

**RELATIONSHIP BETWEEN FAMILY RISK AND RESILIENCY FACTORS AND  
RECIDIVISM OF PETTY OFFENDERS IN KIAMBU PRISON, KENYA**

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**C159/CTY/PT/31106/2015**

**RESEARCH PROJECT SUBMITTED TO THE SCHOOL OF SECURITY,  
DIPLOMACY AND PEACE STUDIES IN FULFILMENT OF THE REQUIREMENT  
FOR THE AWARD OF A MASTER OF ARTS IN SECURITY MANAGEMENT AND  
POLICE STUDIES OF KENYATTA UNIVERSITY**

**OCTOBER, 2020**

## **DECLARATION**

This research project is my original work and has not been presented for a degree award in any other University or any other award.

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## **DEDICATION**

This work is dedicated to my dear wife Doreen and my children Troy and Valeria. To my wife for the immense psychological and financial support she extended to me all through the course and especially when I informed her of my intent to pursue the master's degree. She inspired me a lot to forge ahead and make it happen and she always played an extra parental role to our children in my absence while attending evening classes, and during weekend classes.

To my children Troy and his sister Valeria you could barely understand where dad was heading carrying a bag but you inspired me by always ensuring I received lovely good byes as I headed for my studies. It my prayer and hope that the sweet fruits of this degree will be enjoyed most by the whole of my family.

To my parents for ensuring that I was not sent home for school fees even for a single day and also for instilling in me good moral values that have seen me become the person I am.

## **ACKNOWLEDGEMENT**

I am grateful to the Almighty God for walking me through this program since commencement of this course with the hope that He saw me through successfully.

I acknowledge the contributions of my supervisor Dr. Eunice Githae. Your professional supervision, guidance and teachings throughout this exercise are invaluable especially having to do follow up on me when it took me so long to progress.

Special thanks to Assistant Commissioner of Prisons Mr. David Koech for supporting my intentions to take this master's program and to the Commissioner General of Prisons Mr. Isaiah Osugo for allowing officers who wish to further their studies to do so without restrictions.

I also wish to acknowledge the invaluable support extended to me by workmates Mr. Thiru, madam Celestine and Mr. Orindo who never failed to stand-in for me at work when I had to attend classes. You all contributed immensely to the success of this course and may the Almighty God bless you.

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## **OPERATIONAL DEFINITION OF TERMS**

This section defines and clarifies new and key terms as they were used in the study.

**Recidivism:** It is the reversion of an individual to criminal behaviour even after previously having been convicted, sentenced and presumably corrected by the time they were released from prison to the community.

**Inmate:** Refers to any convicted or un-convicted person committed into prison to either serve a jail term or await the trial of their case.

**Convicted prisoner:** Any person who has been charged with an offence, tried before a court of law, found guilty and sentenced to serve a specified jail term.

**Remand Prisoner:** Any person, who has been accused of violating the law, has been arrested and charged for the offence before a court of law but has not been convicted. He/she is placed in prison to await the hearing and determination of his/her case.

**An ex-convict:** Any convicted prisoner, who was previously sentenced into prison, served his sentence and upon completion of his term was released back to the community.

**Ex-offender:** Ex-convict or released inmate.

**Family:** Nuclear, extended families and individuals that inmates plan to live with after completion of his sentence.

**Risk factor:** This refers to all those elements that increase the likelihood of an inmate to re-offend such as lack of family support, family interpersonal conflicts and family criminality.

**Resilience factor:** This refer to family support i.e. acceptance by family members after release from prison, provision of housing and financial assistance after release.

**Family support:** All resilience measures undertaken by the inmate's family or significant other to assist an inmate cope with post-release challenges and avoid reoffending such as financial, psychological and emotional assistance

**Family interpersonal conflicts:** All conflicts happening at the family level (in the nuclear or extended family)

**Family criminality:** Refers to hailing from a family where either nuclear family members or extended family member(s) have been previously convicted of a crime against the state laws.

## ABSTRACT

Recidivism is a multifaceted problem whose cause(s) may originate from the individual or the family or the correctional facilities or the community itself. This study sought to establish the relationship between family risk and resiliency factors on recidivism of petty offenders in Kiambu prison, Kenya. The study used a correctional research design as it sought to establish the relationships that exist between the independent and dependent variables. The target population was both convicted and un-convicted prisoners in Kiambu prison as well as prison staff at Kiambu prison. Questionnaires, focus group discussions and Interviews schedules were used to collect primary data from the inmates and the prison officers serving at G.K prison at Kiambu while previous research materials and records on Kiambu prisoners were used to collect secondary information. Both qualitative and quantitative data analysis techniques were employed in the study. Qualitative data was analyzed thematically according to the research objectives while quantitative data was coded, verified and analyzed using Statistical package for Social sciences (SPSS IBM version 21.0). Correlation and regression analysis were used. The study hypothesized a correlation between family support, family interpersonal conflict and family criminality and recidivism of petty offenders in Kiambu prison. Findings revealed that most of the inmates (92.5%) had previously been convicted of other crimes prior to the current crime they are serving. This was an indication of a high prevalence of criminal recidivism among petty offenders in Kiambu prison. Furthermore, less likelihood of criminal recidivism was apparent for those inmates who received support from their families. This was also consistent for those inmates whose families experienced less interpersonal conflicts as well as those inmates whose family's members/relatives had never been convicted for any crime before. The study found that from the responses of the prison staff, communication, training and education as well as therapeutic alternatives to punishment were effective in reducing the rate of criminal recidivism of petty offenders in Kiambu prison. The study recommends that parents and immediate family members need to enhance their social ties in helping the previously convicted members. This being a responsibility of the whole community, the study encourages the county government to secure enough social amenities to help the released inmates in securing a job or get employment skills. These facilities can be strategically set up in the Kiambu County in order to offer additional post-release support to the inmates once they are released from prison.

## **CHAPTER ONE:**

### **INTRODUCTION**

#### **1.0 Introduction**

The chapter discusses other scholarly output in relation to the study variables. The first section discusses the background of the study and the study problem from a global, regional to the local perspective of the studies done. In this regard, the statement of the problem is developed to highlight issue of criminal recidivism. The section presents the research objectives as well as the research questions and hypotheses that guide the study. The chapter also gives the significance, limitations and the scope of the study.

#### **1.1 Background of the Study**

Robust researches indicate that criminal behaviour has been increasing at alarming rates in the past few decades. The judiciary as a vital cogwheel of the criminal justice system (CJS) assumes the crucial responsibility of punishing those found guilty of offending various laws within its jurisdiction (Mutabari, 2017). As such, the judiciary is at liberty to employ a variety of strategies and sanctions while administering punishment such as deferred sentences, probation, and Community service orders, fine-paid, death and Life imprisonment among others. However, imprisonment remains the preferred sanction (Anyango, 2017).

Crime prevention theorists assert that for imprisonment to yield the intended purpose of crime prevention, it must be able to incapacitate criminals from further criminality, render retribution, and enhance rehabilitation and reformation of inmates (Travis & Visher , 2005). Incapacitation

and Retribution can be viewed as short term solutions to crime as they are realized by having the prisoner serve a jail term, in which their freedom of movement and association with the general public is curtailed (Anyango, 2017; Borzycki & EiBaldry, 2003). While ensuring rehabilitation and reformation of inmates seems to be a favourable stance, it has not been successful hence makes it difficult to secure a permanent or the long-term solution to crime and relapse to offending.

Rehabilitation and reformation of inmates' philosophy are pegged on the aspiration that once inmates have been imprisoned, they will be accorded a conducive environment and opportunity to adjust from criminal to pro-social behaviour (Mutabari, 2017). The expectation is that an individual's risk-needs analysis was conducted during admission in prison to help them identify their risks and needs which further inform placement to the best rehabilitation programs that suit these needs (Borzycki & EiBaldry, 2003). The United Nations best practice on the treatment of offenders further hold that provision of care and support to the inmates should commence while they are in prison and extend to post-release up to such a time when they are fully and permanently settled back in the community as law-abiding citizens (Griffiths, Dandurand, & Murdoch, 2007). By extending such support Sarkin (2008) believed that rehabilitation programs would be able to reduce recidivism of ex-convicts who are released to the community as well as alleviate huge negative effects of criminal recidivism.

Nevertheless, all this remains aspired illusion that is yet to be realized as ex-convicts still reoffend after release despite having been rehabilitated while serving their imprisonment terms. Worse is the fact that, the rates at which they recidivate is quite high across the globe as supported by most studies on the topic. For example, Studies by US Bureau of Justice Statistics ,

2005 on recidivism found criminal recidivism rates to be approximately three quarters (76%) of the 404,638 prisoners released from 30 states in the USA in for 5 years. Regrettably, the study further found the relapse rate to be higher in the first year of release, approximately half (43.4%) of the ex-prisoners' relapse to the crime during this period. Correspondingly, Petersilia (2011) found more than half (two-thirds) of released offenders in the United States of America are rearrested for a new serious crime and more than half, re-incarcerated within three years of release. The study attributed this to poor reentry planning, non-participation in prison rehabilitation and work programs, non-involvement of offender's families in the rehabilitation process and legislations that cuts off many job opportunities for the ex-convicts among others.

In Australia Payne, (2007) approximated two in every three released offenders would re-offend within two years of release. Morgan (2014) further found out that 40-45% of released prisoners in Western Australia will return to prison within two years after release. This meant that 2000 (40%) of the 5000 prisoners released from prison in Western Australia will return to prison within two years of release. In Africa, criminal recidivism rates of ex-convicts are high as well. However very few studies give national recidivism rates in many African countries. In South Africa for example, Kwela (2014) noted that the rates of recidivism in South Africa are high and increasing at alarming rates. Anyango, (2017) further found recidivism rates in South Africa to be approximately 74 per cent, in Kenya 47 per cent while in Rwanda and Tanzania are at 36 per cent.

It is therefore clear that criminal recidivism is rampant across the globe and its effects are immeasurable to the public, the correctional institutions and the government. Especially given that, at least three quarters (95%) of all prisoners held in prison will at some point in time be



released back to the community after having completed their jail terms (McDaniel, 2014; La Vigne, Naser, Brook, & Castro, 2005). From a correctional viewpoint, rehabilitation programs or the correctional institutions can be seen to have failed in realizing the rehabilitative objective that aspires to prevent future offending of the released inmate (Borzycki & EiBaldry, 2003). Likewise, from a public safety perspective criminal recidivism is seen to threaten the public safety of the citizenry due to increase in the number of crimes committed in the society when ex-convict re-indulges in new crime after release from prison. Criminal recidivism is also blamed for an increase in the number of victims who suffer the consequences of the crime committed by the repeat offenders. Generally, criminal recidivism means more crimes, more victims, more suspects and increased prison population all which result in increased insecurity and government spending on crime and management of prisons (Morgan, 2014).

Criminal recidivism has devastating social and psychological effects on the individual inmate (James, 2015). Regarding personal development, the offender's personal development is blocked while serving their jail terms and their relationship to their families and the community, in general, is often broken (Petersilia, 2011). Moreover, reconviction of the ex-convicts causes huge emotional and financial strain to their dependents (spouse and the children) that are forced to struggle for livelihood while their sole-bread winner is in prison (LaVigne, Visher & Castro, 2004).

Empirical evidence has attributed criminal recidivism to an array of risk factors such as unemployment, drugs and substance abuse, mental illnesses, inadequate job skills, lack of education, homelessness, length of sentence, inadequate pre-release preparation, lack of post-release support, inadequate family contacts, lack of family support, release to criminal family

environments, lack of capacity on correctional officers, conflict-ridden families, poor parenting and instability of family set-ups among others (Griffiths, Dandurand, & Murdoch, 2007; James, 2015; LaVigne, Visher, & Castro, 2004; Omboto, 2013). However, it is not known which of these factors have the highest propensity to recidivism.

Many studies have demonstrated that family support, family interpersonal conflict and family criminality are directly linked to recidivistic behaviour. However, in regard to how a combination of family support, family interpersonal conflicts and family criminality may impact on criminal recidivism, only little is known. This is even though the family of the returning offenders assumes a very central role in ensuring the post-release success of the offender (LaVigne, Visher, & Castro, 2004). A supportive family is associated with reduced criminal recidivism among ex-convicts (Charkoudian, Cosgrove, Ferrell, & Flower, 2012; Kimber, 2014). It provides both social support and control to the ex-convicts during and after imprisonment, ingredients that reduce the propensity to criminal behaviours. The family contributes to facilitating the formation of informal social bonds and controls which link the ex-convicts to the church, law-abiding neighbors and communities. These consequently provide offenders with the opportunity for employment, education, training and skills development that help inhibit relapse that would otherwise not be avoided (Charkoudian, Cosgrove, Ferrell, & Flower, 2012). Hence, they provide resiliency to the ex-convicts that may make them not relapse.

Insufficiency of community-based care and support centers to cater for the large number of ex-convicts released from our prisons every day, do push the burden of post-release support further to the families of the returning ex-prisoners (Wheeler & Patterson (2008) as quoted by (Kimber, 2014). Consistent with (Wheeler & Patterson, 2008), Visher & Naser, (2006) acknowledge that

the family of the returning offender is very critical in their post-release success, for they offer the ex-convict the immediate social support and environment unto which they rely upon before settling back into the community. A survey by the Urban Institute in Maryland prison that interviewed inmates before and after their release found that most of the prisoners had high expectations that their families would render them support after release as they struggle to settle back into the community. An expectation that was met with 82% of prisoners interviewed after release either agreeing or strongly agreeing to have been supported by their families. A further investigation on family support by (LaVigne, Visher, & Castro, 2004) also established that an upward of three-quarters of inmates released from a Chicago prison agreed to have been initially staying with their families after their release from prison. It is therefore clear that availability of family support acts as a buffer against recidivism.

Despite the potential the offender's family have in ensuring successful rehabilitation and reintegration of inmates back into the community, it is not true to conclude that all offender's families are supportive to the ex-convict after release. In fact, some families may themselves be engaging in criminality or be the initial or subsequent causes of offending and reoffending of the released inmates. Very few studies have tried to investigate how elements within the family institution such as family support, family interpersonal conflicts and family criminality influence reoffending of released inmates. Of these studies, most have found family risk and resilience factors to have impacts on criminal recidivism. However, it is not known to what extent family risk and resiliency factors influence criminal recidivism. The current study aimed to correlate selected family risk and resiliency factors and criminal recidivism of petty offenders in Kiambu prison with the aim of elucidating their relationships.

In Kenya, repeat offenders have continued to re-engage in the commission of a new crime after their release despite them having been previously corrected in their previous conviction (Anyango, 2017). A case in point is an attempt by an ex-convict in Laikipia to steal church offering just two days after release from prison on presidential amnesty (Anyango, 2017). Data from the Kenya prisons service for the year 2010 also find that out of the 88,531 newly admitted convicted inmates 29652 were recidivist (Anyango, 2017).

Little is known on why ex-convicts re-offend after release from prison and whether the family environment is a contributing factor. None of these studies has used statistical measure that would highlight any statistical significance of the variables of the study. Though Anyango (2017) evaluated correctional, individual and community factors influences on recidivism, her focus was not petty offenders but recidivist inmates at an advanced stage of their criminal career. Her study was done in Kamiti and Langata women maximum prisons which deal exclusively with high-risk offenders. This study focused on recidivist offenders held in Kiambu prison which is semi-closed prison that host petty offenders serving not more than 5 years and presumably at the initial stages of their criminal career.

