

## Beyond the Gates: A Study Analysis of Reintegration Programs and Recidivism Rates

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### Abstract:

Recidivism remains a pervasive global challenge, impacting both developing and developed nations. India's claim on recidivism is approximately 4-6 %, which seems relatively low comparatively, but there are reasons behind, one being that India has a low conviction rate. There's no one single factor strictly responsible for recidivism. Theoretically speaking, it can be the effect of labelling, social learning, or a rational choice. We can't push the responsibility solely on one factor. The study posits a crucial link between the design and implementation of in-custody reintegration programs and subsequent recidivism rates.

The study also analyses the efficacy of existing welfare programs. Furthermore, it undertakes a comparative analysis of different criminal justice approaches to managing recidivism, identifying and integrating best practices.

**Keywords:** Recidivism, Reintegration, Criminal Justice System

### INTRODUCTION:

Recidivism, despite being one of the most fundamental concepts in the criminal justice system, remains unfamiliar. The basic way to define it is "relapse of an offender into criminal behavior". Why do people commit crimes itself is a complex question, where each criminologist, psychologist, sociologist, and criminal justice system member keeps on trying to get the answer. This complexity doubles when someone breaks the law after being arrested and released. Repeating a mistake made before is common, but repeating the entire process of the Criminal Justice system is tiring and unusual. Why would anyone go back to the barracks after going through the punitive rehearsal and being treated? Consequently, the idea of "recidivism" is at the center of these complicated overlapping concerns. However, the utter defamiliarization is due to a lack of appropriate research, the absence of a recognized definition, and to shortage of data and awareness among the people.

Recidivism is not just India's problem, but an issue for many other nations. According to the National Institute of Justice (NIJ), 2/3<sup>rd</sup> of the prisoners is re-arrested within a 3-year time span. (Recidivism | National Institute of Justice, no date). Compared to global figures, India's recidivism rate appears relatively small, approximately 4-8%. But we can't just rely on these statistics, which do not adequately reflect the complexity of reoffending behaviors. More than half of inmates admitted to state and federal prisons and reformatories have been found to be recidivists according to American records. (Paranjape, 2021, p.717). Looking back into our nation, Kerala has the highest conviction rate, followed by reconviction. 'The recidivism rate in a country indicates the efficiency of the criminal justice system of that country'. One measures the recidivism rate quite differently. In the USA, according to the US Department of

Justice, recidivism is measured as any criminal act that, within three years of the inmate's release, results in re-arrest, reconviction, or reincarceration, regardless of a new sentence.

### **DEFINITIONS:**

Although recidivism is defined differently in different parts of the world, there is no universally accepted definition. Various nations have different meanings, and each has a time frame after reoffending is classified as recidivism.

The word recidivism comes from the Latin word “recidivus”, which means “recurring”. It's derived from re, meaning again, and cadre, meaning to fall. The National Crime Records Bureau (NCRB) of India defines recidivism as the tendency of criminals to re-offend after being punished. According to Merriam-Webster, “It is a tendency to relapse into a previous condition or mode of behavior”. The National Institute of Justice (2019) defines recidivism as a person's continued criminal behavior after receiving some sanctions or undergoing intervention for a previous crime. It connotes persistent indulgence in crime.

Socio-legal definitions say it is the habit of criminals to relapse into crime again and again. From the definitions, we can say that recidivism, at its heart, means “falling back”. In layman's terms, doing a crime even after receiving punishment and being given a chance to change.

Regarding recidivism, academicians frequently use overlapping terminology, which further contributes to the regular confusion between so many definitions. While some use re-offenders, others use reconviction. Determining chronic and persistent offenders and their relationship with recidivism presents another gap.

### **CAUSES OF RECIDIVISM:**

We can't just show a single cause for why recidivists are heading back to their barracks. No effective research has been conducted to determine whose failure is the root causes of recidivism outcomes. Numerous criminologists and experts have pointed out the following causes: inadequate availability of resources, a lack of support systems, unemployment, stigma, dwellings, housing facilities, substance abuse retaliation, and personal traits.

