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## **The Influence of Selected Factors on Desistance from Crime among Offenders under Probation in Nairobi County, Kenya**

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### ***Abstract:***

*This study focused on selected factors influencing desistance from crime among offenders under probation in Nairobi County, Kenya. Specifically, this study examined the psychological factors and the social factors influencing desistance from crime. Routine Activities theory and Cognitive Transformation theory were used to inform this paper. Descriptive survey design was adopted in this study. There was a systematic random sampling of 111 respondents. Interview schedule were used to collect data from respondents. Collected data from the field was analyzed using SPSS. Main findings of the study indicated that the role of the individual's sense of self-esteem, self-respect, self-confidence and worthwhile were identified as has having a huge significant in promoting and sustaining desistance. This study recommends that the probation and after care department need to put in place more effective programs that are multiple-model in addressing a variety of offender's problems and reinforce the role of the probation officer in motivating service users adopting strength based approaches which reinforce personal agency.*

**Keywords:** *Desistance, crime, probation, probationers, social and psychological*

### **1. Introduction**

Desistance from crime remains one of the most widely recognised yet least understood aspects of criminology (Mulvey et al., 2004). Savolainen, (2009) observes that there is little doubt as to the importance of the numerous factors associated with offending behaviour, breaking the cycle of offending and aiding successful rehabilitation. Laub and Sampson (2003) argue that the study of desistance is faces by a range of conceptual difficulties. Those who study why and how offenders desist are often hampered by definitional, measurement, and theoretical incoherence. Maruna (2001) suggests that one of the significant problems that desistance researchers' face is how desistance can be defined, in addition to the difficulty of operationalizing the concept in criminological research. There is no actual agreed definition of desistance; however, those who study this issue are in agreement that it must involve a cessation of criminal activity in some form (Maruna, 2001; Weaver and McNeill, 2007). According to Weaver and McNeill (2007), if offending behaviour is no longer repeated then this simply means an individual has desisted. Laub and Sampson (2003) similarly note that termination is the point when criminal activity stops and desistance is the underlying causal process. In criminal justice system, the path to desistance is thus often characterized by lapses, relapses, and recoveries (Giordano et al., 2002). Contemporary desistance studies tend to conceptualize the process of giving up crime as being somewhere on a continuum between structure and agency. Probation has grown to play the dominant role in criminal sentencing. Today, over Ten thousand offenders are serving probated sentences in Kenya. There is a growing realization among many policy makers that community supervision cannot only be safe and cost-effective, it also may produce an additional benefit by excluding some offenders from the criminogenic environment of prison and thus reduce future offending (Gates & Camp, 2009). Vision 2030, identifies the rule of law and crime prevention as flagship initiatives that support overall state-building, societal development and social order. These can be achieved through effective offender reintegration and resettlement programmes that not only address the offenders' criminogenic needs but also emphasize community reintegration and vocational rehabilitation (VR) factors that uphold public safety and harmony by reducing recidivism. It is in light of this, that, this study explored factors influencing desistance from crime among offenders under probation.

#### *1.1. Objectives of the Study*

1. Examine psychological factors influencing desistance from crime among offenders under probation in Nairobi County
2. Explore the social factors influencing desistance from crime among offenders under probation in Nairobi County

## 2. Methodology

This study adopted a survey research design with an aim of obtaining descriptive and self-reported information on the psychosocial factors influencing desistance from crime. The target population for this study was offenders under probation terms of 6 – 36 Months in the Milimani, Madakara and Kibera probation station in Nairobi County. To get the sample of respondents from each station, a proportion of ten per cent (10%) of the target population from each station was selected. The study employed non-probability sampling procedure and a purposive sampling technique was used to arrive at a sample size of 111 respondents. Primary data was collected through interview schedules questionnaires administered to the respondents in the three-probation station located in Nairobi.

