# KISUMU COUNTY
## CRIME AND VIOLENCE RAPID ASSESSMENT



**WORLD BANK GROUP**

USIU AFRICA — United States International University-Africa

NATIONAL CRIME RESEARCH CENTRE
*fighting crime through research*

**KSG** — KENYA SCHOOL OF GOVERNMENT

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# Contents

# Foreword

A rapid assessment was carried out in Kisumu County, Kenya in January 2019 under the Crime and Violence Prevention Training (CVPT) project of the Kenya Accountable Devolution Program. KADP is funded by governments of Denmark, European Union, Finland, Sweden, United Kingdom, and United States.

The assessment explored the dynamics of crime and violence, risk and protective factors, and potential for their prevention. The research sought to inform the CVPT, a month-long course that has been held annually in Kenya since 2011 as a collaborative project between United States International University-Africa and the Kenya School of Government, and recently joined by the National Crime Research Centre. During its first five years, the project was sponsored by Open Society Initiative East Africa as part of its Crime and Violence Prevention Initiative in the region, and it is now sponsored by the World Bank through KADP. Coffey International has also been a funding partner. The project has evolved over time to equip a wide range of relevant actors at the county level in response to Kenya's devolved government structure since 2013. County assessments now precede training courses to contextualize the training curriculum and provide common ground for discussion and learning.

# Acknowledgements

# Acronyms

| | |
|---|---|
| CPA | County Policing Authority |
| CVPT | Crime and Violence Prevention Training |
| FGM | female genital mutilation |
| IPOA | Independent Police Oversight Authority |
| km$^2$ | square kilometer |

Photo: Sugar cane plantations, Nyando | Ministry of Tourism, County Government of Kisumu

# 1. Introduction

Across the globe, high rates of crime and violence are undermining growth, threatening human welfare, and impeding social development, with the poor and vulnerable particularly affected. One in five people worldwide has been the victim of violence or crime (UN-Habitat 2013).

The term crime means different things to different people. As Haskell and Yablans (1983) point out, to members of the legal profession, a crime is an illegal act, but some social scientists equate the term with any behavior injurious to society (Haskell and Yablonsky 1983). Crime refers to behavior, either by act or omission, defined by statutory or common law, that is deserving of punishment.

The World Health Organization (WHO) (2014: 2) defines violence as:

> "the intentional use of physical force or power, threatened or actual, against oneself, another person, or against a group or community, which either results in or has a high likelihood of resulting in injury, death, psychological harm, mal-development or deprivation."[1]

There are various classifications of crime and violence. Crimes can be classified based on the potential penalty, such as felonies and misdemeanors, or based on subject matter, such as crimes against persons or property.

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1. For more on definitions and typologies of violence, see ww.who.int/violenceprevention/approach/definition/en.

Violence can be classified based on its agents, such as gangs, youths, or collective groups; victims, such as women, children, or minority groups; the relationship between aggressor and victim, such as interpersonal or unrelated; perceived causality, such as psychopathological, situational, or learned; and type of harm, such as physical, psychological, or sexual.[2]

Root causes of crime and violence include rapid urbanization, persistent poverty and inequality, social exclusion, and post-conflict cultures. Urban residents, the poor, and those living in marginalized neighborhoods must cope with particularly high levels of crime and violence. Many African countries are growing increasingly concerned with soaring levels of crime and violence, which take a variety of forms, including youth violence; gender-based violence; and generally high rates of criminal victimization by robbery, assault, and theft (World Bank 2009).

The costs associated with crime and violence are significant. Direct costs can include the immediate destruction of public infrastructure as well as ongoing physical and mental health care. Indirect costs can include productivity losses, population displacement, and overall welfare (World Bank 2009). Social multiplier effects portend far-reaching ramifications for crime and violence, measuring the impact of an erosion of social assets, an intergenerational transfer of violence, a reduction in the quality of life, and a decrease in the public's confidence in the government and its institutions.

A preventive approach to crime and violence has been gaining increasing international recognition, as demonstrated in recent years

by its enactment in violence prevention laws and its promotion as part of an efficient and effective response to the ravages of crime and violence. As other practitioners assert:

> "Crime prevention strategies not only prevent crime and victimization, but also promote community safety and contribute to sustainable development of countries. Effective, responsible crime prevention enhances the quality of life of all citizens. It has long-term benefits in terms of reducing the costs associated with the formal criminal justice system, as well as other social costs that result from crime." (ECOSOC 2002:2)

Crime and violence prevention efforts involve taking a detailed look at both risk and protective factors. Based on a growing evidence base, the WHO and its partners have identified seven key strategies to help to prevent crime and violence:

1. Develop safe, stable, and nurturing relationships between children and their parents and/or caregivers;

2. Develop the life skills of children and adolescents;

3. Reduce the availability and harmful use of alcohol;

4. Reduce access to guns and knives;

5. Promote gender equality to prevent violence against women;

6. Change cultural and social norms that support violence; and

7. Promote victim identification, care, and support programs (WHO, UNODC, and UNDP 2014).

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2. For more on definitions and typologies of violence, see ww.who.int/violenceprevention/approach/definition/en.

Holtmann (2011) describes this process as "building protective social layers," which contributes to resilience against both victimization and offending behaviors. It is a multifaceted endeavor calling for extensive planning and strategizing. Successful prevention techniques target the underlying causes of violent behavior: spatial environments, family structures, and education. Referring to South Africa, Holtmann (2011) argues,

> "We can only expect safety when we take collective responsibility for rebuilding our social system to mitigate the ravages of the social engineering of the past."

Such an argument could apply to much of the African continent. The often-cited root causes of crime and violence include rapid urbanization, persistent poverty and inequality, political violence, post-conflict cultures, the more organized nature of crime, and the emergence of illegal drug use and drug trafficking—all of which may require national strategies to combat (World Bank 2003).

Multiple agencies must be involved in crime and violence prevention efforts, which if well-coordinated, could contribute a variety of perspectives, resources, and skills to utilize as efficiently, cost effectively, and sustainably as possible. Partners for such efforts can be from many different sectors. Efforts would involve national and local levels of government, which have different mandates and areas of expertise; as well as nonstate actors, particularly civil society groups and traditional authorities, to ensure local ownership at every stage—a key aspect of any successful approach. The media, with its powerful positive and negative potential to foster changes in attitudes and to disseminate information, plays an important role in a multiagency approach. Private sector

players have an interest in the issue and can participate in prevention efforts, such as with the growing use of public-private partnerships for the provision of services and by reducing opportunities for crime through situational crime prevention programs and environmental design. Lastly, academia and research institutions can direct and support crime prevention initiatives through valid research and publication of findings.

## Crime and Violence Prevention in Kenya

The Kenyan government often adopts a traditional approach to law enforcement and criminal justice in addressing the country's crime and violence problem. Official and public discourse around crime and violence call for more aggressive policing and stiffer penalties against perpetrators (Reisman and Ruteere 2010). The government has responded to threats of crime and violence by establishing new police units and elite squads with more firepower, such as an antiterrorism police unit to address the terrorism issue, and by enacting laws to enhance the punishment of perpetrators of violent crime, such as the Prevention of Terrorism Act (2012) and the Security Amendment Act (2014). Forceful disarmament operations have been carried out in cattle rustling areas but with little impact, except to harden resistance and strengthen the illegal supply chain of arms (Muhereza, Wairagu, and Kimani 2011). Such approaches fail to consider the underlying causes of crime and violence in society. They also fail to deal with hidden crime and violence, such as household violence—which leads to societal breakdown and hence to an increase in crime. The lack of available quantitative and qualitative data due to limited police capacity, security, and access (Hills 2009) presents a key challenge.

There has been little public debate or policy discourse about the prevention of crime and violence. Community policing has received some attention in Kenya over the past two decades, but benefits were never felt, partly due to a poor understanding of the concept, a lack of real partnership with communities, and a persistently repressive police culture (Ruteere and Pomerolle 2003). Legal, policy and institutional frameworks in Kenya for greater public accountability and participation were created in line with the 2010 constitution. However, these are yet to be fully exploited to strengthen police-community partnership and check on police brutality and excesses. These include the Independent Police Oversight Authority (IPOA) (Fick 2018) and the Nyumba Kumi community-policing initiative. Therefore, Kenya urgently needs to develop alternative thinking and practices to replace repressive policing and must move its focus from securitization toward safety.

## Crime and Violence Prevention Training

In 2011, through its Crime and Violence Prevention Initiative, and in collaboration with United States International University-Africa and Kenya School of Government, the Open Society Institute East Africa sponsored the Crime and Violence Prevention Training (CVPT), convening representatives from government, civil society, and academia to learn about crime prevention in Kenya. The training sought to:

- Promote policy and public discourse on crime and violence prevention and safety in Kenya;

- Explore strategies, tools, and methods of crime and violence prevention in Kenya;

- Facilitate the emergence of a multisector group of public, private, and civil society actors engaged in crime and violence prevention in Kenya; and

- Equip stakeholders of crime and violence prevention with adequate skills to conceptualize, design, implement, and monitor crime and violence prevention programs and interventions at the national and county level.

