

Effect of In-Custody Remandee-Convict Interactions on Reintegration of Acquitted Remandees in Kakamega County

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Abstract

More recently, a growing body of research has examined how peers in prison can influence reentry outcomes. Although existing research on the role of prison peers in the reentry process is somewhat limited, or "incomplete" findings from studies that do exist on the topic mirror trends in the broader literature as higher levels of peer criminality relate to higher rates of crime, substance use, and as consequence recidivism, hence unsuccessful reintegration of remandees upon release from prison. This study investigated the effect of in-custody remandee-convict interactions on reintegration of acquitted remandees in Kakamega County, Kenya. The study was underpinned in the Labelling theory and Social Learning theory and adopted a descriptive survey design employing a mixed method of data collection. The study used a stratified random sampling technique to obtain acquitted remandees and purposive sampling to get Correctional Officers, Assistant Chiefs and community members who took part in the study as key informants. A sample of 400 acquitted remandees was selected from a population of 1,427 using Yamane's sample apportionment formula. In addition, 9 Correctional Officers working within Kakamega County, 8 community members and 8 assistant chiefs from Sub-Locations with the highest number of returning remandees in Kakamega County were included in the study as key informants. Study data were collected using a questionnaire for acquitted remandees, interviews schedule for Prison Officers and Probation Officers, and Focus Group Discussion guide for community members and Assistant Chiefs. Validity of the data collection instrument was ascertained through expert review and reliability of the study questionnaire was ascertained using the internal consistency method where Cronbach's Alpha Coefficient of Reliability of 0.874 was achieved. Quantitative data was analyzed using the Statistical Package for the Social Sciences (SPSS) version 28 for windows. Both descriptive and inferential statistics were used in the study. Qualitative data were analyzed thematically where identified themes informed discussion lines. All statistical measurements with regards to quantitative data were performed within 95% confidence interval. Findings revealed a statistically significant relationship between in-custody remandee-convict interaction and reintegration of acquitted remandees in Kakamega County, Kenya ($r=0.683$; $P<0.05$). Regression analysis revealed a coefficient of determination (R^2) of 0.317 which implied that 31.7% of the variance in the reintegration of acquitted remandees in Kakamega County was attributed to in-custody remandee-convict interactions. Based on the findings and conclusions of the study, a recommendation was made that deliberate efforts be made to minimize if not eliminate in-custody remandee-convict interactions. This can be achieved through adequate funding by the state department for correctional services to build separate facilities for released remandees and convicts.

Keywords: In-Custody, Remandee, Convict, Interaction, Reintegration

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1.1 Background to the Study

The separate confinement for remandees and convicts ensures that they do not mix at any point during custodial confinement. Most convicted offenders, particularly those serving capital sentences complicate life experiences for remanded suspects, especially concerning new remandees who are bullied and made more miserable (Harvey, 2016). In developed countries such as the USA, Canada, and Australia, criminal cases are tried and determined within 8 months so that decisions on acquittal or conviction are made and this helps to reduce congestion and unnecessary confinement (Liebling & Maruna, 2019).

With meager resources available to prison systems in sub-Saharan Africa, remandee conditions may be worse compared to convicted persons as prison systems have very limited resources budgeted for them (Penal Reform International, 2019). Like most prison facilities in the third world and developing world, reasons such as delays in the criminal justice system include delays in the investigation by the police, lack of cooperation by the criminal justice system agencies, and cumbersome processes in the criminal justice system fuel the increasing number of remandees. Systems of this nature are also likely to be characterized by overuse of pre-trial detention, making use of arbitrary arrests, a lack of access to legal counsel, and corruption are identified as reasons for the poor system (UNODC, 2020). The Nigerian prison system is notorious for the overwhelming number of remandees held within it with 77.1% of inmates in Nigerian prisons classified as remandees (Institute for

Criminal Policy Research, 2017). As of March 2019, the World Prison Brief (2019) reported that 73,991 persons were reportedly held in 240 facilities with an official capacity of 50,153, a 127% occupancy rate. Some reports put the occupancy rates at slightly over 800% in other regions of Nigeria (Penal Reforms International, 2019).

In Kenya, the total prison population as at 21st March 2022 was 52,979 persons contained in 134 prisons around the country, majority of who are remandees (Institute of Crime & Justice Policy Research, 2022). The official capacity of all the 134 prisons in Kenya is 30,000 and the current population of 52,979 represents an occupancy level of 176.6% (World Prison Brief, 2022). In Kenya, remandees and convicted prisoners are held within the same prison facilities, only separated in wards of residence but sharing all basic amenities such as toilets, bathrooms, catering points, recreational facilities, and dispensaries according to the United Nations Office on Drug and Crime (UNODC, 2020). Such a mix between convicted offenders and remanded suspects may facilitate the exchange of ideas regarding criminality and may be a recipe for bullying and violent confrontations that further impact negatively the ability of remandees to effectively reintegrate after release from custody (Kamakil, 2017). Kakamega County has got four prison facilities and they are Kakamega Main Prison, Kakamega Women Prison, Shikusa Farm Prison, and Shikusa Borstal Institution (Kenya Law Report, 2021). Of these four penal institutions, only Kakamega Main Prison and Kakamega Women Prison have remand facilities. Prison facilities are congested and interactions between remandees and convicts are inevitable (Legal Resources Foundation (LRF) 2020). There have been reports of violent confrontations between new remandees and convicted prisoners arising from the bullying of remandees and convicted prisoners (Penal Reforms International, 2019).

Reintegration is defined as the process of transitioning from incarceration to the community, adjusting to life outside of prison or jail, and attempting to maintain a crime-free lifestyle. It is a complex process that occurs over time and there is much we do not know about the process (Healy & O'Donnell, 2020). Researchers and correctional practitioners hence continue to stress the need to continuously probe into the daily experiences of remanded suspects and how it impacts their return back to the community (Harvey, 2016). Findings from the experiences of remandees will be vital in understanding the progress of acquitted suspects through reintegration upon release from remand and can inform routine activities (assessment, implementing, and evaluating interventions) geared towards better coping and overall wellbeing of remandees after release from custody as they re-enter the community. It is upon this background that this study sought to investigate the effect of in-Custody Remandee-Convict interactions on reintegration of acquitted remandees in Kakamega County, Kenya.

1.2 Statement of the Problem

In Kenya, as is the case in many other underdeveloped countries, acquitted remandees are left on their own to somehow pull through the negative effects of the remand experience. Remandees come back from prison jobless, stressed, sick, and in most cases without anything to fall back to. This makes effective reintegration difficult, especially where religious and other non-governmental organizations do not come up and volunteer to assist released remandees. Stigmatization and labeling that arise from remandees' stay in prison can be overwhelming and sometimes life-threatening. Remandees have ended up with depression and even suicide arising from labeling and stigmatization after their release from prison remand. This is because, upon release from prison, the community looks at remandees as offenders forgetting that their release was a result of a finding of not guilty before a court of law. In Kenya, remand prisoners are ineligible for correctional programming and treatment programmes while in custody since such programmes are designed for convicted offenders. This leaves remandees unprepared for the realities of life after release from remand. Most of the empirical studies on people in prison by lawyers, Psychologists, Criminologists, and sociologists have largely focused on convicted offenders and not so much on remanded individuals (Kohler-Hausmann, 2018). This study investigated the effect of in-Custody Remandee-Convict interactions on reintegration of acquitted remandees in Kakamega County, Kenya.

1.3 Objective of the Study

The study sought to meet the following specific objective:

To ascertain the effect of in-custody remandee-convict interactions on reintegration of acquitted remandees in Kakamega County, Kenya

1.4 Research Questions

In which way do in-custody remandee-convict interactions affect the reintegration of acquitted remandees in Kakamega County, Kenya?

1.5 Literature Review

A review of empirical literature from other studies on the relationship between in-custody remandee-convict interactions and reintegration is presented in this section. In addition, theoretical underpinnings of the study are

also presented.

1.5.1 Remandee - Convict Interactions and Reintegration of Acquitted Remandees

At the end of 2015, approximately 525,409 individuals were remanded in the United States (Kaeble & Glaze, 2016) and the vast majority of these individuals would one day return to the society (Travis, 2017). As a result, developing a better understanding of the factors that relate to successful reentry policies and practices remains a top priority among criminologists (Seiter & Kadela, 2018). Reentry research has developed a strong foundation, and it is relatively well understood that factors like interactions between remandees and convicted offenders (Bales & Mears, 2018) play an important role in the reentry process. More recently, a growing body of research has examined how peers in prison can influence reentry outcomes.