## **1.2 Statement of the Problem**

Of the studies that have sought to investigate the relationship between family risk and resiliency factors and recidivism, most agree that family support, family interpersonal conflicts and family criminality correlate with the recidivism of inmates (e.g. Charkoudian, Cosgrove, Ferrell, & Flower, 2012; Visher & Naser, 2006; La Vigne, Naser, Brook, & Castro, 2005; Andersen, Andersen, & Skov, 2015; Farrington, Jollitte, Loeber, Stouthemarmarmer-Loeber, & Kalb, 2001; Haas, Farrington, Killias, & Satter, 2004; Theobald, Farrington, & Piquero, 2013). What is

unclear is which of the family variables has the highest propensity to the recidivism of inmates, as few study have used statistical measures that can highlight the significance of family support, family interpersonal conflicts and family criminality and criminal recidivism. Moreover studies have been conducted in the West and not with the African population that enjoy a different culture from the western culture. This study thus sought to fill this knowledge gap by seeking to establish the relationship between family risk and resiliency factors and recidivism of petty offender in Kiambu, Kenya, to find out the statistical significance between the variables of the study. Besides, the study sought to find out the current recidivism rates of petty offenders in Kiambu Prison, Kenya.

### **1.3 Purpose of the Study**

To find out the relationship between selected family risk and resiliency factors and criminal recidivism of petty offenders in Kiambu prison, Kenya.

### **1.4 Objectives of the Study**

The objectives of the study were:-

1. To find out the prevalence of criminal recidivism among petty offenders in Kiambu prison.
2. To examine the relationship between family support and criminal recidivism of petty offenders in Kiambu Prison
3. To establish the relationship between family interpersonal conflicts and recidivism of petty offenders in Kiambu Prison.

4. To find out the relationship between family criminality and criminal recidivism of petty offenders in Kiambu prison.
5. To find out the mitigation strategies that can be embraced to manage criminal recidivism of petty offenders in Kiambu prison.

### **1.5 Research Questions**

1. What are the levels of recidivism rates among petty offenders in Kiambu prison?
2. What relationships exist between family support and criminal recidivism of petty offenders in Kiambu prison?
3. What is the relationship between family interpersonal conflicts and criminal recidivism of petty offenders in Kiambu prison?
4. Is there a relationship between family criminality and criminal recidivism of petty offenders in Kiambu prison?
5. Which mitigation strategies can the prisons service embrace to help manage criminal recidivism of petty offenders in Kiambu prison?

### **1.6 The Hypothesis of the Study**

1. There is no significant relationship between family support and criminal recidivism of petty offenders in Kiambu prison
2. There is no significant relationship between interpersonal family conflicts and criminal recidivism of petty offenders in Kiambu prison.
3. There is no significant relationship between family criminality and recidivism of petty offenders in Kiambu prison.

## **1.7 Justification and Significance of the Study**

Given the huge number of prisoners released from prison to the community every year, and the vast numbers of them that return to the prison again, it is paramount that an in-depth study is conducted to establish the root causes of the relapse tendencies and consequently inform on mitigation and preventative measures that can help curb recidivism. Conducting a study was necessary to help us understand why such a huge number of ex-convicts re-offend even after previously having been in prison and presumably rehabilitated. Maybe the problem is not with the correction facility, neither the individual but maybe with the family environment unto which inmates are released to.

Previous studies that have investigated family risk and resiliency factors and recidivism have established a correlation between these variables. However, they have not sought to evaluate the statistical significance between these family risk and resiliency factors and recidivism hence it is not known which of the family variables contribute more to recidivism. This study, therefore, sought to fill this knowledge gap and provide current recidivism rates data for petty offenders held in Kiambu prison, Kenya.

It is expected that the findings of that study will inform policy and practice on how to better rehabilitate and reform inmates within the prison setting cognizant of the risk and resilience factors within the family setting. As such the correctional institutions stand to benefit as they are informed by research on how to better plan for the inmate's rehabilitation and their smooth transition to the community. For example, the study advocates for the inclusion of family therapies in rehabilitation programs which may in turn help counteract the family-related risk factors that prompt reoffending hence reduction of recidivism of ex-convicts.

## **1.8 Scope and Limitations of the Study**

There are very many family risks and resilience factors that impact on criminal recidivism such as criminal role-modeling, family structure, children parenting and supervision among many others. However, for this study, the researcher only investigated the relationships that exist between family support, family interpersonal relationships and family criminality, and recidivism of petty offenders.

The study was conducted at Kiambu prison, which is the only prison that hosts both convicted and non-convicted prisoners in Kiambu sub-county. Further, Kiambu Prison is the largest prison in Kiambu sub-county as Ruiru Prison which also fall within Kiambu sub-county do not host un-convicted prisoners hence the preference of Kiambu prison for it offers a rich niche regarding the topic under study. Additionally, Kiambu prison has well-established correctional programs which best suites the study to be carried out here. Accessibility of information and respondents' unwillingness to respond to the researcher's questions were some of the anticipated challenges given the sensitivity of the matter under study.

## **1.9 Delimitation of the Study**

The researcher informed the respondents of the purpose of the study, how would benefit them, sought informed consent and guaranteed confidentiality of all the information shared as it was used exclusively for academic purposes. Moreover, thorough de-identification was conducted on the information collected to mask information that can/would jeopardize the security of the institution or expose the identity of the respondents.



## **CHAPTER TWO**

### **LITERATURE REVIEW**

#### **2.1 Introduction.**

This chapter presents review of related literature on family risk and resilience factors, and recidivism of petty offenders in Kiambu prison, as well as trends in recidivism. The first part of the literature discusses the theoretical backgrounds from which the study borrows its principles. The literature proceeds with the by discussing the empirical findings of previous studies based on the objectives/variables of the current study that it: Criminal recidivism of inmates, which is the dependent variable, and family support, family interpersonal conflicts, and family criminality which are the independent variables. The relationship envisioned from the empirical studies then leads the researcher to developing a conceptual framework. Likewise, from the empirical review, the study is thus able to derive the various knowledge gaps that offer opportunity to be filled.

#### **2.2 Prevalence of Recidivism of Inmates**

Recidivism rates of inmates have been rampant world over. The United States of America is perceived as the most punitive free State in the world holding over 2.4 million inmates' -one person in every 100 adults in the USA- is in its prisons or its jails, five times more people than Britain and nine times more than Germany (Petersilia, 2011). The American Bureau of Justice Statistics reports that averages of 590,400 inmates are released from USA state and federal prisons every year since 1991 (James, 2015). Of these released inmates, at least three quarters still re-offend and come in contact with the criminal justice system within five years of release

and more than half –about 6 in 10- will be reconvicted for new offences (James, 2015; LaVigne, Visher, & Castro, 2004).

These high reoffending rates in the USA have been attributed to an array of factors including the adoption of the “get tough” legislation which pronounced mandatory sentences for repeat offenders, mandatory minimum sentences ( which compelled judges to impose fixed sentences regardless of the mitigating factors) and truth in sentencing measures ( which required inmates to serve a greater portion of their sentences before they are released on parole). LaVigne, Visher, & Castro, (2004) further note that an upward of three-quarters of the released inmates reside with family members after release, from whom they expect to receive post-release support. However only little is known on how a combination of correctional and family elements influence recidivism of ex-convicts.

In Australia, incarceration rates are not only high but still growing rapidly with a 28 per cent increase of incarceration rates recorded between 2006 and 2016 (Bushnell, 2017). This translates to adult incarceration rates of 208 per 100,000 adult Australians by the years 2016. The spillover effects include the hiring of more officer in the criminal justice system, increased insecurity and increased spending on prison management. Bushnell, (2017) note that Australian prisons are among the most expensive prisons in the world – fifth-highest per prison annual prison cost- with the cost of holding a prisoner in prison in Australia estimated to be \$109,500 (Bushnell, 2017). Morgan, (2014) further find the recidivism in Western Australia to be between 40 to 45 per cent though these rates may be worse with special groups such as young people and Aboriginal people. High recidivism rates mean more crime, more victims and more financial cost to the state

as the state prison system continue to experience increased pressure due to overcrowding of prisoners.

In Africa, the recidivism of offenders is widespread. According to the United Nations Population Fund report, *the State of the World prison population, 2002* as quoted by (Wamsley, 2003) found the prison population in most African countries to have risen (in 22 out of 36 countries). For example, the prison population had risen by 38 per cent in Ghana over four years that preceded the study, 35 per cent in Malawi over four years, 24 per cent in South Africa over four and a half years and 26 per cent in Cameroon over five years. The rise has been blamed on widespread application of imprisonment as the preferred sanction for offending the law, ineffective correctional programming, inadequate funding of rehabilitation programs, poor pre-release preparation, and failure to involve the families of the offender in the rehabilitation process among others (Wamsley, 2003).

In South Africa, recidivism of offenders is high though, very limited information exists on national recidivism rates (Singh, 2016; Mutingh, 2008). Of the many studies conducted on recidivism in South Africa, only a few studies have tried to estimate the national recidivism rates in the country. An example is Dissel, (2002) who estimated recidivism rates in South Africa to be in the range of 85 to 95 per cent. On the same note, the (White paper, South Africa, 1994) estimate recidivism to be between 85% and 94%. Sarkin, (2008) attributed the high rates of recidivism and prison population on an array of factors such as inadequacy of resources in most South African prisons, overpopulation of prison facilities and incompetency of prison personnel – shortage of psychiatrist, social workers and psychologists among others.

In Nigeria, recidivism of inmates is still widespread with statistics from Nigerian prison showing that more than 60 per cent of inmates held in prison are recidivist (Chukwumerije, 2012 as quoted by Sorochi, 2015). A fact that saw (Chukwudi, 2012) lament that the Nigerian prisons have become a training ground for criminals because, rather than reforming and rehabilitating offenders who pass through these prisons never to re-offend again, the opposite is happening as supported by the high rates of reoffending witnessed among the ex-convicts. (Chukwumerije, 2012) attributed the high rates of recidivism in Nigeria to failure of the Nigerian prison Act to support rehabilitation objective by giving more focus on the retributive and deterrence function of punishment at the expense of the former. Other factors blamed for the prevalence of recidivism in Nigeria include contamination of offenders by confining together both convicted, young and unconvicted offenders, overcrowding, poor prison officer's morale, familial and structural problems, substance abuse and inadequate funding among others, poor prison environmental conditions, stigmatization of ex-convicts, mental health problem and difficulty in securing jobs among other factors (Sorochi, 2015).

In Kenya just as in many other Countries, recidivism rates are still high. Nevertheless only very few studies have tried to establish the actual national recidivism rates in Kenya with precision. Anyango (2017) upon evaluation of data from Kenya Prisons in the year 2010, further find that of the 88,531 convicted inmates admitted in Kenya prisons, 29652 were recidivist. These rates are not only high but paint a horrible picture of an institution that is entrusted with the mandate of ensuring offenders are rehabilitated in humane safe conditions so as to facilitate administration of justice, social reintegration, and community protection as enshrined in Kenya

prisons mission statement. As such the current study sought to find out the rates of recidivism in Kiambu prisons among other objectives.

### **2.3 Family Support and Recidivism of Petty Offenders**

Family support is an essential resilience factor for the successful reintegration of ex-convicts back into the community. Previous literature has consistently established that upon release most ex-convicts are in dire need of family support in order to be able to overcome the numerous transitional challenges that follow release such as housing/accommodation difficulties, unemployment, rejection and stigma by the community among others (Visher & Naser, 2006; Berg & Huebner, 2011). Likewise, the social bonding and social capital theories support the assertion that family support is an important resilience factor for successful resettlement of inmates back into the community after imprisonment (Markson, Losel, Souza, & Lanskey, 2015). These theories hold that the family provides the returning prisoners with the necessary emotional and material support that helps them overcome the many transitional challenges they face and thus abstain from reoffending.

A study by LaVigne, Visher, and Castro (2004) of the urban institute found the family to be an important source of emotional and physical support to the released prisoners. The study involved 400 male prisoners who were interviewed prior to release and four to eight months after release from Chicago prisons. When asked about the expectation of family support prior to release, most respondents reported high expectations on both emotional and tangible support. The study found those expectations to have been met and exceeded after the prisoner's release. Nearly half (45%) of the respondents expected some financial support from family members after release. After release 59% of the ex-convicts received income from a spouse, family or friend and nearly all

(92%) reported having someone in the family to provide financial support. Almost three-quarters of the sample expected to live with their family after release, 4-8 months after release from prison 88% of the respondents were living with their family. When questioned on what had helped them stay away from prison after release, over three quarters (71%) of the respondents felt that family support had been the most important factor in helping them avoid prison, more than any other factor. This made the importance of family support more apparent since prior to release; family support was listed as one of the many factors that prisoners felt would help them avoid crime with 58% of the respondents citing it.

Consistent with La Vigne et al. (2004) findings, a further study by Visher & Naser, (2006) of the Urban Institute, titled Family Members' experiences with incarceration and Reentry in Chicago also found family members of returning prisoner to be highly supportive to their formerly imprisoned members. The study involved 247 Chicago-based family members of the released inmates, who had been released several months prior to the study. When asked what kind of support they were willing and providing to the released inmates after release. Most participants (family members) agreed they were willing and were actually supporting their recently released family member(s) as they were resettling back in the community. 83% of the participants acknowledged extending financial support to them, 76% accepted living with the ex-offender, 40% assisted them in finding housing, one in five respondents assisted the ex-convict secure employment and 80% of the participants were willing to provide emotional support.

Therefore, it is clear that family support is a buffer against criminal recidivism. However, the degree of statistical significance between family support and recidivism of inmates is not known. None of these studies has employed any statistical measures that can help highlight the statistical

significance between family support and recidivism of released inmates. Moreover, Visher & Naser (2006) study was conducted with the families of the ex-inmates and not with the inmates themselves who were the recipients of family support hence its findings may differ with the current study whose sample was drawn from the inmates. The current study, therefore, sought to fill the knowledge gaps that exist by seeking to examine the relationship between family support and recidivism of petty offenders in Kiambu prison with an aim of unfolding the statistical significance between these variables.

#### **2.4 Family Interpersonal Conflicts and Criminal Recidivism of Petty Offenders**

It is a common expectation that the family environment unto which inmates are released after completion of their sentences is conducive, with unconditional positive regard and free from conflicts. In such a healthy environment pro-social behaviour is expected to be positively reinforced hence reducing chances of inmates' relapse to crime as they strive to settle back into the community. However, this is not always the case as many returning prisoners return to conflict-ridden families, a fact that increases their vulnerability to reoffend (Anyango, 2017; Chikadzi, 2017). Consistent with many psychology and criminology theories (Wright & Wright, 1993) found that, if the family environment is un-favourable; one branded by lack of support, disapproval and conflicts, then individuals in such a setting have higher likelihood of learning aggressive, antisocial and violent behaviours all that increase the propensity of individuals to commit a crime and reengage it in the future.

Research has consistently associated conflict within the family with increased likelihood of delinquency and criminal behaviour (Borst, 2015; Theobald, Farrington, & Piquero, 2013). The underpinning reason being, that a conflict-ridden family does offer a fertile ground for poor

parenting, substance abuse, separation and divorce, financial instability and aggression towards children among others, factors that are known to be predictive of delinquency and crime. Therefore, if an inmate is released to such a family environment it is correct to reason that their chances of relapse to crime will be significantly high compared to those released to a family background free from conflicts.

A study by Haas, Farrington, Killias, & Satter , (2004) titled the Impacts of Different Family Configurations and Delinquency investigated how outcomes of boys who had experienced family disruptions before age 12 years compared to those from intact families. The study was based on a sample of 21,314 Swiss male recruits who completed a cross-sectional survey at age 20 years. The study found boys from high-conflict intact families to be at greater risk of delinquency and adult offending just as boys from the disrupted families. Boys from disrupted families who lived with their mothers up to age 12 years were at lower risk of delinquency just as boys from low-conflict intact families. The study clearly demonstrated that family conflicts increase the degree of likelihood for the boys to engage/re-engage in maladaptive behaviours.