Subsequent trainings built on the aims and successes of the first, widening the audience and expanding the curriculum. In response to the devolution of many functions to county governments in 2013 (according to Kenya's 2010 constitution), CVPT has been brought to the county level, training county-level actors and entering into dialogue with participants about county-specific challenges. The ongoing training aims to continue the momentum in terms of building the capacity of people and promoting discourse around crime prevention and fostering an integrated approach to the issue.

The training has been a success in multiple ways. First, given the mounting evidence of the effectiveness of prevention strategies, an important next step would be to intensify and expand violence prevention awareness among decision makers (WHO 2010), which is exactly what CVPT does. Second, CVPT workshop sessions enhances the capacity of nonstate and state actors to design, implement, and manage effective sustainable crime and violence reduction programs. Third, while security management has traditionally remained a preserve of the state and its machineries, and a relationship of mistrust, fear, and suspicion has existed between members of civil society and Kenya's law enforcement agencies, CVPT

## Figure 1.1. Kenya's New System of Devolved Government
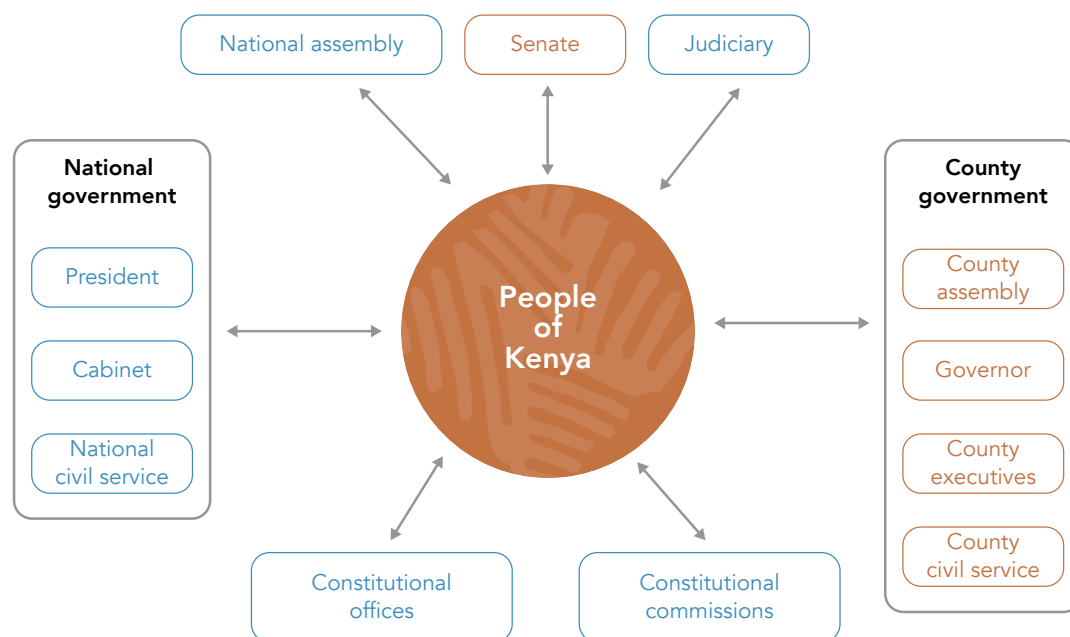


Orange = new government organs; blue = existing government organs.

promotes understanding and partnerships between the actors.

## County-Level Crime and Violence Prevention

Under the 2010 constitution's new dispensation, Kenya now has 47 county governments, each with its respective county governor. (see figure 1.1). The 2010 constitution restructured existing security institutions, for example, the former Kenya Police Service became the National Police Service, and created new institutions, including the National Intelligence Service and the Kenya Defence Forces. The Provincial Administration, which comprised provincial commissioners and various administrative tiers down to chiefs at the ground level and which had previously coordinated security at the local level was restructured and renamed the National Government Administration Office. County commissioner positions were created to oversee county-level coordination of security their role as chair of their respective county security committee (see figure 1.2).

In addition to the restructuring of security functions, devolution has the potential to influence security in other ways. Abdille and Abdi (2016) note that the devolution of funds for county development has frequently led to political and ethnic competition—and even conflict—at the county level as new majorities and minorities seek to control and benefit from the funding. At the same time, large-scale national and regional infrastructural development projects have raised the stakes

for political power and brought the well-recognized dynamics of land conflict and other adverse social and environmental impacts. Development and urbanization bring benefits as well as risks, including new forms of crime and violence.

County governors are responsible for controlling drugs and pornography, firefighting and disaster management, transport, control of public nuisances, trade development and regulation, early childhood education and health, and overall county planning and development. While conventional "security" provisions, such as police and intelligence, remain under the purview of the national government, overseen by county commissioners, the role of the county government is nonetheless vital to managing issues that have a bearing on security, including employment, development, and planning. Governors thus have the opportunity to improve their county's security over the medium to long term, and possibly even over the short term. One area of potential conflict, however, is that the national police has to enforce county laws (Burbidge 2017), which it

may be unwilling to do if the county law is at odds with a national one.

Furthermore, echoing the constitutional requirement for increased participation by communities regarding decisions that affect them, the National Police Service Act of 2011, establishes a County Policing Authority (CPA) for each county, headed by the respective county governor and comprising 13 representatives of county-, national-, and local-, and community-level security interests, including 6 laypersons. CPAs are responsible for monitoring trends and patterns of crime; developing proposals on the priorities, objectives, and targets for police performance; monitoring progress and achievements; overseeing and promoting community policing initiatives; facilitating public participation; and providing financial oversight over the budget for policing. Regular briefings by the CPA are intended to inform the county security committee, which is responsible for day-to-day security management and police deployment. However, guidelines to operationalize CPAs have not yet been created, which has slowed

## Figure 1.2. County-Level Security Actors
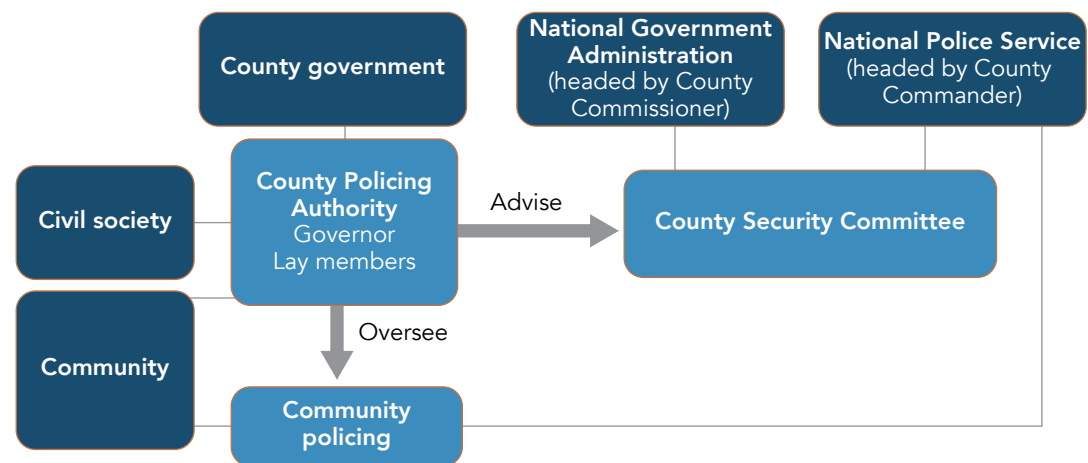
the implementation of this vital structure for crime and violence prevention.

Some governors have pushed to assume a greater role in policing, arguing that such responsibilities should be devolved. They cite the essential part they play in mitigating intra-ethnic, interethnic, and communal conflicts, as well as the need for security provision to better fit with local development plans. These governors also contend that, despite the hundreds of lives being lost, the national government has left them side-lined with regard to security issues (Mosuku 2015). Opposing views include concerns that localized control of security could allow governors to use security forces to manipulate political events and interethnic tensions to their advantage.

## Framework for Analysis

In analyzing the dynamics that drive crime and violence in Kisumu and that shape local prevention capacity, this work draws on the socioecological framework that has been widely used in crime and violence research and literature (Dahlberg and Krug 2002; Moon, Patton, and Rao 2010; Moore et al. 2014; Cramer and Kapusta 2017) (see figure 1.3). The framework helps to identify risk and protective factors whose complex interplay influences the likelihood of involvement in crime and violence (Moser and McIlwaine 2006). In so doing, it also suggests avenues for intervention.

Social cohesion, internal ties, and community identity are critical to crime prevention at the community level, and community organizations

## Figure 1.3. The Socioecological Framework

| Level | Risk factors |
|---|---|
| Individual | Age, education, and income |
| | History of abuse or substance misuse |
| Family | Parenting and family relationships |
| | Experiences of conflict in the home |
| Community | Schools, workplaces, and neighborhoods |
| | Weak community cohesion |
| | Physical environments |
| Society | Economic and social inequality |
| | Unemployment |
| | Migration |
| | Societal norms |
| | Urbanization |
| | Exposure to drugs and weapons |

Risk of violence or protection of people from experiencing or perpetrating it

*Source:* Adapted from Dahlberg and Krug 2002.

