should be done to improve it. Therefore, it is difficult to decide where to go in the future in terms of re-entry programming, since there have been no efforts made to advance the field (Borzycki, 2005:51).

ii) Lack of proper rehabilitation

Joel Dyer (2000) argues that due to fiscal reasons, cultural outlook, and extreme punishments for many non-violent offenders, the prisons are filling up quicker every day and there does not look to be much effort to stop it. The title of the book refers to the system we have in place now in many countries but most prominently in the United States and how it seems to be supported in ways that will allow it grow in the future. It does this by rewarding those who invest in its growth while preventing those affected by it (the ex-offenders) from making significant changes in their lives which can often lead to more crime. Dyer's belief that there is not much effort to help prevent incarceration these days is based mainly on financial reasons, due to money being put towards making prisons to deal with the large prison population instead of towards rehabilitation. He not only explains that there is not much being done to change this, but also that he believes that at the rate we are going, in 20 years our funding for prisons will rise to the point where it will *“result in the consumption of most of the tax now being collected by governments.”*

Even after their release, some states in the US continue to deny ex-offenders the right to vote while on probation or parole. Two states even deny the right

permanently after incarceration. This puts much less pressure on politicians nationwide to help ex-offenders. Dyer states that if this is allowed to continue then, *“40 percent of the next generation will not have the right to vote.”* The high recidivism rate could be attributed to this lack of representation since those affected by the problem are not able to actively participate in government.

In an article published in the Atlantic in 1998 Schlosser wrote, “The 'prison-industrial complex' is not only a set of interest groups and institutions; it is also a state of mind. The lure of big money is corrupting the nation's criminal-justice system, replacing notions of safety and public service with a drive for higher profits. The eagerness of elected officials to pass tough-on-crime legislation — combined with their unwillingness to disclose the external and social costs of these laws — has encouraged all sorts of financial improprieties.” Schlosser’s points are congruent with and addressed by Dyer’s arguments. According to Dyer, the people with the power to make the change do not do so due to financial interests. While this is morally questionable, it is easy to see why someone who is trying to survive in a free market society is going to do the financially profitable action, which in this case causes them to become a proponent of more incarceration and lower living standards for convicts. In 1997, \$150 billion was expended annually for criminal justice. The private prison system keeps growing due to the large amount of people being incarcerated.

Unfortunately, due to the interest of stockholders, private prisons tend to be less secure, have maximum-security offenders mixed with lower security offenders, and living conditions that are not up to standards. They also get paid \$5-7 an hour to take care of prisoners by the state but could potentially spend whatever they want and keep the rest as profit. Due to the fact that the guards there are private

employees and that the people running it have invested financial interest, private prisons tend to be much less regulated than the government requires for public prisons.

Although private prisons are associated with many problems, they continue to exist due to the need for space in the United States for incarcerated prisoners. Unfortunately, it is not only big business that contributes to the overlying problem. Both the media and politicians are affected by the same dilemma. The public demands the media be violent and full of crime. In his book, (Dyer, 2000) shows how people say they want less violence on the news and in media yet when the media does this, they get less viewers and thus less income. People want to hear them say they are fighting crime and keeping criminals off the street. This means that if a politician feels that our punishments for certain crimes are too harsh and that reform needs to be done to keep people out of prison, they will probably not get elected. People do not want to hear a politician talk about the financial reasons for high incarceration; they only want to hear that their streets are safe.

Unfortunately, this means higher taxes payments which make it more difficult to rehabilitate offenders. Consequently re-offending and crime increases in society.. This makes law reform difficult since the politicians will not get elected if they talk about it while people pay to keep negative, violent, criminal ideas on our TVs, in our newspapers, and in our theatres, which only reminds people to tell their politicians to keep violence off their street. Dyer points out very clearly the reasons that our incarceration rate keeps increasing as well as why no one is doing much about recidivism. The many facets of this problem, while all connected, require attention individually.

2.4 Critical review

Despite its barbaric origins in the medieval dungeon and torture chamber, since the late 18th century prisons have combined elements of punishment with elements of rehabilitation. As the French philosopher Michel Foucault put it, punishment shifted over time from the disciplining of the body to the disciplining of the "soul". The rehabilitation of offenders is a key feature of the modern criminal justice systems, and work to rehabilitate prisoners goes on, in varying degrees, in every prison (Onunga, 2009:54).

While in the past, rehabilitation may have been directed at 'reforming the character' of prisoners, its focus is now on preventing reoffending. Rehabilitation techniques vary according to the nature of the offender, the type of offence committed, and the institution in question. However, despite the entrenchment of rehabilitation in social and criminal justice policy, the idea that prisons are not intended to rehabilitate but rather solely to punish and protect the public retains considerable public support in some areas. Improved conditions and opportunities for rehabilitative activity in prisons generate the complaints that modern life behind bars is soft and too much like a 'holiday camp'. Public resentment is also fired by weaknesses in the provision of similar services in the community (Grizzell, 2007:55). Drug rehabilitation, for example, is widely believed to be more easily accessible in prison than outside. This creates a picture of prisoners being treated better than the law abiding citizens who are outside prison and yet this should not be the case.

Nonetheless, there has been much criticism about the effectiveness of rehabilitation that actually occurs in the prisons, mainly due to high levels of recidivism

experienced in developed countries that are seen as being able to formulate and fund effective rehabilitative programs. Looking at the recidivism statistics in countries such as the U.S., Canada and the U.K., one is left wondering if the sophisticated rehabilitative programs they run in their prisons really have any effect on the character of the prisoners who go through their facilities (Grizzell, 2007:55). In the U.S. and Canada, the percentage of released criminals who end up in prison within a period of two to three years after their release stands at about 70%. Going by this percentage, almost all the criminals who get out of prison find their way back there after sometime. This should be an indicator to the developers and implementers of rehabilitation programs that the way they thought was the best out of overcrowding of prisons and high crime rates is not actually so. They need to come up with alternatives to rehabilitation. The U.K. which is considered to experience low levels of recidivism in comparison to the U.S. is not any better. It would be encouraging if in such countries, the levels of recidivism were around 20% or so but the current about 50% still means that half of the people who are released from prison find their back to prison in two to three years. That percentage is not a figure to be proud of especially considering the fact that the U.K. is seen as having adopted an approach that was different from that of the U.S.

The U.K.'s philosophy in relation to rehabilitation is that of changing the character of prisoners to reform them to become good citizens whereas the U.S. holds the record for having some of the longest jail terms in the world (Prochaska, J., Johnson, S., & Lee, P., 2010). Their approach is that of keeping criminals away from society by locking them away for long periods of time to instil fear into them so that they do no ever *recidivate*. Either way, these approaches don't work as they should and thus the whole idea rehabilitation needs to be rethought. In December

2010, Justice Secretary Ken Clarke published a green paper on sentencing and rehabilitation which set out plans to "*break the destructive cycle of crime and prison*" by ensuring that prisons become "*places of hard work*", the priority being to reduce re-offending. The proposed radical reforms include introducing regular working hours in prison, new measures to force criminals to make amends to victims and communities for the harm they have caused, and most controversially, introducing a 'payment-by-results' scheme with private providers being rewarded for reducing re-offending. This could bear better fruits as opposed to the traditional rehabilitation programs (Zanna, 1988:56).

2.5 Knowledge Gap

Studies done recidivism have been conducted widely on how the rehabilitation programs that are run by countries in their criminal justice systems affect the behavior of prisoners (Drabsch, 2006:58). Such studies are normally aimed at assessing in most cases, the lifestyles of the prisoners who are released back into the community. Most of these studies have indicated that in many countries, ex-prisoners who are released into the society end up back in prison within a span of two to three years. Looking at the findings of these studies, it becomes very clear that those who conduct them normally focus for instance on the numbers of former prisoners who end up back in prison. Based on such trends, it is deducible that there exists scanty information on the lifestyles of former prisoners who do not end up in prison again. For such information to exist, there is need for studies to be conducted in an objective way to assess both former prisoners who recidivate and those who don't. This study shall thus avail information on the impact that rehabilitation programs have on prisoners and if that impact leads to reduced or higher levels of recidivism.

2.6 Review of relevant theories (Theoretical framework)

The study was guided by the following theories;

2.6.1 Social Cognitive Theory

Albert Bandura's Social Cognitive Theory proposes that people are driven not by inner forces, but by external factors. This model suggests that human functioning can be explained by a triadic interaction of behavior, personal and environmental factors. This is often known as *reciprocal determinism*. Environmental factors represent situational influences and environment in which behavior is performed while personal factors include instincts, drives, traits, and other individual motivational forces. Several constructs underlie the process of human learning and behavior change. These variables may also intervene in the process of behavior change (Godin and Kok, 1995). They include; *Self-efficacy* which refers to a judgment of one's ability to perform the behavior. *Outcome Expectations* which means judgment of the likely consequences a behavior will produce. The importance of these expectations (i.e., expectancies) may also drive behavior. *Self-Control* that refer to the ability of an individual to control their behaviors. *Reinforcements* which refer to something that increases or decreases the likelihood a behavior will continue. *Emotional Coping* which means the ability of an individual to cope with emotional stimuli and *Observational Learning* refers to the acquisition of behaviors by observing actions and outcomes of others' behavior.

To increase levels of self-efficacy it may be important to provide resources and support to raise individual confidence. Others have suggested such as (Badly *et al.*, 2003) that to raise self-efficacy behavior change should be approached as a series of small steps. Bandura (1986:58) writes that even when individuals have a strong

sense of efficacy they may not perform the behavior if they have no incentive. This seems to suggest that if we are interested in getting others to enact behavior change it may be important to provide incentives and rewards for the behaviors. Shaping the environment may encourage behavior change. This may include providing opportunities for behavioral change, assisting with those changes, and offering social support. It is important to recognize environmental constraints that might deter behavior change. This theory is relevant to the study since it holds that behavior change is contributed to by several interrelated aspects of the environment in which an individual is in. Since shaping the environment may encourage behavior change, it is important that stakeholders in prisons and rehabilitation facilities should be able to fully understand this since this study focuses on what effects rehabilitation programs in prison have on recidivists. For prisons and other rehabilitation facilities to have a remarkable impact on the prisoners, then the position taken by this theory must be taken into account. This is because according to this theory, environmental constraints may have the capability of deterring behavior change and as such, stakeholders should be bale to ensure that the environment in prison is such that it encourages behavior change in the desired direction (Bandura, 1986:59)

2.6.2 Theory of Planned Behaviour

The theory of planned behavior suggests that behavior is dependent on one's *intention* to perform the behavior. Intention is determined by an individual's *attitude* (beliefs and values about the outcome of the behavior) and *subjective norms* (beliefs about what other people think the person should do or general social pressure). Behavior is also determined by an individual's *perceived behavioral control*, defined as an individual's perceptions of their ability or feelings of self-

efficacy to perform behavior. This relationship is typically dependent on the type of relationship and the nature of the situation (Godin and Kok, 1995:59).

One's intention has been shown to be the most important variable in predicting behavior change, suggesting that behaviors are often linked with one's personal motivation. This suggests that it may be important to present information to help shape positive attitudes towards the behavior and stress subjective norms or opinions that support the behavior. For perceived behavioral control to influence behavior change, much like with self-efficacy, a person must perceive that they have the ability to perform the behavior. Therefore, as Grizzel (2007:59) suggests, perceived control over opportunities, resources, and skills needed is an important part of the change process. The individual who is taken to prison committed a criminal offence punishable by law and according to this theory behavior is only a product of intentions.