Moreover, it is worth noting that interpersonal conflicts within the family manifest themselves at various levels such as conflicts between parents (spousal conflicts), conflicts between parents and children as well as conflicts among family members (an individual and other members of the extended family members). On parental conflicts Theobald, Farrington, & Piquero, (2013) found parents involved in high-level conflicts relationship to have less time dedicated to addressing their children's needs, as well as to render parental supervision and guidance to their children a fact that is viewed to increase the odds of engaging in crime and/or continuing their criminal habits. Moreover, parental conflicts are often seen to increase the likelihood of



separation and divorce, features that are risk factors to offending and reoffending (Borst, 2015). Rarely do divorces and separation happen in absence of intense and unresolved conflicts. For example, Sample and Quinsey (1997) as quoted by Anyango, (2017) in their study on social and psychological processes affecting recidivism and desistance found interpersonal conflicts among heterosexual partners as the second most common problem mentioned by many recidivists, the first being drug and substance abuse.

Most of the prisoners held in prison will at some point in time complete their sentences and return to the communities they came from. (James, 2015; Hughes & Wilson, 2005 as quoted by La Vigne, Naser, Brook, & Castro, 2005) estimate that at least 95 per cent of all inmates held in prison will be released back into the community. The environment into which these ex-convicts will be released will have a bearing on whether they abstain from future crimes or not (Anyango, 2017). As such it isn't prudent to release the returning prisoner to the community without involving their families which have been consistently found to assume a very pivotal role in successful transition and reintegration of the ex-convicts. Borst, (2015) hold that the family is one of the strongest socializing force as it is even the first natural school upon which individuals learn morals and values that later shape their future behaviours. Consistent with this assertion is (Visher & Naser, 2006) who equally acknowledge that the family of the returning offender is very critical in the inmate's post-release success since they offer the ex-convict the immediate social support and environment into which they rely upon while striving to settle back into the community. An investigation on family support by (LaVigne, Visher, & Castro, 2004) found an upward of three-quarters of inmates released from a Chicago prison agreed to initially staying with their families after their release from prison, as they prepared to settle back

into the community. The social control theorists further hold that the family provides the ex-convicts with the requisite social bond and control necessary to make the ex-offenders shun away from future criminality. For instance (Charkoudian, Cosgrove, Ferrell, & Flower, 2012) in their study on the role of the family and pro-social in reducing recidivism in Maryland prison found the family to have facilitated in enhancing informal social control by linking the ex-convicts to pro-social support groups ( such as the churches, law-abiding neighbours and community) who in turn provided these ex-convicts opportunity or housing, employment and training all that are a protective factor for future criminality.

Regarding in-prison rehabilitation of inmates, the family of the offender is understood to enhance rehabilitation by offering the requisite emotional, mental and psychological backing to inmates while they are in custody. An endeavour that enables the inmate to realize the right mental capacity necessary to ensure they gain the best of rehabilitation by participating in the rehabilitation programs with minimal stresses hence yielding huge benefits from their participation in these programs. Additionally, during the in-prison contact with family members, the family and the inmates are able to discuss the circumstances under which the inmate offended, fix the damaged relationship and plan for release way before their release. Therefore, in order to better understand the role of the family on recidivism of the ex-prisoners, evaluation of family support, family interpersonal conflicts and family criminality is essential

## **2.5 Family Criminality and Criminal Recidivism of Petty Offenders**

Previous research has Consistently found inmates who return to crime-prone environments or neighbourhood to have high odds of reoffending (Murty, 2012; Bellair & Kowalski, 2011). In fact, numerous studies have found inmates who are released to crime-prone family environments

to be at greater risk of relapse compared to those released to crime-free family backgrounds. Nevertheless, upon release from prisons many inmates have no alternative environments to return to, other than their families in which, for some, criminality is widespread. Many ex-convicts do return to families and homes that are shared with other criminal family members and relatives in chaotic environments (Bellair & Kowalski 2011 as quoted by Anyango, 2017). As such chances of reoffending in these high-risk environments are massive due to criminal role-modelling, peer pressure and positive reinforcement of criminal acts.

A study by (Murty , 2012) on Dynamics of Recidivism in Andhra Pradesh, India involving 120 male recidivist prisoners held in three selected prisons in India found family criminal backgrounds to predict recidivism. Of the 120 respondents, most (61.7%) of the respondents had been raised in disorganized families and 38.3% raised in organized families. Further, the study found 31.7 % of the respondents to have been raised in families with a criminal background in which the parents or other members of the family were habituated in engaging in criminal activities for fulfilment of family needs. Of the 31.7%, respondents with criminal family background 20% of the respondents agreed to have learnt criminal behaviours indirectly by imitating their criminal parents and/or relatives while 11.7% stated they were directly taught by their parents and/or other criminal relatives and encouraged to practice criminal behaviours. Further, the study found as many as 35% of the respondents to have run away from their families during their adolescent ages citing inadequate parental support, affection, and cruel treatment by parents among others.

Another study by Andersen, Andersen & Skov, (2015) that used administrative data from Statistics Denmark to evaluate the effects of Marriage and spousal criminality on recidivism,

involving a population of 102,839 respondents of all unmarried and previously convicted men in Denmark found marriage to reduce recidivism compared to nonmarriage only when the spouse had no criminal record. The study further finds marriage to a non-convicted spouse to reduce recidivism significantly by 11% compared to marriage to a spouse who had previously been convicted. From the findings of the study, marriage to a convicted spouse emerges as a risk factor to the recidivism of ex-offenders

Another study by Farrington, Jolliffe, Loeber, Stouthamer-Loeber, & Kalb, (2001) that used data collected in the Pittsburgh Youth Study, involving a sample of 1395 boys contacted at ages 8, 11 and 14 years also showed that having convicted family members predicted delinquency among the boys. While comparing arrest of relative and arrest of the boys, court petitions of boys and the boys reported delinquency, the study found arrest of brothers, sisters, father, mother, aunts, uncles, grandfathers and grandmothers to all predict the boys' delinquency. However, the study found the most important relative as the father since the arrest of the father predicted delinquency independent of all other arrested relatives. This study also clearly shows a relationship between family criminality and delinquency though it doesn't highlight the statistical significance between these variables.

All these studies have established a relationship between family criminality and recidivism and/or delinquency/offending. However, none of the studies has highlighted the statistical significance between the family criminality and recidivism/offending. For example the study by Andersen, Andersen, & Skov (2015) only evaluated spousal criminality and not other family members. Besides the study made exclusive use of administrative data hence its findings are limited to conclusively give the comprehensive relationship that exists between family

criminality and recidivism. Moreover, these studies have been conducted in the West and East Europe and not with the African population that enjoys a different cultural background compared to the current study's target populations. Therefore, the current study sought to fill this research gap by establishing the statistical significance between family criminality and recidivism of petty offenders in Kiambu prison, Kenya.

## **2.6 Literature Reviewed and Research Gaps Identification**

In summary, the literature reviewed has undoubtedly established that the problem of recidivism among ex-offenders is prevalent across many jurisdictions and that family risk and resiliency factors have a huge share of the blame for the persistence of criminal recidivism among ex-convicts (Berg & Huebner, 2011; Borzycki & EiBaldry, 2003; Charkoudian, Cosgrove, Ferrell, & Flower, 2012; Anyango, 2017). The literature reviewed further found a correlation between family support and recidivism of released offenders (LaVigne, Visher, & Castro, 2004; Naser & Visher, 2006; Charkoudian, Cosgrove, Ferrell, & Flower, 2012). However, of the reviewed studies none has utilized statistical measures that can probably highlight the statistical significance between family support and recidivism of petty offenders. Moreover, these studies have been conducted in the west with the western population that is different from the current study's target population who are petty offenders in Kiambu Prison.

Family interpersonal conflicts have also been found to correlate recidivism of ex-convicts; nevertheless, the statistical significance between family interpersonal conflict and recidivism is unknown. From the reviewed literature on few studies have sought establish the statistical significance between family interpersonal conflicts and recidivism. Likewise, a correction between family criminality and recidivism has also been established, with family criminality

clearly having been brought out as a risk factor to the recidivism of ex-inmates (Farrington, Jolliffe, Loeber, Stouthamer-Loeber, & Kalb, 2001; Haas, Farrington, Killias, & Satter, 2004; Murty, 2012). Moreover, of the studies reviewed most were conducted in the West and East with ex-convicts and/or their families, who enjoy a different cultural background as the current study population. Besides, all these studies never adopted statistical measures that could help highlight the statistical difference between family criminality and recidivism as this study sought to do.

In addition, the study has identified methodological gaps where studies have presented weaknesses in their methodologies. For instance, Murty (2012) studied the dynamics of Recidivism in Andhra Pradesh, India involving 120 male recidivist prisoners held in three selected prisons in India found family criminal backgrounds to predict recidivism. However, the study did not give a clear criterion on the selection of the selected prisons and did not clarify on the data collection instruments used to target the 120 males. Andersen, Andersen and Skov (2015) that used administrative data from Statistics Denmark to evaluate the effects of Marriage and spousal criminality on recidivism. This implies that the study relied on secondary source of information which falls prey of bias, and lacks the advantages of primary nature of data such as objectivity and further calrifications b the respondents. These studies therefore present a methological gap.

The current study, therefore, sought to fill these knowledge gaps by investigating the relationship between family support, family interpersonal conflicts and family criminality, and recidivism of petty offenders in Kiambu prison, Kenya. The main aim was to examine the statistical significance between the independent variables and recidivism of inmates. Also, to get a better

understanding of recidivism at Kiambu prison, the prevalence of recidivism among petty offenders was examined.

## **2.8 Theoretical Framework**

The current study is grounded on the differential association theory as the over-arching theory. Likewise, the study is informed by the Life-Course Theory and the Social control theory was adopted to inform the study.

### **2.8.1 Differential Association Theory**

This is a theory developed by Edwin Sutherland which proposes that individuals learn the values, attitudes, techniques, and motives for criminal behaviour through interaction with others. The focus of the theory is on the “how”, and does not concern itself with why they become criminals. Interactionism as the main principle that leads to learning of behaviour focuses on the construction of boundaries in society and persons' perceptions of them (Sutherland, 1998). Therefore, individuals in the society learn the act of committing crimes by association and interaction with other criminals; they learn motives, drives, rationalizations, and attitudes from them and soon it becomes much easier for the new mates/individuals to commit a crime even by themselves (Cressey, 1955). Therefore, basing on the process of learning the criminal acts, this theory links and agrees with social learning, life-course as well as cultivation theories to explain the criminal recidivism. This is because once the individual has learnt to engage in crimes, the passion in them even after being convicted and released, leads them back to engaging in the act (Boman & Freng, 2017; Dobrow, 2015; Lokanan, 2018).

This theory therefore, explains the criminal recidivism and the process of how criminals are made through social ties and interactions. The interactions therefore, are what the current study acknowledges and to the current context, the family relationships are the ones under focus to establish their link to criminal recidivism.

### **2.8.2 Life-Course Theory**

This theory was developed by Elder Jr (1998) who provides a theoretical background to help in understanding the reasons why criminal offenders abstain from or continue committing additional crimes. The theory therefore, suggests that positive social bonds decrease the likelihood of further crimes (Sampson & Laub, 1990). Sociogenetic criminology (events such as marriage and full-time employment have a pronounced effect on criminality) has been supported by the theory (Horney, Osgood, & Marshall, 1996; Uggen, 2000). According to the perspective of this theory, establishing long-term bonds with families, work, and communities reduces criminal behavior over the life-course regardless of delinquent and antisocial backgrounds. Sampson and Laub (1990) agree with Gottfredson and Hirschi (1990) that early childhood experiences, such as a lack of appropriate attachment to parents or guardians, set an individual on a trajectory with an increased or decreased likelihood of engaging in criminal behavior (Tripodi, 2010; Elder Jr, 1998).

Therefore, the theory is in agreement with the current study in explaining the main objective of criminal recidivism. In addition, the theory helps the current study establish the link between family support, interpersonal relationships as well as family criminality and reoffending. It is from the backdrops of the theory (that family ties help alleviate the re-offending), that the current study borrows and uses the theory to reinforce the current objectives.



### **2.8.2 Social Control Theory**

The social control theory was pioneered by Hirshi, Gotterdson and Hagan (Agnew 2002; Nye, 1958). The theory is grounded on the tenet that absence/weaknesses of social bonds and control between an individual and the society is what causes crime. Social control theory asserts that crime occurs because the social bonds/attachments that held individuals to conventional society have been weakened. In this theory, people are viewed as rational but hedonistic beings who will take advantage to commit crimes when they view the social bonds that regulate their behaviour in society to be weak or absent. The social bonds and controls are developed as an individual socializes with the conventional members of the society such as family, friends and other relatives as they grow up in the society (Agnew, 2002). If an individual is brought up in a family that appreciates the societies' moral values and norms their likelihood of offending the law will be less compared to one brought up in a family with absentee parents and one that does not value conventional societal norms. Consequently, releasing an inmate to a conflict-ridden family, with absentee parents and one with known criminal history tendencies will most probably increase their likelihood to re-offend.

Therefore, the more sensible the societal norms and values are to individuals the less likely it is for them to offend or re-offend them. Individuals with a weak and poor value system are thus more likely to offend the law as they view nothing wrong in engaging in the outlawed acts (Nye, 1958). The social control theory informed the basis on which the study variables were observed. For example, the theory provides a lens to analyze and evaluate family-related variables which are believed to have a significant influence in occurrence or desistence from crime. Attachment to the conventional society also informs the study by providing lenses through which the

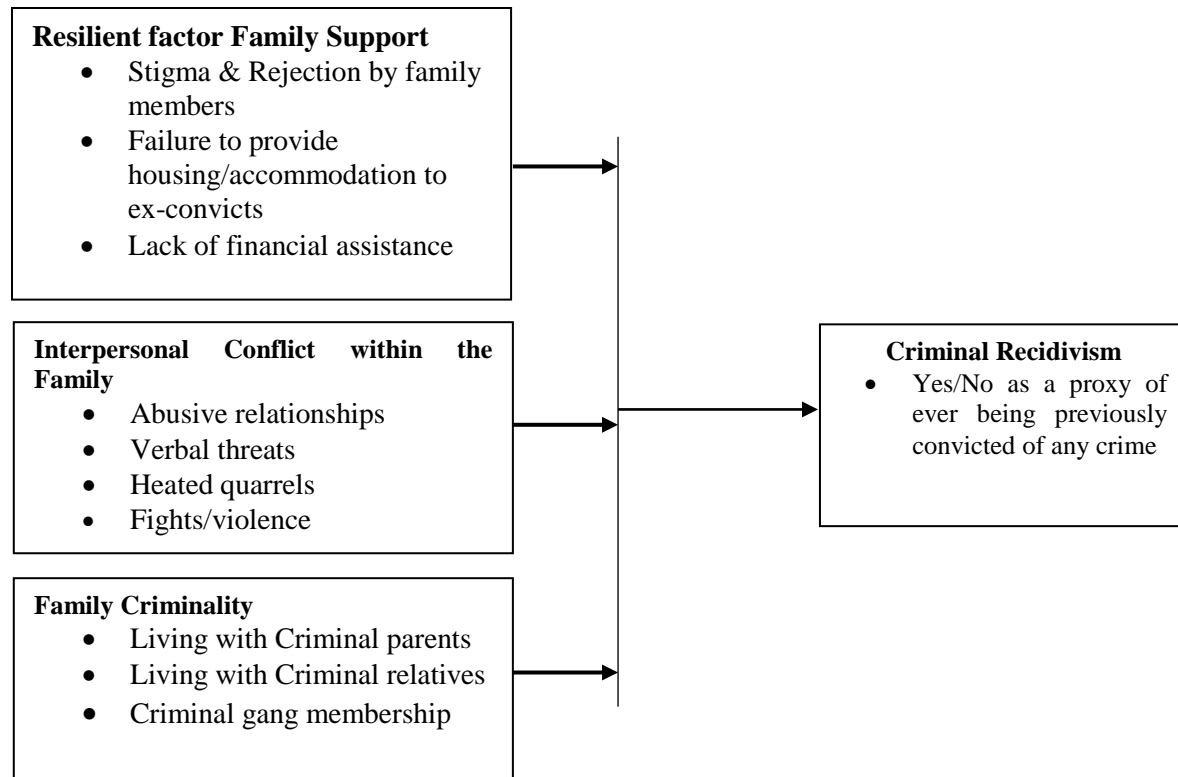
researcher evaluated the role of the society in an ex-offender reoffending among others. Generally, social control theory informed how the family and the correctional risk and resilience factors were evaluated against recidivism after release.