Although existing research on the role of prison peers in the reentry process is somewhat limited, or "incomplete" (Martinez & Abrams, 2019) findings from studies that do exist on the topic (e.g., Boman & Mowen, 2017) mirror trends in the broader literature as higher levels of peer criminality relate to higher rates of crime, substance use, and as consequence recidivism, hence unsuccessful reintegration of remandees upon release from prison. However, a limited number of studies suggest that prison peers may not only be negative influences on persons in the reentry process but instead can also provide the much-needed support to returning remandees (Wheelock, & Jones, 2018). This happens when a remandee interacts with prisoners who have reformed and are of good character.

Research applying differential association to examine the influence of remandee-convict interactions before remandee release tends to find negative outcomes when remandees themselves exhibit pro-criminal dispositions. These may include negative interactions with criminal peers before remand release and its influence during reentry. That association with criminal peers tends to increase the odds of recidivism and successful reintegration (Boman & Mowen, 2017).

Differential association, however, also suggests that association with reformed offenders before release may lead to desistance from crime and successful reintegration outcomes.

In an attempt to expand reentry research on the impact of remandee-offender interactions on reintegration, whereas studies demonstrate that there may be some positive interaction in the remand that may facilitate positive reentry outcomes (e.g., Martinez, 2018) two recent studies show that most offender-remandee interactions are independently related to negative reentry outcomes, including increased recidivism and substance use (Mowen & Visher, 2020) and diminished mental health outcomes (Wallace et al., 2016).

These studies collectively demonstrate that the same group of persons can exert opposite direction effects on the behavior of those undergoing reentry. Drawing from differential association (Sutherland, 1947) and differential coercion and social support (Colvin et al., 2002) theories, there is reason to expect that criminal peers can certainly incite crime by providing individuals with negative peer influences and co-offenders (McGloin & Piquero, 2016) peers can also provide the much-needed support by helping remandees to get back home changed people without any negative prison experiences that would otherwise hinder their smooth reentry (Grieb, 2014).

Research on the role and influence of criminal peers while in prison on the reentry process is harmonious with much of the work examining the influence of peer deviance on individual behavior more broadly (see Pratt et al., the 2010s). That is, returning individuals who associated with hardcore criminals while still in prison remand, regardless of whether they are new or old associates, tend to experience much higher rates of recidivism than those who do not associate with criminal peers and end up failing at reintegration back to the community (Visher & Travis, 2019).

A look at the literature on how social interactions between remandees and convicted prisoners interplay into reentry among acquitted remandees, it seems apparent that the influence of criminal peers may be negative or positive. Reviewed literature on hard-core criminals suggests that they negatively influence newly remanded suspects and induct them into criminality which could potentially lead to a negative influence on their reintegration prospects after release. In moving beyond the dichotomy of 'good,' or supportive relationships, and 'bad,' or unsupportive relationships", the literature suggests that newly remanded suspects have to walk a stressful line between balancing supportive and non-supportive roles for deviant peers in prison and this influences their reintegration outcomes negatively.

1.5.2 Theoretical Framework

This study combined labeling and social-learning theories to analyze, explain and predict reintegration among acquitted remandees. The labeling theory was used to explain the behavior of a remandee during reintegration after release from prison while social learning theory looked at the interactions and experiences of the remandee before release and how those experiences influenced reintegration upon release.

1.5.2.1 Labeling Theory

Labeling theory in criminology stems from a sociological perspective known as "symbolic interactionism," a school of thought based on the ideas of George Herbert Mead, John Dewey, W.I. Thomas, Charles Horton Cooley, and Herbert Blumer. The first as and one of the most prominent labeling theorists was Howard Becker, who published his groundbreaking work "Outsiders" in 1963. A question became popular with criminologists

during the mid-1960s: What makes some acts and some people deviant or criminal? During this time, scholars tried to shift the focus of criminology toward the effects of individuals in power responding to behavior in society in a negative way; they became known as "labeling theorists" or "social reaction theorists" (Simon, 2017).

In 1969 Blumer emphasized the way that meaning arises in social interaction through communication, using language and symbols. The focus of this perspective is the interaction between individuals in society, which is the basis for meanings within that society. These theorists suggested that powerful individuals and the state create a crime by labeling some behavior as inappropriate (Turnbull & Hannah, 2019). The focus of these theorists is on the reactions of members of society to crime and deviance or perceive crime and deviance, a focus that separated them from other scholars of the time. These theorists shaped their argument around the notion that even though some criminological efforts to reduce crime are meant to help the offender (such as rehabilitation efforts) they may move offenders closer to lives of crime because of the label they assign the individuals engaging in criminal behavior (Simon, 2017). This is the case when a remandee is released from prison back to the community and ignorant members of the society look at him as one who has come from prison as an offender.

As members of society begin to treat these individuals based on their labels, the individuals begin to accept the labels themselves. In other words, if an individual engages in a behavior that is deemed by others as inappropriate, others label that person to be deviant, and eventually, the individual internalizes and accepts this label (Sparks, Bottoms & Hay, 2016). This notion of social reaction, reaction, or response by others to the behaviour or individual, is central to labeling theory. Critical to this theory is the understanding that the negative reaction of others to a particular behaviour or perceived behaviour in the case of suspects of crime is what causes that behaviour to be labeled as "criminal" or "deviant." Furthermore, it is the negative reaction of others to an individual engaged in a particular behaviour that causes that individual to be labeled as "criminal," "deviant," or "not normal" (Simon, 2017).

According to available literature, several reactions to deviance have been identified, including collective rulemaking, organizational processing, and interpersonal reaction (Wacquant, 2018). Becker defined deviance as a social creation in which "social groups create deviance by making the rules whose infraction constitutes unwanted behaviour, and by applying those rules to particular people and labeling them as outsiders." Becker grouped behaviour into four categories: falsely accused, conforming, pure deviant, and secret deviant. Falsely accused represents those individuals who have engaged in obedient behaviour but have been perceived as deviant; therefore, they would be falsely labeled as deviant (Sparks, Bottoms & Hay, 2016).

The result of this stigmatization is a self-fulfilling prophecy in which the offenders come to view themselves in the same ways that society looks at them (Goffman, 2017). Primary deviance refers to initial acts of deviance by an individual that have only minor consequences for that individual's status or relationships in society. The notion behind this concept is that the majority of people violate laws or commit deviant acts in their lifetime. However, these acts are not serious enough and do not result in the individual being classified as a criminal by society or by themselves, as it is viewed as "normal" to engage in these types of behaviour (Gustafson, 2016).

Speeding would be a good example of an act that is technically criminal but does not result in labeling as such. Furthermore, many would view recreational marijuana use as another example. Goffman (2015) says that secondary deviance is deviance that occurs as a response to society's reaction and labeling of the individual engaging in the behaviour as deviant. This type of deviance, unlike primary deviance, has major implications for a person's status and relationships in society and is a direct result of the internalization of the deviant label. This pathway from primary deviance to secondary deviance is illustrated as follows:

Primary Deviance → others label act as deviant → actor internalizes deviant label → Secondary Deviance

There are three major theoretical directions to labeling theory. They are Bruce Link's modified labeling, John Braithwaite's reintegrative shaming, and Ross L. Matsueda and Karen Heimer's differential social control. This study used John Braithwaite's reintegrative shaming to show how acquitted remandees may face reintegration challenges following their release from prison as a result of misconceptions about returning from remand custody. In addition, the study interrogated how labeling may lead innocent released remandees into actualizing the label by engaging in criminal behaviour (Simon, 2017).

1.5.2.2 Social Learning Theory

Social learning theory (SLT) is a leading explanation of criminal behavior which maintains that crime is learned and more likely to occur when individuals differentially associate with people who are criminally involved, experience greater exposure to delinquent models, anticipate or receive more rewards and fewer punishments for crime, and have a greater number of definitions favorable to crime (Spivak & Howes, 2017). Empirical tests have garnered moderate to strong support for the theory. SLT serves as the foundation for many delinquency preventions and offender treatment programmes, and has recently been merged with social structural concepts into a social structure–social learning model. Social learning theories can be broadly understood as a social-behavioral approach that emphasizes the "reciprocal interaction between cognitive, behavioral and environmental determinants" of human behaviour (Bandura, 1977).