Based on the fact that recidivism occurs in increasing trends despite efforts to reduce it, it becomes important to note here that there are possibilities of the criminal justice system having ignored the cause of the behavior that landed a particular individual in prison. Assuming that this is the case then this theory becomes very important for policy formulators and the criminal justice system to take into consideration the fact that there are intentions which were behind the behavior. Once this is taken into consideration, it will be easier to come up with rehabilitation programs that help change an individual's way of thinking as opposed to vocational programs into which most prisoners are forced yet they don't really have any impact in changing the root cause of a behavior that sends on to prison. This theory helps to bring out the idea that even though there are

rehabilitation programs in prisons, recidivism occurs due to the fact that the rehabilitation programs do not do enough to address the root cause of behavior-intentions or the inability to control certain undesirable behavior.

2.6.3 Transtheoretical (Stages of Change) Model

The transtheoretical model proposes change as a process of six stages. *Precontemplation* is the stage in which people are not intending to make a change in the near future (often defined as the next 6 months) (Miller, 1998:69). *Contemplation* is the stage where people intend to change (within the next 6 months). People in this stage are aware of the pros of changing but also can identify the cons. *Preparation* represents the stage where people have a plan of action and intend to take action in the immediate future (within a month). *Action* is the stage in which people make the behavior change and *maintenance* represents the stage where people work to prevent relapse. Finally, *termination* represents that stage where individuals have 100 percent efficacy and will maintain their behavior. This stage is the most difficult to maintain, so many people remain a lifetime in maintenance.

It is essential to match behavior change interventions to people's stages. For example, if an individual is in the pre-contemplation stage it is important to raise their awareness about a behavior in order for them to contemplate making a behavior change. Without a planned intervention, people will remain stuck in the early stages due to a lack of motivation to move through the stages. Prochaska, Johnson, and Lee (2007:61), suggest a series of activities that have received empirical support, which help individuals progress through the stages:

Consciousness-Raising — increasing awareness of the causes (providing educational materials, confrontation, media campaigns, feedback, etc. *Dramatic Relief*— producing an emotional experience which is followed by a reduced affect if some action can be taken (personal testimonies, media campaigns, drama) *Self-reevaluation* — inviting individuals to make cognitive and emotional assessments of their self image (clarify values, provide healthy models, using imagery) *Environmental re-evaluation* — assessments of how the presence or absence of a behavior might impact one's social environment (documentaries, personal stories, family interventions)

Behavior change may not always be one's goal. It may become a priority to change attitude or public opinion about some issue. You might also wish to change attitude before behaviors. Whatever your goal, it is important to understand how individuals adopt attitudes. Existing research is also helpful in defining the process of attitude change (Conner, 2001:61). The Stages of change theory recognizes that there six distinct stages that are involved in achieving behavior change. These stages include pre-contemplation, contemplation, preparation, action, maintenance and the finally the termination stage. It is important therefore for anyone working towards achieving behavior change to ensure that all these stages are duly completed if a permanent behavior change is to be achieved. This means that the rehabilitation programs in prisons should be tailored to suit these stages and take all individuals through all the stages in a systematic manner. This theory, helps us appreciate the fact for permanent behavior change which should be the case for inmates in prison, they should taken through these stages and that the reason behind the high levels of recidivism experienced in most countries is that rehabilitation programs might not include a professionally acclaimed method of

establishing the stage an individual inmate is in and taking them through to the end to achieve permanent desirable behavior acquisition.

CHAPTER THREE

RESEARCH METHODOLOGY

3.0 Introduction

This chapter covers a detailed description of research design, the target population, sampling procedures and sample size, data collection instruments, data collection procedures, validity and reliability of the research instruments and the data analysis.

3.1 Study Area

The study was conducted in the North Rift region which is part of the formerly Rift Valley Province which lies in the western part of Kenya. It is bordered by Southern Sudan to the north and Uganda to the east. The North Rift region covers the counties of Nandi, Uasin Gishu, Baringo, Elgeyo-Marakwet, Pokot, Trans Nzoia, Mount Elgon and Turkana. It is a region of rugged terrain, spectacular landforms, great differences in altitude and climate and a wide variety of peoples and cultures. Among the predominant factors leading to conflict, insecurity and crime in the region include: pastoralists' conflict over scarce natural resources (mainly water and pasture); livestock rustling; cross border banditry; historical land ownership disputes, politically instigated violence, ethnic rivalries, proliferation of illegal small arms and light weapons among others. These issues are further compounded by the poor communication infrastructure in the region, which serves as a major constraint to rapid response mechanisms. This is the main reason behind the selection of this area as the study area. Crime levels in this region seem higher than is the case with other parts of rural Kenya.

3.2 Significance of the study area

This area was selected for the study since being part of the former Rift Valley province; it is part of the most populous regions of Kenya in which high rates of crime are witnessed. Parts of the region bordering Uganda and Southern Sudan in Northern Kenya are a reflection of the sparsely populated regions of the country. This means that the region captures a reflection of the densely and sparsely populated regions of Kenya. It therefore reflects the entire picture of the population distribution and thus the results of study can be applicable to the entire country. The region also has some of the oldest prison facilities in the history of Kenya and therefore such facilities might have well established rehabilitation programs and that is how they impact the inmates.

3.3 Research Design

The study used a survey research design strategy. This research design was used because it does not belong to any one field and can be applied in varied disciplines. According to Gay & Airasian,(2003:65), this research design has capacity for wide application and broad coverage and that gives it its great usefulness. This enabled the researcher to visit the different correctional institutions in the North Rift and mingle freely with respondents in the research area while administering questionnaires. The design allowed the researcher to examine the subject of study over a wide area and in several institutions at the same time thereby coming up with the data that can be used to compare state of prisoners and what prison facilities are doing in so far as their rehabilitation programs and rates of recidivism are concerned (Schutt, 2005:65).

3.3.2 Target population

The target population is the group of people a researcher selects respondents for the study from. This group of people is vital in achieving the objective of the study (Kombo & Tromp, 2006). The target population for this study consisted of prison warders, inmates and recidivists who are in the community at the time of the study. They were selected through convenience sampling. The total target population for the study was 436 people, 90 from Kapsabet G.K. Prison, 60 from Eldoret G.K. Prison, 80 from Tambach G.K. Prison, 100 from Kitale G.K. Prison and 106 from Kapenguria G.K. Prison. This gave a total of 336 people. The remaining 100 slots were reserved for the recidivists who were sought from the community.

Table 3.1 Showing Target population

Respondents	Target population
Prison warders	70
Inmates	266
Recidivists	100
Total	436

Source: (Author, 2012)

3.3.3 Sampling technique

Sampling technique is the procedure a researcher uses to gather people, places or things to study (Kombo & Tromp, 2006). In purposive sampling the researcher decides who to include in the sample. The researcher purposely targets a group of people believed to be reliable for the study (Kombo and Tramp 2006).

The study first used stratified sampling technique to classify the respondents into the three categories specified. The study then used both simple random sampling technique and purposive sampling to select the respondents who participated in the

study. Purposive sampling was used to select prison warders while random sampling technique was used to select the inmates and the recidivists. The study employed a sample size of 30% of the target population as Oso and Onen (2005) recognizes 30% as an adequate sample in research.

Table 3.2 Sample Size

Respondent Category	Target	Procedure	Sample
Prison Warders/ Probation	70	30% * 70	21
Inmates	266	30% * 266	80
Recidivists	100	100% * 100	100
Total	436		201

The researcher therefore sampled a total of 201 respondents to participate in the study. The prison warders and the inmates were selected at the prison level while recidivists were selected at county level. The total number of respondents was constituted by four (4) warders from Kapsabet prison, six (6) from Eldoret prison, three (3) from Tambach prison, five (5) from Kitale prison, and three (3) from Kapenguria prison giving a total of 21 prison warders who took part in the study. There were forty four (44) inmates from Kapsabet prison, forty five (45) from Eldoret prison, forty four (44) from Tambach prison, forty four (44) from Kitale prison and forty five (45) from Kapenguria prison giving a total of 266 inmates who were selected for the study. The sample of recidivists was constituted by fourteen (14) from Uasin Gishu, fourteen (14) from Baringo, fourteen (14) from Elgeyo-Marakwet, fourteen (14) from Pokot, fourteen (14) from Trans Nzoia, fourteen (14) from Mt. Elgon and sixteen (16) from Nandi County giving a total of 100 recidivists who will participate in the study.

The study sampled a total of 201 respondents to participate in the study. Out of the total number of respondents who were sampled to take part in the study each category of respondents gave data via a different data collection tool. Recidivists gave their responses via questionnaires, inmates in prisons were involved in focus group discussions and the prison warders and rehabilitation officers were interviewed to give their perspectives as per the study topic of the study. The findings of the study are presented below.

3.3.4 Data Collection

Data was collected using both primary and the secondary sources. The secondary data was necessary to augment the data obtained from primary sources and assist with the interpretation of the data.

3.3.4.1 Secondary sources of data collection

Secondary sources of data collection were used in order to obtain data that was used to strengthen the data obtained from primary sources. Document review was therefore employed as the main secondary source of data where existing documented information was examined to obtain information that was relevant. The documents reviewed in the prisons included the inmates register as well as the conviction register

3.3.4.2 Primary Data collection

Questionnaires, interview schedules and focus groups were used to obtain primary data from the respondents. The questionnaires were both structured (close-ended) and unstructured (open-ended) questions. Questionnaires were used as they are best used in studies involving large sample sizes. Written questionnaires become even more cost effective as the number of research questions increases.

Questionnaires were easy to analyze. Data entry and tabulation for nearly all surveys can be easily done with many computer software packages. They are also familiar to most people. Nearly everyone has had some experience completing questionnaires and they generally do not make people apprehensive. Questionnaires reduce bias. There is uniform question presentation and no middle-man bias. The researcher's own opinions did not influence the respondent to answer questions in a certain manner. An interview schedule was also used in this study. Interviews provide in depth data which is not possible to be acquired using questionnaire (Mugenda and Mugenda 1999). The interview schedule allowed the researcher to probe the respondents and get information that was vital to the success of the study. Focus groups discussions were also used in this study. A focus group is a form of qualitative research tool in which a group of people are asked about their perceptions, opinions, beliefs, and attitudes towards a subject. Questions are asked in an interactive group setting where participants are free to talk with other group members. Research assistants were thoroughly oriented both in interpretations of responses from respondents and also in the procedure of administration. They then accompanied the researcher in piloting and modifying the research instruments so that they could comprehend fully the purposes and methods of data collection. The research assistants then administered the questionnaires personally to the respondents as the researcher also sought data from other respondents since the study covered a relatively large area.

3.3.5 Data Analysis

Data was analyzed both qualitatively and quantitatively. Qualitative method was used to analyze the data collected through questionnaires. Data was then presented

in the form of frequency distribution tables and graphs that facilitated description and explanation of the study findings.

3.3.6 Data presentation

Statistical Package for Social Sciences (SPSS) and Ms Excel helped to generate frequency distribution tables. The information generated was presented in tabular forms and graphical forms. This assisted in the analyses of the collected data.

3.4 Conclusion

The study discussed the research methodologies in this chapter including the study area, research design, and target population, sampling technique, data collection and data analysis of the study

CHAPTER FOUR

DATA ANALYSIS, PRESENTATION AND INTERPRETATION

4.0 Introduction

The researcher set out to conduct a study on the impact of rehabilitation programs in prison on recidivists in prisons with a focus on the North Rift region of Kenya. This chapter focuses on data analysis, presentation and interpretation. It contains Demographic information of respondents and specific information in accordance to the research objectives.