## 3. Results

### 3.1. Demographic Characteristics of the Respondents

Age	Gender		Frequency	Percent
	Male	Female		
18-26 years	15	21	36	32%
27-35 years	25	24	49	45%
36-44 years	11	8	19	17%
45-53 years	0	6	6	5%
54-above	0	1	1	1%
Total	51	60	111	100

Table 1: Age of Respondents by Gender (source: field data, 2016)

Table 1 above indicates that a majority of the respondents 60 (54%) were females while 51 (46%) were males; this indicates that there was a small disparity between the number of male and female Offenders under probation. The portion of respondents who participated in this study indicates that a majority 49 (45%) of the respondents were within the age of 27 to 35 years, 36(32%) of the respondents were within the age of 18 to 26 years, 19 (17%) comprised of the respondents within the age of 36-44 years while the minority, whose proportion was 1% were above 54 years. The findings indicated that most of the respondents were below 35 years old (77%). This means that most of the respondents were in their early adulthood which is a critical stage in family life. This result finding is similar to those revealed by a survey done by crown, (2010) which showed that 73% of the people on probation were under the age of 35 years.

Marital Status	Gender		Frequency	Percent
	Male	Female		
Single	31	42	73	65%
Married	18	15	33	30%
Divorced	2	0	2	2%
Widowed	0	3	3	3%
Total	51	60	111	100

Table 2: Marital Status of the Respondents by Gender (source: field data, 2016)

The table above shows that a majority of the respondents about 73 (65) % of the respondents were single. Under this category of single, females were 42 while males were 31. A significant portion of the respondents 33 (30%) of the respondents were married, under this category of married, females were 15 while males were 18. 3 (3%) of the respondent indicated that there were widowed and a very small portion 2 (2%) indicated that there were divorced. This result indicates that marriage can act as a form of informal social control and social support in crime reduction.

Education Level	Gender		Frequency	Percent
	Male	Female		
Primary	29	27	56	50%
Secondary	13	28	41	37%
College	4	4	8	7%
University	5	1	6	6%
Total	51	60	111	100

Table 3: Education Level of Respondents (Source: field data, 2016)

The Table above indicates that a majority of the respondents about 50.4% had attained primary level education, under this primary level category, females were 27 while males were 29. 36.9% of the respondents indicated that they had attained secondary level education, under this secondary level category, females were 28 while males were 13. And 12.6 % of the respondents had acquired post-secondary education. It would therefore appear justified to state that the majority of the respondent had low levels of education.

Given that education constitute a critical component in explaining crime. Low education attainment could probably provide an explanation as to why the respondent had committed crime.

Housing Status	Marital Status				Frequency
	Single	Married	Divorced	Widowed	
Living by myself	38	0	4	3	45
Living with relative	18	0	0	0	18
Living with spouse	0	33	0	0	33
Living with parents	15	0	0	0	15
Total	73	33	4	3	111

Table 4: Housing Status of Respondents (Source: field data, 2016)

The housing status of the respondents was established and the findings in table 4 above shows that a significant number of the respondents were living alone (40.5%) and most of them were single. Almost a third (29.7%) of the respondent were living with their spouse, another 16% indicated that there were living with their relative while only 13.5% were living with their parents. The finding of this study then implies that most single respondents living by themselves have high chance of engaging in deviant behaviors.

### 3.2. The influence of Psychological Factors on Desistance from Crime

Psychological Factors	N	SA	A	UD	D	SD	Mean	Std. D
The feeling that am appreciated at the probation station has assisted me to desist from committing crime	111	58%	37%	1%	4%	0%	1.5	.71
Having a strong self-esteem has assisted in turning things around and live a crime free life	111	45%	51%	4%	0%	0%	1.6	.59
My feeling that am a worthwhile person has helped me to desist from crime	111	30%	63%	5%	2%	0%	1.8	.62
Respecting my self has assisted me to desist from crime	111	52%	44%	4%	0%	0%	1.5	.57
My confidence to live a crime free life has positively influenced me to desist from crime	111	30%	64%	5%	1%	0%	1.8	.58
I would feel bad/guilty if I commit a crime after my probation period	111	58%	36%	5%	1%	0%	1.5	.66

Table 5: Probationer's Responses on Various Psychological Factors Influencing Desistance