In the study of crime and criminality, social learning theory is generally applied and understood as it was conceptualized by Ronald L. Akers in 1973. Social learning theory is a general theory of crime and criminality and has been used in research to explain a diverse array of criminal behaviour. The theory as proposed by Akers is centered on the idea that "the same learning process in a context of social structure, interaction, and situation produces both conforming and deviant behavior. The difference lies in the direction of the balance of influences on the behavior" (Akers & Sellers, 2013). This goes in line with the objective of this study which seeks to investigate the influence of remandee-offender interactions on the reintegration of acquitted remandees in Kakamega County.

As the literature on reentry research suggests, there may be some positive interaction in the remand that may facilitate positive reentry outcomes (e.g., Martinez, 2018). However, other studies show that most offender-remandee interactions are independently related to negative reentry outcomes. Such negative reintegration outcomes make it difficult if not completely impossible for the suspects to effectively reintegrate, and such acquitted suspects join criminality (Akers & Sellers, 2014).

As a theory of criminality, social learning theory emerged from a combination of principles derived from behaviorist operant learning and other psychological theories stressing vicarious learning and imitation. Robert Burgess and Ronald Akers reformulated differential association theory in terms of operant learning theory in 1966, and Akers and colleagues elaborated a more general social learning theory in later works (1979). The social learning theory has been subjected to more empirical tests than any other theory of delinquency (Akers & Sellers, 2014).

1.6 Research Methodology

The study utilized a descriptive survey design where mixed methods of data collection were employed. The descriptive survey design was found appropriate for the study because the researcher was interested in describing the existing realities of in-custody remandee-convict interactions and its influence on reintegration of acquitted remandees in Kakamega County without any manipulation and from a phenomenological perspective. As stated by Remler and Van Ryzin (2021), "phenomenology is a data collection and reporting strategy that describes how people experience certain events or unique encounters in their lives and shows reactions to occurrences that are outside of the norm in a manner that paints the whole picture and not just facts and figures". The study was conducted in Kakamega County of Kenya.

The target population comprised all the 1,427 acquitted remandees from Kakamega, Butali, Mumias, and Butere law courts released between 1st March 2021 and 30th May 2022 which is the period within which this study was conducted. This study used both probabilistic and non-probabilistic sampling techniques to collect data from respondents. Stratified random sampling and simple random sampling techniques were used to select acquitted remandees who were stratified according to acquitting court jurisdictions. Respondents were obtained equitably from Kakamega Central, Butali, Butere, and Mumias court jurisdictions. This ensured that every section of the study area was equitably represented in the study. According to Saunders, Lewis, and Thornhill (2016), stratified random sampling is a type of probability sampling technique in which a researcher branches off the entire population into multiple non-overlapping, homogeneous groups (strata) and randomly chooses the final respondents of the study from the various strata for research which reduces cost and improves efficiency.

A sample of 400 primary respondents being acquitted remandees was selected for the study. The inclusion criterion for the acquitted remandees was that one had to have been a resident of Kakamega County prior to arrest, must not have been found guilty for the offence for which he/she was arrested and continued to stay within Kakamega County after release from custody. Besides, key informants being 5 Prison Officers, 4 Probation Officers, 8 community members and 8 Assistant Chiefs were included in the study to provide information that complemented data from the primary respondents. The study used questionnaire, interview, and focus group discussion methods for data collection.

The researcher carried out a pilot study among 40 acquitted remandees, 2 Prison Officers, 2 Probation Officers, 2 community members and 2 Assistant Chiefs in Busia County. This ensured that the characteristics of the respondents in the pilot study and actual study were as similar as possible. The questionnaire was administered to acquitted remandees equivalent to 10% of the actual sample (n=400) as recommended by Cooper & Schindler (2014) and also as alluded to by Mugenda & Mugenda (2012); hence 40 acquitted remandees were selected, 10 in Nambale Sub-County, 10 in Butula Sub-County, 10 in Teso North Sub - County and 10 in Teso South Sub-County of Busia County to participate in the pilot study.

Study data from the field was sorted and edited to ensure completeness and consistency, classified, and coded according to research questions and objectives for analysis. The study generated two types of data: quantitative data from the closed-ended items of the questionnaires and qualitative data from the open-ended items of the questionnaire, interview schedules, and FGDs. Quantitative data from the closed-ended items in the questionnaires were analyzed using descriptive and inferential statistics with the help of the Statistical Package for the Social Sciences version 28.0 for windows. Descriptive statistics such as frequencies, percentages, and

cross-tabulations were used to determine the degree of centrality and variation of participants' opinions on rating scales and were presented in the form of tables, graphs, and charts. Inferential statistics such as linear regression and Pearson Product Moment Correlation Coefficient were used to determine associations, relationships, and influences between and among variables. All quantitative measures were performed within a 95% confidence interval.

1.7 Findings

Findings of the study are presented in this section.

1.7.1 Response rate and characteristics of the respondents

The study targeted a sample of 400 respondents being acquitted remandees drawn from the four court jurisdictions of Kakamega County namely Kakamega Central, Butere, Mumias, and Butali. Out of the targeted sample, a total of 357 respondents took part in the study. This resulted in a response rate of 89.25% for the study. Such a response rate was sufficiently adequate for the study in line with the recommendation by Remler and Van Ryzin (2021) that when conducting a research study, getting data from 70% or more of the target sample is adequate for purposes of generalization of findings from the sample to the entire population from which such sample was drawn.

1.7.2 Demographic Characteristics of Respondents

In this section, respondents were asked to indicate their ages, level of education, marital status, if they had children before their arrest and occupation at the time of arrest. Findings are presented in Table 1.

Table 1 Demographic Characteristics of Respondents

Variable		Frequency	Percentage (%)
Age	Less than 20 years	21	5.88
	20 – 29 years	131	36.69
	30 – 39 years	104	29.13
	40 – 49 years	69	19.33
	50 or more years	32	8.96
	Total		357
Level of education	Primary school	78	21.85
	Secondary School	205	57.42
	Tertiary institution	41	11.48
	University Undergraduate	30	8.40
	Postgraduate	3	0.84
	Total		357
Marital status	Single	118	33.05
	Married	153	42.85
	Divorced/Separated	64	17.93
	Widowed	22	6.16
	Total		357
Occupation at time of arrest	Formal employment	54	15.13
	Business (Juakali)	179	50.14
	Farmer	88	24.65
	Student	17	4.76
	Others	19	5.32
	Total		357

Source: Research Data, 2022.

Results in Table 1 show that 36.69% (131) of the respondents were in the age range of 20 to 29 years, 29.13% (104) of the respondents were in the age range of 30 to 39 years, 19.33% (69) were aged between 40 and 49, 8.96% (32) 50 years or more and 5.88% (21) were less than 20 years. This implies that the majority of the acquitted remandees were between 30 and 39 years of age.

As revealed in a study by Underwood, Beron, and Rosen (2019), having a high number of such youthful individuals leaving remand back into the community portends negative ramifications to the crime rates. This is because remandees return home unprepared for reentry into the community and some are compelled to commit crimes to make ends meet and this affected their successful reintegration and this sentiment is supported by the study of Underwood, Beron, and Rosen (2019). Such youthful individuals coming back from remand is not good for the economic development of the country since they are energetic and in their prime years where their contribution towards economic development should be felt. These youthful remandees leaving prison implies that those with wives and children had left them to fend for themselves and without full parental care and support and this leaves children raised by a single parent and without adequate parental guidance hence resulting in the children becoming delinquent (Withers, 2018).

Concerning respondents' level of education, findings revealed that 57.42% (205) of the respondents had Secondary School education, 21.85% (78) had Primary School education, and 8.4% (30) had University undergraduate degrees while 0.84% (3) had postgraduate qualifications. This was good for the study since Saunders, Lewis, and Thornhill (2016), stated that having fairly well-educated respondents enriches since respondents understand the questions posed to them through data collection instruments and can provide more accurate responses. Concerning reintegration as noted by Veysey, Steadman, Morrissey, and Johnsen (2017), after release from remand, fairly well-educated individuals can easily secure employment in the community and reintegrate more successfully as compared to uneducated individuals.

