

Criminal Recidivism: A Qualitative Study

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ABSTRACT

Criminal recidivism rates are high across the world (50 percent), but only three percent in India, which is low when compared to other countries; however, recidivism remains a problem. Convicts do not like going back to jail after being caught and imprisoned many times. In this light, it is necessary to investigate what factors can lead to a person's re-conviction of a crime. The current research untangles the subjective feelings of stigma and prejudice, as well as social and materialistic encouragement, to discover the predictors of criminal recidivism. A purposive sampling approach was used to pick 18 reconvicted people for the study. Semi-structured interviews were used to collect data. Stigma and injustice, according to the report, serve as an intangible sanction that leads to criminal recidivism. The inability to live a life with social and material support is a risk factor that must be addressed through adequate education and job opportunities.

Keywords: *Criminal Recidivism, Discrimination, Materialistic Aid, Social Support, Stigma*

Crime recidivism, also known as re-conviction, is a current concern, particularly in the context of the criminal justice system. It is a global trend; in India, the rate is relatively low, but Kerala has a high conviction rate, followed by re-conviction. Reintegration of released prisoners into society after they have been released from jail is a major problem for virtually all communities around the world, and it breeds the recidivism epidemic (Wartna and Nijssen, 2006). Recidivism is described as a person repeating an undesirable behaviour after either experiencing a negative effect of that behaviour or being trained or handled to stop it. Researches were conducted on same and that they have analysed possible predictors of offenders' recidivism which includes for example, static and dynamic factors age (first arrest), criminal versatility, drug abuse, time spent under prison custody, previous arrest and convictions, individual race, being young, gender of the offender as a predictor, communication approach, Subjective and social approach, educational attainment and peer influence and moral development among others. According to a report published in 2011, harsh prison conditions, such as isolation, appear to increase recidivism, but none of the findings were statistically significant. Various scholars have noted that prisoners' civil rights are revoked and they are reluctantly absorbed into families, further increasing their alienation and isolation. Other factors that contribute to recidivism include the difficulty that recently released prisoners have finding work, renting an

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apartment, or obtaining an education. Owners of businesses will often refuse or be reluctant to appoint a convicted criminal, particularly when filling any role that requires even minor responsibility or the handling of cash, especially for those convicted of thievery. People with criminal records say it's difficult or impossible to find educational opportunities, and they're often refused financial aid because of their records. The rise in recidivism can also be attributed to a lack of economic security after a prisoner is released from prison. Convicts can't gain society's confidence, and the government doesn't provide any special programmes to help them get back on their feet. According to most criminological theories, jobs, especially high-quality employment, may help people prevent reoffending (Larrauri and Jacobs, 2013). According to recent research in Spain, having a criminal record is linked to lower earnings and work insecurity.

From a criminological standpoint, the stigma of criminal records has been proposed to be an obstacle to reintegration, resulting in a vicious cycle of work insecurity, delinquency, contact with the criminal justice system, and more unstable jobs (Western, 2002). Furthermore, stigmatisation can have an impact not only on the person, but also on their family and community. Stigma and discrimination are main focus of social psychologist Goffman's ground-breaking novel, *Stigma and Discrimination*, published in 1963, sparked a discussion about the nature of stigma and discrimination. Physical disfigurement and disabilities, mental state, homelessness, homosexuality and gender nonconformity, delinquency, and other problems relating to non-normal and non-normative interactions or behaviour were all investigated by Goffman from a variety of disciplinary viewpoints. According to studies, even the sense of stigma may distort one's identity, leading to re-conviction. Education, work, and social support were found to be important protective factors. A study on education and recidivism was conducted in Maryland, Minnesota, and Ohio. The study discovered that when released prisoners took educational courses while still in jail, they had lower rates of recidivism and higher rates of jobs.