## **2.9 Conceptual Framework**

Conceptual frameworks are the results of qualitative hypothesizing methods. This is a network of interlinked definitions that together offer a detailed explanation of a phenomenon (Jabareen, 2009). It is an analytical instrument used to obtain a thorough understanding of the phenomena. It can be used in various fields of work and is most often used to visually illustrate core ideas or factors and the interaction between them that needs to be explored (Osanloo & Grant, 2016). The conceptual framework in figure 2.1 below shows the anticipated relationship between Resilient factor Family Support (operationalized as Stigma & Rejection by family members, Failure to provide housing/accommodation to ex-convicts and Lack of financial assistance), Interpersonal Conflict within the Family (operationalized as Abusive relationships, Verbal threats, Heated quarrels and Fights/violence), as well as Family Criminality (Living with Criminal parents, Living with Criminal relatives and Criminal gang membership) and Criminal Recidivism. Yes/No has been used as a proxy of ever being previously convicted of any crime therefore representing Criminal Recidivism.

## Independent Variables

## Dependent Variable



**Figure 2.1: The Conceptual Framework**

**Source: (Author, 2020)**

## **CHAPTER THREE: RESEARCH METHODOLOGY**

### **3.1 Introduction**

The chapter focuses generally on the entire research methodology that was adopted by the study. It clearly outlines the research procedures that were adopted by the researcher during the study. It comprises of the following subheadings: - research design, target population, sample and sampling techniques, data collection techniques, research instruments, pilot study, data analysis and presentation, and finally data management and ethical consideration during and after the study.

### **3.2 Research Design**

Orodho (2003) delineates research design as the scheme, outline or plan that is used to generate answers to the research problem under study. It simply details how data was collected, what instruments were employed, how they were employed and how data was analyzed to answer the research questions. The study used a correlational research design because it sought to establish the relationships that existed between the independent and dependent variables, and to what degree.

Correlational analysis was used to evaluate the prevalence and correlation between variables and to model outcomes from existing evidence and information. Despite its many applications, caution is needed in the use of methods and data analysis. Significant problems are listed for consideration and multiple options for data processing are suggested to assist researchers in the elimination of errors (Curtis, Comiskey & Dempsey, 2016). The design did allow researchers to create a statistical pattern between two apparently entangled variables; as such, it is the starting

point for any form of analysis. Here, the design points forth the causal link (Fitzgerald, Rumrill Jr & Schenker, 2004).

### **3.3 Research Variables**

Criminal recidivism of inmates is the dependent variable, and family support, family interpersonal conflicts, and family criminality which are the independent variables.

### **3.4 Location of the Study**

The study was conducted at Kiambu prison, which is the only prison that hosts petty offenders both convicted and non-convicted prisoners in Kiambu sub-county. Further, Kiambu Prison is the largest prison in Kiambu sub-county as Ruiru Prison which also fall within Kiambu sub-county do not host un-convicted prisoners hence the preference of Kiambu prison for it offers a rich niche regarding the topic under study. Additionally, Kiambu prison has well-established correctional programs which best suited the study to be carried out here.

### **3.5 Target Population**

The target population refers to the entire group or populace, that the researcher is interested in researching and analyzing in the study. Saravanel (1992) defines a target population as an aggregate of all units possessing certain specified characteristics on which the sample seeks to draw inferences. The target populations for the study are inmates (both convicted inmates and un-convicted inmates with a previous criminal record) and the Prison officers in Kiambu prison. Kiambu Prison holds an average of one hundred and fifty (150) convicted prisoners and about two hundred and fifty (250) remand prisoners though, these numbers keep on changing as

admissions and releases take effect. However, for this study, the above averages were used. Kiambu prison staff population is two hundred (200) members of staff who facilitate the daily management of the institution (National Council on the Administration of Justice, 2016). The researcher aimed at drawing samples from all these three subgroups to come up with a well-informed representative study sample.

**Table 3.1: Target population**

<b>Target</b>	<b>Total number</b>	<b>Percentage</b>
Convicted inmates	150	25%
Un-convicted inmates	250	42%
Kiambu Prison staff	200	33%
Total	600	100%

### **3.6 Sample and Sampling Technique**

#### **3.6.1 The Sample**

A sample is a subset of the whole population upon which the research is to be administered. It is a smaller group of units drawn from the target population upon which the study is administered and a conclusion about the whole population pegged. Findings from the sample do represent the findings of the whole target population. And so, to enhance generalization of findings it is imperative to have a study sample that is a true representative of the whole study population in terms of size and sample selection. The study purposively selected Kiambu prison as the unit of observation while the respondents were selected randomly and guided by the 10-30% sampling procedure. The respondents were the unit of analysis. Given the above, the study utilized a 10% sample size which comprised of 15 convicted inmates ( $150 \times 0.1$ ), 25 un-convicted inmates with

a previous criminal record (250 x 0.1) and 20 prison officers (200 x 0.1). Likewise, the study sampled 5 inmates and 2 police officers at random to form Group discussions.

**Table 3.2: Sampling Frame**

<b>Target</b>	<b>Total number</b>	<b>Percentage</b>	<b>Sample size</b>
Convicted inmates	150	10%	15
Un-convicted inmates	250	10%	25
Kiambu Prison staff	200	10%	20
<b>Total</b>	<b>600</b>		<b>60</b>

### **3.6.2 Sampling Technique**

Sampling is the process of selecting units from the study population that acts as representatives of the target population in the study. It should always be done in a way that the whole study population is represented, that is, with a lot of inclusiveness and minimal biases. Sampling is thus the process the researcher uses to gather units of the study.

The study adopted a probability sampling technique; stratified sampling techniques were adopted by the study. According to Kombo & Tromp (2006), stratified sampling involves dividing the population into homogeneous subgroups and then randomly drawing sample units from each sub-group. Consequently, stratified sampling was administered to both convicts and remand prisoners to generate a homogenous subgroup of individuals with a previous criminal record (s) after which random sampling was administered to each subgroup to generate the study sample. However, it's worth noting that only remand prisoner with two previous criminal records were included in the study. Kiambu prison records were used to ascertain and classify both convicted and remand prisoners as recidivist.

Stratified sampling technique was further administered on prison officer to generate a homogeneous subgroup of prison officers who have a service of 10 years and above as they have a wealth of experience on the rehabilitation of inmates, after which random sampling was administered to generate the study sample.

### **3.7 Data Collection Techniques and Research Instruments**

The researcher collected data from both primary and secondary sources. Questionnaires, focus group discussions and Interviews schedules were used to collect primary data from the inmates and the prison officers serving at G.K prison at Kiambu while previous research materials and records on Kiambu prisoners were used to collect secondary information. A questionnaire was used in this study to elicit information from the inmates. Questionnaires allow a researcher to collect views from a large number of respondents faster, thus making it easier and more reliable to collect, analyze and interpret the data collected. Moreover, questionnaires are not open to the researcher's biases and they enhance confidentiality given the sensitivity of the matter under study (Kothari, 2004). Questionnaires were constructed based on open-ended questions to give respondents a free room to express their views without limitation and close-ended questions to ensure the researcher obtain the relevant information that enhances the answering of the research questions.

Structured face to face Interviews schedules were used to draw information from the prison officers. In addition, focus group discussions were held and the 5 inmates and 2 police officers engaged on one-on-one discussions. Interviews allowed the researcher to gather in-depth information about the variable under study hence increasing the reliability of information collected (Mugenda & Mugenda , 2013). Moreover, interviews allow for flexibility as the



researcher can restructure the questions for the respondent to understand and respond accordingly hence improving on the accuracy of the information collected (Kothari, 2004).

### **3.8 Pilot Study**

To enhance the validity and reliability of the research instruments, a pilot study was conducted in Ruiru Prison because it holds petty offenders just like Kiambu prison. The pilot study covered 6 respondents representing 10% of the target population as acknowledged by Kistin & Silverstein, 2015 as well as Mugenda & Mugenda (2003) who stated that 10% is adequate for piloting. Normally, a pilot study is necessary because it enhances the pre-testing of data collection tools before the actual research so as to ascertain whether they can measure what they are intended to measure accurately. Thus, the findings of the pilot study informed adjustment of the research tools (in terms of questions, wordings and also removal of unnecessary questions) to ensure they were able to realize intended purpose. Ruiru prison was purposively selected for the pretesting because it bore a population that has similar characteristics to that of Kiambu Prison.

#### **3.8.1 Reliability of the Instruments**

Reliability refers to the extent that the instrument yields the same results over multiple trials. Validity refers to the extent that the instrument measures what it was designed to measure (Cronbach, 1951; Mugenda, 2013). The study tested on the reliability through the use of the Cronbach alpha which helps in assessing responses that are scaled. The questionnaire of the analysis is primarily a Likert scale, and thus the solution is suitable. The alpha value of 0.7 and above of Cronbach is approved, and everything under the mark is left out (Cronbach, 1951; Miller, 2013).

### 3.8.2 Reliability Results

The reliability is expressed as a Cronbach coefficient between 0 and 1.00. The higher the coefficient, the more reliable is the test. The reliability results were obtained after the pilot testing and the results are as follows;

**Table 4.2: Reliability results**

<b>Variable</b>	<b>Cronbach's Alpha</b>	<b>Number of Items</b>	<b>Comment</b>
Family Support	0.807	11	Reliable
Family Interpersonal Conflicts	0.827	9	Reliable
Family Criminality	0.889	5	Reliable
Average Reliability	0.841		Reliable

The pilot results proved that the variable statements were highly reliable with Cronbach's Alpha for the results being 0.807, 0.827 and 0.889 for Family Support, Family Interpersonal Conflicts and Family Criminality respectively. The average reliability was given by an alpha of 0.841 which indicated that on an average the variables were reliable.

### 3.8.3 Validity of the Instruments

In assessing validity the study applied content validity (a logical process where connections between the test items and the job-related tasks are established through expert judgment) and face validity (determined by a review of the items anyone examines and other stakeholders developing an informed opinion as to whether or not the test is measuring what it is supposed to measure) (Cronbach & Meehl, 1955). The use of content and face validity was done by expert judgement from the Kenyatta University project supervisor.

### **3.9 Data Analysis and Presentation**

Data was analyzed both quantitatively and qualitatively. Questionnaires were analyzed quantitatively and subjected to statistical analysis while the interviews were analyzed thematically. All the data collected from the respondents were validated, edited, coded and classified along with the research objectives and keyed into the computer for further analysis using Statistical Package for statistical analysis (SPSS) IBM version 21.0. Quantitative data was analyzed by the computation of descriptive statistics such as frequencies and percentages to describe the characteristics of the respondents. Correlational analysis (chi-square) and regression analysis (binary logistic regression) were also applied to determine the strength of the association between the variables under study, level of statistical significance, and the magnitude of the association between dependent and independent variables. This was possible since the analysis involved a binary outcome that is yes or no to criminal recidivism, the Likert responses were coded into two possible outcomes where all the values from 1 to 2.5 were regarded as disagreement while all the values between 2.5 and 5 were regarded as agreement.

### **3.10 Data Management and Ethical Considerations**

Upon approval of the project by the Board of Postgraduate studies, permission to conduct the research was sought from the Graduate School-Kenyatta University and consequently Kenya Prisons Service. The purpose of the study and the need to carry out the study was explained accordingly so that the researcher is granted permission to carry out the study in Kiambu Prison.

There was no expected risk to participants for responding to research tools. Besides, all data collected by the questionnaires was censored for any security risks that might threaten the

security of the institution. Such information was destroyed and excluded from the study findings. Informed consent to participate in the study was sought and the respondents were instructed not to include any information that could reveal their identity in the questionnaires so as to enhance the confidentiality and anonymity of the respondents. Finally, all the information collected from the respondents was placed in a secure locker to avert breach of confidentiality until after the research is published.

## **CHAPTER FOUR: DATA ANALYSIS, PRESENTATION AND INTERPRETATION**

### **4.1 Introduction**

This chapter presents data collected from the field. It is organized according to the research objectives. The study aimed at finding out the relationship between selected family risk and resiliency factors and criminal recidivism of petty offenders in Kiambu prison, Kenya. The study objectives included: (i) to find out the prevalence of criminal recidivism among petty offenders in Kiambu prison; (ii) to examine the relationship between family support and criminal recidivism of petty offenders in Kiambu Prison; (iii) to establish the relationship between family interpersonal conflicts and recidivism of petty offenders in Kiambu Prison; (iv) to find out the relationship between family criminality and criminal recidivism of petty offenders in Kiambu prison; (v) to find out the mitigation strategies that can be embraced to manage criminal recidivism of petty offenders in Kiambu prison. Data was collected from recidivist who were convicted and un-convicted prisoners and prison officers in Kiambu prison, Kiambu County, Kenya.

### **4.2 Response Rate for the Study**

The study involved 60 participants derived from a sample of convicted and un-convicted inmates and prison officers from Kiambu prison in Kenya. These respondents were purposefully selected; that is 15 convicted Inmates, 25 un-convicted Inmates and 25 prison officers. The response rate was 100% as reflected in the table below.

**Table 4.1: Response rate**

<b>Respondents</b>	<b>Intended Sample</b>	<b>Obtained Sample</b>	<b>percentage</b>
Convicted Inmates	15	15	25
Un-convicted Inmates	25	25	42
Prison officers	20	25	33
<b>Total Respondents</b>	<b>60</b>	<b>60</b>	<b>100</b>

The study commences by describing the socio-demographic characteristics of the respondents (age, level of education and religious beliefs) of the respondents. This is followed by a discussion of research finding based on the hypothesis and testing of hypothesis. Thereafter the chapter discusses a regression model summarizing level of family conflicts, family criminality and level of family support and recidivism of inmates in Kiambu prison.

### **4.3 Socio-Demographic Characteristics**

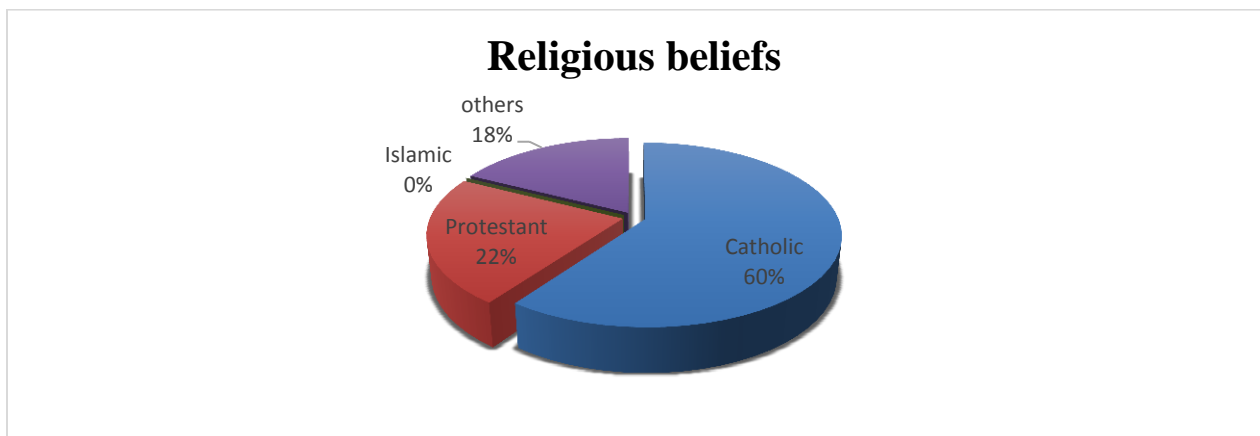
The study compiled the socio-demographic characteristics of the respondents and presented them in the table below. The socio-demographic characteristics were important for this study in order to show how personal and/or individual factors relate to the extent to which the respondents are reconvicted for new offences. The results were summarized in Table 4.2.