4.1 Demographic information of respondents

4.1.1 Gender of respondents

The researcher sought to find out the gender distribution in the study.

Table 4.1 Gender of the respondents (recidivists)

Gender of respondents	Frequency	Percentage
Male	69	69
Female	31	31
Total	100	100

The gender of respondents was sought with the aim of establishing the distribution of the respondents of gender in the study. It was found out that there were 69% males and 31% females in the group of recidivists that was picked for the study. This shows clearly that male recidivist far out numbered female ones. This representation can be said to be a true reflection of the picture in the society because more males often find themselves in trouble with the law as compared to females. The distribution is thus an equitable representation of both genders.

4.1.2 Ages of respondents (Recidivists)

The researcher sought to determine the age brackets of respondents.

Table 4.2 Ages of the respondents (Recidivists)

Age of the respondents	Frequency	Percentage
15-24 yrs	4	4
25-34 yrs	70	70
35-44 yrs	15	15
45-54 yrs	7	7
55 yrs & above	4	4
Total	100	100

The study findings on the age of the recidivists indicated that only 4% were in the age bracket of 15-24 years and 4% in the age bracket of 55 years and above. Most of them, 70% were in the age bracket of 25-34 years, followed by those in the age bracket of 35-44 years at 15% and those in the age bracket of 45-54 years at 7% of the recidivist population picked for the study. The fact that majority of respondents are in the age bracket of 25-34 years imply most youths were employed and as such they end up carrying out criminal activities which land them in prison. On getting out of prison, they find it more difficult to fit back into society and thus find them selves re-offending to wind up in prison yet again.

4.1.3 Marital status of respondents (Recidivists)

The researcher sought to find out marital status of recidivists in the study.

Table 4.3 Marital status of the respondents (Recidivists)

Marital status	Frequency	Percentage
Married	57	57
Single	23	23
Widowed	7	7
Separated	13	13
Divorced	3	3
Total	100	100

The researcher also sought to find out the marital status of the recidivists to find out if it in any way would have a bearing on the trends of recidivism. The results indicated that 57% of them were married, 23% were single, 13% were separated, 7% were widowed and only 3% were divorced. It therefore clear from the findings that most of them were married. It is also important to note here that the number of those who were separated was also higher than the widowed and the divorced. These findings could mean that due recidivism; some marriages were unstable although the spouses were not officially divorced in courts of law.

4.1.4 Level of education attained (Recidivists)

The researcher sought to establish the level of education of respondents in the study.

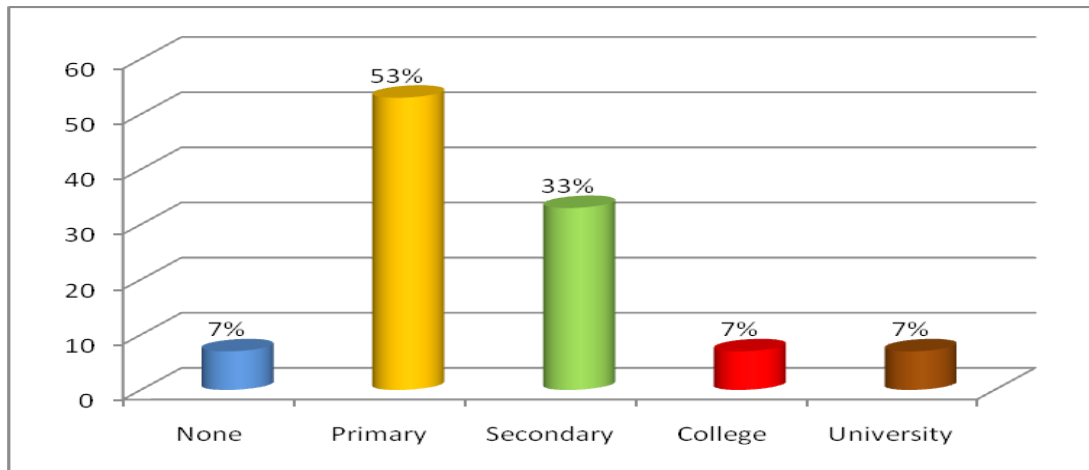


Figure 4.1 Highest level of education attained by respondents (Recidivists)

The findings on the level of education of recidivists indicated that 53% of them had only primary education, 33% had secondary education, 7% had college education, another 7% had university education and again 7% had no education at all. From the study findings it is clear that majority of these recidivists had primary education followed by secondary education. The implication of these findings is that in the contemporary Kenya, chance of getting any meaningful economic activity to engage in becomes more difficult when the level of education level is lower. In effect individuals with low levels of education are more likely to locate the law probably owing to higher levels of economic frustration related.

4.1.5 Occupation of recidivists before first imprisonment (Recidivists)

The researcher sought to establish the socio-economic status of the respondents and find out if their status was linked to the first incarceration in any way.

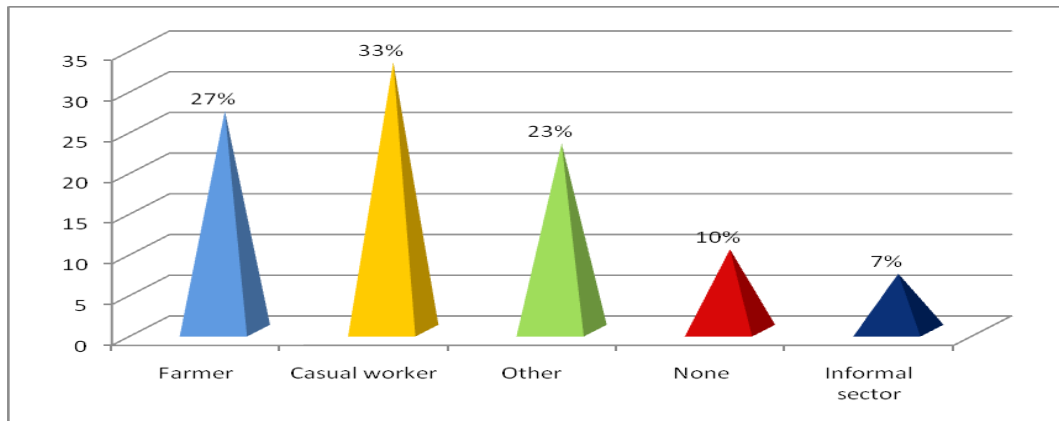


Figure 4.2 Occupation of recidivists before first imprisonment (Recidivists)

The findings indicated that before the first imprisonment 27% of them were farmers, 33% were casual workers, 23% in the 'other' category where some of them were drivers and others businessmen, 10% had no specific occupation before the first imprisonment and 7% were in the informal sector which is a general term but most respondents chose to specify. Looking at these findings, it emerges that casual workers appeared more than any other group. This suggests that they might not have been satisfied with the earnings they received and could have tried to get an extra funds or resources through illegal means.

4.1.6 Occupation of respondents after first imprisonment (Recidivists)

The researcher sought to find out the occupation of respondents after first imprisonment.

Table 4.4 Occupation of respondents after first imprisonment (Recidivists)

Occupation of respondents after first	Frequency	Percentage
Farmer	13	13
Casual worker	20	20
Other	47	47
None	20	20
Total	100	100

The occupations of the respondents changed noticeably after the first imprisonment. This is evident in 47% of the respondents falling in the 'other' category where they mostly specified carpentry and business as the main current activities. There were 13% who were farmers after the first imprisonment, 20% were casual workers and another 20% had no occupation after the first imprisonment. Majority of these respondents were thus in the other category where mostly carpentry was outstanding. This implies that during the first imprisonment, they had learnt some skills and had tried to practice them while outside prison due to their level of education.

4.2 Specific information

This section explains specific information according to the study objectives.

4.2.1 Most common factors associated with incarceration (Recidivists)

The researcher sought to find out the common factors associated with incarceration.

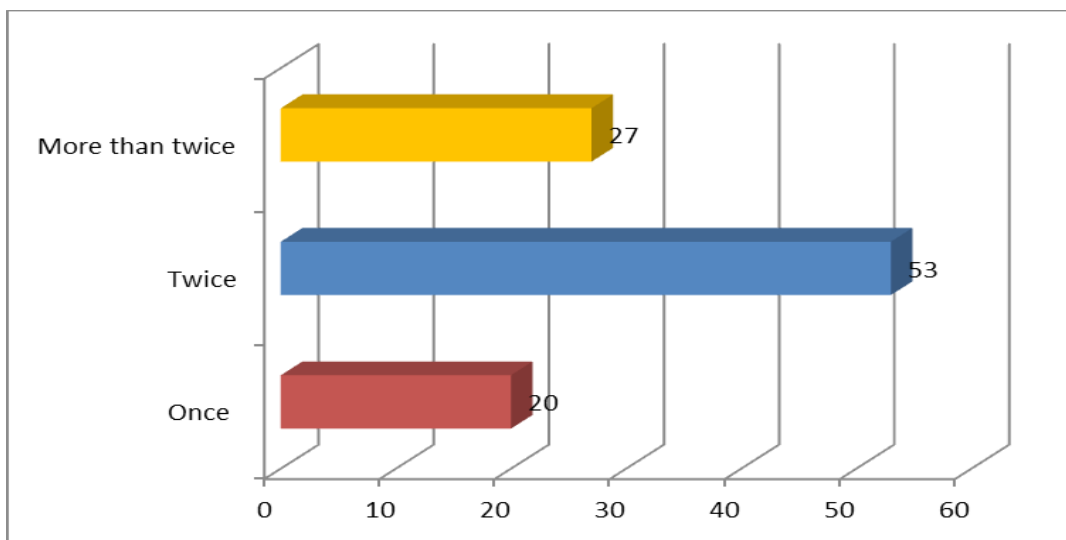


Figure 4.3 Number of times in prison (Recidivists)

Of the former prisoners who were sampled for the study, 20% of them had been in prison only once, 53% had been incarcerated twice and 27% had been incarcerated more than twice. Most of these respondents therefore had been in prison twice. The fact that they had been in prison twice or more means that once one had been imprisoned once, chances are higher that they will end up in prison again probably owing to the fact that rehabilitation programs in prisons are less effective. Recidivism therefore calls for a complete assessment of prison programs if more imprisonment is to be reduced among prisoners.

Table 4.5 Cross-tabulation on levels of education of prisoners * Number of times in prison

Showing cross-tabulation levels of education of prisoners * Number of times in prison			Number of times in prison			Total	
			Once	Twice	More than		
Level of education	None	Count	0	1	1	2	
		% within level of education	0.0%	50.0%	50.0%	100.0%	
	Primary	Count	4	6	4	14	
		% within level of education	28.6%	42.9%	28.6%	100.0%	
	Secondary	Count	1	7	2	10	
		% within level of education	10.0%	70.0%	20.0%	100.0%	
	College	Count	1	1	0	2	
		% within level of education	50.0%	50.0%	.0%	100.0%	
	University	Count	2	1	0	3	
		% within level of education	70.0%	30.0%	.0%	100.0%	
	Total		Count	20	53	27	100
			% within level of education	20.0%	53.0%	27.0%	100.0%

The researcher sought to establish the relationship between the level of education of respondents and the number of times individual had been to prison. A cross tabulation of these figures showed that 50% of those who had no education at all had been to prison twice and 50% of those who had no education at all had been in prison more than twice. The researcher also established that 42.9% of those who

had primary level education had been to prison twice and 28.6% of those who had primary level education had been to prison more than twice.