In regards to the marital status of respondents, the study revealed that 42.85% (153) of the respondents were married, 33.05% (118) were single, 17.93% (64) were divorced or separated and 6.16% (22) were widowed. This suggests that the majority of the respondents were married. Having such a high number of married individuals leaving prisons after having spent time there is a clear sign of a situation where spouses were left alone to fend for their families and single-handedly raise their children. This is worrying given the findings in a study by Tanusree and Indrani (2017) that children raised by a single parent, when not closely supervised, tend to become more delinquent than those raised by both parents.

The study found that 50.14% (179) of the acquitted remandees were business persons before the arrest, 24.65% (88) were farmers, 15.13% (54) were in informal employment, 5.32% (19) were in other occupations that included touting and Boda boda transport and 4.76% (17) were students at the time of being arrested and remanded. This shows that most acquitted remandees were in business at the time of their arrest. Such individuals may reintegrate more successfully if supported with start-up capital as alluded to by Wacquant (2017) that people returning to the community from carceral institutions who had prior entrepreneurial skills usually reintegrate successfully compared to returning individuals who did not have prior entrepreneurial skills.

1.7.3 Effect of in-custody remandee-convict interactions on the reintegration of acquitted remandees

The objective sought to ascertain the effect of in-custody remandee-convict interactions on the reintegration of acquitted remandees in Kakamega County. Arising from this objective, the following research question was formulated; in which way do in-custody remandee-convict interactions affect the reintegration of acquitted remandees in Kakamega County? Research data on in-custody remandee-convict interaction and data on the reintegration of acquitted remandees were subjected to descriptive and inferential statistics and findings presented in this section.

1.7.4 Descriptive Statistics on in-custody remandee-convict interactions and reintegration of acquitted remandees

Respondents were asked if they made any friends while in remand custody and the findings are presented in Figure 1.

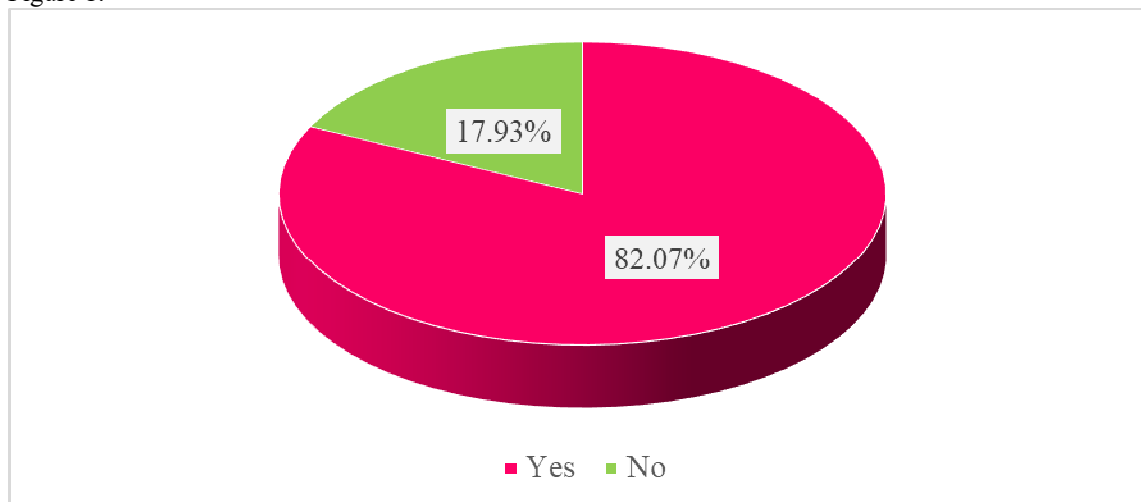


Figure 1: Friends in prison

Source: Research Data, 2022.

Results in Figure 1 show that 80.07% of the respondents made friends in prison while 17.93% did not. This was suggested by Cesaroni and Pelvin (2016) in their study titled "consequences of custody for young offenders" that remandees learn dangerous tricks that convert them into hard-core criminals when they get out of custody and makes reintegration a challenge for these released remandees. The majority of released remandees having interacted with and made friends with convicts in prison suggests the likelihood of reintegration challenges for them.

Respondents who made friends while in prison were asked to state whether the friends that they made while

in prison were convicts and the findings are presented in Figure 2.

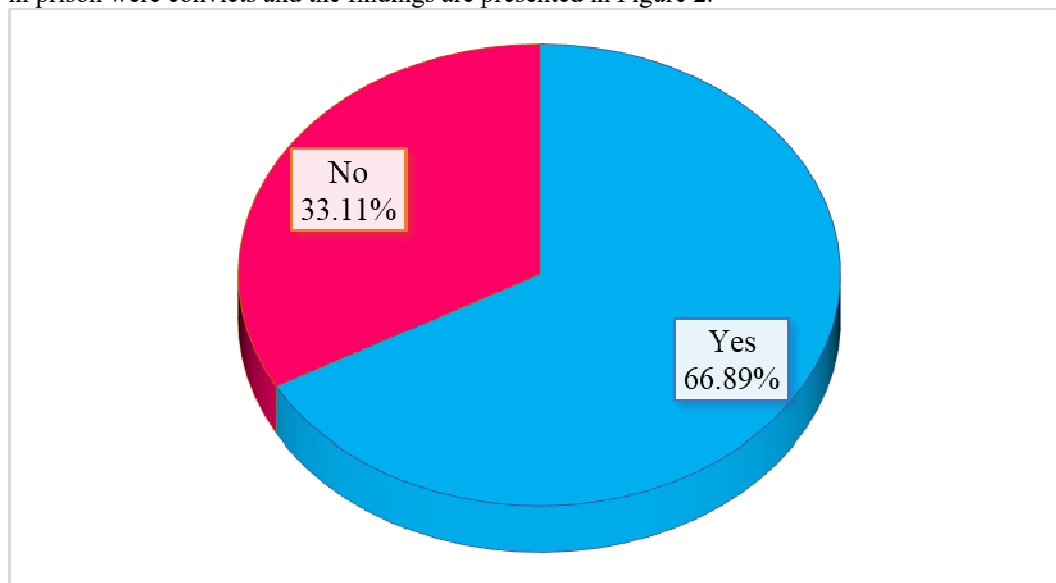


Figure 4.3: Whether the friends were convicts

Source: Research Data, 2022.

Results in Figure 2 show that 66.98% of the respondents had convicted friends while 33.11% did not make friends with convicts while in prison. Respondents were asked to state what attracted them to these friends and a common opinion of most respondents was that they were attracted to convicted friends due to protection from bullying by other convicts. This was supported by 38.38% (137) of the respondents. It was also established based on the findings of the study that 28.85% (103) respondents made friends with convicts to secure privileges such as access to smuggled phones to communicate with their loved ones back home and that 22.97% (82) of the respondents became friends with convicts that were known to them before their arrest. Further still, 9.8% (35) of the respondents became friends with convicts to access privileges such as access to soap at the time of bathing. Research by Visser and Travis (2019) established that remandees returning to the community who associated with hardcore criminals while still in prison, regardless of whether the hard-core criminals were new or old associates, tend to experience challenges in reintegration due to higher rates of recidivism than those found in the general population.

Respondents were asked to state what they had in common with their convicted friends and most respondents indicated that they had nothing in common other than the benefits they secured from these friends. This was a common position among 73.95% (264) of the respondents while 23.05% (93) became friends with convicts since they had a lot in common such as basic ideologies and got along very well. Boman and Mowen, (2017) established that remandees desire to interact with convicts to gain privileges associated with their stay behind bars. This is however undesirable since remandee-convict interactions result in higher rates of crime, substance use, and as a consequence, recidivism and failed reintegration upon release of remandees (Wheelock, & Jones, 2018).

The study sought to find out whether acquitted remandees were still friends with the convicts with whom they became friends while in custody and the findings are presented in Figure 3.