## Figure 1.4. Community Crime Prevention Actions



| | | |
|---|---|---|
| Monitor suspicious activities and people | Reduce risk factors | |
| Ban the sale of alcohol | | A reduction in crime |
| Manage public spaces | Limit opportunities for crime | |
| Resolve community disputes | | |
| Support victims of domestic violence | Deepen multiagency action | |
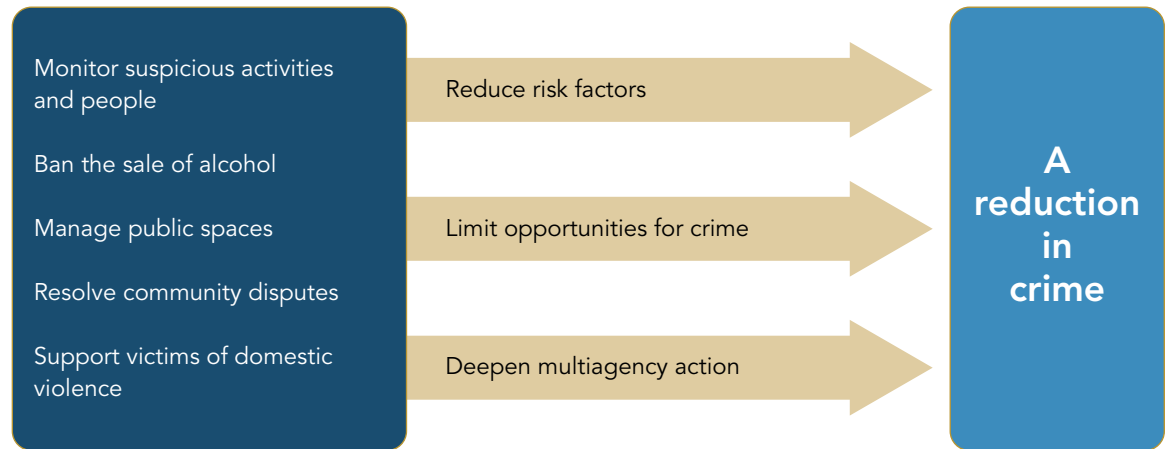
*Source:* Berg and Carranza 2015.

play a crucial role in promoting them (figure 1.4). This approach draws from social disorganization theory, which identifies particular characteristics of a community that shape opportunities for crime and for prevention (Bursik 1988; Bursik and Grasmick 1993; Kubrin and Weitzer 2003). Dense internal ties, interpersonal trust, and shared expectations allow community members to trigger shared norms through social controls. Norris et al. (2008) notes that communities have used dense internal ties to prevent crime from taking root.

Communities can directly contribute to the prevention of crime and violence in multiple ways. Past assessments conducted in other countries demonstrate that it is common to find several community-based organizations working on different issues relevant to crime and violence prevention with no coordination of efforts and sometimes in competition with one another. While these organizations might be doing good work, they often lack the capacity and resources to sustain their efforts or to expand into new areas. Strengthening and integrating community groups is therefore a crucial strategy.

Criminological research in North America and Europe shows that crime tends to be concentrated in geographic "hot spots" (Groff, Weisburd, and Yang 2010). The "routine theory" examines how patterns of individual behavior lead to the salience of hot spots where perpetrators cluster, such as malls, movie theaters, specific streets, and public spaces (Cohen and Felson 1979). Related to this is situational crime prevention literature, which focuses on the physical environment that affects the cost and benefit of perpetrating crime by facilitating surveillance or deterring criminal acts (Clarke 2008). This theory is currently being applied in Kenya. In Mombasa and Nairobi, the police are making use of closed-circuit television cameras to combat crime and violence and are implementing an integrated command control and communication system in urban areas. The use of surveillance through what is called Crime Prevention through Environmental Design looks for changes in the physical environment that might reduce the opportunity for crime, such as street lighting (Cozens and Love 2017).

Lastly, the work considers violence in a broad sense, that is, not only manifest physical violence but also structural violence as identified by Galtung (1969), whose work extends violence to include psychological hurt and, in turn, alienation, repression, and deprivation (Galtung 1991). According to Rylko-Bauer and Farmer (2017), who define structural violence simply as "the violence of injustice and inequity" structures include pervasive

> "cultural and political-economic structures such as caste, patriarchy, slavery, apartheid, colonialism, and neoliberalism, as well as poverty and discrimination by race, ethnicity, gender, sexual orientation, and migrant/refugee status."

Structural violence not only leads to victimization but also perpetuates and reproduces violence through the marginalization of people and communities (Winter and Leighton 2001). Several studies have applied the concept of structural violence to explain the link between social problems, including crime and violence associated with poverty and social suffering (Dahlberg and Krug 2002; Mukherjee 2007; Peña 2011).

In urban contexts, deprivation as inequality is the most common form of structural violence, resulting in the reactionary violence that is prevalent in Kenya. Such deprivation includes income disparities and lack of access to basic social services; the absence of universal state security protection; the severe corruption, inefficiency, and brutality that generally hits the poor the hardest; and the lack of social cohesion. These living conditions heighten the potential for the emergence of conflict, crime, and violence (Vanderschueren 1996). Rylko-Bauer and Farmer (2017) note that a structural violence framework provides a holistic approach to identifying the root causes of crime and violence by focusing on historical forces as well as social, economic, and political processes that shape risk and local reality, which is critical to developing effective approaches to counter crime and violence.

## Goals of the Rapid Assessment

Since the training moved to the county level, crime and violence assessments have been carried out in preparation for the training. Such assessments assist in the tailoring of the curriculum to the specific challenges of the county, provide common ground for discussion among participants, and help identify participants from whom the training might be a useful investment. Drawing from the theory on crime and violence prevention, questions addressed by the assessment include:

- What are the main challenges in the county regarding crime and violence?

- What risk factors—drivers and enabling factors—as well as protective factors are visible?

- Who are the players in terms of managing crime and violence, and what are their capacities?

- What kinds of prevention activities and partnerships are already in place?

The assessments also provide a useful reference for participants to use in their work as well as a starting point for further data collection, the importance of which has been noted. Kisumu County is an important focus given its high population and high rates of gang-related crime, and it is an ideal choice for training in urban crime and violence prevention.

# Methodology

The rapid assessment relies on desk-based research and five days of fieldwork by the team in each county. It is a rapid assessment consisting of quantitative and qualitative information as well as primary and secondary data, triangulated to enhance reliability. Primary data were collected using questionnaires, interviews, and focus group discussions, using purposive sampling, convenience sampling, and snowball sampling with all tiers of society, including key security actors, civil society workers, and local community members.

The assessment's general approach was to prearrange focus group discussions with chiefs and ward administrators, as well as interviews with key informants, to gain an overall view of the county and to explore specific issues in greater detail. Snowball sampling was then employed to follow important leads. Focus group discussions held with community members, including women and youth, ensures that local voices are heard.

Secondary data are sourced from civil society and donor reports, academic papers, official records, and reports by national and county governments, including the health and education departments (see list of references). The assessment assumes that many incidences of crime and violence are never reported to the police due to low police presence; the existence of alternative justice mechanisms; stigma; and lack of access to and mistrust of the police and the judiciary due to past experiences of harassment, corruption, and long delays. Therefore, in addition to police data, other sources of information are needed to gain a fuller picture of crime and violence in the county. A victimization survey was not carried out in Kisumu County due to time constraints and out of a desire to capture less

common but more serious forms of crime and violence, which are not usually captured using the method (Regoli et al. 2013).

Secondary data was sourced from civil society and donor reports, academic papers, official records, and reports by national and county governments, including the health and education departments (see list of references). The survey assumes that many incidences of crime and violence are never reported to the police due to low police presence; the existence of alternative justice mechanisms; stigma; and lack of access to and mistrust of the police and the judiciary due to past experiences of harassment, corruption, and long delays. Therefore, in addition to police data, other sources of information are needed to gain a fuller picture of crime and violence in the county.

Purposive sampling of informants took place during: (1) 10 scheduled focus group discussions with youths, members of the private sector, and administrators; and (2) 20 individual in-depth interviews with key informants from government administration, civil society, and business sectors. Five of six of Kisumu's subcounties were included in the areas visited (see table 1.1).

Limitations include budgetary constraints and insufficient time to visit every subcounty. The information gained in the given time was maximized by the use of key informant interviews and focus group discussions with respondents thought to have broad or specific understandings of the dynamics and impacts of crime and violence. The authors were able to gain access to security and administration personnel due to their government connections (KSG and National Crime Research Centre are governmental agencies).