When speaking of stigma, we often forget about inmate families. The stigma that inmate families endure is incalculable, and the labeling effect persists, which makes it difficult for them to lead normal lives. It has been identified in our societies that children of inmates deal with “secondary stigma”, which is predicated on the notion of contamination. This is something that cannot be taken lightly since it is the beginning of another vicious circle that could lead to deviance.

### **CHALLENGE OF RECIDIVISM:**

“The challenge of any Criminal justice system is to keep criminals out of prison for good”. The criminal justice system, the correctional system, the police, society, and the inmate himself have all failed miserably in this case. ‘Professional criminals in India benefit from a slow-moving criminal justice system as well as the protection of resourceful patrons. Therefore, it is crucial to realize that the cure to crime is not only speedy criminal justice but also the certainty of punishment rather than its severity. It is believed that “Until rehabilitation is put at the heart

of justice systems' approach to punishment, they'll continue to fail offenders, victims, and societies".

Numerous research gaps and questions surround this subject. It's crucial to remember that there is no set period during which a person relapses, that these intervals can be quite lengthy, and that the likelihood of recidivism varies depending on the type of offense committed. One cannot predict recidivism based on well-replicated factors. It is important to understand, explain, predict, and prevent recidivism for a million causes.

Indeed, recidivism cannot be taken as the sole measure to know the effectiveness of the criminal justice system. However, it is a matter of grave concern because the idea of no change in the rate of recidivism would show that imprisonment, correctional programs, and rehabilitation are failing in their jobs of reintegrating and transforming them into better citizens. (Ijraset, n.d., para. 5). Also, scholars say that transformation is fully possible when the change comes from 'within' the self.

Little attention has been given to the relation of recidivism to differences in prison conditions. In the current situation, it is widely held that young people are becoming more serious offenders as they interact with the criminal justice system.

#### **SIGNIFICANCE OF THE STUDY:**

The phenomenon of recidivism among individuals represents a significant lacuna in the criminological literature. Specifically, there is a substantial gap in understanding the factors contributing to recidivism. Despite the existence of Policies and government initiatives aimed at rehabilitation and reintegration, the rate of reoffending among this population remains a concern. While existing frameworks acknowledge the developmental trajectories of criminal behavior, a paucity of empirical research exists that specifically examines the transition from first timer to criminal recidivist within this regional context.

Consequently, the criminal justice system and government initiatives may not adequately address the unique needs, which leads to the persistent cycles of violence and reoffending. This lack of research on these matters impedes a nuanced understanding of the etiological factors contributing to re-offending among this cohort.

High recidivism rates raise the cost of the criminal justice system and law enforcement while endangering public safety. More than a considerable amount goes to prisons and other correctional institutions to make a difference, to combat crime, and yet the changes are questionable, with persistent problems. Recidivism rates and prison population growth have significant effects on society, the economy, and overall living.

The spike in the recidivism rate indicates the failure of the criminal justice system, society as a whole, and the failure of the individual who breaks the law and relapses. Recidivism has not been adequately studied or researched. This could be due to various factors, including the population's diversity and lack of knowledge about the contributing factors. The lack of reliable and accurate data is another cause.

It is essential to understand and evaluate the changes that the government has implemented or attempted to implement to reintegrate the inmates back into society, and if so, how those changes are making a difference. It is fundamental to comprehend the origins of the criminal justice system and identify the most effective strategies for reducing crime and recidivism. It is crucial to understand the recidivism patterns of the specific population to develop targeted interventions and prevention strategies within the state.

### **METHODOLOGY:**

With the focus on secondary data analysis, the study uses quantitative research data. This study employs a retrospective research design with a descriptive study approach to analyze recidivism trends in Andhra Pradesh. In addition to this primary focus, a comparative analysis of criminal justice policies and systems from other countries was undertaken.

**Data Sources:** The study primarily relies on secondary sources like the National Crime Records Bureau (NCRB), Prison Statistics India (PSI), Crime in India (CII), scholarly articles, research papers, Books, News articles, and Reports.