It also emerged from the results that 70% of those who had secondary level of education had been in prison more than once and 20% of this group of respondents had been in prison more than twice. Only 10% of this group of had been to prison only. Getting to those with higher levels of education, it emerged that there were 50% of those with college level education that had been to prison only once and 50% had been there twice. For those with university level of education, 70% had been to prison once and only 30% twice.

Table 4.6 Reasons behind first imprisonment (Recidivists)

Reasons behind first imprisonment	Frequency	Percentage
Theft	27	27
Arson	13	13
Driving without license	20	20
Murder	7	7
Assault	20	20
Trespass	13	13
Total	100	100

The researcher sought to establish the reasons that led to the first incarceration among respondents. It was observed that the reasons that were given by the respondents were among the most common causes of incarceration in Kenya. It showed that 27% had been to prison the first time due to theft, 13% due to arson, 20% due to driving without license, 7% due to murder, 20% due to assault and

13% due to trespass. Most of the first time offenders therefore had been to prison due to theft related reasons.

Table 4.7 Cross tabulation of reasons associated with first imprisonment

Showing a cross tabulation of reasons associated with first imprisonment			Reason behind 1 st Imprisonment						Total
			Theft	Arson	Driving	Murder	Assault	Trespass	
Occupation 1	Farmer	Count	4	0	4	0	0	0	8
		% within Occupation 1	50.0%	0%	50.0%	0%	0%	0%	100.0%
	Casual Worker	Count	2	2	1	2	2	2	11
		% within occupation 1	18.2%	18.2%	9.1%	18.2%	18.2%	18.2%	100.0%
	Informal Sector	Count	1	1	1	0	4	0	7
		% within occupation 1	14.3%	14.3%	14.3%	0%	57.1%	0%	100.0%
	Other	Count	0	1	0	0	0	1	2
		% within occupation 1	0%	50.0%	0%	0%	0%	50.0%	100.0%
	None	Count	1	0	0	0	0	1	2
		% within occupation 1	50.0%	0%	0%	0%	0%	50.0%	100.0%
Total		Count	28	13	20	6	20	13	100
		% within occupation 1	28.0%	13.0%	20.0%	6.0%	20.0%	13.0%	100.0%

Occupation I was used by the researcher to refer to the occupation before the first imprisonment.

It emerged for the study results that 50% of farmers went to prison due to theft and another 50% went to prison due to driving/riding without a license. It was also observed that 50% of those who were not employed went to prison due to theft and

another 50% went to prison due to trespass. Considering the results, as they are they are in the table, it emerges that the occupation of the respondents before the first imprisonment was related to with the reason before the first imprisonment.

Table 4.8 Reason behind second imprisonment (Inmates)

Reason behind second imprisonment	Frequency	Percentage
Robbery	33	33
Possession of bhang	8	8
Assault	42	42
Gambling	17	17
Total	80	100

Out of the 100% (100) respondents in this category, there were 80% (80) of them who had been to prison more than once. At this point, out of 180 inmate respondents 56(56%) of the respondents had been to prison just once and hence were exempted from responding to this particular item since it was only relevant to those who had been to prison once. Strictly speaking, this group of respondents should not be considered recidivist but were captured by the study due to the fact there was difficulty in getting recidivists from some regions and as such to include such regions in the study, there was need to pick such respondents to participate in the study. Of the 80 respondents who had been re-incarcerated, 33% went back to prison for robbery, 8% went back for possession of bhang, 42% went back to prison due to assault and 17% of them went back due to gambling. These findings reveal that first time offenders who end up in prison graduate and commit even more serious, especially violent crimes. Imprisonment enhances criminality suggesting that programs in prisons are not working.

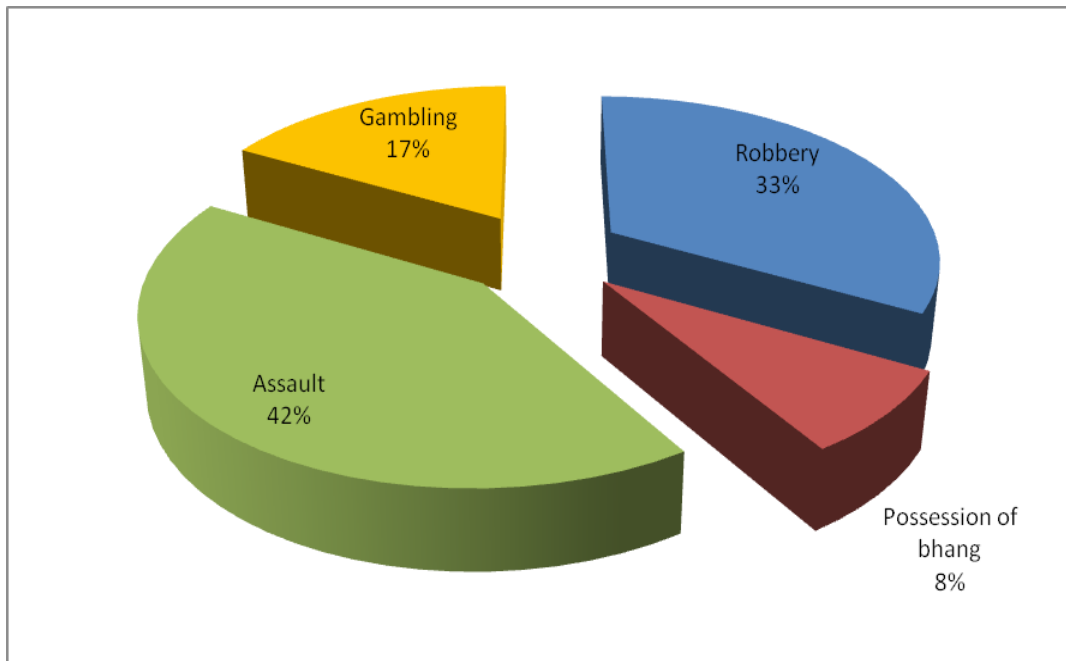


Figure 4.4 Reason behind second imprisonment (inmates)

The effect of previous criminal history on future criminality is presented by Moffit (1993). The analysis of time interval and the effects of previous criminal history on recidivism rates shed light on the characteristics of Moffit's taxonomical distinction between different groups of criminals' offenders. If, for example, the analysis shows that the past criminal history determines recidivism rates in a different way for the adolescent-limited than for the life-course-persistent, Moffit's claim that each groups exhibit a unique offense pattern is supported. If, for example, results show that previous criminality has no effect on future criminal involvement for the life-course-persistent, then one should look elsewhere, perhaps on characteristics established early in life as Moffit (1993) asserts, for the origins of the persistent criminal rather than past criminal history as the developmental theories suggest, and apply the cumulative effects of previous criminality only for analyzing criminal histories of the adolescent-limited. In addition, if the analysis shows that previous criminality affects the unfolding of future criminality for the adolescent-

limited offender only it will provide support for Moffit's taxonomical distinction and for her claim that the cumulative effects of previous criminality are much more dramatic for the adolescent-limited than for the life-course-persistent. This literature shows that either way, a recidivist could end up in prison due to their past experience in prison or for unrelated causes all together. This study was able to establish a trend of violence oriented crime for the offenders who went to prison for the second time since a comparison of the first and the second offence for the respondents indicated that not all but most respondents were in prison the second time due a more serious criminal activity.

4.2.2 Types of rehabilitation programs available in Kenyan prisons

The types of rehabilitation programs available in Kenyan prisons were sought with the aim of establishing if the programs were really in tandem with the needs of the prisoners who go through these rehabilitation facilities. Rehabilitation programs should meet individual needs of prisoners by helping them outside prisons and recidivism in society. Effective programs should successfully rehabilitated prisons by changing behaviour or helping them find something meaningful to do after their release from prison.

Table 4.9 Types vocational training prisoners were engaged in during their first imprisonment (Recidivists)

Type vocational training	Frequency	Percentage
Tailoring	17	17
Knitting	7	7
Metal work	10	10
Carpentry	13	13
Prison farm	30	30
Masonry	7	7
None	17	17
Total	100	100

The type vocational training that the respondents engaged in during their first imprisonment was thought to be important because it expected to change the course of their lives. The study revealed that 30% in farming activities, 17% were engaged in tailoring, 17% engaged in none of the vocational training activities that were available in prison, 13% had engaged in carpentry, 10% in metal work 7% in knitting, 7% in masonry. Majority of these respondents, according to the study, had engaged in farming activities. It is clearly from these findings that a big percentage was not involved in any training and as such, would not be equipped with meaningful additional skills when they get back to the society. As a result such people are not adequately prepared in any way for stable re-entry into the society both in their families and also economically. Empirical evidence shows that former prisoners are at high risk of poverty because of the challenges they face in becoming reconnected to society by finding employment or accessing public assistance. These challenges are the result of the stigma of incarceration, as well as

the disadvantages that often characterize this population, including low levels of education, mental health problems, and substance abuse. Given these challenges, the well-being of former prisoners is likely to be heavily determined by their access to, and effective use of, both public and nonprofit social services and by their ability to access social support from family, friends, and partners. Little is known about how former prisoners make ends meet after their release from prison, how or why some are able to secure services and supports while others are not, or which services and supports create pathways to employment or long-term legitimate income sources. Because economic security during the period immediately after prison is important to establishing a conventional lifestyle rather than returning to crime, understanding how former prisoners make ends meet may help to understand longer term post-prison outcomes. This therefore means that there is need for stakeholders to ensure that rehabilitation and re-entry programs available in prisons take care of all these issues to reduce recidivism.

Table 4.10 Vocational activities prisoners are engaged during their second imprisonment (Inmates)

Vocational activity	Frequency	Percentage
Tailoring	16	20
cleaning	10	12.5%
Carpentry	13	16.3
Prison farm	24	30
Masonry	11	13.8
None	4	5
Total	24	100

(Source: Research data 2012)

The study aimed to establish the type of vocational activities prisoners are engaged during their second imprisonment. For those who had been to prison more than once. The study wanted to find out whether if there was any meaningful change in the patterns of the rehabilitation in their first prison for these people. The study revealed that in their second imprisonments, these prisoners were engaged in different alternatives as follows; 30% in farming activities, 20% in tailoring, 16.3% in carpentry, 5% did nothing at all, 12.5% in cleaning and 13.8% in masonry. Majority of the respondents engaged in farming activities. This shows that the single most engaged in activity in prison is working on the prison farm. With the introduction of the scheme in which prison facilities were expected to generate their own revenues to augment what they received from the main government, it appears from the findings that prisons have engaged prisoners so much in farming activities but only as manual labors, which do not increase only new skills. This when released from prisons such people are less likely to be engaged in any income generating alternatives in the forms and hence more likely to engage in illegal alternatives that predisposed to arrest and convictism again. This on assessment of farming practices in prisons should be made so that skills in farming practices could be emphasized. In particular training on farm generating activities such as horticultural, floriculture, bee keeping, poultry farming and so on should be provided to prisoners. Equip with such knowledge, prisoners once release are more likely to be involved in these activities and less likely to revert back to prison gain.

4.2.3 Effectiveness of rehabilitation programs of in Kenyan prisons

It was of great importance for the researcher to establish the level of effectiveness of the rehabilitation programs that are available in Kenyan prisons as this would put the study on a positive footing since the study set out to examine the extent to which such programs contributed to the existence of recidivists. It then follows that for the programs to be rated as being effective, there was need for them to have reduced the level of recidivism considerably. The researcher needed to establish the level of effectiveness of rehabilitation programs in Kenya so that attention would be shifted to another area of concern if the level was satisfactory yet the level of recidivism remained high. Table 4.15 below captures the introductory part of this subsection.