## Table 1.1. Overview of Fieldwork in Kisumu County

| | Affiliation | Position Held | Number |
|---|---|---|---|
| **Key informant interviews** | | | |
| 1. | National government | Deputy county commissioner for Nyakach | |
| 2. | National government | Deputy county commissioner for Awasi | |
| 3. | National government | Assistant county commissioner for Winami | |
| 4. | National government | Director, Kisumu Court Daily Court Returns | |
| 5. | National government | Chief magistrate of court of appeal, Kisumu | |
| 6. | National government | Assistant director, immigration department | |
| 7. | National government | Assistant commissioner, Kisumu Maximum Security Prison | |
| 8. | National government | Dean of students, Jaramogi Oginga Odinga University of Science and Technology | |
| 9. | National government | Service provider, Huduma Centre, Kisumu | |
| 10. | County government | Clinical officer in-charge of private wing, Russian Referral Hospital | |
| 11. | Civil society | Regional coordinator, Nyanza Region National Council of Churches in Kenya | |
| 12. | Civil society | Chairman, Nyanza Regional Internally Displaced Persons Network | |
| 13. | Civil society | Vice-chairman, Kisumu County Peace Commission | |
| 14. | Civil society | Chairman, Magnum Environmental Network | |
| 15. | Civil society | Chairman, Kisumu City Residents Voice (KICIREVO) | |
| 16. | Civil society | Priest, Catholic Justice and Peace Commission | |
| 17. | Civil society | Representative, National Muslim Leadership Forum | |
| 18. | Civil society | Representative, Transparency International, Kisumu | |
| 19. | Private sector | Chairman, Kisumu Bus Park Society (Matatu SACCO) | |
| 20. | Private sector | Taxi driver | |
| **Focus group discussions** | | | |
| 1. | National government | Administrators of Kisumu East, West, Central, and Seme subcounties | 23 |
| 2. | National government | Administrators of Nyando and Muhoroni subcounties | 14 |
| 3. | National government | Administrators of Nyakach subcounty | 15 |
| 4. | County government | Members of executive council | 9 |
| 5. | County government | Members of Kisumu County Hippo Point Recreational Park | 8 |
| 6. | Community | Youths at Migosi Junction | 13 |
| 7. | Community/civil society | Executive Committee of Obunga Golden Youth Group | 6 |
| 8. | Private sector | Members of Kisumu Chamber of Commerce | 8 |
| 9. | Community/civil society | Members of Jako Menda Stars Youth Group (in Obunga slum) | 11 |
| 10. | Community | Members of China Gang/America Gang (together) | 6 |

Aerial view of Kisumu city, showing Oginga Odinga street and Lake Victoria in background | Ministry of Tourism, County Government of Kisumu

# 2. Background: Crime and Violence Trends in Kenya

Kenya has experienced an increased incidence of crime and violence in the recent past, greatly affecting its growth and development. The nature and extent of the problem varies according to setting—urban or rural—and the prevailing conditions of a particular area. The Crime and Safety Report identifies road safety and crime as the greatest threats to security in Kenya (OSAC 2017). It further identifies car-jacking, burglaries, and home invasions as the most serious crimes in Kenya. Police data for 2016 reveals that, by far, the highest number of reported crimes are in the assault category, followed by stealing, house break-ins and burglary, other offenses, and offenses against morality (mainly defilement).

The crime mapping survey conducted in 2016 by the National Crime Research Centre identifies the top 10 most commonly mentioned crimes: stealing, possession of illicit alcohol, assault, house break-ins and burglary, murder, rape, robbery, stock theft, defilement, and drunk and disorderly behavior (NCRC 2016). However, because it was not a victimization survey as such, certain crimes, such as gender-based violence and violence against children are probably underreported. Importantly, there is a great variation among counties in the incidence of crimes such as stock theft and associated violence, smuggling, and female genital mutilation (FGM).

High-profile and troubling incidences of crime and violence in Kenya include large-scale terrorist attacks as well as persistent smaller-scale attacks in the country's northern counties; gang killings and other gang crimes; political violence, such as the postelection violence of 2007–08; and police violence against citizens. On a day-to-day basis, however, serious incidents of crime and violence are normalized or repeatedly suffered because the victims are not in a position to report them. Incidents include corruption, gender-based violence, violence against children, and crimes or violence resulting from or flourishing due to a poor police presence and ineffective criminal justice mechanisms. This chapter provides useful contextual information on some of the issues raised by this rapid assessment, which are not limited to the participating subcounties.

## Boda-Boda-Related Crime and Violence

There are an estimated 500,000 motorcycle taxis (*boda bodas*) on Kenyan roads (Omondi 2015). They play a major part in enhancing access to rural areas and unplanned urban settlements where road networks are poor. The boda boda subsector is a key contributor to business development and to the economy (Omondi 2015), and it is a crucial contributor to youth employment in Kenya. However, in addition to such benefits, boda bodas are renowned for their risks, particularly of road traffic accidents and severe injuries (NTSA 2014). Several factors may contribute to this problem, such as careless driving, poor training, lack of protective gear and reflectors; traffic congestion; poor urban and highway planning, including lack of pavements and lights; the use of alcohol; speeding to maximize customer base, and poor condition

of vehicles. In addition, the motorbikes (and parts) are not always genuine.[3] While laws cover age (over 18) licensing, and protective gear (helmet and reflective clothing), enforcement is generally poor and bribery common. Importantly, scholars point out that Africa's road safety record is a function of larger structural inequalities and problems in transport planning and development that fail to protect the most vulnerable (Khayesi and Peden 2005; Lamont 2010). New mega projects in the country threaten to dispossess rural people from their land and increase the number of poor and underage youths attempting to make a living driving a boda boda (Mkutu and Mkutu 2019). The boda boda sector is also an important context for crime, with operators being both victims and perpetrators or accomplices. Operators are also frequently mobilized for political campaigns and can become actors in political violence.

## Alcohol and Drug Abuse

Alcohol consumption has been identified as a public health concern in Kenya (Ndetei et al. 2016). According to a survey conducted by the National Authority for the Campaign Against Alcohol and Drug Abuse in 2012, alcohol is the most frequently abused substance in the country and poses the greatest harm to Kenyans (NACADA 2012).

The most common traditional alcoholic brews, such as the *chang'aa* spirit and the milder *busaa* beer, is widespread among poor families due the easy availability of needed ingredients, including maize, sorghum, and sugar (NACADA 2012; Kinoti, Jason, and Harper 2011). Legal instruments include the Alcoholic

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3. Focus group discussion with Maendeleo ya Wanawake, January 8, 2015.

Drinks Control Act 2010, which permits the production and consumption of chang'aa as long as certain rules are adhered to: that the drink is manufactured, packed, sold, and distributed in glass bottles of a capacity of not less than 250 milliliters and is not sold to anyone under the age 18 (Muturi 2014). However, the effectiveness of the law has been questioned (Opiyo and Omanga 2010). The restrictions imposed on the manufacture and consumption of traditional brews, such as chang'aa, may indirectly provide a ready market for second-generation alcohol: alcoholic drinks made by mixing neutral spirit—food grade ethanol, water and, flavoring (Otieno 2015). These drinks, which are simple to produce, inexpensive, and easy to access, are popular among many drinkers with low income levels. However, sometimes these spirits are adulterated with toxic substances, which has led to the deaths of hundreds of people and the permanent loss of vision among many survivors (Kihuria 2014).

Alcohol abuse is well recognized as a cause of crime and violence, including murder, rape, and domestic violence. Media reports have highlighted extreme incidents of women mutilating or even killing their alcohol-abusing husbands. Children are consuming alcohol and engaging in risky sexual behavior and impulsive crimes such as arson.

Closely connected to the problem of alcohol consumption is the issue of drug abuse. Commonly abused drugs in Kenya include tobacco (not illicit), *bhang*, *miraa*, heroin, cocaine, methamphetamine ("meth"), and MDMA ("ecstasy") (Kahuthia-Gathu et al. 2013). Bhang is the most easily available illicit drug in Kenya and its recreational use has about a 1.2 percent prevalence, while that of cocaine is 0.1 percent (NACADA 2012). Bhang

is sourced from the *Cannabis Sativa* plant and can either be smoked or consumed as a beverage. Rates of use are high among Kenyan urban youth, who usually smoke it, although new modes of consumption are emerging, including the lacing of confectioneries such as cakes, cookies, and sweets (NACADA 2015).

*Miraa* refers to the leaves and young shoots of the *Catha Edulis* flowering shrub, which is native to East Africa and the Arabian Peninsula. It is a mild stimulant with a slight euphoric effect that has been widely used as a recreational drug by the indigenous people of East Africa, the Arabian Peninsula, and the Middle East since the 13th century (NDIC 2008). *Muguka* is a slightly stronger variety of the same drug. The Ministry of Health in Kenya recently classified miraa as being dangerous to human health, (contradicting the move by the Kenyan government to petition the United Nations to remove it from the international list of psychoactive drugs, which would allow its export (Gathura 2017). Despite the health and socioeconomic impacts, production, sale, and consumption of these substances remain unregulated in Kenya (Michuki and Kivuva 2013; Carrier 2008). A study focusing on the five counties of Kwale, Isiolo, Marsabit, and Kitui found that current usage of *khat* is 54 percent. Apart from the health issues associated with its use, from a socioeconomic point of view, consumption of khat results in idleness, irresponsibility, crime, wastage of household resources, and addiction (Michuki and Kivuva 2013).