**Limitations:** The major drawback of secondary data is regarding the exact definition and consistent reporting of recidivism across all the sources (within India). Furthermore, a significant limitation of the comparative component of this study lies in the challenges associated with the data comparability across different criminal justice systems. Also, with the scope of secondary analysis, only the statistical figures and trends could be drawn, not the inmates' perspectives and reasons, adding more value to the study. The study is geographically delimited to the state of Andhra Pradesh, India for the primary analysis. The analysis covers the period from 2018- 2022, chosen based on the data availability

### **REINTEGRATION**

Reintegration plays a crucial part, but it's not as simple as it sounds. Navigating inmates from prisons back to society presents many challenges within. In most cases, the individuals are released without any guidance or direction on how to adapt to their new circumstances. Upon release, an inmate is expected to reintegrate into society on their own. Both communities and individuals are ill-prepared for the population shift from jails into society. And, when one who fails to re-enter, society successfully recidivates back to the prisons.

Many factors are intertwined in this reintegration process, rendering the re-entry ineffective. One being Stigma and labelling. The society is unprepared to accept inmates back, and easily puts labels on inmates and their families. This makes housing and employment hard, also it's not easy to gain trust back again. Prejudice and stereotypes come along. There are many cases where the children of the inmates are falsely accused (especially children of property offenders). Is punishing for what they(inmates) have done the only responsibility of society, or reforming them or molding them into better citizens, giving them a chance, is also its duty?

The Reintegration period is a transition period where a person travels from jail to the community. It is this period that should hold activities and programs that can prepare inmates to return to their homes successfully. That provides support and supervision as one paves their way. Reintegration programs vary greatly in terms of time, scope, and focus. The literature

suggests that different treatments and programs should be tailored to the type and length of the program. However, practice programs are rarely tailored to an individual. Providing offenders the support and oversight they might require to desist from crime, to successfully reintegrate into society, and to avoid relapse into criminal behavior is the core objective of social reintegration. (Chin et al., 2018).

Different criminal justice policies around the world look at reintegration in different ways. It also depends on the type of Government. In the United States of America, President George Bush (2007) has implemented “the Second Chance Act”, while Barack Obama has introduced “Fair sentencing Act (2010)”, and in 2019, Trump initiated the” First Step Act. Bastoy prison, located on Norway’s Bastoy Island, has a minimum-security level. It opened in 1900, intending to be a more humane and rehabilitative prison. Bastoy, located on a beautiful island, provides prisoners with greater freedoms and responsibilities to simulate normal life. Bastoy has significantly lower reoffending rates compared to traditional Norwegian prisons. Within two years of release, approximately 16% of ex-Bastoy prisoners re-offend, compared to 35% nationally. This progressive approach has produced impressive results for reducing recidivism.

“Criminal justice policy is slow to change because of politicians’ fear of being labelled Soft on Crime” (Middlemass, 2017).

In India, the central government under the Ministry of Home Affairs (MHA) runs various schemes not only to improve prison infrastructure but also organizes national and international conferences on correctional administration to sensitize prison staff. MHA has framed the “Model Prison Manual (2016)”. Prison is a state subject, which is why overall supervision and management of prisons is under the direct control of the State and Union Territories. It is believed that only when rehabilitation is put at the heart of the Criminal Justice System can we see some progress. Treatment of prisoners is a crucial aspect for preserving society’s health and safeguarding an individual’s social well-being. Since offenders are capable of change and rehabilitation, the core tenet of the reformatory theory is that prisons can be viewed as centers for reformation. Everything matters, starting from the way prisons care for inmates, the productivity of the work being done by the inmates, the treatment of mental health, and everything else that is necessary for an inmate to reintegrate into society. When factors that predispose offenders to criminal behavior are addressed and their physical and social needs are met continuously and comprehensively, both during and after incarceration, positive reintegration outcomes are more likely to be produced. In that case, preparation for reintegration into society should begin prior to an offender’s release. Rehabilitation proponents contend that the primary goal of punishments should be to educate and transform the offender from the inside out, so that he can rejoin society as a contributing member who abides by the law. Studies on a range of prison functioning aspects, like programs, policies for inmates’ welfare, socio-psychological conditions of prisoners, and human rights issues are essential in comprehending and implementing better policies to effectively manage individuals who have gotten on the wrong side of the law. (Santhosh, 2019).