Table 4.11 Rehabilitative impacts associated with activities engaged during first imprisonment (Recidivists)

Activity engaged	Frequency	Percentage
Yes	53	53
No	47	47
Total	100	100

The extent of effectiveness of rehabilitative programs offered by Kenyan prisons was evaluated and the results were as tabulated above; 53% were of the opinion that the vocational activity had a rehabilitative impact on the while 47% held that the activities they engaged in did not have any rehabilitative impact on them at all. A slight majority of respondents were thus affirmative that the rehabilitative programs had had an effect on them. Indeed, a high percentage (47%) felt that schools were less helpful and this calls for the need to reassess these programs and

replace them with more programs supported by a high numbers of prisoners. Success to programs in prisons can be linked to the theory of planned behavior which suggests that behavior is dependent on one's *intention* to perform the behavior. Intention is determined by an individual's *attitude* and *subjective norm*. Behavior is also determined by an individual's *perceived behavioral control*, defined as an individual's perceptions of their ability or feelings of self-efficacy to perform behavior. This relationship is typically dependent on the type of relationship and the nature of the situation (Godin and Kok, 1995). The fact there were respondents who went through what was considered rehabilitation programs and still remained the way they were implies that they did not make a decision to change or that programs in prisons are not working. This means that it was not their intention to join the programs that they went through but might just have been forced to go through them. Therefore, the attitude and intent could not help them for several reasons such as the available programs not being able to cater for all their needs. Forced meaning that programs have less impact and therefore success. There is therefore need to generate programs that prisoners themselves felt will be more helpful to them.

Table 4.12 Rehabilitative impacts associated with activities engaged during second imprisonment (Inmates)

Impact	Frequency	Percentage
Yes	26	33
No	54	67
Total	24	100

Among the respondents who had been to prison more than once, only 33% acknowledged that the activity they engaged in during their second imprisonment had an impact on them. The remaining 67% held that the activities did not have any impact at all. Under such circumstances, it therefore means that the activities have no impact and thus the chances of recidivism after the second incarceration are higher than in the first case.

4.2.4 Impact of the physical and human environment on inmates

The researcher sought to establish the impact that the physical and human environment has on the inmates to establish if this could give an insight into the reason why even after going through the rehabilitation programs available in prison there still exist recidivists. According to the Bandura's Social Cognitive Theory (1986), people are driven not by inner forces, but by external factors. This theory suggests that human functioning can be explained by a triadic interaction of behavior, personal and environmental factors. This is often known as *reciprocal determinism*. Environmental factors represent situational influences and environment in which behavior is performed while personal factors include instincts, drives, traits, and other individual motivational forces. Several constructs underlie the process of human learning and behavior change (Godin and Kok, 1995). This thus drove the researcher to want to find out if there was really an impact that the physical and human environment has on inmates and by extension the existence of recidivists. The behavior trends acquired while in prison are as presented in table 4.13.

Table 4.13 Behavioural trends acquired during custody (Recidivists)

Behavioral trends acquired during	Frequency	Percentage
Aggression	27	27
Leadership	13	13
Teamwork	33	33
Respect for authority	20	20
None	7	7
Total	100	100

The study findings on the behavioral trends acquired while in prison showed that 27% of the respondents indicated that they had acquired a tendency of aggression, 13% acquire leadership skills, 33% acquired a teamwork spirit, 20% acquired respect for authority and only 7% acquired nothing from prison. Majority of the respondents therefore acquired a teamwork spirit from prison as a result of working with fellow inmates. It is however important to note that the percentage of respondents who indicated that they had acquired a tendency of aggression while in prison were also large, which also explain higher rates of recidivism.

In contrast with the findings, (Bandura, 1986) states that despite the background of different inmates in prison. It reaches a time when they are brought together by the same fate which include4s same type of job, same assignment and same treatment at the same time. This therefore encourages them to embrace working together and hence building a formidable teamwork.

In contrast, people in a very warm climate are likely to be `Thamasik'. This kind of temperament is characterized by laziness and inertia. In a very hot place, it is

unpleasant to keep working, because of perspiration and fatigue. In the tropics, the seasons do not change much and resource extraction is easy throughout the year. This kind of climate makes for an attitude of surrender and the approach to the environment is marked by fear and superstition (Rempel, 1988). The moderate climate is most conducive for the 'Sathwik' temperament. This is characterized by an awareness of oneself and the relationship of the environment to one's adjustment. Consequently the Sathwik approach involves living in harmony with the environment. The insight into the role of the environment in our well being leads to a felt need to conserve the natural environment. The Sathwik temperament is holistic, intuitive and well balanced (Lee, 1998:93). Prisons have often been scenes of brutality, violence and stress. Prisoners are faced with incidence of violence and are always concerned for their safety. A long-term prisoner named *Jack Abbott* had stated "everyone is afraid. It is not an emotional or psychological fear. It is a practical matter. If you don't threaten someone at the very least, someone will threaten you...Many times you have to "prey" on someone, or you will be "preyed" on yourself" (Tosh, 1982:93). From these findings, although prisons aim to cure criminals of crime, however, their record has not been encouraging. Instead, prisons do more harm than good. The pains of jail confinement affect all prisoners in different ways. To begin with, the prisoners need to withstand the entry shock by adapting quickly to prison life. Prisoners are exposed to a new culture, which is very different from their own culture. Then they need to maintain the outside links. For example, keeping in contact with family and friends becomes more frustrating.

While being in prison, the prisoner must determine his/her ways of passing the time since the hours appear endless (Tosh, 1982). For some prisoners, the major

source of stress includes the loss of contact with family and friends outside the prison. There is also the fear of deterioration and the wrong that one may not be able to back home given the poor conditions in prisons. The nature of interactions among prisoners, some of whom may be hardcore criminals, and cruelty. There is lack of personal choice within the prison environment which affects prisoners. After many years of being told what to do they may well lose the ability to think for themselves and make their own decisions and choices freely (Tosh, 1982:94). Every animal is only at home in its natural environment and in unnatural settings, its behavior becomes deranged. This applies to the persons in prisons too. Currently, are increasingly adopting new approaches most countries where prisoners are subjected to conditions as close as possible to normal conditions they were in before they were incarcerated. This could be seen as an attempt at making sure that they are not influenced undesirably by the environment change. It is therefore obvious that inhuman and harsh conditions which have been associated with prisons only end up manufacturing inhumane and aggressive characters who when released back into the society, find it more difficult for them to fit back into society (Glanz *et al.*, 2009). In order find out whether there was a relationship between the reasons for the second imprisonment and the behavior acquired in prison, the researcher cross-tabulated the two variables and the results are presented in table 4.16.

Table 4.14 Showing cross-tabulation between reasons behind 2nd imprisonment and behaviour acquired in prisons

Showing cross-tabulation between reasons behind 2 nd imprisonment and behaviour acquired in prisons			Behavior acquired in prison					Total	
			Aggression	Leadership	Teamwork	Respect for authority	None		
Reason behind 2 nd imprisonment	Robbery	Count	3	0	3	2	0	8	
		% within reason behind 2 nd imprisonment	37.5%	.0%	37.5%	25.0%	.0%	100.0%	
	Possession of bhang	Count	0	1	1	0	0	2	
		% within reason behind 2 nd imprisonment	.0%	50.0%	50.0%	.0%	.0%	100.0%	
	Assault	Count	4	1	2	0	3	10	
		% within reason behind 2 nd imprisonment	40.0%	10.0%	20.0%	0.0%	30.0%	100.0%	
	Gambling	Count	2	0	1	1	0	4	
		% within reason behind 2 nd imprisonment	50.0%	.0%	25.0%	25.0%	.0%	100.0%	
	Total		Count	6	4	7	6	1	24
			% within reason behind 2 nd imprisonment	25.0%	16.7%	29.2%	25.0%	4.2%	100.0%

Prisoners who acquired aggression while in prisons in their first imprisonment were likely to revert back to crime and be convicted again because of robbery (38%) assault (40%) and gambling (50%). Prisoners who interact more with hardcore criminals are more likely to be dissatisfied with and secluded from society and therefore more likely to learn PTO deviant values. Empirical evidence

shows that former prisoners are more at risk to poverty because of the challenges they face in finding employment or accessing public assistance. These challenges are the result of the stigma of incarceration, as well as the disadvantages that often characterize this population, including low levels of education, mistrust, and substance abuse. A few prisoners leave prison with jobs or other necessary resources already secured. Given these challenges, the well-being of former prisoners is more likely to be low owing to the low support employment from family, friends, or neighborhood. Little is known about how former prisoners make ends meet after their release from prison, how or why some are able to secure services and supports while others are not, or which services and supports create pathways to employment or long-term legitimate income sources.

4.3 Focus group discussion results

The findings that came from the focus group discussion revealed that the categorization of inmates in prisons is such that where there are both males and females are restricted to their quarters by warders. This is arranged such that female warders take care of female inmates and male warders take care of male inmates. Although this practice is not common in Kenyan prisons and could only be witnessed during transitional periods such as when individuals are still on trial and are detained in the same facilities due to lack of other places to detain different genders separately. However, remandees though they may share the same facilities with those serving their jail terms, are placed in their own cells and have different uniforms from those of the prisoners. Inmates are also categorized according to the length of time one will be in prison.

4.3.1 Most common causes of incarceration

The longer the length of time in prison, the more the privilege and level of discipline. Moreover, the more severe the crimes committed, the stricter the surveillance while in prison. Rehabilitation programs for prisoners are structured according to gender, with males taking more masculine programs while females concentrate on female-related programs.

In addition, rehabilitation programs are far too short to provide adequate rehabilitation of convicts, especially the hardcore criminals. Again, the idea of mixing inmates of both lesser and greater offenses enhances greater exchange of deviant norms, values, and lifestyles and therefore shapes criminal careers among convicts.

4.3.2 Types of rehabilitation programs

Some of the most common programs include polishing, tailoring, metal work, masonry, prison farm, and carpentry. These programs are offered depending on the individual capabilities and the availability of training instructors.

4.3.3 Effectiveness of rehabilitation programs

The respondents revealed that prisoners were fairly treated and receive while in prison can be considered in all respects. Since both human and material resources are far too scarce, the biggest challenge cited by inmates was that the number of inmates far outnumbered the prison personnel. Consequently, rehabilitation programs and any other services that prisoners are supposed to receive do not work out well. Further, prison personnel are not professionals per se in the many different fields, and corruption in prison is high, where some inmates are favored while others are discriminated against.

4.3.4 Impacts of physical and human prison environment on the inmates

There are many reasons why ex-convicts prefer to go back to crime and end up in prison again. Some ex-convicts perceive life outside prison as too harsh and difficult to cope with. High level poverty and in particular, the stress and frustration of making it in life, especially the difficulty in attaining basic needs at home increases food and insecurity problems of shelter. Indeed, poor counseling services and poorly framed counselors encourages re-offending in that prisoners are not adequately assisted to realize that though there is food, shelter and security in prison, human freedom and dignity are more paramount.

CHAPTER FIVE

DISCUSSIONS, CONCLUSIONS AND RECOMMENDATIONS

5.0 Introduction

This study set out to find out the impact of rehabilitation programs in prison on recidivism. The focus of the study was to evaluate the rehabilitation programs that are available in Kenyan prisons with the aim of finding out whether failure of such programs contributes to re-offending among ex-convicts. The study also sought to establish how programs in prisons could be improved so as to reduce recidivism in society. This chapter therefore covers a discussion of the findings, conclusions and recommendations of the study.