Drugs can have severe community-level repercussions, particularly in low-income urban areas. They are integral to many forms of local-level violence, including gang warfare (controlling the drug market), robbery and assault (when money for drugs is scarce), the murder

of drug addicts by social cleansing groups and constant (often violent) quarrels in the home. Winton (2004) notes,

> "At their most extreme, drug groups can dominate the institutional structure of entire communities, with the drug trade creating a structure so embedded in some communities as to become normal … In addition, the problem of drugs, if unchecked, results in imposing its own system of justice and social norms which are linked to the erosion of institutions and emergency of alternatives."

Drug factions can become a recognized sociopolitical force at the local level (Dowdney 2003). However, this has less to do with the power of the drug factions and more to do with the absence of state-provided services, providing an opportunity to drug groups to fill the gap (Leeds 1996). Therefore, simply strengthening state institutions may weaken the power of the illicit groups that are fueling the drug problem.

## Sexual and Gender-Based Violence

Gender-based violence, mostly against women, is common in Kenya, but it is under-reported and normalized. Importantly, some cultural traditions in Kenya legitimize physical and sexual violence within marriage, although this is becoming less prevalent due with increased education and economic status (KNBS 2014a). The 2014 Kenya Demographic and Health Survey (KNBS 2014a) finds that almost half of women and men (45 and 44 percent, respectively) aged 15 to 49 have experienced some form of physical violence since age 15. Interestingly, while the main perpetrators against women are husbands; men are more likely to suffer at the hands of their parents, teachers, or others. Sexual violence has affected a smaller number of people overall, but women are more vulnerable than men (14.1 versus 5.9 percent). The most likely perpetrator for either men or women is their current or former spouse. Women are more often affected by physical or sexual spousal violence than men (39 percent versus 9 percent respectively, of those currently or previously married).

## Violence against Children

In terms of violence against children, a survey commissioned by the World Health Organization finds that around 31 percent of girls and 18 percent of boys in Kenya have been victims of sexual violence (including unwanted sexual touching, forced sex, and attempted forced sex or sex under pressure). With regard to forced sex, this was claimed by 7.1 percent of girls and 1.4 percent of boys. In most cases, the perpetrator was a boyfriend or girlfriend, sometimes a neighbor, and less often a family member; in one third of cases, the perpetrator was at least 10 years older than the victim (UNICEF and GOK 2012). Although the 2006 Sexual Offences Act created tighter laws against defilement[4] and sexual assault, implementation remains weak.

There are physical, psychological, and social implications for victims of sexual violence, including potential unintended pregnancies, pregnancy complications, unsafe abortions, gynecological disorders, complex pain syndromes, chronic pelvic pain, HIV, and other infections, (WHO, UNODC, and UNDP 2014: 14–16) anxiety, depression, stigma, and poor

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4. *Defilement* is the legal term for sexual intercourse with a person under the age of 18, subject to punishment of life imprisonment if the child is 11 years old or younger.

performance at school. Importantly, economic, educational, and social barriers impede most women from accessing timely help after experiencing sexual violence. And because it is usually not feasible to collect forensic evidence within 24 hours after an incident, as required, most cases never reach the formal justice system, instead being handled out of court by traditional dispute resolution mechanisms, if at all (FIDA Kenya 2013).

## Radicalization and Recruitment into Violent Extremism

Kenya has experienced horrifying and high-profile terrorist attacks on the public in recent years, and it continues to suffer ongoing incidents against police posts and the public near its border with Somalia. Al-Shabaab has taken responsibility for most such attacks (Nzes 2014). Especially since losing territory in Somalia after the offensive by the African Union Mission in Somalia (AMISOM) in 2012, efforts to recruit and build local support within Kenya through its affiliate Al-Hijra, have been persistent and successful (Anderson and McKnight 2014; Nzes 2014). A 2011 United Nations report roughly estimates that there are 200 to 500 Kenyan fighters, mostly Muslim youth who have joined Al-Shabaab's campaign against AMISOM forces in Somalia or who have taken part in terrorist attacks within Kenya (UN Security Council 2011: 140–44). A later estimate put the figure at around 2,000 Kenyan fighters—roughly one quarter of Al-Shabaab's 7,000–9,000 forces (Burridge 2014). In 2014, the Supreme Council of Kenya Muslims estimated that around 700 "returnees" (mostly between the ages of 18 and 45) were living in Kenya, having returned from Somalia where they had trained and fought with Al-Shabaab (SUPKEM, IOM, and GOK 2015).

*Radicalization* can be understood as the propensity to carry out acts of violence in the name of a political cause; *recruitment* can be usefully considered in terms of "enlistment," whether voluntary or forced to some extent; importantly, one can occur without the other (Borum 2011). Push and pull factors are often used to conceptualize radicalization or recruitment (Hassan 2012). *Push factors* are negative aspects of social surroundings that are likely to propel a vulnerable individual on a path to recruitment and radicalization. *Pull factors* relate to perceived benefits of joining an extremist organization. The United States Agency for International Development also usefully refers to *enabling factors*—contextual elements that allow such activities to take place (USAID 2009).

Mlula, Ruszkiewicz, and Shirley (2015) list commonly identified factors related to a rise in violent extremism in Kenya, including: the spillover of Salafi ideology, fighters, and resources from Al-Shabaab's occupation of Somalia; external actors who have exploited this instability; a burgeoning Muslim youth population; socioeconomic disparities; and lack of political representation.

Western governments often speak of the importance of combatting poverty to undermine radicalization, but this view is controversial; literature from many countries does not appear to support such an approach (Kessels and Nemr 2016; Piazza 2011), although Kfir (2008) notes that East Africa has not been examined sufficiently. In a study by Botha and Abdile (2014), 27 percent of 88 former Al-Shabaab combatants in Somalia identify "economic reasons" as the primary push factor for their recruitment; 39 percent cite economic reasons as the "catalyst" to their joining. Several other scholars echo the

observation that people join because they are offered money or a salary (Amble and Hitchens 2014; Bradbury and Kleinman 2010). Organizations that support terrorism may also provide essential services and assistance (von Hippel 2004; Kfir 2008). Further, inequality—rather than poverty per se—may lead to alienation and frustration, which recruiters can then exploit (Piazza 2011). A large study carried out in Kenya by the United Nations Development Programme (UNDP 2017) finds that economic factors represent a source of frustration for youths, making them vulnerable to narratives that inviting them to channel their grievances into acts of violent extremism.

The influence of low educational levels on recruitment and radicalization is also a controversial topic, partly because some terrorist organizations deliberately favor the educated as prospective recruits (Bueno de Mesquite 2005), although this does not appear to be the case with Al-Shabaab, which represents the majority of Kenyan recruits (SUPKEM, IOM, and GOK 2015).

In addition, the UNDP study identifies a lack of parenting and an unhappy childhood as common threads in the stories of youths who had been radicalized (UNDP 2017). It further examines the role that religion plays, determining that, for the most part, it is used by recruiters to frame other grievances. Recruits, it found, generally have low levels of understanding of religious texts but still feel that their religion is "under threat." Mlula, Ruszkiewicz, and Shirley (2015) point to the growing influence of extremist forms of Islam in the country funded

through external sources, however non-Muslims are also being recruited (Mkutu, Marani, and Ruteere 2014).

Importantly, 71 percent of respondents in the UNDP study say that government actions "tipped" them into recruitment. Botha (2014) and Van Metre (2016) among others, argue that stigmatization, harassment, and marginalization by the Kenyan state and security forces contribute to recruitment efforts. As a result, efforts to combat terrorism often have the opposite of the intended effect.

Returnees are youths who have returned back to Kenya after training or fighting with Al-Shabaab in Somalia; many live in Kenya's coastal area. Some are disillusioned by promised pay that never materialized;[5] some returned out of fear or because of the weakness of or conflict within Al-Shabaab;[6] and some returned intending to carry out violent extremist activities in Kenya. The phenomenon of foreign fighters returning home from Syria and other parts of the world has become a major issue (Barrett 2016; De Bie, de Poot, and van der Leun 2015). These returnees, having witnessed extreme violence, have become hardened and have acquired skills in the use of weapons and explosives as well as networks with jihadists (Byman 2015). In addition, the policies of home and host states are crucial to the reintegration of foreign fighters (Malet 2015).

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5. Interview with SCORES personnel, Isiolo, May 12, 2017.
6. Interview with county commissioner, Isiolo, May 9, 2017.

Ndere Island in Lake Victoria | Ministry of Tourism, County Government of Kisumu

# 3. Rapid Assessment of Kisumu County

## Overview of Kisumu County

Kisumu is a small county bordering Lake Victoria in western Kenya with a total land area of 2009.5 square kilometers (km²) and another 567 km2 covered by water. Situated on the shores of Lake Victoria—the second largest freshwater lake in the world—Kisumu County is the main commercial and transport hub of western Kenya and the East African region. The county seat is in Kisumu City— Kenya's third largest city. The county's strategic location serves as an entrance from Kenya to the remaining African Great Lakes region. Kisumu shares a border with five other Kenyan counties: Siaya to the west, Vihiga and Nandi to the north, Kericho to the east, and Homa

Bay to the south. For administrative purposes, the county is divided into seven subcounties (see table 3.1).