The study sought to investigate whether probationer's perception on the level of appreciation has an influence on desistance from crime. Regarding to whether this factor contribute to desistance majority 58% of the respondents strongly agree that most offenders when appreciated by probation officer can desist from committing crime. 37% of the respondents agree while none of the respondents strongly disagree. A mean score of 1.5 was computed for this factor. With regards to whether self-esteem influence desistance from crime, 51% of the respondents agreed, 45% strongly agreed, 4% of the respondents were undecided. With regard to worthwhile person 30% of the respondents strongly agreed that a feeling of worthwhile person influence personal attitude on self that in turn influences desistance from crime. 63% of the respondents agreed, 5% were undecided and none indicated strongly disagree. On whether self-respect influences desistance, 52% of the respondents strongly agreed, 44% agreed, 4% were undecided. None of the respondents disagreed or strongly disagreed. A mean score of 1.5 was produced from these responses. With regards to whether self-confidences to live a crime free life among probationers contribute to desistance, 64% of the respondent agreed, 30% strongly agreed, 5% were undecided while none strongly disagreed. From those responses, a mean of 1.8 was computed. Pertaining to whether positive attitude influence desistance, 41% of the respondents strongly agreed, 58% agreed, none of the respondents disagrees or strongly disagreed. Pertaining to whether a probationer would feel bad/guilty of committing crime after the probation period, the result shows that majority 58% of the respondents desist from crime because they would feel bad/ guilty of committing crime after the probation period, this result gave a mean score of 1.5 for this factor. In conclusion Majority of the respondents considered psychological factors such as appreciation, strong self-esteem, and strong self-confidence, and positive attitude, personal worthwhile and self-respect as factors influencing desistance from crime among offenders under probation orders in Nairobi County.

### 3.3. The influence of Social Factors on Desistance from Crime

Social Factors	N	SA	A	UD	D	SD	Mean	Std. D
My positive relationship with my friends has assisted me to desist from committing crime	111	35%	50%	15%	0%	0%	1.8	.68
My positive relationship with family members has provided me with a sense of emotional security and wellbeing	111	32%	65%	3%	0%	0%	1.7	.52
My strong stand against negative peer influence has enabled me to live a crime free life	111	42%	51%	5%	2%	0%	1.7	.65
Employment serve as a positive motivation factor for desistance from crime among offenders under probation	111	18%	69%	13%	0%	0%	2.0	.55
I turned to religion to relieve guilt	111	14%	49%	35%	2%	0%	2.3	.72
My religious believe has influenced my decision to desist from committing crime	111	20%	63%	17%	0%	0%	2.0	.61
I look to my faith as a source of inspiration for quieting crime	111	20%	67%	11%	2%	0%	2.0	.62

Table 6: Probationer's Responses on Various Social Factors Influencing Desistance

Table 6 shows respondent's opinions on social factors influencing desistance from crime. Regarding to whether positive relationship with friends influence desistance from crime, majority 50% of the respondents agreed. 35% of the respondents strongly agreed, 15% were undecided while none of the respondents strongly disagree or agreed. With regards to whether positive relationship with family members influence desistance from crime, 65% of the respondents agreed, 32% strongly agreed, 3% of the respondents were undecided. None of the respondents indicated that they disagreed or strongly disagreed. The responses had a mean score of 1.7 and STD deviation of 0.514. From this finding, it shows that most of the probationers perceived positive relationship with family members as a significant factor that influences desistance from crime. With regard to competence and skills appreciation by friends, 12% of the respondents strongly agreed that appreciation of individual competence by friends influences desistance from crime. 59% of the respondents agreed, 29% were undecided and none indicated strongly disagree. This produced a mean score of 2.18. From these findings, it can be concluded that almost half 30% of the respondents felt appreciation of individual competence by friends is a weak social factor in influencing desistance from crime among offenders under probation in Nairobi County.

On whether employment opportunities service as a motivating factor for desistance, 18% of the respondents strongly agreed, 69% agreed, 13% were undecided. None of the respondents disagreed or strongly disagreed. A mean score of 1.9 was produced from these responses. This factor was considered as a motivating factor that can influence desistance from crime since 86% of the respondents perceived that employment reduce reoffending rates thus influencing desistance from crime.

Pertaining to whether strong stand against negative peers contributed to desistance from crime among offenders under probation order, 42% of the respondents strongly agreed, and 51% agreed 5% were undecided while none strongly disagreed. From these responses, a mean of 1.65 was computed. The result shows that majority 93% of the respondents desist from committing crime because they have a strong stand against negative peer influence.

Majority of the respondents considered social factors such as positive relationship with friends and family members, employment opportunities, religion believes as factors influencing desistance from crime among offenders under probation orders in Nairobi County. Majority of the respondents either strongly agreed or agreed as indicated in table 6. It can therefore be concluded that this social factor influence desistance from crime among offenders under probation orders in Nairobi county.