**Table 4.3: Age of the Respondents**

<b>Years</b>	<b>Frequency</b>	<b>Percentage</b>
Under 18 years	0	0
18-25 years	5	12.5
26-35 years	22	55.0
36-45 years	6	15.0
46-50 years	2	5.0
Above 50 years	5	12.5
Totals	40	100

**Source:** Field Survey Data (2020).

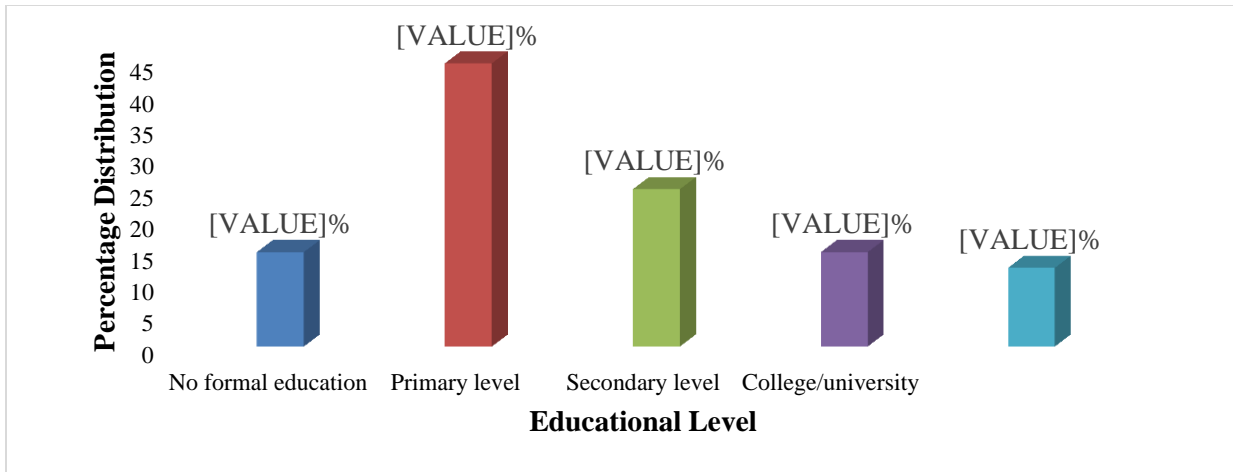
Having analyzed the socio-demographic factor of the respondents, the findings revealed that 55% of the inmates are between 26-35 years while 12.5% of them are 18-25 years and above 50 years respectively. This is an indication that the majority of the inmates in the Kiambu Prison are youth. In addition, since there were no inmates under 18 years, the findings indicate that Kiambu Prison only hold convict and un-convicted prisoners who are over 18 years and thus any Juvenile is taken to the Juveniles prison instead.



**Figure 4.1: Religious beliefs of the respondents**

**Source:** Field Survey Data (2020).

In addition, the findings indicate that majority of the prisoners in Kiambu Prison (60%) are Catholic believers, 22.5% are Protestants while 17.5% believed in other religions other than the ones mentioned; with some mentioning Buddhism and Hinduism.



**Figure 4.2: Educational Level**

**Source:** Field Survey Data (2020).

Furthermore, the findings indicate that most of the prisoners in Kiambu prison 60% had either not attained any formal education or had only primary level education i.e. (45%) have attained up to primary education while 15% had no formal education at all. Only 15% of the inmates had attained college education, with 25% of the respondent having attained secondary education.

**Table 4.4: Number of Children**

Number of children	Frequency	Percentage
2	5	12.5
3	6	15.0
4	6	15.0
5	8	20.0
6	4	10.0
7	5	12.5
8	4	10.0
10	1	2.5
12	1	2.5
Total	40	100

**Source:** Field Survey Data (2020).



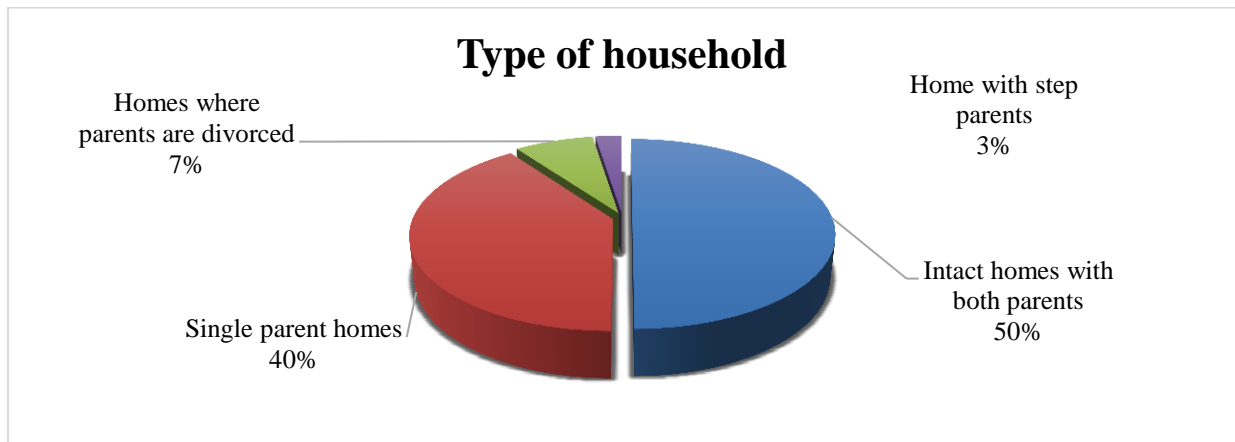
Majority of the inmates (57.5%) indicated that they have more than 4 children in their family with 20% of them indicating having 5 children while 12.5% having seven siblings. However, 5% of the inmates indicated to have more than 10 children in their family. In addition, the inmates were asked to indicate what born they were in their family.

**Table 4.5: Child Number in the Family**

Item	Category	Frequency	Percentage
Child number in the family	1 <sup>st</sup> born	9	22.5
	2 <sup>nd</sup> born	9	22.5
	3 <sup>rd</sup> born	9	22.5
	4 <sup>th</sup> born	6	15.0
	5 <sup>th</sup> born	3	7.5
	6 <sup>th</sup> born	1	2.5
	7 <sup>th</sup> born	2	5.0
	9 <sup>th</sup> born	1	2.5
	Total	40	100

**Source:** Field Survey Data (2020).

From the findings in table 4.4, a total of 67.5% indicated that they were 1st, 2nd and 3rd born, (that is 22.5% respectively).



**Figure 4.3: Type of household**

**Source:** Field Survey Data (2020).

The findings in figure 4.3 indicate that 50% of the respondents live in intact homes with both parents while 40% of them live in single parent homes.

#### **4.4 Prevalence of Criminal Recidivism among petty Offenders in Kiambu Prison.**

The study sought to establish the prevalence of criminal recidivism among petty offenders in Kiambu prison. The respondents were asked to respond to questions regarding the criminal recidivism and they responded as shown in the sections below:

##### **4.4.1 Criminal Recidivism Among Petty Offenders in Kiambu Prison**

Prevalence of recidivism was an important aspect of the study because it presents a picture on how rapid and frequent re-offending is in Kiambu prison. The summary is given in the table 4.6.

**Table 4.6: Prevalence of Recidivism in Kiambu Prison**

<b>Item</b>	<b>Category</b>	<b>Frequency</b>	<b>Percentage</b>
<b>Inmates</b>	Convicted	15	37.50
	Un-convicted	25	62.50
	<b>Total</b>	<b>40</b>	<b>100</b>
<b>Ever been previously convicted of any crime</b>	No	3	7.5
	Yes	37	92.5
	<b>Total</b>	<b>40</b>	<b>100</b>
<b>Number of previous convictions</b>	One	17	42.5
	Two	15	37.5
	Three	6	15.0
	Four	1	2.5
	Five or more times	1	2.5
	<b>Total</b>	<b>40</b>	<b>100</b>

**Source:** Field Survey Data (2020).

The findings in Table 4.6 revealed that 62.5% of the inmates were un-convicted while 37.5% of them were convicted of their crimes. Furthermore, the findings indicate that from the majority of

the inmates (92.5%) have ever been convicted of other crimes before the current crime they are in for. This is an indication of a high prevalence of criminal recidivism among petty offenders in Kiambu prison since only about 7.5% of the convicts have never been convicted of other crimes before.

Besides, the findings revealed that 42.5% of the inmates had been previously convicted only once, 37.5% of them had ever been convicted twice while 15% of them being previously convicted three times for a crime. These findings imply that majority of the inmates have only been convicted less than three times before.

These findings agree with The American Bureau of Justice Statistics reports that out of an average of 590,400 inmates released from USA state and federal prisons every year, at least three quarters still re-offend and come in contact with the criminal justice system within five years of release and more than half –about 6 in 10- will be reconvicted for new offences (James, 2015; LaVigne, Visher, & Castro, 2004).

#### **4.4.2 Relationship between Previous Criminal Conviction and Recidivism**

The study likewise sought to establish the causal effect of criminal conviction on the prevalence of criminal recidivism in Kiambu prison. The chi-square cross-tabulation was conducted and the findings presented in Table 4.7.

**Table 4.7: Relationship between Previous Criminal Conviction and Recidivism**

Variables in the Equation		Criminal recidivism		Odds Ratio		Chi-square	
		No	Yes	OR	P (B)	( $\chi^2$ )	P ( $\chi^2$ )
<b>Prisoner conviction</b>	<b>Not convicted</b>	2(66.7%)	23(62.2%)	1	1	0.004	0.950
	<b>Convicted</b>	1(33.3%)	14(37.8%)	2.852	0.538		
<b>Number of previous convictions</b>	<b>One</b>	13(50%)	4(28.6%)	1	1	7.800	0.099
	<b>Two</b>	11(42.3%)	4(28.6%)	1.182	0.838		
	<b>Three</b>	2(7.7%)	4(28.6%)	6.500	0.071		
	<b>Four</b>	0	1(7.1%)	5.25E+0	9		
	<b>Five or more times</b>	0	1(7.1%)	5.25E+0	9		

\*The first category was used as a reference category

**Source:** Field Survey Data (2020).

The findings in Table 4.7 indicate that there is a high probability of criminal recidivism by those inmates who have ever been convicted for other criminals before (2.852 times,  $p = 0.538$ ) compared to those who have never been convicted before. The relationship was, however, not significant ( $\chi^2 = 0.004$ ,  $p = 0.950$ ). In addition, the findings revealed that there is a higher probability of criminal recidivism (1.182 times,  $p = 0.838$ ; 6.500 times,  $p = 0.071$ ) for the inmates who have been previously convicted twice and three times respectively for a crime compared to those who have been previously convicted only once for a crime. The findings revealed that there was no statistical significance in the relationship given a chi-square value of 7.800 and a p-value of 0.099 which is greater than 0.05.

The high probability has likewise been corroborated by the case in Africa, where according to the United Nations Population Fund report, the prison population in most African countries to have risen (in 22 out of 36 countries) (Wamsley, 2013). In South Africa alone, recidivism of offenders is high though, very limited information exists on national recidivism rates (Singh, 2016). In Kenya just as in many other Countries, recidivism rates are still high (Owila, 2014) though only scanty information exist on national recidivism rates.

#### 4.5 Influence of Family Support on Criminal Recidivism of Petty Offenders in Kiambu Prison

The respondents were also requested to respond to how their family supported the criminals after their re-offenses. They responded as presented in the sub-sections below:

**Table 4.8: Percentage distribution of responses regarding family support**

<b>Statements</b>	<b>1</b>	<b>2</b>	<b>3</b>	<b>4</b>	<b>5</b>	<b>Mean</b>	<b>S. D</b>
After release from prison my family were ready to receive me back in the family	67.5	25.0	5.0	0.0	2.5	1.45	0.81
I received money from my family members to start up a life/business after release from prison	30.0	27.5	5.0	25.0	12.5	2.63	1.46
My family provided me with a job after release from prison or assisted me to secure one	32.5	22.5	7.5	27.5	10.0	2.60	1.45
I frequently received fare from my family members to go to job	35.0	17.5	5.0	37.5	5.0	2.60	1.43
Upon release from prison my family allowed me to live with them or made plan for me for a place (house) I could stay	67.5	12.5	0.0	17.5	2.5	1.75	1.26
I received emotional support (words of encouragements and counselling) from family members on why, and how I should avoid crime in future	55.0	22.5	5.0	15.0	2.5	1.88	1.20
I was helped my family to join a school/college after release from prison to further develop my job skills	27.5	10.0	0.0	45.0	17.5	3.15	1.55
My family often paid for my children's school fees	32.5	5.0	5.0	35.0	22.5	3.10	1.63
My family played a huge role in helping me make peace with the person (s) I offended	42.5	15.0	7.5	20.0	15.0	2.50	1.57
I often received visit from my family while serving my previous sentence	52.5	20.0	0.0	12.5	15.0	2.18	1.55
After release from prison, my family introduced me to the church and ensured I always attended church services	37.5	32.5	10.0	10.0	10.0	2.22	1.33
<b>Average</b>						<b>2.37</b>	<b>1.39</b>

**N/B:** 1= Strongly agree, 2= Agree, 3=Unsure, 4= Disagree, 5= Strongly disagree, S.D =Standard Deviation

**Source:** Field Survey Data (2020).

These findings were relevant to this study since they show the distribution of how criminal recidivism occurs among petty offenders in Kiambu prison and as well across categories. The results are presented in Table 4.8. The respondents were supposed to indicate their level of agreement or disagreement with the above statements relating to the level of family support received from their families. The results are as shown in Table 4.8 revealed that majority of the respondents (92.5%) agreed that after release from prison their family was ready to receive them back into the family (mean = 1.45, S.D = 0.81). The results further show that 57.5% of the respondents agreed that they received money from their family members to start up a life/business after being released from prison (mean = 2.63, S.D = 1.46). Moreover, 55% of the respondents also agreed that their families provided them with a job after release from prison or assisted them to secure one (mean = 2.60, S.D = 1.45). In addition, 52.5% of the respondents agreed that they frequently received fare from their family members to go to the job (mean = 2.60, S.D = 1.43). Furthermore, majority of the respondents (80%) agreed that upon release from prison their family allowed them to live with them or make a plan for them for a place (house) they could stay (mean = 1.75, S.D = 1.26).

Additionally, 77.5% of the respondents agreed that they received emotional support (such like words of encouragements and counseling) from family members on why, and how they should avoid crime in future (mean = 1.88, S.D = 1.20). However, 62.5% of the respondents indicated that they were never helped by their families to join a school/college after release from prison to further develop their education/job skills (mean = 3.15, S.D = 1.55). Moreover, 57.5% indicated that their family rarely paid for their children's school fees (mean = 3.10, S.D = 1.63). Nevertheless, 57.5% of the respondents agreed that their families played a huge role in helping

them make peace with the person (s) they offended (mean = 2.50, S.D = 1.57). The results also showed that 72.5% of the respondents agreed that they often received a visit from my family while serving my previous sentence (mean = 2.18, S.D = 1.55). After release from prison the majority of the respondents (70%) indicated that their families introduced them to the church and ensured they always attended church services (mean = 2.22, S.D = 1.33).

In summary, the average mean of the responses was 2.37 on a scale of five points. This means that the majority of the respondents agreed with the statements. The average standard deviation is 1.39. These findings agree with the sentiments of the inmates from the group discussions. They were asked to give their opinions in regard to family support and recidivism of inmates in Kiambu Prison. One of the group members indicated the following *“my family was very welcoming for me especially my sister. She actually organized a get together after my release. It meant a lot to my self-confidence”*. Another one responded as follows: *“After release my wife came with my son to pick me up. They have been very supportive ever since. I cannot let them down again. Especially my son who is now joining class five”*. Another one indicated *“my family especially my brother has been periodically coming to visit me while in prison. I was surprised to see him with my mom at the day of my release and they gave me a shoulder to cry on.*

This indicates that family support among the respondents/inmates was regarded as a crucial element that helped them a lot which attributes to criminal recidivism of petty offenders in Kiambu Prison. This implies that there is a less likelihood of criminal recidivism for the inmates who get support from their families compared to those who do not get family support. That is, those who get family support are less likely to be convicted for another criminal compared to those who do not get family support.