Kisumu County's population of 1,155, 574 (KNBS 2019) is ethnically diverse. The county's most dominant ethnic group is the Luo, which is also home to a large number of Kenyan Asians. There are both urban and rural areas in the county; several subcounties are located in Kisumu city (see table 3.1 and map 3.1). The county's other major urban centers include Ahero, Katito, Muhoroni, Chemilil, and Maseno; emerging fast-growing centers include Awasi, Pap-Onditi, Kisian, Kiboswa, Daraja Mbili, Holo, Kombewa, and Sondu. The

major economic activities are trade, farming, and fishing. It has a moderate population density at 554 persons/km$^2$ (KNBS 2019) and is a child-rich county, with 44 percent of residents 14 years old or younger. With its major urban center, there are also many working-age adults (KNBS 2014b).

## Cross-Cutting Drivers of Crime and Violence

Key informant interviewees and focus group discussion participants identified numerous factors they considered important to understanding crime and violence in Kisumu County, including poverty and unemployment, marginalization, political concerns, family and parenting issues, alcohol and drug abuse, land issues, urban planning issues, decline of religious influence, education and health issues, unstructured communications, and proliferation of private security systems, explored in turn below.

**Poverty and unemployment.** Forty percent of Kisumu residents live below the poverty line (compared with 45 percent in Kenya as a whole and 22 percent in Nairobi), only 25 percent of adults are engaged in work for pay, others are involved in family farming or business, and 8.2 percent have no work (KNBS 2014a, b). Respondents believe that poverty—the lack of adequate resources to meet basic needs—significantly contributes to the crime and violence in the county. For example, the executive council member for education noted that the unemployed poor in urban environments lack some of the options available to their rural counterparts for making a living, such as subsistence farming, and may therefore have a greater propensity to engage in criminal activities in order to meet their daily needs.

### Table 3.1. Kisumu's Subcounties and Wards

| Subcounty | Area (km²) | Wards |
|---|---|---|
| Kisumu West | 212.9 | South West Kisumu* Central Kisumu* North Kisumu* West Kisumu North West Kisumu |
| Kisumu East | 135.9 | Kajulu* Kolwa East* Manyatta A* Manyatta B* Kolwa Central* |
| Kisumu Central | 32.7 | Railways* Migosi* Shaurimoyo-Kaloleni* Market Milimani* Kondele* Nyalenda B* |
| Seme | 266.7 | West Seme Central Seme East Seme North Seme |
| Muhuroni | 667,3 | Miwani Ombeyi Masogo/Nyang'oma Chemilil Muhoroni/Koru |
| Nyando | 413,2 | East Kano Wawidhi Awasi Onjiko Ahero Kabonyo Kanyagwal Kobura |
| Nyakach | 357.3 | South West Nyakach North Nyakach Central Nyakach West Nyakach South East Nyakach |
| Total | | 35 |

Source: County Government of Kisumu 2018.
*City wards; km²= square kilometer.

## Map 3.1. Kisumu County Wards and Conflict Hotspots
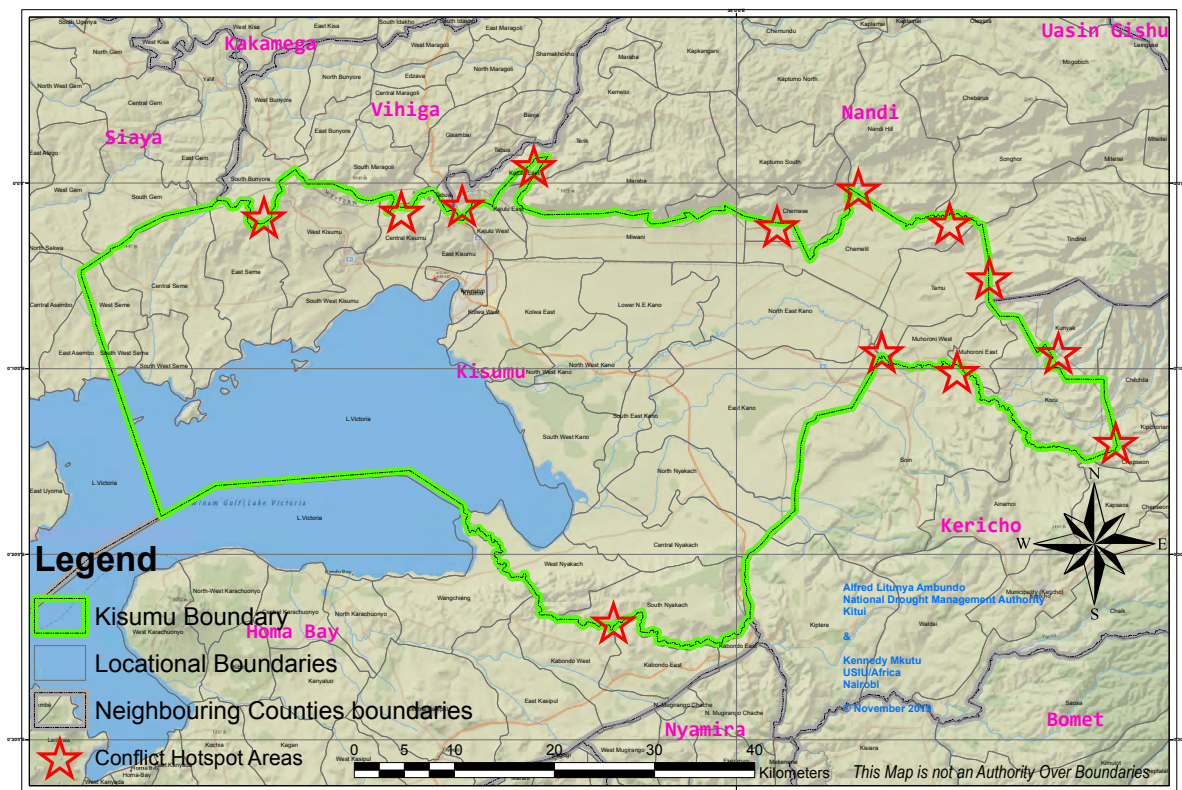


One major consequence of unemployment is idleness among youth. Interviewees for this assessment blamed crime and violence for the high rate of idleness among both urban and rural youth, many of whom are sufficiently educated and knowledgeable to work. The member of the executive council for trade, for example, emphasized that idle youth are the main perpetrators in crimes affecting the business sector. These young people are also susceptible to manipulation by politicians and to joining gangs. The regional coordinator for the National Council of Churches in Kenya in Nyanza summed up the situation this way:

> "Many of them start with engaging in petty crime before graduating into crimes that are more serious. Many youth gangs for example, have emerged due to unemployment, as youth fight for economic space."

**Marginalization.** Marginalization was repeatedly cited as an umbrella cause of crime and violence in Kisumu County. According to one key informant, the marginalization of the Nyanza region by the national government in terms of development is responsible for the inequitable distribution of resources that are characteristic of the region. The failure of economic enterprises, such as Kisumu Cotton Mills, Fish Net, and the sugar industry was notes as cases in point. Evident discrimination in the application of the law has compounded the problem. To illustrate, a key informant pointed out that only 3,700 of 18,000 internally displaced persons in the former Nyanza region (currently Homa Bay, Kisumu, Siaya, Migori, Nyamira, and Kisii counties) have been compensated; they are members of the Luo ethnic group who were displaced from regions other than Nyanza during the 2007 postelection violence.

Related to the marginalization of the former Nyanza region are historical injustices, including assassinations, alienation, and detention without trial of Luo politicians, that remain unresolved and whose negative impacts continue to linger. One key informant summed up how marginalization contributes to crime and violence this way:

> "In Kisumu County, youth get involved in crime and violence to demand for justice. The feeling of marginalization is deeply rooted among citizens and elicits bitter reactions among people, that is fodder for violence. Unfortunately, government efforts to diffuse the situation are often undermined by the people's reluctance to embrace government sponsored economic programs and development projects. If mobilized by particular politicians, they can even bring down such projects. Hopefully, the handshake will chart a new path forward."

**Political concerns.** During electioneering periods, some politicians reportedly recruit idle youth to provide protection services; others utilize youth gangs to threaten opponents and disenfranchise voters who do not support their candidacy. Unfortunately, once these politicians win or are defeated in an election, the youths are left unengaged and without a source of livelihood, a fact that increases the likelihood that they will turn to criminal and violent activities to meet their basic needs. A focus group discussant best captured the situation this way:

> "Politicians fuel crime in Kisumu County, especially around the electioneering period. They tend to encourage youth to work for them for hire. This explains why violence always erupts in Kisumu City and its environments during the electioneering period."

Citing the recent political truce between the President Uhuru Kenyatta and his long-time political opponent Raila Odinga, the much revered political "father" in predominantly Luo constituencies surrounding Lake Victoria another informant said:

> "One of the major concerns within Kisumu County is traumatized youth due to political outcomes. The handshake may have calmed the situation down but it has also inflated expectations among the youth to unsustainable or unachievable levels. This could easily lead to more disappointments and increased trauma, thereby elevating the propensity for criminal activities even higher."