In India, it is important to note that there is no specific reintegration programs tailored. However, rehabilitative programs, welfare programs, and vocational training programs collectively form a reintegration plan.

A detailed overview of the Andhra Pradesh (AP) prison system, focusing on its administrative structure, inmate demographics, and, crucially, its efforts towards prisoner reintegration and rehabilitation, along with an analysis of recidivism rates, is analyzed and provided.

The AP Prisons Department (APPD) operates with a mission to offer opportunities for prisoners (as stated on the website of APPD) to reform and reintegrate into society as responsible citizens. The state has 106 prisons, including Central Jails, District jails, Women's Jails, Borstal Schools, and Open Jails. As of December 2022, AP prisons had an 83.9% occupancy rate, though Central Jails faced overcrowding at 120.7%. In the observations, it is revealed that there is a strong correlation between lower educational levels and conviction/under-trial status, although crime is not exclusive to any educational background. The largest group of Convicts falls within the 30-50 age range, while younger adults (18-30) constitute the largest proportion of under-trials. Offence analysis shows a high number of individuals incarcerated for violent crimes (especially murder), which is deemed crucial for recidivism studies due to higher re-offending risks. Convicts are released, predominantly after completing their sentences or on bail. A smaller number are released prematurely or on parole.

**Reintegration Programs and their relation to recidivism:**

The study highlights several reintegration programs implemented or available within Andhra Pradesh prisons, utilizing NCRB prison statistics from 2018 to 2022, examining their scope and potential impact on recidivism.

Andhra Pradesh prisons offer various vocational training courses, with a total of 629 inmates who received training (2022). It is observed that Tailoring (86 inmates), and Agriculture (54 inmates) are the most prominent. Other areas include weaving, carpentry, handloom, and soap making. The value of goods produced by inmates in 2022 was substantial (Rs 8.51 crores). However, the wages paid to inmates are significantly lower compared to market rates, raising concerns about disincentives and financial challenges upon release. To reduce recidivism, Vocational training aims to equip inmates with employable skills, which are crucial for securing stable employment post-release. This, in turn, is a key factor in reducing recidivism by providing legitimate income opportunities and fostering self-sufficiency. Educational opportunities are provided, including elementary education (1587 beneficiaries), adult education (912 beneficiaries), and higher education (413 beneficiaries), with a smaller number in computer science. Dr. B.R. Ambedkar Open University and Andhra University offer distance education for graduation and post-graduation. In April 2024, the Andhra Pradesh Legal Services Authority launched a skill training program for inmates in three central prisons. Improving inmates' education is seen as a way to enhance their employability and social reintegration.

The expenditure on Welfare activities is consistently minimal (Rs. 0.32 Crores in 2022-23), which suggests that there's a limited focus on the social, psychological, and reintegration needs of prisoners. Critically, the PSI report states that there's no financial assistance being provided to inmates upon release, and it also notes "no rehabilitation provided". Here, we can observe that the lack of financial assistance upon release is a significant concern, as it leaves former inmates vulnerable and potentially resorting to criminal activities for survival, directly