In a variety of criminological theories, such as alleviating stress or strengthening social ties, social support functions as a mediating or moderating variable with crime, but it is almost always seen as having an opposite relationship with crime (Cullen, 1994). Cullen (1994) proposed social support as a guiding principle for researching crime, defining the types of support required and who should provide it. Social support is defined as “perceived or actual instrumental or expressive provisions supplied by the community, social networks, and confiding partners”. Instrumental support refers to material and financial aid such as providing money or transportation, while expressive support refers to emotional and psychological support that boosts a person's self-esteem or provides a way to cope with difficult life circumstances (Lin, 1986). Many alternative actors have been described as social supports, including relatives, intimate partners, and friends. Friends and family can help to increase informal group action and reduce the negative effects of chronic stressors, such as those associated with re-entry (e.g., financial problems, housing issues, and substance abuse) because they'll provide tangible resources or emotional coping (Berg & Huebner, 2011). This could be particularly salient for people coming back from prison who may not have the physical or emotional resources to deal with the challenges they face. The current re-entry strategy views the working relationship with the Probation and Parole Officer as a key correctional activity that reduces recidivism, with one of the mechanisms being encouragement for meeting goals, maintaining sobriety, and staying crime-free (Bonta et al., 2008).

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Since cognitive interpretations influence affective states and should mitigate negative behavioural responses more than the target nature of the help obtained, perception of support is critical. Help can be positive, negative, or both, depending on the individual's perspective. Family support is essential for effective reintegration, and parents are the most likely to provide it. According to studies, 63 percent of participants in their study cited family support as the most important factor in preventing re-incarceration.

Over the last two decades, there has been a worldwide increase in the rate of recidivism. Different countries, especially Spain, suggest research ideas on both predictive and protective factors. In a recent study in Kerala, it was discovered that the bulk of the study population had been reconvicted, putting the study on hold. The most widely debated statistical rate should be followed up on when taking into account various dimensions. The causes of such criminal behaviour, as well as the factors that could lead to a person's re-conviction of a criminal offence, must be investigated. The predictive or risk factors for recidivism can be described using psychosocial perspectives. The research also introduces the idea of protective factors. Both these outputs should be clubbed together for betterment of the society in terms of decrease in recidivism.

METHODOLOGY

The study aims at exploring predictive factors of criminal recidivism. 18 people from district jail, Ernakulam with reconviction history were selected using purposive sampling method. It was a qualitative study and data was collected using interview. Offenders under different IPC section were included. Reconvicted ones were included in the study, while Sabarimala cases were excluded. The concern letters and permission from jail was collected beforehand and then reconvicts were interviewed in the presence of a welfare officer. The offenders were called one after, the first phase covers queries related to socio-demographic details and answers were recorded. A semi-structured interview was conducted with open space of communication. Majority of them cooperated with the study while a few showed disagreements. To determine the predictors of criminal recidivism, their subjective feeling of stigma and discrimination are marked along with obtained social support and materialistic support. The data gathered was interpreted with phenomenological focus and then percentage analysis was done.

RESULT AND DISCUSSION

The present study highlights some of the shared items between reconvicted ones to uncoil the predictive and risk factors of criminal recidivism. Semi-structured interview method was used and the data collected was analysed based on the subjective experience, which includes both stigma and discrimination. The aids for path change is also analysed by considering both social as well as materialistic support. In the initial phase the socio demographic data was collected and analysed to figure out any sort of consistent slope associated with criminal recidivism.

Table No. 1 Demographic details including IPC section, age, educational status, marital status.

SL. NO	IPS SEC	AGE	EDUCATIONAL STATUS	MARITAL STATUS
1	454, 461, 380	36	10 class	Married
2	4 CASE, 457,380,461	39	9 class	Married
3	118(A) KP ACT	52	5 class	Separated
4	4 CASE, 457,380 IPC	57	3 class	Married

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SL. NO	IPS SEC	AGE	EDUCATIONAL STATUS	MARITAL STATUS
5	354,354(A) &7, 8 OF POSCO ACT.	47	5 class	Married
6	341,323,308,294(B) IPC	48	4 class	Unmarried
7	2 CASES, 379 ,447 IPC	41	8 class	Separated
8	118	28	8 class	Unmarried
9	6 CASES, 379,323,324,308,332,34	21	10 class	Unmarried
10	327,341,324 IPC	30	10 class	Unmarried
11	3 CASES,22(B),NDPS ACT, PDPP ACT	33	7 class	Unmarried
12	10 CASES, 20(B),II OF NDPS, 451,323,324,365 IPC	32	9 class	Married
13	4CASES, 279 IPC	34	10 class	Married
14	3CASES, 420 IPC	32	P.G.	Married
15	8 CASES, 379	27	12 class	Married
16	143,144,148,149 IPC,27(2) ARMS ACT	25	12 class	Unmarried
17	294(B),506(1), 323,324,308 IPC	37	5 class	Unmarried
18	379,307	61	10	Unmarried