Respondents from all study categories pointed out that idle youth, particularly in Kisumu City, take advantage of the chaos and violence to loot and obtain goods to sell. They said that these youth are "imbued with the energy of despair, and ready for any eventuality, including death." They noted that they often provoke the police to fight with them or use tear gas on them.

**Alcohol and drug abuse.** A number of interviewees cited alcohol or drug abuse as contributing factors to crime and violence in Kisumu County, noting that the county is characterized by high rates of drug consumption, including opium. Many, specifically referencing alcohol abuse, expressed that a major problem in the area is illegal smuggling—sometimes with police collusion—of "Simba Waragi" alcohol sachets from Uganda. The sachets, which have a high alcohol content—as much as 90 percent—are said to be destroying the lives of many of the county's youths. Interviewees categorically asserted that alcoholism leads to loss of one's senses, resulting in disorderly behavior and other transgressions, such as physical violence,

defilement, and incest. They emphasized that enforcement represents a major challenge because sometimes the police facilitate the transportation of alcohol and other drugs.

Land issues. Land-related concerns was another factor cited by study participants impacting the county's crime and violence. Respondents singled out land grabbing, double allocation, and illegal occupation of land as important triggers for violence both within Kisumu City and in subcounties on the county border, such as Nyando and Muhoroni. Family-level land-based conflicts result in conflict and therefore violence, including murder. The practice of polygamy in Kisumu County has aggravated the problem of diminishing land resources and has made inheritance claims very complicated and prone to conflict. The 2010 constitution, which allows female children to inherit their parents' land, has further complicated the situation.

Urban planning issues. The county has several informal settlements (see map 3.2). A county executive in the physical planning department claimed that lack of access coupled with poor lighting are partly responsible for the high rates of crime and violence experienced in them. The lack of access makes it impossible for police and other security agents to effectively patrol the settlements and maintain law and order. The situation is so dire in some areas that police officers will not dare to venture into them, fearing that they could be trapped inside the settlement unable to escape. Even in situations where organized community-based groups for crime and violence prevention exist, poor access hinders their capacity to patrol the settlements. According to the executive council member for trade, poorly lit markets account for some of the crime affecting the business sector.

There were major changes in Kisumu's city center throughout 2019, part of the facelift of the city in line with Kenya's plan to boost the Blue Economy, within the larger Vision 2030 for sustainable development.[7] Kisumu also expects to host the important 2022 Africities Summit. A series of buildings have been demolished on Kenya Railways Corporation's land to be used for the almost-completed port construction, while hawkers and business structures in the city center have been removed, leading to an outcry by thousands of business owners (see map 3.2, which displays affected areas). However, the city has remained largely peaceful throughout this upheaval. The county governor of Kisumu has reassured traders that an alternative 23-acre market site is being developed for them, but unfortunately this was not completed prior to the demolitions (Alal and Matete 2019).

Family and parenting issues. Some informants pointed to the problem of poor (or ineffective) parenting as contributors to the escalating levels of crime and violence in Kisumu County, citing the eroding status of the family as an important factor. There is a rising rate of separation and divorce resulting in single-parent families and a mushrooming number of families living and begging on the streets of Kisumu city. In what is likely to be the result of a number of socio-economic factors (urbanization, modernization, globalization, the decline of the extended family and substance abuse amongst others), social controls are seen to be on the decline, contributing to deviance and crime.

Decline of religious influence. In a country where many people profess religious beliefs

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7. The blue economy is the "sustainable use of ocean resources for economic growth, improved livelihoods, and jobs while preserving the health of ocean ecosystem." See https://www.worldbank.org/en/news/infographic/2017/06/06/blue-economy

and attend a place of worship, some interviewees bemoaned the fact that religious institutions are failing to perform their function as custodians of societal morality. Religious organizations no longer preach, practice, and enforce adherence to moral codes of conduct, leaving many youth members disillusioned. One key informant captures the situation well:

"Overall, preaching today does not target young people. In many cases, there are no clear programs for the youth; where these exist, their suitability is wanting. In addition, priests and pastors do not offer support to young congregants, instead electing to blame them when they go wrong. In sum, the way religious business is conducted these days suggests that religious institutions have collapsed."

## Map 3.2. Informal Settlements and Demolition Sites in Kisumu City
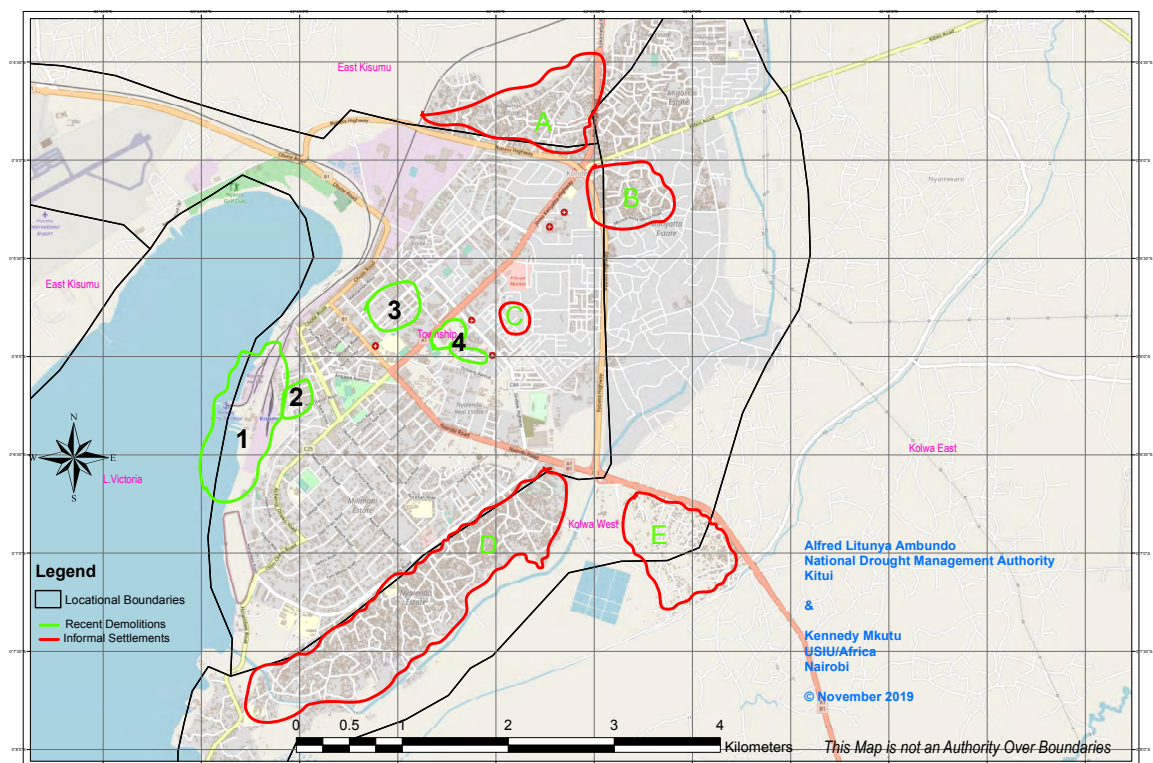


## Key:

### Informal settlements (outlined in red):
A – Obunga
B – Manyatta
C – Kaloleni
D – Nyalenda
E – Nyamasaria

### Demolition sites (outlined in green):
1 – Area around Lwang'ni beach, Tilapia beach, and Kenya Railways land
2 – Area around Lake Market and Winmart (close to Mega Plaza)
3 – Area behind Aga Khan Hospital mortuary, Kisumu Girls School, and Lake Primary School, popularly known as "Juakali area"
4 – Larger area that includes Family Health Auctions, Tusky's and Star Hospital, smaller area includes Jumia hotel, Anderson, and Lumumba hospital (demolitions are incomplete)

**Education and health issues.** According to 2009 census data, only 25 percent of Kisumu County residents have at least a secondary level of education; 57 percent only have a primary-level education; and 18 percent have no formal education. Education levels are lowest in Seme and Nyando subcounties, especially Ombeyi ward. The county's overall educational levels are higher than the national average but much lower than the average in Nairobi. (KNBS 2014a). The county has 19 vocational training colleges but no universities (Kisumu County 2018).

Some interviewees said that the education system is playing a role in the rising rates of crime and violence in the society. They claimed that the system disempowers rather than liberates youth, stifling their creativity and making them unable to think of other options besides waiting for one of the few available jobs. Thus, many educated and knowledgeable youths are rendered idle. Participants also accused the educational system of enslaving young people with demanding schedules, robbing them of their childhoods and the chance to engage in other holistic activities, resulting in rebellious attitudes that may be the source of deviant behaviors among the youth, including criminal and violent acts.