These findings are consistent with Borst, (2015) who hold that the family is one of the strongest socializing forces as it is even the first natural school upon which individuals learn morals and values that later shape their future behaviors. Consistent with this assertion is Visher and Naser (2006) who equally acknowledge that the family of the returning offender is very critical in the inmate’s post release success, since they offer the ex-convict the immediate social support and environment unto which they rely upon while striving to settle back into the community.

#### 4.5.1 Relationship between Family Support and Criminal Recidivism

This relationship was important because it shows the link and as well predicts the likelihood of family support affecting criminal recidivism in Kiambu prison. The findings are presented in Table 4.9.

**Table 4.9: Chi-square Relationship between Family Support and Criminal Recidivism**

Variables in the Equation	Criminal recidivism		Odds Ratio		Chi-square	
	No	Yes	OR	P (B)	( $\chi^2$ )	P ( $\chi^2$ )
<b>Disagree</b>	1(33.3%)	13(35.1%)	1	1	0.584	0.005
<b>Family support Agree</b>	2(66.7%)	24(64.9%)	0.593	0.446		

\*The first category was used as a reference category

**Source:** Field Survey Data (2020).

Family support was cross-tabulated against the criminal recidivism and the results presented in Table 4.9 below. The findings indicate that there is a less likelihood of criminal recidivism (0.593 times,  $p = 0.446$ ) for the inmates who get support from their families compared to those who do not get family support. That is, those who get family support are less likely to be convicted for another criminal compared to those who do not get family support. The relationship was found to be statistically significant given a chi-square of  $\chi^2 = 0.584$ ,  $p = 0.005$ .



These findings further agree with the social control theorists who claim that the family provides the ex-convicts with the requisite social bond and control necessary to make the ex-offenders shun away from future criminality. Charkoudian, Cosgrove, Ferrell and Flower (2012), in their study on the role of the family and pro-social in reducing recidivism in Maryland prison, likewise, found the family to have facilitated in enhancing informal social control by linking the ex-convicts to pro-social support groups (such as the churches, law-abiding neighbours and community) who in turn provided these ex-convicts opportunity or housing, employment and training all that are a protective factor for future criminality.

#### **4.5.2 Hypothesis Testing**

The null hypothesis stated that there is no significant relationship between family support and criminal recidivism of petty offenders in Kiambu prison. From the table showing the Chi-square relationship between family support and criminal recidivism, it was noted that there is a significance since the p-value was less than the conventional significance value of 0.05 ( $p=0.005$ ). Therefore, the null hypothesis was rejected and the alternative hypothesis adopted. That is, there is a significant relationship between family support and criminal recidivism of petty offenders in Kiambu prison.

#### **4.6 Influence of Family Interpersonal Conflicts on Recidivism of Petty Offenders in Kiambu Prison**

The respondents were also asked to respond to how family interpersonal conflicts influenced their family relationships and to rate how the relationships influenced the recidivism of petty offenders. They responded as shown in the sections below:

#### 4.6.1 Family Interpersonal Conflicts on Recidivism of Petty Offenders in Kiambu Prison

These findings present the distribution on aspects regarding family interpersonal conflicts of petty offenders in Kiambu prison. They are useful as they introduce the reader to how prevalent/frequently the family interpersonal conflicts occur in the petty offenders' families. The findings are presented in Table 4.10.

**Table 4.10: Descriptive Statistics in Percentage Showing the Responses Regarding Family Interpersonal Conflicts**

Statements	1	2	3	4	5	Mean	S. D
In my family we rarely agree over small issues	32.5	30.0	7.5	17.5	12.5	2.48	1.43
Use of disrespectful language is common in my family	25.0	12.5	5.0	22.5	35.0	3.30	1.65
I am not able to solve little issues with my wife hence it often results in heated disagreements and/or fights.	12.5	17.5	2.5	42.5	25.0	3.50	1.38
I rarely communicate my personal challenges/information with my family members	32.5	25.0	2.5	17.5	22.5	2.73	1.62
My extended family is constantly in conflicts with my family over land issues	15.0	10.0	12.5	30.0	32.5	3.55	1.43
I feel unwanted by my family members	2.5	17.5	10.0	32.5	37.5	3.85	1.19
Had there been harmony and unity among members of my family I would not have re-engaged in crime	32.5	25.0	2.5	30.0	10.0	2.60	1.46
My relationship with my step parent(s) has not been good	15.0	10.0	27.5	32.5	15.0	3.22	1.27
<b>Average</b>						<b>3.15</b>	<b>1.43</b>

**N/B:** 1= Strongly agree, 2= Agree, 3=Unsure, 4= Disagree, 5= Strongly disagree, S. D =Standard Deviation

**Source:** Field Survey Data (2020).

The respondents were supposed to indicate their level of agreement or disagreement with the above statements relating to product innovations. The results in Table 4.10 above revealed that 62.5% agreed that in their family, they rarely agree over small issues (mean = 2.48, S.D = 1.43).

57.5% of the respondents disagreed that the use of disrespectful language is common in their family (mean = 3.30, S.D = 1.65). The results also show that 67.5% of the respondents stated that they can solve little issues with their wife (mean = 3.50, S.D = 1.38). In addition, 57.5% of the respondents agreed that they rarely communicate their challenges/information with their family members (mean 2.73, S.D = 1.62). The results reveal that 62.5% of the respondents disagreed that their extended family is constantly in conflicts with my family over land issues (mean 3.55, S.D = 1.43). 70% of the respondents likewise indicated that they feel wanted by their family members (mean 3.55, S.D = 1.19).

Moreover, 57.5% of the respondents agreed that, had there been harmony and unity among members of their family, they would not have re-engaged in crime (mean 2.60, S.D = 1.46). However, 47.5% indicated that their relationship with their step-parent(s) has been good (mean 3.22, S.D = 1.27). Therefore, in conclusion, on a five-point scale, the majority of the respondents were not sure about the influence of family interpersonal conflicts in their families. However, most of them regarded family interpersonal conflicts to be a significant factor in assisting them to keep away from prison again. This was supported by a standard deviation of 1.43.

These findings agree with the sentiments of the inmates from the group discussions. They were asked to give their opinions in relation to family conflict and recidivism of inmates in Kiambu prison. One of them indicated that *"...yes conflicts are there but none of the fingers are pointed at me. In fact, at crisis time, am used as an example of change since I am changed now and crime is not my potion."* Another resonated with the same by stating that, *"Family conflicts are rare in our family since our parents have a strong belief in morality and thus, I guess I owe them a lot for deviating and being the lost child. I am now ready to live up to my parents wish."* This

implies that there is a less probability of criminal recidivism for these inmates whose families do not have interpersonal conflicts compared to those who have conflicts in their families.

These findings are corroborated by Anyango (2017) and Chikadzi (2017) who indicated that it is a common expectation that the family environment unto which inmates are released to after completion of their sentences is conducive, with unconditional positive regard and free from conflicts. In such a healthy environment pro-social behaviour is expected to be positively reinforced hence reducing chances of inmates' relapse to crime as they strive to settle back into the community. However, this is not always the case as many discharged prisoners return to conflict-ridden families, a fact that increases their vulnerability to re-offend.

#### 4.6.2 Relationship between Family Interpersonal Conflicts and Criminal Recidivism

Establishing relationship was important because it helps the researcher predicts the likelihood of the afore-mentioned aspects of family interpersonal conflicts affecting criminal recidivism in Kiambu prison. The findings are presented in Table 4.11.

**Table 4.11: Chi-square Relationship between Family Interpersonal Conflicts and Criminal Recidivism**

Variables in the Equation		Criminal recidivism		Odds Ratio		Chi-square	
		No	Yes	OR	P (B)	( $\chi^2$ )	P ( $\chi^2$ )
Family interpersonal conflicts	Disagree	20(76.9%)	11(78.6%)	1	1		
	Agree	6(23.1%)	3(21.4%)	0.905	0.095	0.014	0.905

\*The first category was used as a reference category

**Source:** Field Survey Data (2020).

Family interpersonal conflicts were cross-tabulated against the criminal recidivism and the results presented in Table 4.11 below. The findings indicate that there is a less probability of

criminal recidivism (0.905 times,  $p = 0.095$ ) for these inmates whose families do not have interpersonal conflicts compared to those who have conflicts in their families. The relationship was, however, found to be statistically insignificant given a chi-square of  $\chi^2 = 0.014$ ,  $p = 0.905$ . These findings are consistent with Borst (2015) and Theobald, Farrington and Piquero (2013) who indicate that the underpinning reason behind increased likelihood of delinquency and criminal behaviour is that a conflict-ridden family does offer a fertile ground for poor parenting, substance abuse, separation and divorce, financial instability and aggression towards children among others, factors that are known to be predictive of delinquency and crime. Therefore, if an inmate is released to such a family environment it is obvious to reason that their chances of relapse to crime will be significantly high compared to those released to a family background free from conflicts. On parental conflicts, Theobald, Farrington and Piquero (2013) find parents involved in high-level conflicts relationship to have less time dedicated to addressing their children's needs, as well as to render parental supervision and guidance to their children a fact is viewed to increase the odds of engaging in crime and/or continuing their criminal habits.

#### **4.6.3 Hypothesis Testing**

The null hypothesis stated that there is no significant relationship between interpersonal family conflicts and criminal recidivism of petty offenders in Kiambu prison. From the table showing the Chi-square relationship between family support and criminal recidivism, it was noted that there is a significant relationship since the p value was greater than the conventional significance value of 0.05 ( $p = 0.905$ ). Therefore, the null hypothesis was not rejected and thus, there is no significant relationship between interpersonal family conflicts and criminal recidivism of petty offenders in Kiambu prison.

#### 4.7 Influence of Family Criminality on Criminal Recidivism of Petty Offenders in Kiambu Prison

This relationship was important because it presents the character traits of the persons hailing from a family where either nuclear family members or extended family member(s) have been previously convicted of a crime against the state laws. The findings are presented in Table 4.12.

**Table 4.12: Descriptive Statistics of Family Criminality among Petty Offenders in Kiambu Prison**

Response	Frequency	Percent
No	22	55
Yes	18	45
Total	40	100

**Source:** Field Survey Data (2020).

The respondents were further asked to indicate if some members of their family have previously been convicted of a crime. The findings from the table above indicate that majority of the inmates (55%) do not have their family members previously been convicted of a crime while 45% of them indicated that there are family members who have been previously convicted of a crime.

These findings agree with the sentiments of the inmates from the group discussions. They were asked to give their opinions and views in relation to family criminality and recidivism of inmates in Kiambu prison. One of the group members indicated, *“our family has experienced some previous convictions, for instance my dad and brother who are drivers and they get apprehended most of the time. Once my bro was involved in an accident and unfortunately, he did not have his license renewed and there was one casualty. This led to the family suffering his loss to the prison*

*for about 2 years. So, although it is unfortunate, I got convicted, I do not want to be known as a deviant in the society. I want to raise a family free of criminality”.*

*Another one opened up, “before I got caught my nephews were convicted for dealing in drugs and substances. I almost fell in the same trap and after acknowledging that the crime would lead to long serving years in prison, I stopped the dealing too. Although I was apprehended for other reasons other than drugs. So, I can say family criminality is almost like a wakeup call for me. Live right by the law and be okay”.*

#### **4.7.1 Family Member Previously Involved in Crime and Convicted for the Crime**

The findings below were carried out with the aim to establish the distribution of the specific family characteristics that influence criminal recidivism. They are important since they show whether each family member has either previously been convicted for a criminal offense or not. This therefore helps to establish the roots of family criminality among petty offenders in Kiambu prison. The findings are presented in table 4.13 below:

**Table 4.13: Descriptive Statistics of the Family Member Previously Involved in Crime and Convicted for the Crime**

<b>Family Member</b>	<b>Response</b>	<b>Frequency</b>	<b>Per cent</b>
Sister	No	34	85.0
	Yes	6	15.0
Brother	No	28	70.0
	Yes	12	30.0
Uncle	No	34	85.0
	Yes	6	15.0
Wife	No	37	92.5
	Yes	3	7.5
Aunt	No	33	82.5
	Yes	7	17.5

	No	39	97.5
Grand Father	Yes	1	2.5
	No	40	100.0
Grand Mother	Yes	0	0.0
Total		280	700

**Source:** Field Survey Data (2020).

The findings in table 4.13 indicate that 85% of the inmate's sisters, 70% of the inmate's brothers, 85% of their uncles, 92.5% of their wives, 82.5% of their aunts, 97.5% of the grandfathers as well as 100% of their grandmothers have never been convicted for any crime before. This is an indication that the majority of the inmate's families are good examples of morally upright families and this attributes to less likelihood of the inmate being involved in crimes again. These findings are consistent with Murty (2012) as well as Bellair & Kowalski (2011) who found that inmates who are released to crime-prone family environments to be at greater risk of relapse compared to those released to crime-free family backgrounds. Nevertheless, upon release from prisons many inmates have no alternative environments to return to, other than their families in which, for some, criminality is widespread. Many ex-convicts do return to families and homes that are shared with other criminal family members and relatives in chaotic environments (Bellair & Kowalski 2011 as quoted by Anyango, 2017). As such chances of reoffending in these high-risk environments are massive due to criminal role-modelling, peer pressure and positive reinforcement of criminal acts.

Table 4.14 likewise, presents the percentage distribution of the inmates' responses regarding their family criminality.



**Table 4.14: Percentage Distribution of Responses Regarding Family Member Involvement in Crime.**

<b>Statements</b>	<b>1</b>	<b>2</b>	<b>3</b>	<b>4</b>	<b>5</b>	<b>Mean</b>	<b>S. D</b>
My family has been tolerant despite my involvement in criminal behaviour.	37.5	37.5	0.0	15.0	10.0	2.23	1.37
I feel that my close association with the formerly convicted relatives may have influenced me to re-offend	10.0	7.5	12.5	25.0	45.0	3.87	1.34
A few of my relatives use alcohol and drugs.	20.0	42.5	7.5	10.0	20.0	2.68	1.44
Most of my relative are law-abiding people, however, a few have ties to unlawful groups in our locality	17.5	30.0	10.0	10.0	32.5	3.10	1.57
Having experienced some of my relatives engage in illegitimate behaviour and get away with it I was motivated to learn from them	10.0	17.5	5.0	22.5	45.0	3.75	1.45
<b>Average</b>						<b>3.13</b>	<b>1.43</b>

**N/B:** 1= Strongly agree,2= Agree, 3=Unsure, 4= Disagree, 5= Strongly disagree, S. D =Standard Deviation

**Source:** Field Survey Data (2020).

The results in table 4.14 revealed that majority of the respondents (75%) agreed that their family has been tolerant despite their involvement in criminal behaviour (mean = 2.23, S.D = 1.37). The results further show that 70% of the respondents disagreed that their close association with the formerly convicted relatives may have influenced me to re-offend (mean = 3.87, S.D = 1.34). Moreover, 62.5% of the respondents also agreed that a few of their relatives use alcohol and drugs (mean = 2.68, S.D = 1.44). Besides, 47.5% of the respondents agreed that most of their relatives are law-abiding people, however, a few have ties to unlawful groups in their locality (mean = 3.10, S.D = 1.57). Furthermore, majority of the respondents (67.5%) disagreed that having some of their relative engaging in illegitimate behaviour and getting away with it, they were motivated to learn from them (mean = 3.75, S.D = 1.45). Therefore, in general, the findings indicate that the family criminality has played a positive role in raising the inmates' hopes of not

engaging in further criminal behaviour. This was supported by a mean response of 3.13 and a standard deviation of 1.43.