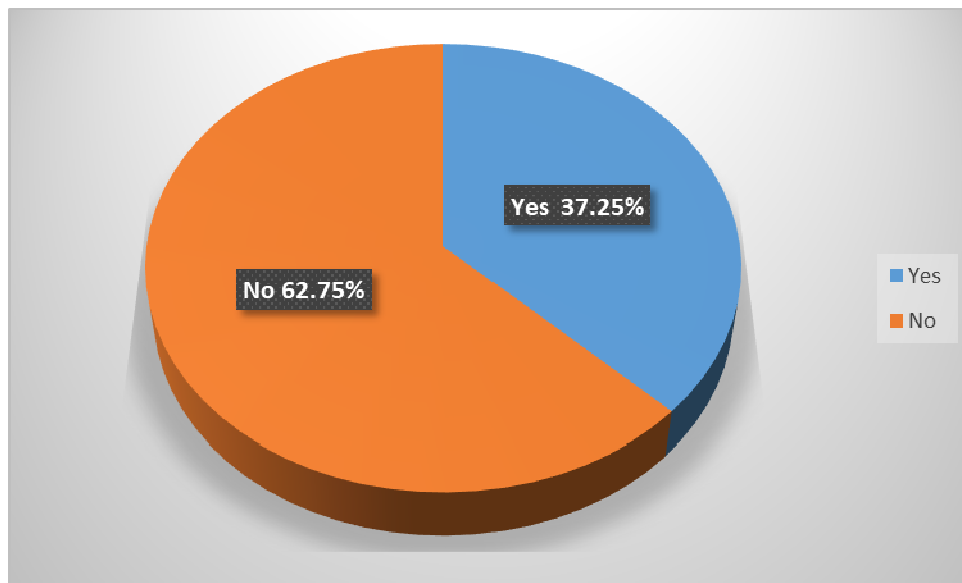


Figure 3: Still Friends with convicts

Source: Research Data, 2022.

From Figure 3, it is apparent that 62.75% (224) of the respondents were no longer friends with the convicted friends that they met while still in remand. This points to the possibility that friendships between in-custody remandees and convicts are friendships of convenience and not necessarily true and lasting friendships that are based on common understanding and interests. It was however observed that 37.25% (133) of the acquitted suspects were still friends with the convicts that they had met while in remand. A limited number of studies suggest that prison peers may not always be negative influences on persons in the reentry process, but instead, can also provide support to released remandees (Wheelock, & Jones, 2018).

When asked to state whether the friends that they met in remand had since been released from custody, respondents gave their feedback and findings presented in Table 1.

Table 2: Whether in-custody friends have been released

Released friends	Frequency	Percentage (%)
Yes	201	56.3
No	89	24.93
Not Sure	67	18.77
Total	357	100.0

Source: Research Data, 2022.

Results in Table 2 show that 56.3% (201) of the respondents indicated that the friends they made while in prison had since been released, 24.93% (89) of the respondents indicated that their friends had not been released while 18.77% (67) were not sure whether their friends had been released. This shows some evidence of follow-ups of friendships made between in-custody remandees and convicts while still in prison. The mere fact that most respondents were aware that their friends had been released or not released from custody points to a possibility of a reunion between acquitted remandees and released convicts where circumstances allow. A study by Seiter and Kadela (2018) recommended the need to develop policies and guidelines that minimize remandee – convict interactions to avert the negative effect of such interactions on reintegration after release from custody.

Respondents who indicated that convicted friends that they met in remand had since been released were asked to state whether they had met them outside prison and findings were presented in Figure 4.

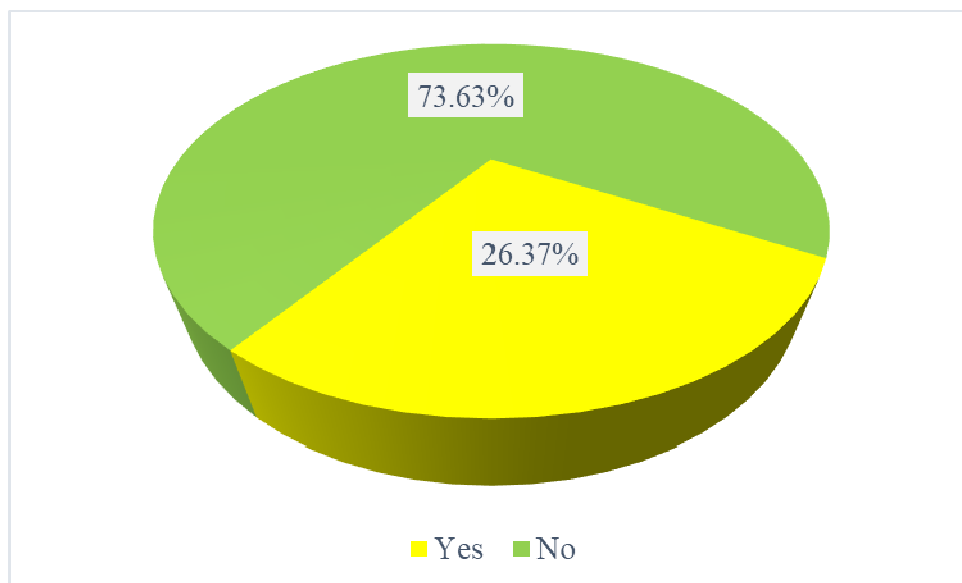


Figure 4: Whether Acquitted Remandees met released convicts

Source: Research Data, 2022.

Results in Figure 4 reveal that 73.65% (148) of the respondents had not met the friends that they were with in prison while 26.37% (53) indicated that they had met with the friends they were with in prison. This confirms the lack of desire to continue friendships established while in remand since such friendships were basically for convenience. As revealed in the study by McGloin and Piquero (2016) criminal peers can certainly incite crime by providing individuals with negative peer influences that make reintegration challenging. This explains why acquitted remandees would avoid friends that they made while still in custody.

The study sought to investigate from those respondents who had met their remand friends after release exactly what the nature of the contact was and the findings presented in Table 3.

Table 3: Nature of Contact between Acquitted remandees and released Convicts

Nature of contact	Frequency	Percentage (%)
Coincidental meeting	19	35.85
Planned meeting	34	64.15
Total	53	100.0

Source: Research Data, 2022.

Findings in Table 3 show that 35.85% (19) of the respondents had met released convicts by coincidence while 64.15% (34) had met released convicts through some planned arrangements. This points to the possibility that the contact between acquitted remandees and released convicts may be a recipe for learning criminal behaviour. This is particularly possible for planned meetings between these categories of individuals. This is based on findings in a survey by Walker (2016) which revealed that acquitted remandees and released convicts may meet in prison and further re-establish linkages after release from custody where negative learning for purposes of continuing with criminal activities may be the main motive.

Respondents were asked to state whether they learned from convicts any new tricks to avoid detection or arrest and the findings presented in Figure 5.

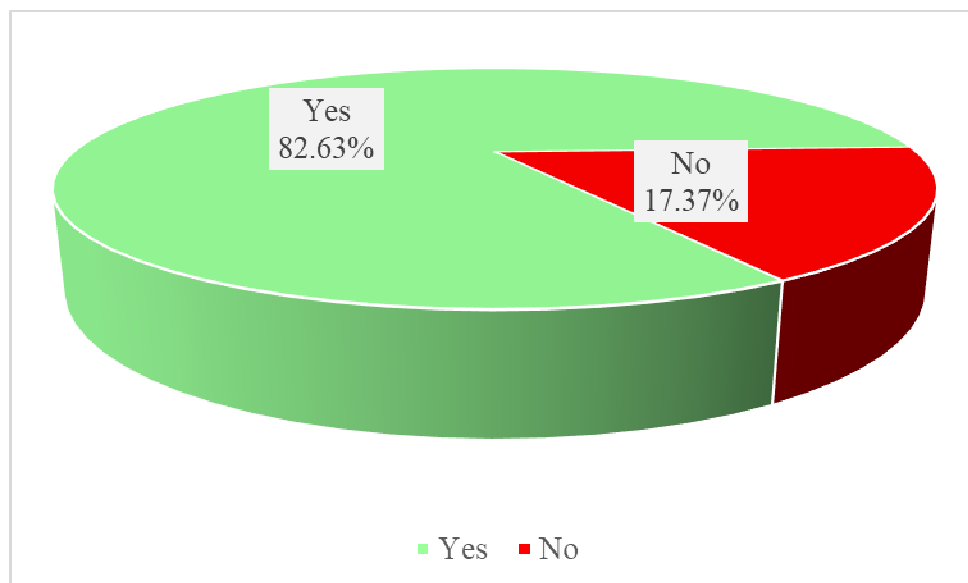


Figure 5: Learnt new tricks from convicts while in custody

Source: Research Data, 2022.