Source of Social Support	Frequency	Percent
Partners	12	11%
Parents	14	13%
Pastors	11	10%
Relatives	18	16%
Friends	12	11%
Probation staff	44	39%
Total	111	100

Table 7: Distribution of Source of Social Support

Table 7 shows that almost half 39% of the respondents attributed having got great social support from probation offers. 16% of the respondents attributed relatives as the most supportive people during their difficult moment, 13% of the respondents attributed parents as the most supportive people during their difficult moment, 11% of the respondents attributed partners as the most supportive people during their difficult moment and 10% of the respondents attributed pastors as the most supportive people during their difficult moment. These results suggest that provision of social support to offenders often crystallize the need for protection and supportive social relation that can enhance effective coping, emotion venting and construction of new meaning of life especially from close people who interact in day to day activities.

### 3.4. Discussion

#### 3.4.1. Psychological Factors Influencing Desistance from Crime

This study revealed that self-esteem influence desistance from crime, 51% of the respondents agreed, 45% strongly agreed, 4% of the respondents were undecided. None of the respondents indicated that they disagreed or strongly disagreed. The responses had a mean score of 1.59 out of the possible 5 on the item strong self-esteem influence desistance. Studies have pointed out that Self-esteem is the reflection of the understanding of oneself and sense of personal value. Kahn & Fawcett (2007) argued that Lack of self-esteem can be the cause of many social problems including some crimes and drug abuse; although it may not be the major factor for such cases, it often plays a special role in this regard. Therefore, the relationship between self-esteem and psychological satisfaction can be an important factor in understanding the relationship between self-esteem and desistance. Studies on offending desistance have shown that those who desist tend to exhibit higher levels of two key attributes: self-efficacy, and resilience. Thus, it's important to the probation department to introduce programs and intervention with a strong emphasis on building the elements of self-esteem to address a variety of problems related to crime and violence. All of these programs should be based on the premise that strengthening self-esteem and develop coping skills can reduce the likelihood of deviant behavior, thus promoting desistance from crime among offenders under probation order. With regards to whether self-confidences to live a crime free life among probationers contribute to desistance, 64% of the respondent agreed, 30% strongly agreed, 5% were undecided while none strongly disagreed. From those responses, a mean of 1.77 was computed. Pertaining to whether positive attitude influence desistance, 41% of the respondents strongly agreed, 58% agreed, none of the respondents disagrees or strongly disagreed. On the basis of these findings self-confidence and positive attitude were established as factors influencing desistance from crime among offenders under probation order in Nairobi County. This finding is in line with (Maruna, 2001; Giordano et al., 2002). Who maintains that support for desistance or good seeking behaviours comes from self-regulation.

The items of the variable psychological factors included having a certain level of self-respect, positive attitude towards self, taking charge of individual goals of quieting crime, feeling appreciated by the probation offices and feeling bad/guilt in case one commit crime after his/her probation period. Respondents from all three probation stations identified these specific themes as significantly impacting their trajectories. These findings were very compatible with extant literature on desistance among vulnerable populations. These findings augment the ideas of Wango and Mungai (2007) who purport that psychological factors in form of cognitive and behavioral domains have an impact on desistance. The finding indicates that the role of the individual's sense of self-esteem, self-respect, self-confidence and worthwhile in promoting and sustaining desistance has a hugely significant both in this research and in the wider literature on desistance. In addition, the research findings provide support for Maruna's (2001) concept of a 'redemption script', whereby the desisting individual's core positive self-became freed from negative circumstance.

#### 3.4.2. Social Factors Influencing Desistance from Crime

Majority 50% of the respondents agreed. 35% of the respondents strongly agreed, 15% were undecided while none of the respondents strongly disagree or agreed. A mean score of 1.8 was computed for this factor. This factor was therefore perceived to significantly contribute to desistance from crime among probationers. This particular finding around family support was consistent with what the literature says about the roles that family and significant others play in the lives of ex-offenders. Indeed, family relationships have been identified as significant sources of support for young people in transition away from crime (Barry, 2010). These observations offer a contrasting perspective to the idea that greater family involvement can assist young people moving away from crime. Evidently, the role of families deserves greater prominence in the study of desistance, particularly in the case of young offenders as they can both positively and negatively influence the lives of young people.