The demographic data lists IPC section, age group, educational qualification and marital status of the reconvicts. Researches points out that people falling under young adulthood are more susceptible for committing crimes. A snapshot on recent violent crime in America focuses on homicide, sexual assault and robbery, so as is the present data.

According to global youth justice records, the top 25 cases in history have mainly involved young people under the age of 25. According to a comparison study of crime between 1993 and 1998 with early 20-year-olds, "today's young generation is the worst ever." When it comes to criminal recidivism, young and middle adulthood have similar numbers, and the proportion of young and middle adulthood in the survey matches the overall findings. It should be noted that even young adults are more prone to reconviction, implying that a short period of time brings them back with severe crimes, which can be due to a lack of quality and efficacy of prior penalties, which can be clarified in terms of a weakened punishment strategy. When compared to other extraneous stimuli, the intensity of the aversive stimulus received during a sentence may be lower.

Here, most of the convicts were school dropouts. In most cases, a lack of education will indicate a potential risk of juvenile crime and insecurity. Juvenile crimes, according to studies, have something to say about the role of education in re-convictions. Theft-related offences are more widely reported among children, and it is clear that the majority of the children come from low-income families. This is also true for the adult population. The findings suggest that in most situations, these people will be unable to find a decent job that will provide them with economic security in the future. Training has been shown to minimise recidivism rates, enhance cognitive abilities and job skills, and enable people to continue their education after they are released. Maryland, Minnesota and Ohio were involved in a research related to education and recidivism. The study found that when the participant group of released offenders took educational classes while in prison, they had lower rates of recidivism and also higher rates of employment. Furthermore, the higher their level of education, the less likely they are to be re-convicted. Education reduces recidivism rates, lowering prison costs and that the amount of people who commit crimes in the

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community. As a result, education may be considered a preventive factor, which has a significant impact on minimising juvenile criminal recidivism.

Table No. 2 Number of participants reported with sense of stigma and discrimination

Report	Percentage
Stigma	61.11%(11)
Discrimination	66.67%(12)

The data clearly indicates that culprits experiences stigma and discrimination after being released from the prison. About 61.11% experiences stigma while 66.67% reports discrimination from the society. Stigmatising can cause stress and social isolation for the family of offenders, thus convicts are often discriminated by their own family even if they are willing to change. They get fired from their jobs, not even invited to functions and are forced to remain away from their family environment. In other words, they remain the primary suspect in every crime scene and are not provided with a space to change i.e., societal behaviour makes the convicts attempt a crime again. When a person has committed a deviant act, they'll be stigmatised and bring to a halt from 'participation in conventional groups'.

As a consequence, deviant behaviour is more a function of how society treats the individual than of the individual's specific characteristics. Thus, according to interactionist's labelling theory, an offender's deviant behaviour is caused by the social stigma, not by his or her own characteristics. Becker attributes the emergence of deviant behaviour to the individual's exposure to stigma, which results in the individual's inability to live a "normal" life. The person is often labelled as a "outsider." When this happens, the individual internalises the idea that he or she is a deviant. This will cause the person to behave in a different manner in order to maintain society's stigma towards him, resulting in secondary deviance. As a consequence, secondary deviance does more harm than good because it just leads to re-offending. The person is distinguished from those who are thought to be 'normal. "Tagging, distinguishing, marking, segregating, explaining, stressing, making aware and self-conscious" is how 'Tannenbaum' (1938) defines this process. This erroneous mark that stigma can affix to a person leads to that person's social exclusion. This does more harm than good because the perpetrator will now interact with other deviants, potentially leading to more deviance (Lermert, 1967).