From findings in Figure 5, 82.63% (295) of the respondents indicated that they had learned some new tricks that would help them avoid detection or arrest while 17.37% (62) of the respondents had not learned any new tricks to avoid detection or arrest. This implies that most learning that results from the interaction of in-custody remandees and convicts is negative learning meant to perpetuate criminality after release from custody. This was suggested by Cesaroni and Pelvin (2016) in their study titled "consequences of custody for young offenders" where they alluded to the fact that offenders learn dangerous tricks that convert them into hard-core criminals when they get out of custody. It is also worth noting that not all learning in prison is negative learning as established by Gaetz and O'Grady (2019) who found that positive learning is also possible in prison, especially where remandees interact with prosocial models.

Respondents were asked to state the aspects of prison custody that necessitated the interaction between in-custody remandees and convicts.

It emerged from the responses that most interactions were during shared spaces like dining areas, toilets, bathrooms, and recreational spaces and this was stated by 92.16% (329) respondents. It was also revealed based on the study findings that 7.84% (38) of the respondents that interactions with convicts were as a result of sneaking into convicts' wards of residence for clandestine activities such as sexual interactions, access to illegal phones to make calls or try their luck in coning unsuspecting members of the public through mobile phones. This resonates with the many reports regarding financial loss made to people in prison through mobile phone fraud. This conforms to the findings of the study by Inyani (2021) that 53.64% of offenders had witnessed sexual violence in prison. Such exposure to homosexuality contributes to negative learning that makes reintegration difficult after release since coming back to the community with practices such as homosexuality may not be welcome by community members as revealed in the study by Brown, Spencer, and Deakin (2007).

Respondents were asked to state whether remandees and convicts interact while in prison and the findings are presented in Table 4.

Table 4: Interactions between In-custody Remandees and Convicts

Whether in-Custody remandees and convicts interacted	Frequency	Percentage (%)
Strongly Agree	94	26.33
Agree	217	60.78
Neutral	21	5.88
Disagree	15	4.20
Strongly Disagree	10	2.08
Total	357	100.0

Source: Research Data, 2022.

Findings in Table 4 show that 60.78% (217) of the respondents agreed that in-custody remandees and convicts interact while 26.33% (94) strongly agreed with this question. In addition, 5.88% (21) of the respondents remained neutral, 4.2% (15) respondents disagreed while 2.08% (10) of the respondents strongly disagreed with the question as to whether in-custody remandees and convicts interact. The general direction of most responses to these question support findings from studies that have looked at how interactions between remandees and convicts affect reintegration. For instance, research on the influence of criminal peers while in

custody on the reentry process is harmonious with much of the work examining the influence of peer deviance on individual behavior more broadly (Pratt, Cullen, Sellers, Winfrey, Madensen, Daigle, Fearn, & Gau, 2010).

That is, returning individuals who associated with hardcore criminals while still in prison remand, regardless of whether they are new or old associates, tend to experience much higher rates of recidivism than those who do not associate with criminal peers and end up failing at reintegration back to the community (Visher & Travis, 2019).

Respondents were asked to state whether they would recommend that in-custody remandees and convicts should not interact. This was meant to investigate the feeling of respondents towards remandee-convict interaction. Findings are presented in Table 5.

Table 5: Whether respondents would recommend that in-custody remandees and convicts should not interact while in prison

Whether in-Custody remandees and convicts should not interact	Frequency	Percentage (%)
Strongly Agree	41	11.48
Agree	137	38.38
Neutral	85	23.81
Disagree	42	11.76
Strongly Disagree	52	14.57
Total	357	100.0

Source: Research Data, 2022.

Results in Table 5 reveal that 38.38% (137) of the respondents agreed that there should be no interaction between in-custody remandees and convicts while 11.48% (41) strongly agreed. It was noted that there was a significant number of respondents (23.81%) who remained neutral on the question of whether in-custody remandees and convicts should interact.

Results also revealed that 14.57% (52) of the respondents strongly disagreed while 11.76% (42) agreed with the question of whether in-custody remandees should interact with convicts. The majority of the respondents were not in agreement that in-custody remandees and convicts should interact and this goes against most studies where remandees were asked to state whether they would prefer to have interactions with convicts. For instance, findings from studies that exist on the topic of remandee-convict interaction (Boman & Mowen, 2017) mirror trends in the broader literature that most remandees prefer to interact with convicts to gain privileges.

It is however worth noting that remandee-convict interactions result in higher rates of crime, substance use, and as a consequence recidivism, hence unsuccessful reintegration of remandees upon release from prison. However, a limited number of studies suggest that prison peers may not only be negative influences on persons in the reentry process but instead can also provide the much-needed support to returning remandees (Wheelock, & Jones, 2018). This happens when a remandee interacts with prisoners who have reformed and are of good character, more specifically, those prisoners that have reformed and become of good behaviour in Kenyan prisons. Respondents were asked to state whether the availability of adequate resources for remandees and convicts would minimize interactions between them and the findings presented in Table 6.

Table 6: Adequacy of resources would minimize in-custody remandee-convict interactions

Adequacy of resources and interactions between in-custody remandees and convicts	Frequency	Percentage (%)
Strongly Agree	80	22.41
Agree	168	47.06
Neutral	49	13.73
Disagree	23	6.44
Strongly Disagree	37	10.36
Total	357	100.0

Source: Research Data, 2022.

Results in Table 6 reveal that 47.06% (168) of the respondents agreed that the adequacy of resources in prison would minimize the interaction between in-custody remandees and convicts while 22.41% (80) strongly agreed with this question. It was found that 13.73% (49) of the respondents were neutral as to whether adequate resources would minimize remandee-convict interactions, 10.36% (37) of the respondents strongly disagreed while 6.44% (23) disagreed. This finding further validates the general position of most respondents in this study that convicts and remandees should not interact while in custody. The awareness of the majority of the respondents that adequacy of resources would minimize interactions between remandees and convicts suggests that most respondents wished that there were adequate resources allocated to the prison department to minimize remandee-convict interactions. Research applying differential association to examine the influence of remandee-convict interactions before remandee release tends to find that adequate resources allocated to correctional services solves the problem of negative outcomes of these interactions, particularly where interactions between

remandees and convicts are a result of shared resources in prison. Studies further find that the elimination of negative interactions between in-custody remandees and criminal peers enhances the chances of successful reentry of remandees after their release. A similar observation was made by Boman and Mowen (2017) that the association between remandees and convicts increased the odds of recidivism and decreased the successful reintegration of remandees after release from custody.

The study sought to investigate whether respondents who strongly agreed or agreed to have become friends with convicts while still in remand and learned new tricks from convicts to help them evade detection and/or arrest also strongly agreed or agreed to receive a hostile reception from family members and relatives at the point of return from remand, how easy it was to secure employment after release and whether they were labeled criminal by family and community members upon release from prison. Cross-tabulation was done and the findings are presented in Table 7.

Table 7: Remandee-convict interaction, reception, employment and labelling Cross-Tabulation

Interacted with convicts, learned new tricks to avoid detection or arrest	SA	A	N	D	SD
Received hostile reception	73 (24.91%)	129 (44.03%)	22 (7.51%)	35 (11.95%)	34 (11.6%)
Easy securing employment after returning	20 (6.83%)	36 (12.29%)	18 (6.14%)	151 (51.54%)	68 (23.21%)
Labelled criminal when you returned	94 (32.08%)	125 (42.66%)	29 (9.9%)	25 (8.53%)	20 (6.83%)

Source: Research Data, 2022.

Respondents who interacted with convicts while still in remand and learned new tricks that would help them avoid detection or arrest were asked if they received a hostile reception from family and community members upon return from remand and findings in Table 7 reveal that 44.03% (129) agreed and these were the majority, while 24.91% (73) strongly agreed that they received a hostile reception when they returned from remand. This shows that in-custody remandee-convict interactions negatively affected the reintegration of acquitted remandees when they returned to the community. As reinforced in the recommendations by Seiter and Kadela (2018) deliberate efforts need to be made to prevent contact between remandees and convicts in prison to enhance the chances of successful reintegration of remandees upon release. Such separation prevents the exchange of negative learning that encourages anti-social behaviour among released remandees when they get back to the community.

Respondents who interacted with convicts while still in remand and learned new tricks that would help them avoid detection or arrest were also asked to state how easy it was to secure employment after returning from remand findings show that 51.54% (151) of the respondents disagreed and these were the majority followed by 23.21% (68) who strongly disagreed. This shows that acquitted remandees who interacted with convicts while still in remand and learned new tricks that would help them avoid detection or arrest found it difficult to secure employment after release from remand. This finding resonates well with empirical studies such as that of McKinnon and Grubin (2020) and Myers (2019) that habits learned while in prison tend to persist long after release and are the leading contributors to reintegration difficulties among individuals released from prison.