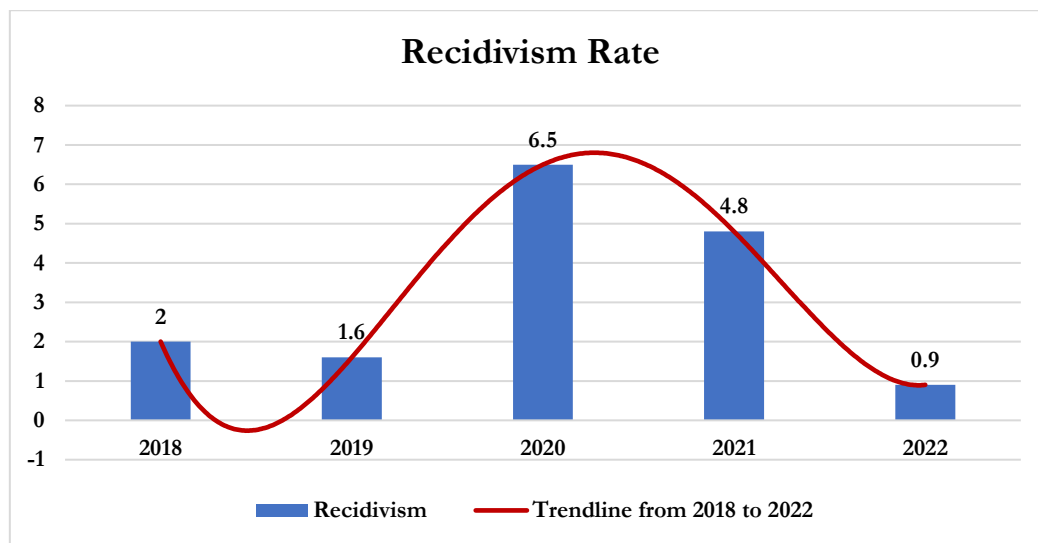


increasing the risk of recidivism. Low spending on welfare indicates an under-prioritization of holistic support crucial for addressing the root causes of crime and fostering successful reintegration. Data also says that a total of 1313 inmates were provided with legal aid in 2022.

### Recidivism Trends:

Year	Vocational, Educational Expenditure (Cr)	Welfare Expenditure (Cr)	No of. Inmates in Vocational Training	Recidivism Rate
2018	1.688	0.269	3959	2.0
2019	0.02	0.08	3340	1.6
2020	0.03	0.24	1907	6.5
2021	0.36	0.29	895	4.8
2022	0.43	0.32	629	0.9

(Source: NCRB, PSI 2018-2022)



The data presents recidivism rates, defined by the percentage of “habitual offenders” among new admissions. In 2022, this rate was notably low at 0.9%, representing a significant drop compared to previous years (6.5% in 2020). Drawing on correlations between expenditure on vocational/ educational programs, inmate participation in training (which indirectly roots to reintegration), and recidivism rates. We can observe a potential inverse trend where lower investment in these programs in earlier years (2019-2021) coincided with higher percentages of habitual offenders.

However, the sharp drop in both vocational training participation and recidivism in 2022 makes it challenging to establish a direct causal link, suggesting other contributing factors like changes in policing or the impacts of COVID-19 pandemic.

Rehabilitation through Social Incubation Centers (SICs): The APPD has established Social Incubation Centers (SICs) in 14 prisons. These centers are designed to facilitate inmates' smooth transition back into society. SICs are multidisciplinary teams comprising psychologists, psychiatrists, bankers, financial experts, government skill development, de-addiction counselors, social workers, and academicians. They act as a "one-stop center" to analyze and guide inmates. The process involves identifying inmates nearing the end of their sentences for sessions. These sessions are provided through analytical reports evaluating an inmate's psychology, ideology, strengths, goals, financial condition, and mental stability. The initiative, launched in 2024, aims to impart life skills to prisoners during imprisonment or rehabilitation. The core purpose of SICs is to provide comprehensive support for successful reintegration, thereby aiming to reduce the likelihood of recidivism by addressing psychological, financial, and skill-related barriers. Their recent introduction suggests a proactive step towards structured rehabilitation, which was previously lacking in systematic interactive sessions.

### **Reintegration Programs and Recidivism in Tamil Nadu (Comparative Insights)**

A comparative analysis of the Tamil Nadu Prisons Department, focusing on its operational structure and various reintegration initiatives, is conducted, drawing contrasts with Andhra Pradesh to understand the impacts on recidivism.

Tamil Nadu possesses a multi-tiered prison system (142 prisons, as of 2022), including central prisons, specialized women's prisons, Borstal Schools (for young adult and adolescent offenders), open-air jails, and various sub-jails.

In 2022, Tamil Nadu's prisons operated at a lower occupancy rate (77%) compared to Andhra Pradesh. Lower overcrowding is explicitly linked to creating a more conducive environment for inmate management and the implementation of effective rehabilitation programs. A separate, active Probation Branch exists.

The largest number of convicts in Tamil Nadu prisons falls into the "Below 10<sup>th</sup>" and "illiterate" categories, similar to Andhra Pradesh, suggesting a correlation between lower formal education and involvement in crime. While Tamil Nadu has a higher proportion of post-graduates and technical degree holders among convicts than Andhra Pradesh, it also has a higher proportion of illiterate convicts.