5.1 Summary of findings

5.1.1 Demographic information of respondents

The study sought demographic information of the respondents where gender differences showed that there were more males respondents than female recidivists, which who reflects differences in crime levels among both men and women. Men are more likely than women to recidivists and also commit all other types of crime in society. The study also observed that the youngest age bracket (15-24 years) and the oldest category (35-44 years) were less represented among the group of that appealed most often among recidivists (25-34 years) the serious need for employment and financial obligations to make them settle in life. Once the search for employment diminishes more and more people in this age category begin to search for other illegal means to as to obtain income, and this predisposes to criminality. At this levels, recidivism increases more if they interacted more with

hardcore criminals in the previous convictions. Younger offenders (15-24 years) may not interacted more with other criminals and may still be searching for employment and therefore less likely convicted. On the other hand the much older category (35-45 years) may have come to realize that it does not pay to break the law even if unemployed and facing financial difficulties. Such people lead frugal.

However, going by the prevalent levels of unemployment in Kenya, such people are faced with numerous challenges of getting meaningful economic activities to engage in. For this reason, most youth in this age group end up some activities which put them against the laws of the land which predisposed and might even take to prison. The same scenario is replicated in the age bracket of 35-44 years where people in this age group also tend to find themselves more in activities that are most likely to pitch them against the law. However, young people in their prime years are more prone to engage in violent activities more than this category of people. This could be the reason why there were more respondents from that age group in the respondents. The marital status of the respondents was sought to establish how the respondents related with their spouses after recidivating. The respondents who were captured for the study were mostly married couples who could be said to have been socially stable.

However, what is important to note is that the percentage of respondents who fell in the category of the separated was higher than normal. In most cases, people in the villages just separate without following any court or traditional procedures to show that they have officially divorced. The slightly higher than normal number of separations can be attributed to the fact some spouses chose to opt out of their marriage unions as a result of their spouses being recidivists. There were also

respondents who were single and were still recidivists though to mean that it is not only the married who engage in crime to provide for their families. Single people may also engage in criminal activities for their own various reasons. Marital instability, separation, divorce and single parenthood stress and financial difficulties and hence the greater the difficulties in making ends-meet and consequently low breaking, more especially among former convicts. Moreover, the higher the convictions, the higher the separations divorce in marriage. The level of education of the respondents showed that there were majority of respondents who only had primary level of education. There is also a higher number of recidivists who had secondary education in comparison to those who had college or university education.

Comparing primary level education and secondary level education to college or university education, it is clear that the primary and secondary education is considered lower and thus individuals with these levels of education are likely to be unemployed and therefore find it more difficult to survive in the higher competitive economy. Those in this group may be compelled by circumstances to engage in criminal activities since they need to take care of their day to day needs especially if they have younger dependents. In particular, primary do not school learners may be faced with great challenges in acquiring meaningful economic pursuits. That is probably why this group appears more frequently among recidivists. Lower levels of education increases unemployment and economic difficulties, which in turn increase stress and family inability that predispose one to criminality. The occupation of respondents before and after the first imprisonment was also sought to find out if type of occupation contributed to imprisonment. Occupations that are temporarily and lower income such as those of casual laborers

means of subsistence predisposes individuals to engage in odd and deviant activities so as to survive. Although this means that such after their first imprisonment some higher risk of engaging in ways of getting extra cash which may not some ex-convicts may want to pursue honest living. Living below the means of subsistence poor pay and low level of capital reverts them back to their previous occupations and therefore more likely to re-offend.

5.1.2 Specific information

5.1.2.1 Most common factors associated with of imprisonment

People go to prison for various reasons. The study thus sought to establish some of the most common factors associated with incarceration in the North Rift region. To be able to do this well, it was first important to establish the number of crimes convicts, how many times had been to prison and results revealed that most of the respondents who were selected for the study had been in prison twice. In fact, a large number of prisoners had also been to prison more than twice and the reasons associated re-offending was of interest to this study. A smaller percentage (%) had been to prison only once. Among the respondents who took part in the study, the most outstanding reason for their first imprisonment was that they had been involved in theft. There were also a considerable percentage of respondents who had been incarcerated the first time due to assault cases or driving/riding with a driving license. Looking at the three activities that led these people to prison, one could say that they are lighter offences in comparison to the offences that caused the second incarceration for the many who had been to prison more than once. As was mentioned earlier, there were isolated cases where respondents had been to prison due to murder the first time. This is a very serious offence but it is clear from the study results that there was a small percentage that fell under this

category of offences. Looking at the reasons behind the second incarceration, majority (75%) of the respondents went behind bars due to reasons that could be considered more serious. Although there were people who went behind bars due to assault the first time, the number that went behind bars the second time due to assault was higher, in fact the highest among all the reasons that were given. It should be noted that the number of people who were incarcerated the second time due to robbery was also very high. Looking at assault and robbery, it can clearly be said that the respondents mostly went back to prison the second time due more serious criminal offences than was the case with the first time. However, not all of the respondents can be said to have become hard core criminals because there were some who were incarcerated due to reasons such as being found in possession of bhang and gambling. The latter can be considered lighter offence.

The general trend that is observed from the findings is however that prisoners graduate from lighter to more serious crimes after they have been to prison. Improvement appears to prepare convicts into committing more serious crimes, which suggests that while in prisons, criminals learn techniques and values from more hardcore criminals while convicts live in conditions that are inhumane and are often treated as inhumanely, it is highly unlikely that they will in turn treat other people humanely. Treating and respecting prisoners as human beings, with all their rights and responsibilities, form the foundation of all offender reintegration initiatives. Without this, the chances for success are severely diminished (Blumenthal, 1999:112). Further, according to existing literature, the belief that prisons are "schools of crime" also has widespread support. The earliest writings on crime by scholars such as Bentham, De Beaumont and de Tocqueville, Lombroso and Shaw, suggested that prisons were breeding grounds for crime

(Lilly, Cullen, & Ball, 1995:113). Jaman, Dickover, and Bennett (1972) put the matter succinctly by stating that "the inmate who has served a longer amount of time, becoming more *prisonised* in the process, has had his tendencies toward criminality strengthened and is therefore more likely to recidivate than the inmate who has served a lesser amount of time". This viewpoint is also widely held today by many criminal justice professionals and policy makers (Cayley, 1998; Latessa & Allen, 1999; J. Miller, 1998; Schlosser, 1998; Walker, 1987:113), some politicians (e.g., Clark, 1970; Rangel, 1999, who said that prisons granted Ph.D.s in criminality), and segments of the public (Cullen, Fisher, & Applegate, in press). Aspects of our popular culture (e.g., cinema) also reinforce the notion that prisons are mechanistic, brutal environments that likely increase criminality (Mason, 1998).

5.2.2 Types of rehabilitation programs available in Kenyan prisons

Prisoners who prefer to get back to prison after their released tend to raise more questions than answers. This is because traditionally, prison was perceived as places where everyone would do wherever is possible never to go back again. Prisons were more associated with the harsh and brutal conditions that the prisoners were subjected to in the past. In the contemporary world, prisons are seen as rehabilitative facilities which are punitive in nature but should remold the character of offenders to become responsible law abiding citizens. In Kenya prison, programs which are aimed at achieving this goal tend to have training programs including tailoring, farming activities, carpentry and masonry among others. These programs which are vocational in nature are major aimed at offering skills which in prison to help them remold their lives and generate income once out of prison. Most of the convicts serving their first imprisonment were involved in the prison

farm, tailoring and carpentry. This may leave one wondering if they had chosen to be part of such programs or this is just one of the program while for prisoners. However, there was a big percentage of prisoners who did not engage in any activities at all. The question that arises is whether there should be room for prisoners to choose not to be part of any rehabilitation program while in prison. Looking at the levels of education of most of the respondents, it is quite clearly that the range of vocational programs that were available were quite suitable for them and could help them change their lives once outside prison. Yet chances among ex-convicts to revert back to crime and end up in prison more than once is high.

The vocational programs engaged during the second imprisonment were similar in that convicts were to those serving their first time sentence. Involvement in prison farm was preferred by most respondents followed by tailoring and their carpenter. Hence recidivists go through the same training program they had gone through in their earlier imprisonment therefore no value in training is add in subsequently sentencing. Though a variety of programs are currently available in prisons such programs may not be appealing to most prisoners. Today, many countries in the world especially in the developed countries have introduced very may well defined rehabilitation programs in their prison systems. Such programs include drug, alcohol, vocational, addiction, juvenile, and overall prisoner rehabilitation programs. These are all aimed at ensuring that the rates of reoffending are reduced to bare minimums although this has not been the case in some countries such as the USA.

In Kenya, rehabilitation programs exist and are conducted at various levels. The prisons themselves offer programs such as working on prisons farms and other vocational training programs, committal to probation hostels, community service orders and after-care rehabilitation. The Kenyan prison system also works with other organizations such as RODI Kenya whose mission is to reduce poverty, crime and re-offending by training prisoners in organic agriculture, agro-processing, value addition, natural resource management and HIV/AIDS and drug and substance abuse prevention. The program builds the capacity of prisoners by equipping them with skills and technologies for self reliance and income generation after they leave prison. After release of the inmates, they have a component of ex-prisoners follow-up to monitor their progress/performance, give them additional training, assess project impact and to support them to re-integrate back to the community. The ex-prisoners are encouraged to share the skills he/she acquired while in prison with the community members and to form Community Livelihood Improvement Groups (CLIGs) to speed up their acceptance and address poverty at community level. In addition the ex-prisoner is supported to set up an income generating project (Kayeke, 2011).

5.2.3 Effectiveness of rehabilitation programs of in Kenyan prisons

The fact that ex-prisoners went back to prison again even when they went through rehabilitation programs raises question of whether the programs offered are really achieving the purposes for which they were designed to achieve. The majority of the ex-prisoners captured in this study had been to prison more than once and as such, the programs they went through the earlier or subsequent sentences confirmed that such programs did not provide meaningful effect on them. Although a majority of them were of the opinion that the programs they had gone through the

first time sentencing had impacted on their lives, our interest was on those that programs did not impact on them.

The percentage of those who did not feel any effect of the programs was high which should not be the case. While such programs may be more oriented, did they may not focus on character building for the prisoner? There is therefore need for programs to focus on ways of how to address character, discipline and self control among convicts of meaningful change is to be achieved prisoners reported that they were recruited into programs that they did not like and under such circumstances the chances of such these programs having effects on their behavior are slim. This could be the reason behind the ineffectiveness of rehabilitation programs. Despite the fact that Kenyan prisons have been endeavored to ensure that the rehabilitation programs they offer are effective to achieve the purposes for which they are intended, that is not the case. Indeed programs must be if they Organizations such as RODI Kenya have for some time tried to assist Kenyan prisoners with some programs that should assist them to fit back into the community but the organization only works with a given number of facilities such that even if its programs were to be effective as they should programs are only limited to a smaller number of prisoners

5.2.4 Impact of the physical and human environment in prison on inmates

According to behavioral psychologists, the nature environment in which someone is, be it, physical or human, has a bearing on the character of an individual. This trend seems to apply even in prison since the respondents who took part in the study indicated that they had acquired behaviors that were not originally part of their character. Among the behaviors that were acquired while in prison by most inmates included aggression, teamwork, leadership skills and respect for authority.