Further, respondents who interacted with convicts while still on remand and learned new tricks that would help them avoid detection or arrest were asked to state whether they were labeled a criminal by family or community members after release from remand findings in Table 7 reveal that 42.66% (125) of the respondents agreed while 32.08% (94) of the respondents strongly agreed. This shows that majority of the respondents who interacted with convicts while still in remand and learned new tricks that would help them avoid detection or arrest were labeled criminals by members of their families and communities when they returned home from remand. Aloision and Lafleur (2020) conducted a study in which they interrogated the nexus between labeling and reintegration and findings established that individuals released from custody who are labeled as criminals face challenges in reintegration as they are not adequately assisted by community members to secure employment or other useful referrals that would make their lives better in the community.

Another cross-tabulation was done for respondents who had indicated that they did not interact with convicts while in remand and did not learn new tricks that would help them evade detection and/or arrest. This cross-tabulation was done concerning how acquitted remandees were received back home after release from custody, how easy it was for them to secure employment and whether or not they were labeled criminals by community members upon return from remand. Findings are presented in Table 8.

Table 8: Did not interact with convicts, reception, employment and labelling Cross-Tabulation

Did not interact with convicts, did not learn new tricks to avoid detection or arrest	SA	A	N	D	SD
Received hostile reception	08 (12.9%)	11 (17.74%)	9 (14.52%)	21 (33.87%)	13 (20.97%)
Easy securing employment after returning	12 (19.35%)	19 (30.65%)	10 (16.13%)	11 (17.74%)	10 (16.13%)
Labelled criminal when you returned	10 (16.13%)	12 (19.35%)	7 (11.29%)	18 (29.03%)	15 (24.19%)

Source: Research Data, 2022.

Respondents who did not interact with convicts while still on remand and who did not learn new tricks that would help them avoid detection or arrest were asked if they received a hostile reception from family and community members upon return from remand and findings in Table 8 reveal that 33.87% (21) disagreed and these were the majority, while 20.97% (13) strongly disagreed to the question whether they received a hostile reception when they returned from remand. This meant that remandees who did not have in-custody remandee – convict interactions did not receive difficulty during their reintegration back into the community upon release. Respondents who indicated that they did not interact with convicts while still in remand and did not learn new tricks that would help them avoid detection or arrest were also asked to state how easy it was to secure employment after returning from remand findings show that 30.65% (19) of the respondents agreed and these were the majority followed by 19.35% (12) who strongly agreed. This shows that acquitted remandees who did not interact with convicts while still in prison and who did not learn new tricks that would help them avoid detection or arrest did not find it difficult in securing employment after release from remand.

McGloin and Piquero (2016) found in their study that remandees who remain of good behaviour while in prison and avoid negative peer influence tend to reintegrate more successfully. Other studies have however found different results for lack of negative learning and reintegration. For instance, research by Schonteich (2014) revealed that individuals who did not get exposed to negative learning while in custody may fail to reintegrate successfully in the absence of adequate support structures at the family and community level.

In addition, respondents who did not interact with convicts while still on remand and did not learn new tricks that would help them avoid detection or arrest were asked to state whether they were labeled criminal by family or community members after release from remand. Findings in Table 8 reveal that 29.03% (18) of the respondents disagreed while 24.19% (15) of the respondents strongly disagreed. This implies that majority of the respondents who did not interact with convicts while still in remand and did not learn new tricks that would help them avoid detection or arrest had more successful reintegration as they were not labeled criminals by members of their families and communities when they returned back home from remand. Empirical evidence shows that labeling has been used as predictors of reintegration success or otherwise in studies on resettlement and reintegration of people released from custody. Findings have shown that released individuals who are labeled after release from custody face challenges when re-entering the community and some may be forced into crime by trying to actualize the criminal label (Freeman & Seymour, 2020; Gaetz, 2018).

Findings on cross-tabulation between in-custody remandee–convict interaction and reintegration of acquitted remandees pointed towards the need to test for and establish whether a relationship exists between in-custody remandee–convict interaction and reintegration of acquitted remandees. Consequently, research data on in-custody remandee–convict interaction and data on the reintegration of acquitted remandees were subjected to Pearson Product Moment Correlation Coefficient.

Pearson Product Moment Correlation Coefficient was the ideal test statistic since cross-tabulations suggested linearity in the data between offense type and reintegration, there were no extreme scores (outliers) and cross-tabulation suggested that in-custody remandee–convict interaction and reintegration were related pairs. Findings are presented in Table 9.

Table 9: Pearson Product Moment Correlation Coefficient for in-custody remandee-convict interaction and reintegration of acquitted remandees (n=357)

In-custody Convict Interaction	Remandee-Pearson Correlation	In-custody Remandee-Convict Interaction	
			Reintegration
		1	
	Sig. (2-tailed)		
	N	357	
Reintegration	Pearson Correlation	.683**	1
	Sig. (2-tailed)	.000	
	N	357	357

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

Source: Research Data, 2022.

Results in Table 9 for the correlation between in-custody remandee-convict interaction and reintegration revealed a statistically significant relationship ($r=0.683$; $P<0.05$). This showed that in-custody remandees who interacted with convicts experienced difficulty during reintegration as compared to respondents who had not interacted with convicts. Acceptance by family and friends, ease of finding employment after release from custody, and labeling have been used as predictors of reintegration outcomes in many studies on resettlement and reintegration of released remandees (Freeman & Seymour, 2020; Gaetz, 2018 & Comfort, 2012). Findings from this study were compared with findings from previous empirical studies on the role of remandee-convict interaction on reintegration with mixed results.

Research by Seiter and Kadela (2018) recommended that developing a better understanding of the factors that relate to successful reentry policies and practices remains a top priority among criminologists and correctional managers. A study by Bales and Mears (2018) suggested that reentry research has developed a strong foundation, and it is relatively well understood that factors like interactions between remandees and convicted offenders play an important role in the reentry and reintegration process.

Research by McGloin and Piquero (2016) found that while criminal peers can certainly incite crime by providing individuals with negative peer influences and some convicts can also provide the much-needed support by helping remandees to get back home changed people without any negative prison experiences that would otherwise hinder their smooth reentry and reintegration.

Since Pearson Product Moment Correlation Coefficient revealed the presence of a relationship between in-custody remandee-convict interaction and reintegration of acquitted remandees in Kakamega County, it was necessary to establish how much variation in reintegration was brought about by in-custody remandee-convict interaction. Consequently, linear regression analysis was conducted between in-custody remandee-convict interaction and reintegration of acquitted remandees in Kakamega County.

Linear regression was the ideal test statistic since data for this study was normally distributed, there was a uniform distribution of the error term across the independent variables (homoscedasticity) the research data was quantitative in nature, and cross-tabulations revealed a pattern of linearity in the association between in-custody remandee – convict interaction and reintegration of acquitted remandees in Kakamega County. Findings are presented in Table 10.

Table 10: Linear regression model for in-custody remandee-convict interaction and reintegration of acquitted remandees (n=357)

Model	R	R Square	Adjusted Square	R Std. Error of the Estimate	Durbin-Watson
1	.382 ^a	.317	.308	.59516	1.787

a. Predictors: (Constant) In-Custody Remandee-Convict Interaction

b. Dependent Variable: Reintegration of Acquitted Remandees

Source: Research Data, 2022.

Research findings in Table 10 for linear regression between in-custody remandee-convict interaction and reintegration of acquitted remandees revealed a coefficient of determination (R^2) of 0.317 which implied that 31.7% of the variance in the reintegration of acquitted remandees in Kakamega County was a result of in-custody remandee-convict interaction. The findings of this study were compared with findings from other studies relating to remandee-convict interaction and reintegration. Research by Schonteich (2014) looked into how social interactions between remandees and convicted prisoners influenced reintegration among acquitted remandees. The study found that the influence of criminal peers may be negative or positive. However, reviewed literature on hard-core criminals indicated that they negatively influence newly remanded suspects and induct them into criminality which could potentially lead to a negative influence on their reintegration after release (Human Rights Watch, 2017). Social learning theory as applied to this study and as proposed by Akers is centered on the idea that the same learning process in a context of social structure, interaction, and situation could produce conforming and sometimes deviant behavior. The difference lies in the direction of the balance of

influences on the behavior between remandees and convicts (Akers & Sellers, 2013). Where the balance of influence is greater from convicts, it follows that remandees will acquire negative behaviour that would make their reintegration difficult upon release from prison.