This implies that there is a less probability of criminal recidivism for these inmates whose families have never been convicted for any crime before in comparison to those who have been convicted for any crime before. That is those inmates who have families that have never been convicted for any crime before are less likely to be convicted for another criminal. These findings are consistent with those of Andersen, Andersen and Skov (2015) found that marriage to a non-convicted spouse to reduce recidivism significantly (by 11%) compared to marriage to a spouse who had previously been convicted. From the findings of the study, marriage to a convicted spouse emerges as a risk factor to the recidivism of ex-offenders.

#### **4.7.2 Relationship between Family Criminality and Criminal Recidivism**

This relationship was important because it predicts the likelihood of the persons hailing from a family where either nuclear family members or extended family member(s) have been previously convicted of a crime against the state laws. In addition to that it establishes the link between categories where the aspects can be studied. The findings are presented in Table 4.15.

**Table 4.15: Chi-Square Relationship between Family Criminality and Criminal Recidivism**

Variables in the Equation		Previous conviction		Odds Ratio		Chi-square	
		No	Yes	OR	P (B)	( $\chi^2$ )	P ( $\chi^2$ )
Are there some members of your family who have previously been convicted of a crime?	No	15(57.7%)	7(50%)	1	1		
	Yes	11(42.3%)	7(50%)	0.733	0.021	0.218	0.041
	Disagree	6(28.6%)	8(42.1%)	1	1		
Family criminality	Agree	15(71.4%)	11(57.9%)	0.476	0.027	0.803	0.037

\*The first category was used as a reference category

**Source:** Field Survey Data (2020).

Family criminality was cross-tabulated against the criminal recidivism and the results presented in Table 4.15 below. The findings indicate that there is a less probability of criminal recidivism (0.476 times,  $p = 0.027$ ) for these inmates whose families have never been convicted for any crime before in comparison to those who have been convicted for any crime before. That is those inmates who have families that have never been convicted for any crime before are less likely to be convicted for another criminal. The relationship was found to be statistically significant given a chi-square of  $\chi^2 = 0.803$ ,  $p = 0.037$  and  $\chi^2 = 0.218$ ,  $p = 0.041$  for having a member who has ever been convicted of a crime and family criminality respectively. These findings are in agreement with those of Andersen, Andersen and Skov (2015) whose study found that marriage to a non-convicted spouse significantly reduces recidivism (by 11%) compared to marriage to a spouse who had previously been convicted. That is, marriage to a convicted spouse emerges as a risk factor to the recidivism of ex-offenders.

### **4.7.3 Hypothesis Testing**

The null hypothesis stated that there is no significant relationship between family criminality and recidivism of petty offenders in Kiambu prison. From the table showing the Chi-square relationship between family support and criminal recidivism, it was noted that there is a statistical significance since the p-value was less than the conventional significance value of 0.05 ( $p= 0.041$  and  $0.037$ ). Therefore, the null hypothesis was rejected and thus, there is a significant relationship between family criminality and recidivism of petty offenders in Kiambu prison.

### **4.8 Qualitative Findings: The mitigation Strategies that can be Embraced to Manage Criminal Recidivism of Petty Offenders in Kiambu Prison**

One of the Kiambu Prison staff indicated that: *punishment alone is not enough, nor is it effective. The prisons need to come up with intervention or services to be able to reduce the likelihood of recidivism. And while treatment programs are more effective than punishment, not all programs are equal effectiveness. This can be done by looking at the personal individual characteristics and the dilemma that the convict was in during the offence.*

Most of the other prison staff echoed these sentiments by stating that focusing on criminogenic needs (Traits, attributes, concerns or behaviour of an individual specifically linked to the probability of the person re-offending and committing another offence) for treatment is more effective in reducing recidivism than targeting non-criminogenic needs. For instance, one of the staff stated that *since most of the family conflicts can lead an individual to feel neglected. In other instance, some family members do not embrace the individuals and this makes them feel out of place and contributes to antisocial attitudes and behaviour. Once they get an outsider to*

*embrace them, and this person happens to be engaging in bad behaviour, the individual stands a lower chance of not committing an offence in future once the opportunity presents itself.*

#### **4.8.1 Family Ties**

Family ties were echoed by 75% of the prison staff. This communication type was between the inmates and their family members. As stated by one of the staff: *it is quite hard to convince an inmate that there is peace out there in the world, and yet back at home even sitting at a common table during dinner is a luxury. Family communication between the inmate and their family is a very efficient way to impart hope and idea of change in an inmate.*

*One of the staff responded as follows: "Upon conviction, the inmate is in trauma and maybe not in a position to accept the fact that he has is actually in the prison for the period of conviction. The first thing he needs is family and friends to be there for him through frequent visits. This gesture alone is a communication strategy that assures that the inmate that there is a group of persons that don't want you to be in prison. After the service of the prison years, the inmate will remember this gesture. In addition, if the communication between family members and the inmate is in place, it becomes very easy to plan for post release support such as assisting the inmate find a job, housing.*

#### **4.8.2 Vocational Training and Education**

Training and education within prison walls can help lower the risk of recurrence. The inmates are more prepared to cope with the stresses of re-acclimating to society by educating offenders during their jail terms. Most criminals are incarcerated at a young age and they don't have the opportunity to graduate high school or have access to higher education (Harlow, 2003; Western

& Pettit, 2010). Financial preparation, job training, and even ensuring the pursue diplomas and degrees does also help to mitigate the difficulties they can face upon release. Provision of education and vocational skills increases the inmate's likelihood to secure or creates jobs upon release. One of the staff indicated the following: *Vocational Training and education is something that all our prisons in Kenya endeavour to do. We at our best ability try to impart morality in the inmates by engaging them in various money-making activities as well as shape their mentality toward change. For instance, at Kiambu prison, we have a prison industry where inmates learn carpentry, masonry, and welding, football team, church services, guidance and counseling sessions among others. These activities are aimed to shape the inmates' mental health for the positive so that after they have served their period, they can fit in the outside world.*

#### **4.8.3 Formation of Post-Release Support Policies in Kenya Prisons**

Most of the prison officers interviewed noted with concern that, majority of inmates are released to the community without any referral for post-release support after discharge from prison despite the existence of probation and aftercare services. With no formal source of support, the family becomes the major source of post-release support to the returning inmate. Indeed, the situation worsens when the family of the returning inmate is not capable of rendering adequate support or is unwilling to re-accept the released inmate back into the family a fact that increases the inmate's chances of reoffending. One officer noted *that there are no policies in place to guide on how post-release support can be extended to the inmates after they have been released from prison, this leaves the inmates vulnerable to the many post-release challenges they ought to face increasing their chances of reoffending.* The Kenya Prisons act only outline on how

inmate's pre-release preparation should be done by ensuring all inmates serving 6 months and above are included in a discharge board in which they are notified of their forthcoming releases due in 3 months, also their families are notified of the same and are requested to support them once they are released. Surprisingly the prison act does not state how these fellows should be supported after release nor have a legal framework for post-release follow up on released prisoners.

#### **4.8.4 Active Involvement of Families in the Rehabilitation Process**

Some of the interviewed officers also noted that the need to actively involve the family of the offender/inmate in the rehabilitation process. One officer noted *that the family of the inmate is alienated from the rehabilitation process since they only participate through prison visits to the inmate that occurs only once a month and therefore too inadequate be termed as active involvement in the rehabilitation process. He further stated that the family should be updated on every progress the inmate is making while in prison for proper and early planning for example on the type of rehabilitation program the inmate has been placed, the best way they can nurture the skills the inmate will acquire from the program, how they can rebuild the broken bond with the inmate and also make peace with the victims the inmate offended etc.)*

#### **4.8.5 Instituting of Family Therapy Programs in Kenya Prisons**

There is a need to consider the establishment of family therapies in prisons just as individual counseling programs is. This is informed by the realization that individual counseling can only help the inmate deal with challenges that predisposed them to offend on an individual level whereas some challenges are within the family setting the inmates come from. If any

rehabilitation progress is to be successful there is dire need to incorporate the family in the rehabilitation process through family therapies so that the family is assisted to deal with some of the challenges in the family that could have predisposed the inmate to re-offend. One prison officer noted that *it seems like a waste of public funds to struggle and rehabilitate the inmate here in prison and they are released to the same families that have the risk factors that predisposed the inmate to re-offend*. Unless the family is assisted to deal with the risk factors that exist at the family level then less progress will be realized in curbing criminal recidivism of inmates.

#### **4.8.6 Half Way Homes/Residential Re-Entry Centers**

Since some of the inmates face the challenges of homelessness upon release from prison one officer suggested as follows: *there is need for residential re-entry centres/halfway homes that can help released inmates successfully transit from prison to community life as he has witnessed inmates claiming they have no place to go to after release from prison because their families won't reaccept them while others lost contact with their families after serving lengthy jail terms*. As such it becomes paramount to have in place halfway homes that can offer housing to inmates who have been released from prison facing housing challenges as they prepare for re-entry into the community. This will lower their likelihood of reoffending as they can source for employment and alternative housing while living in these homes.

#### **4.8.7 Therapeutic Alternatives to Punishment**

Whenever behavioral problems may be due to inadequately treated mental illness, co-occurring addiction, or associated issues, their management should include careful consideration of



treatment and support-based intervention options. Examples of therapeutic alternatives in the prison include “*offering long-acting injectable medications to clients with non-adherence to oral medications, offering inpatient chemical dependency treatment to outpatients who relapse into substance use, and providing outreach to homeless clients who miss their court hearings*”

Therefore, the study notes that helping inmates maintain family ties while incarcerated is a positive way of improving the inmate’s mental health and self-belonging. This ultimately helps reduce recidivism, improve an individual’s likelihood of finding and keeping a job after prison, and ease the harm to family members separated from their loved ones. For instance, in America, In April 2016, the Federal Bureau of Prisons (BOP), announced a series of family-friendly initiatives aimed at strengthening the bonds between inmates and their children and families (Federal Bureau of Prisons, 2016). Such services included extended access to videoconferencing; the introduction of a pilot program involving children of incarcerated parents in successful youth development activities; new guidelines and training for BOP workers on how to make visiting spaces more child-friendly and connect with children in a developmentally acceptable manner; training and educating prisoners about how to stay in contact with children; Tip guides for parents, correctional workers and counselors to assist children of incarcerated parents; and a new interagency initiative to create model strategies which can be used by state and local prison facilities to help improve family relations. In addition, all Bureau facilities are now required to hold at least one “Family Reunification Event” per year (Lamberti, 2016)

Regrettably, studies have reported that providers of mental health care never routinely assess criminogenic risk factors, particularly within services specialized in serving clients participating in justice. Similarly, administrators in community corrections also have no knowledge of the mental health problems of their clients (Lamberti, 2016).

## **CHAPTER FIVE: DISCUSSION, CONCLUSIONS AND RECOMMENDATIONS**

### **5.1 Introduction**

The study sought to find out the relationship between selected family risk and resiliency factors and criminal recidivism of petty offenders in Kiambu prison, Kenya. This chapter discusses the summary of the major findings of the study, relevant discussions, conclusions and the necessary recommendations.

### **5.2 Discussion**

This section presents the summary of the findings of the study. The findings are presented according to the objectives of the study.

#### **5.2.1 Prevalence of Criminal Recidivism among Petty Offenders in Kiambu Prison**

The findings revealed that majority of the respondents have ever been convicted of other crimes before the current crime they are in for. This is an indication of a high prevalence of criminal recidivism among petty offenders in Kiambu prison since 92.5% of the convicts have ever been convicted of other crimes before. In addition, the findings indicated that there is a high probability of criminal recidivism by those inmates who have ever been convicted for other crime before compared to those who have never been convicted before.

These findings agreed with The American Bureau of Justice Statistics reports that out of an averages of 590,400 inmates released from USA state and federal prisons every year, at least three quarters still reoffend and come in contact with the criminal justice system within five years of release and more than half –about 6 in 10- will be reconvicted for new offenses (James,

2015; LaVigne, Visher, & Castro, 2004). The high probability has likewise been corroborated by the case in Africa, where according to the United Nations Population Fund report, the prison population in most African countries to have risen (in 22 out of 36 countries) (Wamsley, 2003). In South Africa alone, recidivism of offenders is high though, very limited information exist on national recidivism rates (Singh, 2016). In Kenya just as in many other Countries, recidivism rates are still high (Owila, 2014) and only scanty information exist to inform on national recidivism rates.

### **5.2.2 The Relationship between Family Support and Criminal Recidivism of Petty Offenders in Kiambu Prison**

The findings indicated that most of the respondents (inmates) in Kiambu prison agree that family support plays an important role in their criminality. This implies that there is a less likelihood of criminal recidivism for the inmates who get support from their families compared to those who do not get family support. That is, those who get family support are less likely to be convicted for another criminal compared to those who do not get family support. From the regression analysis, the findings indicated that there is a less likelihood of criminal recidivism for those inmates who got support from their families compared to those who did not get family support. That is, those who get family support are less likely to be convicted for another criminal offence compared to those who do not get family support. The relationship was found to be statistically significant. These findings further agree with the social control theorists who claim that the family provides the ex-convicts with the requisite social bond and control necessary to make the ex-offenders shun away from future criminality. Charkoudian, Cosgrove, Ferrell and Flower (2012), in their study on the role of the family and pro-social relationships in reducing in

reducing recidivism in Maryland prison, likewise, found the family to have facilitated in enhancing informal social control by linking the ex-convicts to pro-social support groups such as the churches, law-abiding neighbors and community who in turn provided these ex-convicts opportunity or housing, employment and training all that are a protective factor for future criminality.

### **5.2.3 The Relationship between Family Interpersonal Conflicts and Recidivism of Petty Offenders in Kiambu Prison**

The findings likewise revealed that in summary, the respondents were not sure about the influence of family interpersonal conflicts in their families; however, most of them regarded family interpersonal conflicts as a risk factor in influencing them to reoffend. In addition, the findings indicated that there is a less probability of criminal recidivism for those inmates whose families do not have interpersonal conflicts compared to those who have conflicts in their families. The relationship was, however, found to be statistically insignificant.

These findings are consistent with Borst (2015) and Theobald, Farrington and Piquero (2013) who indicate that the underpinning reason behind increased likelihood of delinquency and criminal behaviour is that a conflict-ridden family does offer a fertile ground for poor parenting, substance abuse, separation and divorce, financial instability and aggression towards children among others, factors that are known to be predictive of delinquency and crime. Therefore, if an inmate is released to such a family environment it is obvious to reason that their chances of relapse to crime will be significantly high compared to those released to a family background free from conflicts. On parental conflicts, Theobald, Farrington and Piquero (2013) find parents involved in high-level conflicts relationship to have less time dedicated to addressing their

children's needs, as well as to render parental supervision and guidance to their children a fact that is viewed to increase the odds of engaging in crime and/or continuing their criminal habits.

#### **5.2.4 The Relationship between Family Criminality and Criminal Recidivism of Petty Offenders in Kiambu Prison**

The findings from the study indicated that the majority of the inmates do not have their family members who had previously been convicted of a crime. In general, the findings indicated that the family criminality has played a positive role in raising the inmates' hopes towards not engaging in further criminal behaviour. From the regression analysis, the findings indicated that there is a less probability of criminal recidivism for the inmates whose families have never been convicted for any crime before compared to those who have been convicted of a crime before. That is those inmates who have families that have never been convicted for any crime before are less likely to be convicted for another crime.

These findings are consistent with those of by (Murty, 2012) whose study found 31.7 % of the respondents to have been raised in families with a criminal background in which the parents or other members of the family were habituated in engaging in criminal activities for fulfilment of family needs. Of the 31.7%, respondents with criminal family background 20% of the respondents agreed to learn criminal behaviours indirectly by imitating their criminal parents and/or relatives while 11.7% stated they were directly taught by their parents and/or other criminal relatives and encouraged to engage in crimes. These findings are likewise, in agreement with those of Andersen, Andersen and Skov (2015) whose study found that marriage to a non-convicted spouse significantly reduces recidivism by 11% compared to marriage to a

spouse who had previously been convicted. That is, marriage to a convicted spouse emerges as a risk factor to the recidivism of ex-offenders.