Tamil Nadu offers extensive educational facilities, with a significant number of inmates participating in elementary education (5,408), adult education (3,049), higher education (1,250), and computer courses (313). This indicates a broad effort to address literacy and provide learning opportunities. A stronger emphasis on education is seen as a key tool for rehabilitation and reintegration. By improving literacy, life skills, and specialized knowledge, education enhances employability and reduces the likelihood of re-offending.

Tamil Nadu shows significantly higher inmate participation in vocational training (a total of 2395 inmates), with tailoring, handloom, weaving, agriculture, and carpentry being prominent. Higher participation and investment in vocational Training, as observed in Tamil Nadu compared to Andhra Pradesh, directly equips inmates with marketable skills, crucial for economic self-sufficiency and successful reintegration, lowering recidivism.



Tamil Nadu generated a high value of goods (Rs. 53.37 Crores in 2022), ranking first nationally, and producing over six times the value compared to Andhra Pradesh. This is attributed to higher participation in productive vocational activities and efficient processes. High production value indicates successful vocational training, translating into tangible economic output. This implies potential for inmates to earn wages, which is vital for their financial well-being and reintegration success, indirectly reducing recidivism.

Coming to the wages being paid, despite the higher production, low wages and significant deductions severely limit inmates' ability to save for release, increasing their financial vulnerability upon leaving prisons. This reduces the incentive for active participation in vocational training and work, and is a major systematic challenge to successful reintegration and recidivism mitigation. In 2022, 20,353 inmates received legal counseling from NGOs, and 9221 inmates received legal aid. This is significantly higher than Andhra Pradesh (1313 inmates). Also, Tamil Nadu shows a relatively strong NGO presence, with 12 NGOs working exclusively for prison reform. They provided medical counselling to 19768 inmates and legal counseling to 20353 inmates.

In 2022, 733 convicts were reported as rehabilitated, and 2165 received financial assistance on release. This is in direct contrast to Andhra Pradesh, where no rehabilitation was reported and no financial assistance was provided to released prisoners. The presence of structured rehabilitation programs and direct financial assistance upon release in Tamil Nadu directly helps individuals meet immediate needs, bridge the gap to employment, and stabilize their lives post-release, thereby decreasing the likelihood of re-offending due to economic hardship.

While the total allocated budget (Rs. 442.1 Crores) was fully spent, the breakdown shows alarmingly low expenditure on vocational educational programs (Rs. 0.03 Crores) and zero expenditure on welfare. This indicates a potential misalignment between stated rehabilitation goals and financial prioritization, which could hinder the ultimate effectiveness and scalability of programs crucial for long-term recidivism reduction.

Tamil Nadu reported an exceptionally low habitual offender rate of 0.1% among new convict admissions in 2022 (comparatively lower than 0.9% of Andhra Pradesh). This is the most direct measure of the effectiveness of the overall correctional system. Tamil Nadu's significantly lower recidivism rate (based on habitual offenders admitted) strongly suggests that its integrated approach to prison management, educational programs, vocational training, probation services, NGO collaboration, and post-release support is more effective in breaking the cycle of reoffending.

## **CONCLUSION**

The Latin root of "recidivism" – "to fall back" aptly describes the cyclical challenge many individuals face after incarceration. This study, "Beyond the Gates", has explored how effective reintegration programs are central in preventing this fall back into criminal behavior. While India's reported recidivism rates appear comparatively low, this study underscores the critical need for deeper analysis beyond mere statistics, revealing significant gaps in current reintegration efforts.

While initiatives like Andhra Pradesh's new Social Incubation Centers are a positive step, the comparative success of states like Tamil Nadu reveals that true prevention of recidivism demands a far more integrated and well-resourced ecosystem of support. It's evident that equipping former inmates with marketable skills, providing financial stability, fostering mental well-being, and ensuring robust community acceptance are non-negotiable elements. The findings urge all stakeholders, from policymakers and correctional institutions to communities and individuals, to collectively commit to building pathways that empower returning citizens to not just survive, but truly thrive, ensuring their journey beyond the gates leads to lasting change, not another fall.

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