Stigmatizing criminals can lead to a loss of self-esteem, as explained by symbolic interactionism. According to the symbolic interactionist viewpoint, criminals' shame affects their self-perception, which in turn affects their potential behaviour (Blumer, 1969), causing more harm than good. As a result, an individual's self-concept is shaped by their perception of how they are viewed. In the case of criminals, their self-perception and esteem are therefore dependent on what society says about them. As a result, an offender's self-esteem will suffer and what is reflected on them is more likely to be negative. This reflects society's negative perception of offenders, which may lower their self-esteem, and a lack of self-esteem will make it difficult for them to move on from their mistakes. Stigma may have little effect on ex-convicts who have already been stigmatised, according to research, and may even encourage them to commit more crimes (funk, 2004). The stigma that families of prisoners face is much greater because they come from places that are "disproportionately

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victimised by violence." Children of criminals are subjected to secondary stigma, which is based on the idea of "contamination," and this stigma can be long-lasting and serious.

Table No. 3 Life-aid support

Materialistic support	Percentage
Economically stable	16.67%(3)
Owens property (house)	77.78%(14)
Secured or high profile jobs	5.56% (1)
Education	5.56% (1)
Above poverty line	33.33%(6)
Support from friends	33.33%(6)
Support from family	27.78% (5)

Materialistic support includes wealth and material possessions for living. From the details, it can be seen that approximately 78 percent of the population owns property. Within this light, it is also noted that only 16.67 percent of the sample is economically stable. Since majority of the sample have lost their job, only 5.56 percent of the sample can expect a well secure job after being released from the jail. The upward trend in recidivism could be due to lack of economic safety after the convicts are being released from jail. Only 27.78% of the sample got support from their family and 33.33% from their peers.

Individuals are often encouraged to commit criminal acts in one of two ways. External rewards or penalties may also be used to motivate them. This is why they are praised for good work and in the criminal justice system. Criminal behaviour is motivated by a variety of factors. Crime rates in poverty-stricken areas are typically higher, as an example, people might resort to drastic measures once they believe they don't have the financial resources to survive. According to studies on recidivism, ex-offenders who have found work since being released from jail have lower rates of recidivism. According to one report, African Americans are more likely to re-offend because job prospects are limited in their communities; many people enter the prison system with a high school diploma or less. Ex-inmates with a lack of education have inadequate skills, low wages, and difficulty finding a stable career long when they are incarcerated. If an ex-offender serves a lengthy jail term, he or she forfeits the opportunity to gain work experience or network with future employers. As a result, employers and job placement companies have come to assume that ex-offenders are unable to maintain jobs. Furthermore, some employers are hesitant to hire ex-offenders because of their criminal records. Other factors that drive criminal behaviour include vengeance, the thrill of committing a crime, a mental state, or an addiction. People, according to Maslow, must first have their basic needs met before moving on to higher level needs. Individuals would fail to fully unleash the most productive elements of their job success unless they can obtain essential necessities such as food, medical assistance, rent, and so on, according to the theories. People can feel safe only when their jobs begin to pay them well enough for them to take care of the basic necessities of life.

CONCLUSION

Recidivism is still a problem in our culture, owing to the fact that there is no visible punishment. This explains the high rate of crime among young adults, followed by recidivism in middle adulthood. Despite the fact that our legal systems are working to improve this situation, the likelihood of re-conviction is high because the open period of transition and acceptance is being challenged at every stage. A danger is a lack of schooling, which is accompanied by an inability to obtain a high-profile or secure employment, as well as unstable economic conditions. To change this, social support must be ensured, and prejudice and unfavourable workplace behaviour, as well as stigmatisation and an unwillingness to acknowledge, must be addressed.

A new plan should be established to integrate them into the legal system, educate them, and provide them with a place to counsel. Provide constructive stimuli to these individuals and then obey legal processes such that their aversion persists and their behaviour changes. By concentrating more on family support and marital status, the current research can be repeated. The severity of discrimination can be quantified, or several samples can be combined based on age or gender significance.

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Conflict of Interest

The author(s) declared no conflict of interest.

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