Pertaining to whether strong stand against negative peers contributed to desistance from crime among offenders under probation order, this study revealed that; 42% of the respondents strongly agreed, and 51% agreed 5% were undecided while none strongly disagreed. From these responses, a mean of 1.65 was computed. The result shows that majority 93% of the respondents desist from committing crime because they have a strong stand against negative peer influence. To overcome peer influence, the respondents used selective involvement as the primary strategy for dealing with the potentially negative influences of these friendships. Probationers in Nairobi City County utilized this strategy to help them negotiate the decisions they made about being involved in crime. The findings are supported by Warr (2002) who argued that antisocial peers have a direct influence on the desistance process. Further the findings are complemented by Akers & Sellers (2009) who suggested that associating with conventional peers on a frequent, long-term basis is strongly correlated with conventional behavior, while greater association with antisocial peers is strongly correlated with delinquent behaviour. Peer groups greatly increase the availability and opportunity for delinquency; therefore, disrupting such peer groups while encouraging attachment to conventional peers, may greatly reduce one's own delinquent involvement.

According to this study finding, social support played an important role in the offenders' transition from crime journey. All of the respondents had access to some type of ongoing support network. Having this support did not directly catalyze criminal desistance, but it did appear to help the respondents meet their daily living needs and mediate some of the risks that they encountered while trying to desist from crime. Thus, without this support, it is likely that many of the probationers would have been struggling even more significantly during their probation period. These findings were on par with current research which highlights how social support networks can positively influence desistance from crime, community reintegration, and daily life experiences.

#### 4. Conclusion

Firstly, this study concludes that to a great extent psychological factors do influence desistance from crime. A number of items on the variable psychological factors were identified as significant in this process of desistance; This item of the variable psychological factors included having a certain level of self-respect, positive attitude towards self, taking charge of individual goals of quieting crime, feeling appreciated by the probation offices and feeling bad/guilty in case one commit crime after his/her probation period. Secondly, social supports played an important role in the offenders' transition from crime journey. All respondents had access to some type of ongoing support network. However, having this support did not directly catalyze criminal desistance, but it helped the probationers meet their daily living needs and mediate some of the risks that they encountered while trying to desist from crime. Thus, without this support, it was likely that many of the probationers would have been struggling even more significantly during their probation period.

#### 5. References

- i. Akers, R, L, and Sellers, C. (2009) *Criminological Theories: Introduction, Evaluation, and Application*. Fourth Edition. 49 Los Angeles, CA: Rox bury Publishing.
- ii. Barry, M 2010, Youth transitions: from offending to desistance", *Journal of Youth Studies*, vol.13, no.1, and pp.121-136
- iii. Gates, G., & Camp, S. (2009). Unintended consequences: Experimental evidence for the criminogenic effect of prison security level placement on post-release recidivism. *Journal of Experimental Criminology*, 5, 139-162.
- iv. Giordano, P. C., Cernkovich, S. A. And Rudolph, J. L. (2002). *Gender, Crime, and Desistance: Toward a Theory of Cognitive Transformation*. *American Journal of Sociology*, 107, 990-1064
- v. Kahn, A.P and Fawcett J. (2007) *The Encyclopedia of Mental Health (Facts on File Library of Health & Living)*. 3th. New York, NY: Facts on File;
- vi. Laub, J. H., & Sampson, R. J. (2003). *Shared beginnings, divergent lives: Delinquent boys to age 70*. Cambridge, MA: Harvard University Press
- vii. Maruna, S., (2001). *Making Good: How Ex-convicts Reform and Rebuild their Lives*, Washington DC: American Psychological Association Books
- viii. McNeill, F. and Weaver B. (2010). *Changing lives? Desistance research and offender management*, Scottish Centre for Crime and Justice Research: Glasgow.
- ix. Mulvey, E.P., Steinberg, L., Fagan, J., Cauffman, E., Piquero, A., Chassin, L., Knight, G., Brame, R., Schubert, C., Hecker, T., and Losoya, S. (2004). Theory and research on desistance from antisocial activity in serious juvenile offenders. *Youth Violence and Juvenile Justice*, 2(3):213-236..
- x. Savolainen, J., (2009). Work, Family and Criminal Desistance. *British Journal of Criminology*, 49 (3), 285-304.
- xi. Warr M. (2002). *Companions in crime: The social aspects of criminal conduct*. New York: Cambridge University Press.
- xii. Wango, M.G & Mungai E.K (2007). *Guidance and Counseling Handbook for Teachers*. Nairobi Uzima Publisher.