At this point, even before considering which behavior was acquired by most inmates in prison, it is important to acknowledge the fact that prison environment had an impact on the behavior of inmates. It was further established that the behavior that was acquired while in prison was responsible for the re-imprisonment of many of the respondents. This comes from the significant relationship that was established between the acquired behavior and the reason for the second imprisonment of recidivists.

Although most of the inmates acquired a teamwork spirit, it is was their own discretion to either use it constructively or destructively while in the community. A considerable number also learnt aggression while in prison this was associated more with their second imprisonment due to robbery or assault which violent are crimes. What is however is baffling at this stage is why the prison environment would have such impacts on the behavior of inmates when the government has done so much to ensure that there is a humane environment in those prisons and inmate respondents themselves confirm that conditions in prisons had indeed improved and were no longer harsh.

5.3 Conclusion

The study concludes that recidivism is associated with nature of several factors such as the rehabilitation programs in prisons, the nature environment prisoners are subjected while in prison, the level socio-economic status of ex-convicts immediately after prison and the nature of ex-convicts reception they receive from the community when they are released from prison. The study observed that the nature of rehabilitation programs that are offered in prisons do not really cater for the needs of the inmates and fail to transform convicts into reliable and law abiding citizens. There is therefore need for those current programs in prisons to be

tailored in which increases to improve skills and transform prisoners. There is need to ensure that re-offenders in prisons do not go through programs they went through in the previous imprisonment. It should however be noted that for optimum results to be achieved from rehabilitation programs and the levels of recidivism brought down to the minimum possible, the community, the authorities and the correctional facilities should work in collaboration to achieve this goal. This should not however mean that the criminals should occupy everyone's time to make them appear as though they are very special. They should be made to acknowledge that their criminal acts are wrong and then work from that point towards reforming from such acts. Recidivism is a phenomenon that not a single country in the world is proud of and should thus be eliminated at all costs.

5.4 Recommendations

Based on the study findings, the researcher came up with the following recommendations:

- i. The stakeholder of prisons needs to create more effective rehabilitation programs which can reduce occurrence of recidivism in prisons.
- ii. The management of prisons needs to provide guidance and counseling in the prisons so as to counsel inmates in the prisons about the negative effects of recidivism.
- iii. The management of prisons needs to provide education and training programs in order to increase inmates' skills and knowledge on economic opportunities and challenges and therefore increase income after prison, which will eventually reduce crime and deviant behavior.

- iv. When people are faced with stressful events and circumstances, especially those related to economic hardship, in particular, the associated with attainment of basic needs in the family, they may use drugs or steal in order to cope. However, this mode of behaviour predisposes them to crime and incarceration. Thus, Professional psychologists in prisons should counsel prisoners and help them learn the various ways of coping with extremely stressful circumstances both at home and in society.
- v. The Government needs to be more involved in supporting programs in prisons in terms of both finances and professional in order to increase skills and knowledge of inmates in prisons and improve their behavior and consequently reduce crime, criminality and recidivism in society.

There is need to recruit professional prison officers in proportion to the number of inmates in the country. This will provide opportunities for inmates to receive proper guidance and counseling. KPS should offer all prison officers with refresher courses after every three years in the service so as to keep them abreast with new developments in the rehabilitation of inmates in prison; hence strengthen professionalism. There is need for the government to deploy teachers from the ministry of education to orientate inmates in both primary and secondary education especially those who were incarcerated while attending school or those who dropped out of school and are still young. KPS needs to develop a comprehensive vocational training in all sections of the prison industries and that long term prisoners should take at least six months in the vocational training section, at the end of which they should sit for Grade III test. In addition, after attaining Grade III, the inmates should balance their time in such a way that they engage in

production, and proceed with vocational training until they attain Grade I. this will help them engage in meaningful production after release.

5.5 Suggestion for further studies

Given that research is a continuous process, the following areas are for further research;

- i. An assessment of challenges in implementing of rehabilitation programs in prisons in Kenya.
- ii. An investigation of challenges inmates face in Kenya prisons and the;
- iii. Effectiveness of the criminal processes in the judicial system

REFERENCES

- Allan,A., Allan,M.H., Marshall,P., & Kraszian,K., (2003). The Theory of Planned Behavior. *Organizational Behavior and Human Decision Processes*.
- Allan, A, *et al.*, (2003), Recidivism among male juvenile sexual offenders in Western Australia. *Psychiatry, psychology and law*.
- Andrews B., & Bonta I, (1998) Ex-prisoners, homelessness and the state in Australia. *Australian and New Zealand journal of criminology*.
- Badly J., (2003) *Prisoners in Australia, 2006*. ABS
- Baldry, E. (2005). *The effect of post-release housing on prisoner re-integration into the community in Correctional Criminology* S. O'Toole, Eyland, S., Editor. 2005, Hawkins Press: Sydney.
- Bandura, A. (1986). *Social Foundations of Thought and Action*. Englewood Cliffs, New Jersey: Prentice-Hall.
- Blumenthal, H. (1999). *Life line: Lifers helping lifers swim not sink*. Let's Talk.
- Bonta, J. (1990). *Reexamining the cruel and unusual punishment of prison life*. In Flanagan, T. (Ed.), *Long-term imprisonment: Policy, science and correctional practice*, London: Sage Publications.
- Bukstel D., and Kilmann T., (1980) Estimating the numbers of prison terms in criminal careers from one-step probabilities of recidivism. *Journal of quantitative criminology*.
- Buckman, J. (2003). *Youth justice: criminal trajectories*. Brisbane: Crime and Misconduct Commission
- Bennett C, DiIulio B, & Walters I, (1996) *Road to nowhere: a report on the housing and support needs of women leaving prison in Victoria*. Collingwood: Flat Out
- Borzycki, M. (2003). Promoting integration: the provision of prisoner post-release services. *Trends & issues in crime and criminal justice* no 262. <http://www.aic.gov.au/publications/tandi2/tandi262.html>
- Borzycki, M, (2005). *Interventions for prisoners returning to the community: a report for the Australian Government Attorney-General's Department*. Canberra: Attorney-General's Department. <http://www.aic.gov.au/publications/reports/2005-03-prisoners.html> date of access? Do this for all internet sources

- Bonta K., & Gendreau S., (1990) *Re-arrest probabilities for the 1984–1993 apprehended Western Australian population: a survival analysis. Journal of quantitative criminology.*
- Carcacach C. K., (1999). Efficacy of the theory of planned behaviour: A meta-analytic review. *British Journal of Social Psychology.*
- Cialdini W, & McGuire J., (1995) . *Women ex-prisoners post-release: where to from here? Out of Sight, Out of Mind.* B. Foundation. ACT, Gininderra Press.
- Cohen P., & Taylor T., (1972) The recidivism of prisoners released for the first time: reconsidering the effectiveness question. *Australian and New Zealand journal of criminology.*
- Cain, M. (1998). *Juvenile crime and juvenile justice: toward 2000 and beyond.* Research and public policy series no. 14. Canberra: Australian Institute of Criminology. <http://www.aic.gov.au/publications/rpp/14>
- Corcoran I., Johnson, B., and Flanagan O., (1997) *Recidivism among juvenile offenders: an analysis of times to reappearance in court.* Research and public policy series no. 17. Canberra: Australian Institute of Criminology. <http://www.aic.gov.au/publications/rpp/17>
- Chen, S, *et al.*, (2005). The transition from juvenile to adult criminal careers. *Crime and justice bulletin* no. 86.
- Cayley N., Latessa T., Allen K., and Miller, (1987) *Varieties of criminal behavior.* Santa Monica CA: Rand
- Consular Information Sheet: Kenya Bureau of Consular Affairs
- Clark N., Rangel P., (1999). Performance report for the period ending March 31, 1998. Ottawa: Supply and Services Canada. Corruption Perceptions Index 2007 Transparency International
- Conner L., (2001) *Self-reported and official offending from adolescence to adulthood in cross-national research*, in Klein MW (ed), *Self-reported crime and delinquency.* Dordrecht: Kluwer.
- Clark J. McGuire H., and Moffitt S., (1983) *Surveys in social research*, 4th ed. Sydney: Allen and Unwin
- Doob V. J, Sprott K, Marinos T, & Varma C, Spelman N, van Voorhis R, Browning C, (1997) *Prisons, jails, and reformatories.*
- DeJong (1997) *Reducing the risk of recidivism.* Sydney, NSW Parliamentary Library Research Service, pi.

- Dyer J., (2000). *The pains of long-term imprisonment*. British Journal of Criminology.
- Oundo A., (2002). *The theory of planned behavior: A review of its applications to health-related behaviors*. *American*
- Glanz *et al.*, (2009) Department of Corrections 2003. *Recidivism report: inmates released from Florida prisons July 1995 to June 2001*. Tallahassee FL: Department of Corrections. <http://www.dc.state.fl.us/pub/recidivism/2003/index.html>
- Godin L. and Kok S., (1995). Repeat contact with the juvenile justice system: apprehensions by police. *Information bulletin*
- Gendreau U., 1996). *Ecological and cultural factors in spatial perceptual development; In: Environmental psychology* (Eds) Proshansky H M, Ittelson W H and Rivlin L G. Holt, Rinehart and Winston, New York.
- Gay, L. R. & Airasian, P. (2003) *Criminal courts, Australia, 2005–06*. ABS
- Gay, L. (2003). *Educational research: Competencies for analysis and application* (7th ed.). Upper Saddle River, New Jersey: Merrill/Prentice Hall
- Graycar, A. (2002). Crime in Australia, in Grabosky P and Graycar A (eds), *The Cambridge handbook of Australian criminology*. Port Melbourne: Cambridge University Press.
- Great Britain. Social Exclusion Unit (2002). *Reducing re-offending by ex-prisoners*, London: Social Exclusion Unit. <http://www.socialexclusionunit.gov.uk/downloaddoc.asp?id=64>
- Grizzell, J. (2007). Behavior Change Theories and Models. Retrieved January 28, 2007, from http://www.csupomona.edu/~jvgrizzell/best_practices/bctheory.html.
- Guarnieri, T. (1993). *Issues in recidivism research*. Report to Criminology Research Council
- Hirsch I., Bottoms N., Burney B., & Wikström S., 1999). *Does the law need to know the effects of imprisonment?* Canadian Journal of Criminology.
- Heney, J. (1990). *Report on self-injurious behaviour in the Kingston Penitentiary for Women*. Submitted to Correctional Services Canada. Ottawa: Supply and Services Canada.
- Joel, Dyer (2000). *“The Perpetual Prisoner Machine: How America Profits From Crime”* Westview Press, Boulder Co,