### **5.2.5 The Mitigation Strategies that can be Embraced to Manage Criminal Recidivism of Petty Offenders in Kiambu Prison**

The study generally noted failures and success in the mitigation strategies towards managing criminal recidivism of petty offenders in Kiambu prison. Majority of inmates are released to the community without any referral for post-release support after discharge from prison despite the existence of probation and aftercare services. With no formal source of post release support, the family becomes the major source of post-release support to the returning inmate. Indeed, the situation worsens when the family of the returning inmate is not capable of rendering adequate support or is unwilling to re-accept the released inmate back into the family a fact that increases the inmate's chances of reoffending.

The Kenya Prisons act was found to have only outlined on how inmate's pre-release preparation should be done by ensuring all inmates serving 6 months and above are included in a discharge board(s). The role of this board is to notify the inmate of their forthcoming releases due in 3 months for psychological and social preparation and it also informs the inmate's families on the same and request them to support the inmate once they are released. Surprisingly, the prison act does not state how the inmates can be supported after release nor are there any legal frameworks/policies to guide on how post-release support and follow up on released prisoners is to be realized. This indicates that inmates are only supported while in prison and upon release the prison's act have no legal mechanism to extend post release support to the ex-convicts who are in

dire need of it owing to the many transitional challenges that can easily hinder the inmates effort of avoiding crime hence reoffending.

The study likewise found that there were no family therapies in prisons but only individual counseling programs which only help the inmate deal with the individual challenges that predisposed them to offend. The study finds that families are not incorporated in the in-prison counseling process due to rare family therapies that are conducted in the prison precincts. This reduces the odds of families of the inmates to know exactly what transpires in the prisons thus leaves a lot of grey areas on how best the families can help the inmates in counselling. Unless the family therapy is/are made part of the rehabilitation process in Kiambu and Kenyan prisons, recidivism of inmates cannot be adequately curbed.

Since some of the inmates face the challenges of homelessness upon release from prison, the study noted that there were limited efforts to set up residential re-entry centers/halfway homes that can help released inmates successfully transition from prison life to societal/public life. Lack of places to reside upon release increases the likelihoods of criminal recidivism among the inmates released from prison and in the long-run the rehabilitation objective of the prisons department is not realized. Therefore, the notes the need for the government to establish half way homes that can offer accommodation to those ex-convicts who have no place to reside as they source for employment or residence upon release from prison. This effort is anticipated caution the homeless released inmates against the risks of homelessness as previous studies have found it to increase the likelihood of recidivating among ex-convicts.

Additionally, the study notes that inmate's families are not actively involved in the rehabilitation process. Other than through visitation, the families are rarely informed of the rehabilitation

programs the inmates are placed to in prison, the skills the inmate ought to acquire and how they can foster these skills once the inmate returns to the family. The family is also not well prepared on how to effectively render post-release support to the inmate once they are released from the prison.

The study found that from the responses of the prison staff, communication, training and education, as well as therapeutic alternatives to punishment, are very effective strategies in reducing the rate of criminal recidivism of petty offenders in Kiambu prison. Therefore, the study notes that helping inmates maintain family ties while incarcerated is a positive way of improving the inmate's mental health and self-belonging. This ultimately helps reduce recidivism, improve an individual's likelihood of finding and keeping a job after prison, and ease the harm to family members separated from their loved ones. Likewise, establishing the Half Way Homes/Residential Re-entry centers for the inmates after release, formation of post-release support policies in Kenya prisons, active involvement of families in the rehabilitation process as well as instituting of family therapy programs in Kenya prisons is bound to help lower the likelihood of reoffending as they can source for employment and alternative housing while living in these homes.

For instance, in America, in April 2016, the Federal Bureau of Prisons (BOP), announced a series of family-friendly initiatives aimed at strengthening the bonds between inmates and their children and families (Federal Bureau of Prisons, 2016). Such services included extended access to videoconferencing; the introduction of a pilot program involving children of incarcerated parents in successful youth development activities; new guidelines and training for BOP workers on how to make visiting spaces more child-friendly and connect with children in a



developmentally acceptable manner; training and educating prisoners about how to stay in contact with children; Tip guides for parents, correctional workers and counselors to assist children of incarcerated parents; and a new interagency initiative to create model strategies which can be used by state and local prison facilities to help improve family relations. Also, all Bureau facilities are now required to hold at least one “Family Reunification Event” per year (Lamberti, 2016).

### **5.3 Conclusions**

The study concludes that families that are in harmony encourage the inmates to reform hence reduce the likelihood of criminal recidivism of petty offenders. For instance, the agreement over family issues, use of morally acceptable language in the family, amicable settlement of issues between the husband and wife among other family issues play a big role in shaping the mindset of the inmate after release from prison. If the family is in peace then the inmate/ex-inmate is likely to be advised to live according to the family legacy and bring less harm to the family by choosing to be law-abiding.

Regarding family criminality, it was concluded that most of the criminality/ previous conviction has a role to play in the petty offenders’ criminal recidivism. Therefore, it is concluded that such aspects as tolerance of the inmate’s criminal behaviour is one way of accepting the prisoner back into the family. However, the engagement of their (convict) family members in criminal behaviour like drug abuse contributes to the recidivism. For instance, the fact that some of the inmates’ relatives engage in illegitimate behaviour and get away with it did act as a motivating factor for the ex-convict to reoffend. Moreover, the study notes that the rate at which criminals

engage in repeated criminal offences is regulated by law-abiding families. Therefore, the convicts are less likely to engage in criminal behaviour.

Therefore, the study concludes that family risk and resiliency factors are very significant players in influencing criminal recidivism of petty offenders. Therefore, a good family needs to ensure that it settles its internal affairs and try to build a harmonious environment. In fact, a religiously inclined environment goes a long way to prevent criminal recidivism. In addition, the family that is in harmony and has been less involved in criminal offences is at a better place to help curb criminal recidivism. The effect then extends to providing the necessary support to the inmates after release from prison. Likewise, effective prevention requires mental health and criminal justice professionals to have a shared appreciation of the issues driving individual inmate to reoffend and of their respective profession's best practices. Collaborators should also appreciate how the availability of community resources can affect outcomes.

#### **5.4 Recommendations**

Based on the study findings of the study recommends the following;

- i. Given that some of the inmates face challenges of homelessness upon release from prison, the study recommends establishment of ex-convicts' social support centers such as half way homes to foster inmates transition especially for homeless ex-convict.
- ii. The study noted that inmate's families are not actively involved in the rehabilitation process. Therefore, the study advocates for the inclusion of family therapies in rehabilitation programs which may in turn help counteract the family-related risk factors that prompt reoffending hence reduction of recidivism of ex-convicts.

- iii. In addition, the study recommends that Kiambu prison should actively involve the inmates' families in the rehabilitation process as they are an integral part in provision of pre and post release support to inmates. Measures such as increased family prison visits, increasing family-prisoners visit duration, involving families during inmates' rehabilitation program placement as well as involving family in planning for release of the inmate are recommended.
- iv. The findings revealed that most criminals are incarcerated at a young age and they don't have the opportunity to graduate from high school or have access to higher education. Therefore, the study recommends that inmates should be taught vocational and educational competencies that match the current market employment market demands since only then will the skills acquired while in prison give them a competitive edge in the current job market.
- v. The study encourages the county governments to secure enough social amenities to help the released inmates in getting a job or something to keep them busy. Being idle has been established to be an encouragement that escalates the rate of criminal recidivism. These facilities can be strategically set up in the Kiambu area to offer them a starting point into making a future for themselves.
- vi. Majority of inmates are released into the community without any referral for post-release support after discharge from prison despite the existence of probation and aftercare services. With no formal source of support, the family becomes the major source of post-release support to the returning inmate. The study, therefore, recommends the policymakers and Kenya Prisons to set and institute policies in place to guide on how

post-release support can be extended to the inmates after they have been released from prison and how follow up of released inmates can be realized.

### **5.5 Areas of Further Studies**

The study was focused on the selected family risk and resiliency factors and criminal recidivism of petty offenders in Kiambu prison, Kenya. Further studies are recommended in the following contexts:

- i) A study should be carried out in a female prison to offer a comparison approach to the findings in the county.
- ii) Since the study was only based on the selected family risk and resiliency factors, that is additional factors such as economic stability, attitude towards education among others to widen the scope of the study.
- iii) Similar research should be conducted with an increased geographical scope covering selected male prisons in other counties such as Nairobi, Meru or Nyeri.

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**APPENDICES**

**Appendix I: Prisoner’s questionnaire**

This questionnaire seeks to gather information on families and repeat offending among petty offenders in Kiambu Prison. The information collected by the study will be used exclusively for academic purposes and will be treated with utmost confidentiality. Kindly respond to these questions honestly by putting a tick (X) or (V) in the box. Do not write down your name or any other identifying information on this questionnaire.

**Section A. Socio-demographic factors**

1. Age bracket of the respondents.

Less than 18 years                       18-25 years                       26-35 years   
36-45 years                       46-50 years                       Above 50 years

2. Religious belief

Catholic                       Protestant                       Islam                       Others

3. Highest level of education that you have completed

No formal education                       primary level   
Secondary level                       college/university

4. How many children are you in your family?

-----

5. What child number are you in the family?

1                       2                       3                       4                       5                       any other.....

6. What type of home have you been brought up in?

Intact homes with both parents                       single parent homes   
Homes where parents are divorced                       Home with step parents                       Windowed Homes

**Section B. Prevalence of Recidivism**

7. Have ever been convicted of any crime previously?

Yes                       No

8. Were you living with your family prior to your re-arrest?

Yes                       No

9. Number of previous convictions

One                       Two                       Three   
Four                       Five or more times

10. Of the previous conviction (s) and release (s) from prison, indicate the longest period that you were able to stay away from crime before relapsing back?

1-6 months       over 6-1 year       over 1 year – 1<sup>1</sup>/<sub>2</sub> years

Over 1<sup>1</sup>/<sub>2</sub> years

11. What helped you avoid crime for this long?

.....

.....

.....

**Section C: Family Support**

The following questions will help to inform on how the family can better support prisoners after release. Kindly indicate how you agree or disagree with the following questions.

S/N	Statements	Strongly agree	Agree	Unsure	Disagree	Strongly disagree
1	After release from prison my family were ready to receive me back in the family					
2	I received money from my family members to start up a life/business after release from prison					
3	My family provided me with a job after release from prison or assisted me to secure one					
4	I frequently received fare from my family members to go to job					
5	Upon release from prison my family allowed me to live with them or made plan for me for a place (house) I could stay					
6	I received emotional support (words of encouragements and counseling) from family members on why, and how I should avoid crime in future					
7	I was helped my family to join a school/collogue after release from prison to further develop my job skills					
8	My family often paid for my children's school fees					

9	My family played a huge role in helping me make peace with the person (s) I offended					
10	I often received visit from my family while serving my previous sentence					
11	After release from prison my family introduced me to the church and ensured I always attended church services					

**Section D: Family Interpersonal Conflicts**

Thinking about your family, kindly rate how you agree or disagree with these statements.

S/N	Statements	Strongly agree	Agree	Unsure	Disagree	Strongly disagree
1	In my family we rarely agree over small issues					
2	Use of disrespectful language is common in my family					
3	I am not able to solve little issues with my wife hence it often results to heated disagreements and/or fights.					
4	I rarely communicate my personal challenges/information with my family members					
6	My extended family is constantly in conflicts with my family over land issues					
7	I feel unwanted by my family members					
8	Had there been harmony and unity among members of my family I would not have re-engaged in crime					
9	My relationship with my step parent(s) has not been good					

**Section E: Family Criminality**

1. It is possible for one to be born in a family where some of its members have previously been involved in crime and maybe even convicted. Looking at your family, are there some members of your family who have previously been convicted of a crime?

Yes  No

1 (b) If yes, kindly tick below

	Yes	Uncle	yes
Father		Wife	
Mother		Aunt	
Sister		Grand Father	
Brother		Grand Mother	

2. How do you agree or disagree with these statements in regard to your family?

S/N		Strongly agree	Agree	unsure	Disagree	Strongly disagree
1	My family has been tolerant despite my involvement in criminal behaviors.					
2	I feel that my close association with the formerly convicted relatives may have influenced me to reoffend					
3	A few of my relatives use alcohol and drugs.					
4	Most of my relative are law abiding people, however, a few have ties to unlawful groups in our locality					
5	Having experienced some of my relative engage in illegitimate behaviors and get away with it I was motivated to learn from them					

**Thank you for your participation.**

## **Appendix 2: Prison officer's Interview guide**

This questionnaire seeks to gather information on relationship that exists between family risk and resiliency factors and recidivism of inmates in Kiambu Prison from the Prison officer's. The Information collected by the study will be used purely for academic purposes and will be treated with utmost confidentiality. Please respond to these questions honestly by putting a tick (x) or (V) in the box. Do not write down your name or any other identifying information on this questionnaire.

### **SECTION 1**

1. The view that extension of Family Support to inmates after release helps them avoid reoffending is widely held. What is your opinion in regard to family support and recidivism of inmates in Kiambu Prison?
  - 1 (b) What mitigation measures has Kiambu prison put in place to ensure inmates receive support from their families upon release?
2. Conflicts in general have been found to increase the likelihood of individuals to offend and reoffend. What are your views in relation to family conflict and recidivism of inmates in Kiambu prison?
  - 2(a) In view of the above challenge, what mitigation strategies can the Kenya prison adopt to help mitigate the challenge of family conflict on inmates upon release?
3. The family environment unto which an inmate returns to after completion of their sentence has an impact on whether the inmates will reoffend or not after release. What is your opinion in regard to family criminality and recidivism of inmates in Kiambu prison?
  - 3 (a) In your view of the above statement what mitigations strategies can prison department adopt to help the inmates overcome the challenge of family criminality?

**Thank you for participation.**



### **Appendix 3: Inmates' Focus Group Discussion**

This Focus Group Discussions seeks to gather information on relationship that exists between family risk and resiliency factors and recidivism of inmates in Kiambu Prison. The Information collected by the study will be used purely for academic purposes and will be treated with utmost confidentiality. Please respond to these questions honestly.

#### **SECTION 1**

1. The view that extension of Family Support to inmates after release helps them avoid reoffending is widely held. What is your opinion in regard to family support and recidivism of inmates in Kiambu Prison?
2. Conflicts in general have been found to increase the likelihood of individuals to offend and reoffend. What are your views in relation to family conflict and recidivism of inmates in Kiambu prison?
3. The family environment unto which an inmate returns to after completion of their sentence has an impact on whether the inmates will reoffend or not after release. What is your opinion in regard to family criminality and recidivism of inmates in Kiambu prison?

**Thank you for participation.**

## Appendix 4: Kenyatta University letter of Approval



### KENYATTA UNIVERSITY GRADUATE SCHOOL

E-mail: [dean-graduate@ku.ac.ke](mailto:dean-graduate@ku.ac.ke)

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NAIROBI, KENYA  
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Our Ref: C159/CTY/PT/31106/2015

DATE: 8<sup>th</sup> July, 2019

Director General,  
National Commission for Science, Technology  
and Innovation  
P.O. Box 30623-00100  
NAIROBI

Dear Sir/Madam,

RE: RESEARCH AUTHORIZATION FOR ERASTUS MUTUMA MUTHURI REG. NO.  
C159/CTY/PT/31106/2015.

I write to introduce Erastus Mutuma Muthuri who is a Postgraduate Student of this University. The student is registered for M.A degree programme in the Department of Security and Correction Science.

Erastus intends to conduct research for a M.A Project Proposal entitled, "Relationship between Selected Family Risk and Resiliency Factors and Recidivism of Petty Offenders in Kiambu Prison, Kenya".

Any assistance given will be highly appreciated.

Yours faithfully,

  
PROF. ELISHIBA KIMANI  
AG. DEAN, GRADUATE SCHOOL

HL/lnn



**Appendix 6: Kenya Prisons letter of Research Authority**