Interviews with correctional officers (5 prison officers and 4 probation officers) revealed that remandees and convicts interact regularly while in custody. When asked to state the circumstances under which interactions between remandees and convicts happen, a prison officer had this to say:

Interactions between remandees and convicts are a daily occurrence here in prison and they happen mostly during entertainment, sports activities, during eating time since food is served in the same serving point for both remandees and convicts, in dispensaries when seeking medication while sick and also during access to sanitary facilities (Field data, 2022).

This statement expressed the reality of life in prison and confirms that indeed in-custody remandees and convicts meet and interact. Of curiosity to the researcher was why they meet and what they did when such meetings occurred. Findings from interviews with prison officers indicated that remandees and prisoners meet for various reasons including general social interactions, especially for remandees and prisoners who knew each other prior to their arrest. It also emerged from interviews with prison officers that some remandees and convicts interact in hatching criminal activities that involve coning members of the public through use of mobile phone technology such as tricking members of the public to send them money fraudulently. This raises fundamental concerns as to how mobile phones get their way into prisons given that remandees and convicts are not supposed to be in possession of mobile phones.

A probation officer said this when asked about remandee-convict interactions:

Whenever we go to prisons to interview offenders for presentence reports or remandees for bail assessment reports, we always find remandees and convicts together basking in the sun, playing football or attending church services. Such interactions have negative implications for the successful reintegration of remandees owing to the negative learning that occurs during such in-custody interactions (Field data, 2022).

Probations officers were of the view that interactions between remandees and convicts make reintegration of remandees back to the community after release from prison unsuccessful due to negative learning that is passed on from convicts to remandees. Remandees, especially those who have been arrested for the first time are usually naïve and want to learn and explore, and may end up in the hands of hardcore criminals who pass on criminal tactics that convert remandees into hard core criminals and potential recidivists.

The common position by 6 of the 9 correctional officers was that remandee-convict interactions result in the exchange of negative learning and that such negative learning makes reintegration of released remandees difficult.

A prison officer had this to say about negative learning when remandees and convicts interact:

Interaction between remandees and convicts are unavoidable in the current prison arrangement given that the prison service lacks adequate resources to completely separate remandees from convicts. Interactions between remandees and convicts result into harassment of new remandees by convicts, bullying and physical confrontations. This results into negative experiences for remandees that make their reintegration challenging upon release from prison. Interactions between convicts and remandees are in some cases unavoidable since most remandees wish to be assisted by convicts to access privileges such as adequate food ratio and access to illegal phones to contact their friends and relatives back home (Field data, 2022).

This finding reflects negative learning when interactions between remandees and convicts happen and the development of antisocial behaviour by remandees that makes their reintegration difficult upon release from Prison. Remandees return back to the community after having experienced difficult circumstances in prison and having completely different outlook towards life out of confinement. This brings about cultural differences between remandees and the general community population that results into resentment, rejection and sometimes conflict as explained by Mowen and Visser (2020).

Another prison officer said:

Interactions between remandees and convicts result into negative learning for both remandees and convicts and slowly turn remandees into hardcore criminals and into jail birds. Remandees returning back to the community after release from prison carry their learned bad habits back into the community that result into negative perceptions and labeling by community members and unsuccessful reintegration (Field data, 2022).

This is a clear indication that most interactions between remandees and convicts result into negative

learning by remandees and that such negative learning introduces antisocial behaviour in remandees whom upon release, get rejected, labeled and stigmatized by community members in a manner that makes it difficult for them to reenter, resettle and reintegrate successfully into the community. In an attempt to expand reentry research on the role of remandee-convict interactions on reintegration, whereas some studies have revealed that there may be some positive interactions between remandees and convicts in prison that may lead to successful reintegration (Martinez, 2018) two recent studies show that most offender-remandee interactions are related to unsuccessful reintegration that leads to increased recidivism and substance use among releasees (Mowen & Visher, 2020) and diminished mental health (Wallace et al., 2016).

As to whether the interaction between remandees and convicts may in some instances result in positive learning, the majority of correctional officers were of the view that positive learning is rare in such interactions. A probation officer had this to say:

Most learning that results from interactions between remandees and convicts is negative learning that more often than not results into failed attempts at reintegration upon release back into the community. The only remandees that exhibit signs of positive learning are those that got the opportunity to closely interact with prosocial convicts who encouraged good behaviour as a means to safe reentry back into the community (Field data, 2022).

This implies that even though positive learning is rare in prison, there are situations that results in positive learning when remandees and convicts interact in prison. It also came out that negative learning results into unsuccessful reintegration while positive learning results into successful reintegration. Findings of this study resonate with findings from a study by Boman and Mowen (2017) applying differential association to examine the influence of remandee-convict interactions before remandee release found negative outcomes when remandees themselves exhibited pro-criminal dispositions. These may include negative interactions with criminal peers before remand release and its influence during reentry. That association with criminal peers tends to increase the odds of recidivism and successful reintegration. Differential association, however, also suggests that association with reformed offenders before release may lead to desistance from crime and successful reintegration as demonstrated in the study by Mowen and Visher (2020). In an attempt to expand reentry research on the impact of remandee-offender interactions on reintegration, whereas studies demonstrate that there may be some positive interaction in the remand that may facilitate positive reentry outcomes (e.g., Martinez, 2018) two recent studies show that most offender-remandee interactions are independently related to negative reentry outcomes, including increased recidivism and substance use (Mowen & Visher, 2020) and diminished mental health outcomes (Wallace et al., 2016).

A Focus Group Discussion conducted with 8 community members on 3rd May 2022 revealed that community members have in many instances noticed negative change in behaviour when they compare behaviour of acquitted remandees prior to arrested and after release from remand. It was noted by 7 out of 8 community members that the negative behaviour resulting from a period of remand confinement was a result of negative learning due to interactions between remandees and convicts.

A priest had this to say:

Most of the people returning from prison back to the community tend to display negative behaviour that they learned while in prison. They tend to be violent, arrogant and keep company of known criminals in the area and this makes community members scared of the likelihood of increased crime in the community (Field data, 2022).

This finding reveals that community members are alive to the potential negative learning that results from interactions between remandees and convicts while still in prison.

When asked whether negative behaviour exhibited by acquitted remandees make it difficult for them to reintegrate successfully upon release from remand, community members were of the view that negative behaviour was the main reason why community members reject people returning from prison and that any exhibition of negative behaviour is not taken lightly by community members and this position was shared by 6 of the 8 community member.

One *Nyumba Kumi* chairman had this to say:

As we welcome acquitted remandees back home, we are always aware as a community that they could have been exposed to negative learning while in remand that they may want to come and demonstrate in the community or pass on to law abiding citizens. We are always vigilant, watchful and ready to flag out any unwanted behaviour before it becomes a problem to the entire community (Filed data, 2022).

This finding underscores the level of alertness with which the community members deal with people returning from custodial confinement and the extent to which the community is cognizant of potential negative

learning in prison. It may also be interpreted to mean negative attitude by community members towards people returning from prison. It is also clear that community members are keen on protecting the rest of the community from negative learning by ensuring that community members are adequately sensitized through chiefs and assistant chiefs Barazas about people returning from remand and the potential negative effects of closely interacting with them. As established in the study by Quirouette (2019) negative learning arising from stay in prison, however short, results in many cases of rejection of returning individuals by community members. It was further revealed in the study that negative learning in prison was a leading cause of observable increase offending and negative peer pressure among the youth.

1.8 Conclusion

The objective of the study was to ascertain the effect of in-custody released remandee-convict interactions on the reintegration of acquitted remandees in Kakamega County. Results from the correlation between in-custody released remandee-convict interaction and reintegration revealed a statistically significant relationship. Linear regression between in-custody released remandee-convict interaction and reintegration of acquitted remandees revealed a statistically significant influence of in-custody released remandee - convict interaction reintegration of acquitted remandees in Kakamega County. In line with the findings of the study's second objective, it is concluded that in-custody released remandee-convict interactions significantly influenced the reintegration of acquitted remandees in Kakamega County.

1.9 Recommendation

A recommendation is made that deliberate efforts be made to minimize if not eliminate in-custody remandee-convict interactions. This can be achieved through adequate funding by the state department for correctional services to build separate facilities for released remandees and convicts.

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