- Jaffe G, Leschied J, & Farthing C, (1987) *Advances in Environmental Psychology: Vol I - The Urban Environment*: John Wiley & Sons, Inc.;New York
- Johnson, H. (2004). *Drugs and crime: a study of incarcerated female offenders*. Research and public policy series no 63. Canberra: Australian Institute of Criminology. <http://www.aic.gov.au/publications/rpp/63/index.html>
- Jones, C., Hua, J., Donnelly, N., McHutchinson, J. & Heggie, K., 2006. RECIDIVISM among male juvenile sexual offenders in western australia. *Psychiatry, Psychology And Law*.
- Jones C et al. (2006). Risk of re-offending amongst parolees. *Crime and justice bulletin no. 91*
- Jones, C. (2006), *Risk of re-offending among parolees*. Crime and Justice Bulletin, NSW Bureau of Crime Statistics.
- Jaman H., Dickover D., and Bennett C., (1972) *HIV/AIDS in prisons: Final report*. Montreal: Canadian HIV-AIDS Legal Network and the Canadian AIDS Society.
- Kenya 2008 Crime & Safety Report Overseas Security Advisory Council
- Kenya: Country Profile United Nations Office on Drugs and Crime
- Kutin V. A. and Koutroulis C. P., (2003) Post-release experience of prisoners in Queensland: implications for community and policy. in *Social Change in the 21st Century Conference*. Queensland University of Technology.
- Kutin, J. (2003). Strike a light: this match didn't work! Evaluation of the Victorian community based corrections treatment and testing policy: does matching to treatment improve outcomes? *Psychiatry, psychology and law*.
- Kayeke C., (2011). Delivering crime prevention: making the evidence work conference, Sydney,
- Kombo S., & Tromp P., (2006) *The new definition: Elements of research Methodology*. Kenyatta University press. 01/12/11
- Lee K., (1998) *Juvenile justice in Australia: 2000–01 to 2003–04*. Canberra: AIHW.
- Lievore, D. (2004). *Recidivism of sexual assault offenders: rates, risks factors and treatment efficacy*. Canberra: Australian Institute of Criminology.
- Lilly V., Cullen H., & Ball P., (1995) *Developing a reoffending database: design, processes, problems and solutions*. Paper presented at Evaluation in Crime and Justice: Trends and Methods Conference, Canberra, 24–25 March. <http://www.aic.gov.au/conferences/evaluation/lind.html>

- Lind B *et al.* (2002). New South Wales Drug Court evaluation: cost-effectiveness. *Legislative evaluation series* 15.
- Matson O., & DiLorenzo M., (1984). *Juvenile offending: predicting persistence and determining the cost effectiveness of interventions*. Sydney: New South Wales Bureau of Crime Statistics and Research.
- Miller K & Rollnick R., (1991) "Prisoners' post-release homelessness and lack of social integration." *Current Issues in Criminology*.
- Miller R., (1998). *Prisoners in Australia, 2005*. ABS.0
- Moos K., (1976). *National information development plan for crime and justice*. ABS
- Makkai T. (2003). *Final report on the South East Queensland Drug Court*. Technical and background paper no. 6. Canberra: Australian Institute of Criminology.
- Makkai T *et al.* (2004). *ACT recidivist offenders*. Research and public policy series no. 54. Canberra: Australian Institute of Criminology.
- Malkin, I. (1995). The role of the law of negligence in preventing prisoners' exposure to HIV while in custody
- Maplestone, P. (2003). Barriers to social and economic inclusion for those leaving prison. *Human rights defender*.
- Mayhew, P. (2003). Counting the costs of crime. *Trends & issues in crime and criminal justice* no. 247. <http://www.aic.gov.au/publications/tandi/tandi247.html>
- Miller, W. (1998) (eds.). *Treating addictive behaviors*. 2nd ed. New York: Plenum Press
- Nagin, S. Orsagh L. & Chen T, (1988) *Drug use monitoring in Australia: 2005 annual report on drug use among police detainees*. Research and public policy series no. 70. Canberra: Australian Institute of Criminology.
- Nyauchi S., (2009). *Patterns of sexual adjustment among prison inmates*. Paper presented to the annual meeting of the Academy of Criminal Justice Sciences, March 16, 1990 in Denver, Colorado.
- Nagin S. (1998). Repeat contact with the juvenile justice system: contact with the Youth Court. *Information bulletin*
- NCOSS (2006). *"Closing the revolving door of prison."* A fairer NSW - fact Sheet. A roadmap for Justice Reform, Sydney.

- Oso J., and Onen T., (2005) *Employing research tactics: Reliability and Validity in research and Methodology*. Nairobi University Press ISBN/123/14/7865/90
- Orsagh and Chen (1988). *Understanding risk in criminal justice*. 2003, Berkshire: Open University Press.
- Onunga L., (2009) *Prisoners: An historically disadvantaged group*. Winnipeg: author.
- Paulus & Dzindolet, (1993). *Aboriginal prison releasees in New South Wales: preliminary comments based on ex-prisoner research*. *Indigenous law bulletin*.
- Payne, J. (2005). *Final report of the North Queensland Drug Court evaluation*. Technical and background paper no. 17. Canberra: Australian Institute of Criminology.
- Perry, C. (1990). *How individuals, environments, and health behavior interact: Social learning*
- Prochaska, J. (1998). The transtheoretical model of behavior change. *The Handbook of Health Behavior Change*, 2nd ed. New York, NY: Springer.
- Rempel G., (1988) *Women lifers*. In Flanagan, T. (Ed.), *Long-term imprisonment: Policy, science and correctional practice*. London: Sage Publications.
- Sabbath, M. (1992). Problems associated with long term incarceration. Forum on Corrections Research.
- Schwartz H., & Robbins S., (1995) *Conflict, politics and crime: Aboriginal communities and the police*. Sydney: Allen & Unwin
- Santos, M. (1995). Facing long-term imprisonment. In Flanagan, T. (Ed.), *Long-term imprisonment: Policy, science and correctional practice* (pp. 36-40). London: Sage Publications.
- Simonoff, J. (1996). *Smoothing methods in Statistics*. New York: Springer.
- Solicitor General of Canada. (1991). *Solicitor General of Canada annual report 1990-91*. Ottawa: Supply and Services Canada.
- Stableforth, N. (1997). Women Offenders. *Let's Talk*, 22(2), 4.
- Tosh T., (1982) *The detection of prison gang development: An empirical assessment*. Paper presented to the annual meeting of the Academy of Criminal Justice Sciences, March 1990, in Denver, Colorado.

- Task Force on Federally Sentenced Women (1990). *Creating choices: The report of the task force on federally sentenced women*. Ottawa: Supply and Services Canada.
- Task Force on Long Term Offenders. (1998). *Implementing the life-line concept: Task force on long term offenders*. Ottawa: Supply and Services Canada.
- theory. In K. Glanz, F. M. Lewis & B. K. Rimer (Eds.), *Health Behavior and Health Education: Theory Research and Practice*. San Francisco,
- Thompson, B. (2010). *Remand Inmates in NSW – Some Statistics*. Research Bulletin NSW Department of Corrective Services.
- Wood & Grasmick, 1999). (1998, January 9) Available: <http://cnn.com/US/9801/09/solitary.confinement>
- Weekes H. (1992). *Crime and safety*. Australian Bureau of Statistics. ABS
- Weekes, J. (1992). Long-term offenders in Canada. *Forum for Corrections Research*.
- Wormith, J. (1985). *Long term incarceration: Data and reason meet ideology and rhetoric*. In Solicitor General of Canada User Report: Long term incarceration: The continuing debate. Ottawa: Supply and Services Canada.
- Zamble, E. (1988). *Coping, behaviour and adaptation in prison inmates*. New York: Springer-Verlag.
- Zanna, M. (1988). *Attitudes: A new look at an old concept*. *The social psychology Journal*.
- Zingraff, M. (1975). *Prisonization as an inhibitor of effective re-socialization*. *Criminology*.
- Zamble Y & Porporino J., (1988) Ex-prisoners, housing and social integration. *Parity*.

APPENDICES

APPENDIX A: QUESTIONNAIRE FOR RECIDIVISTS

This questionnaire is a tool being used to collect data for a research on the Impact of rehabilitation programs in prisons on the level of recidivism. The study is based in North Rift region. You are assured that the information you shall give will be treated with confidentiality and will not be used for any other purpose other than the academic use for which it is intended. You are hence requested to give honest information.

SECTION A: PERSONAL INFORMATION OF RESPONDENTS

Gender:

Male [] Female []

Age:

15-24 yrs [] 25-34 yrs [] 35-44 yrs []

45-54 yrs [] 55 yrs and above []

Marital status

Married [] Single [] Separated []

Divorced [] Widowed []

Highest level of education attained.

None [] Primary [] Secondary []

College [] University []

Occupation before first imprisonment.

None [] Farmer [] Casual worker []

Informal sector [] Other (Specify) _____

Occupation after first imprisonment.

None [] Farmer [] Casual worker []

Informal sector [] Other (specify) _____

SECTION B: SPECIFIC INFORMATION

How many times have been to prison?

Once [] Twice [] More than once []

What was the reason behind your first imprisonment?

What was the reason behind your second imprisonment?

Which vocational program did you engaged in during your first prison term?

Tailoring [] Metal work [] Masonry []

Knitting [] Crocheting [] Embroidery []

Prison farm [] Carpentry []

Other (specify) _____

Which vocational program did you engage in during your second prison term?

Tailoring [] Metal work [] Masonry []

Knitting [] Crocheting [] Embroidery []

Prison farm [] Carpentry []

Other (specify) _____

Did the rehabilitative program engaged in during your first prison term impact on your behavior?

Yes [] No []

Did the rehabilitative activity engaged in during your second prison term impact on your behavior in any way?

Yes [] No []

Which among the following behavioral trends did you acquire while in prison?

Aggression [] Teamwork [] Leadership []

Homosexuality [] Respect for authority []

Other (specify)

Was the behavioral trend acquire in prison contribute to your second imprisonment?

Yes [] No []

What do you think are the main factors that would make the rehabilitation and re-integration programs in prisons succeed?

What recommendations/suggestions do you have on the rehabilitation programs implemented in prison?

On a scale of 1-5 where 1 is strongly disagree, 2-disagree, 3-undecided, 4-agree and 5-strongly agree, indicate the extent to which you agree with the following statements regarding rehabilitative programs in prisons.

Statements	5	4	3	2	1
I was recruited in a vocational training course that I did not like					
The vocational training is of benefit to me					
After completion of my prison term, the vocational course I took provided me with					
We were provided with tools upon successful completion of the vocational course					
Capital is provided after the completion of the					
There are guiding and counseling sessions for					
Prisoners opt to re-offend because of					
Life outside prison is harsh as compared to					
Prisons transform criminals into hard core					

On a scale of 1-5 where 1 is strongly disagree, 2-disagree, 3-undecided, 4-agree and 5-strongly agree, indicate the extent to which you agree with the following statements regarding the physical and human environment in prison.

Statements	5	4	3	2	1
Prison has adequate accommodation for all					
Recreational facilities are available in prison					
Each prisoner is provided with adequate personal					
Toiletry facilities are well maintained in prison					
Food provided in prison is of high quality and					
The prison has medical facility					
The prison medical facility is well equipped					

APPENDIX B: FOCUS GROUP DISCUSSION GUIDE FOR INMATES

i. How are you categorized in prison?

.....
.....

ii. What vocational training courses/programs present in prison are you engaged in?

.....
.....

iii. How do you perceive the treatment you receive in prison?

.....
.....

iv. How are you treated in terms of discipline in prison?

.....
.....

v. How are you prepared for release?

.....
.....

vi. How is the re-integration of inmates into the community prepared in prisons?

.....
.....

vii. Account for inmates going back to prison after their release.

.....
.....

APPENDIX C: INTERVIEW GUIDE FOR PRISON WARDERS

i. What rehabilitation programs present in prisons?

.....
.....

ii. How effective are the rehabilitation programs offered in prisons?

.....
.....

How is the re-integration of inmates done?

.....
.....

Account for inmates coming back to prison

.....
.....

Are the rehabilitation programs responsible for recidivism in prisons?

.....
.....

How are inmates categorized in prisons?

.....
.....

Is the duration of inmates training enough to deal with recidivism?

.....
.....

iii. What challenges are prisons facing with regard to achievement of their objectives?

.....
.....