Since devolution, the county has invested in health care facilities, increasing the number of hospitals from 20 to 34 and primary health care facilities from 149 to 176. However, the doctor-patient ratio remains very low at 1:44,634—there is a need for many more doctors and other health workers. The county's very high prevalence of HIV—at 19.9 percent compared with a national rate of 6 percent—detrimentally impacts families and developmental indicators. The 2014 Kenya Demographic Health Survey reported a fertility rate (live births per woman)

in Kisumu of 3.6, lower than Kenya's overall rate of 3.9; and use of family planning in Kisumu is 62 percent, higher than the national rate of 58 percent (almost all of this percentage figure refers to modern family planning such as condoms, pills, and injections). In December 2018, President Uhuru Kenyatta launched a universal health coverage pilot project in Kisumu, Isiolo, Nyeri, and Machakos counties to provide a wide range of free health care services to those currently unable to afford them (Ministry of Health 2018), addressing a key hindrance to development.

**Unstructured communications.** According to a member of the Executive Council for Tourism, Culture, and Information, unstructured communication is associated with violence, especially politically motivated violence, as it can generate panic or alarm, which can then result in violent acts. The proliferation of communication technology—i.e., social media—has aggravated the situation by fostering rapid communication among young people—often laden with misinformation—and enabling them to be very quickly mobilized.

**Proliferation of private security systems.** Security guards were said to act as conduits for drug acquisition of drugs. Study informants called for the proper vetting of individuals serving in such a capacity.

## Dynamics of Crime and Violence

An overview of the quantitative data related to crime and violence trends in Kisumu County are presented below. The dynamics of and contributing factors toward particular types of crime and violence cited as being important by study participants are then explored in more detail.

The available police data for Kisumu County is presented in table 3.2. Interestingly, certain common crimes—such as corruption—are barely captured the data. Less serious crimes and normalized forms of violence are likely not being reported to the police.

In 2016, the National Crime Research Centre surveyed approximately 100 people from every Kenyan county regarding types of prevalent crime (see figure 3.1). Incidents of rape—often underreported—were cited by many as a concern. Stock thefts were also referred to more frequently than police data reveal. The survey also revealed Kisumu County's crime hotspots, including clubs and bars; bus parks; markets; congested neighborhoods; and the particular areas of Kondele, Manyatta, Nyalenda, Muhoroni, Migosi, Obunga, and Nyakach (NCRC 2016).

Respondents for this study noted that Kisumu County experiences a broad range of crime and violence, with urban and rural areas each prone to different types. Rates of crime and violence fluctuate: they are at their highest during the election season and during some

cultural festivities, such as *Disco-Matanga*. The following emerged as the leading forms of crime and violence in the county.

## Gender-based Violence, Sexual Violence, and Violence against Children

Sexual and physical violence against women is reportedly common in Kisumu County. Data from the 2014 Kenya Demographic and Health Survey indicate that reported physical and sexual violence against both men and women is higher in the former Nyanza province—Kisumu, Homa Bay, Kisii, and Migori counties—than in Kenya as a whole (table 3.3). Interestingly, men are as likely as women to experience physical violence in their lifetime, but women are more likely to have experienced violence over the previous 12-month period, undoubtedly a reflection of how difficult it is for a woman to leave a violent domestic situation.

Gender-based violence is extremely prevalent in Seme and Kisumu East subcounties. A rapid assessment by Ogot et al. (2019) finds that

## Figure 3.1. Crimes Perceived as Common in Kisumu County, 2016
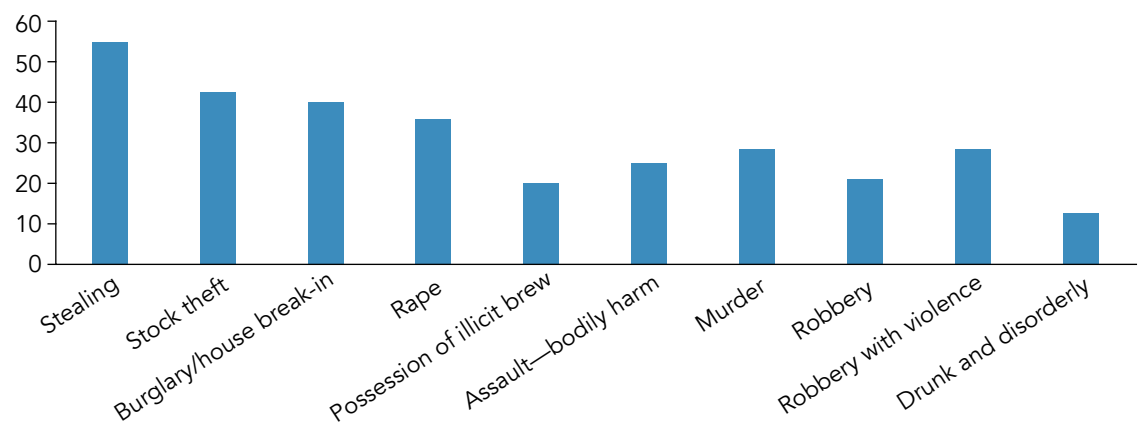


Source: NCRC 2016.

## Table 3.2. Police Records of Crime Incidences in Kisumu County

| Offense | Category of Offense | 2018 | 2017 | 2016 |
|---|---|---|---|---|
| Homicides | Murder | 51 | 74 | 34 |
| | Manslaughter | 8 | 2 | 2 |
| | Infanticide | 0 | 0 | 0 |
| | Procuring abortion | 1 | 0 | 0 |
| | Concealing birth | 1 | 0 | 2 |
| | Suicide | 0 | 3 | 2 |
| | Causing death by dangerous driving | 6 | 0 | 4 |
| | **Subtotal** | **70** | **59** | **44** |
| Offenses against morality | Rape | 70 | 48 | 8 |
| | Defilement | 128 | 64 | 62 |
| | Incest | 5 | 3 | 2 |
| | Unnatural offenses (sodomy) | 1 | 0 | 2 |
| | Bestiality | 1 | 0 | 0 |
| | Indecent assault | 1 | 1 | 0 |
| | Abduction | 0 | 3 | 2 |
| | Bigamy | 1 | 0 | 0 |
| | **Subtotal** | **207** | **119** | **76** |
| Other offenses against persons | Assault | 368 | 326 | 276 |
| | Creating disturbance | 93 | 69 | 59 |
| | Affray | 5 | 1 | 5 |
| | **Subtotal** | **466** | **396** | **340** |
| Robberies | Robbery | 60 | 32 | 29 |
| | Robbery with violence | 30 | 37 | 15 |
| | Carjacking | 0 | 0 | 0 |
| | Robbed of motor vehicle | 0 | 0 | 0 |
| | Cattle rustling | 0 | 0 | 0 |
| | **Subtotal** | **90** | **69** | **44** |
| Breakings | Housebreaking | 126 | 105 | 113 |
| | Burglary | 38 | 39 | 19 |
| | Other breaking | 34 | 46 | 13 |
| | **Subtotal** | **198** | **190** | **145** |
| Theft of stock | Theft of stock | 44 | 94 | 34 |
| | **Subtotal** | **44** | **94** | **34** |

*(continued)*

## Table 3.2. Continued

| Offense | Category of Offense | 2015 | 2016 | Diff |
|---------|---------------------|------|------|------|
| Stealing | Handling stolen property | 23 | 11 | 21 |
| | Stealing from person | 11 | 2 | 6 |
| | Stealing by tenant or lodger | 1 | 0 | 0 |
| | Stealing from a building | 0 | 0 | 0 |
| | **Subtotal** | **54** | **13** | **27** |
| Theft by servant | Stealing by directors | 4 | 1 | 0 |
| | Stealing by agents | 0 | 1 | 4 |
| | Stealing by employee or servant | 69 | 35 | 68 |
| | **Subtotal** | **73** | **37** | **72** |
| Vehicle and other thefts | Theft of motor vehicle | 3 | 5 | 24 |
| | Theft from locked motor vehicle | 4 | 9 | 6 |
| | Theft of motor vehicle parts | 6 | 7 | 6 |
| | Theft of motorcycle | 2 | 6 | 3 |
| | **Subtotal** | **15** | **27** | **39** |
| Dangerous drugs | Possession | 150 | 89 | 81 |
| | Handling | 0 | 0 | 2 |
| | Trafficking | 1 | 1 | 2 |
| | Cultivating | 1 | 1 | 0 |
| | Usage | 0 | 0 | 0 |
| | **Subtotal** | **152** | **91** | **85** |
| Traffic offenses | Taking vehicle without lawful authority | 0 | 0 | 0 |
| | Driving under influence of alcohol or drugs | 0 | 0 | 0 |
| | **Subtotal** | **0** | **0** | **0** |
| Criminal damage | Malicious damage | 37 | 26 | 24 |
| | Arson | 17 | 10 | 9 |
| | Negligent act | 2 | 0 | 2 |
| | Other criminal damage | 0 | 0 | 0 |
| | **Subtotal** | **58** | **46** | **35** |
| Economic crimes | Obtaining by false pretense | 70 | 28 | 36 |
| | Currency forgery | 0 | 1 | 0 |
| | False accounting | 0 | 0 | 0 |
| | Other fraud or forgery offense | 4 | 0 | 1 |
| | **Subtotal** | **74** | **29** | **37** |

*(continued)*

## Table 3.2. Continued

| Offense | Category of Offense | 2015 | 2016 | Diff |
|---------|---------------------|------|------|------|
| Corruption | Soliciting for bribe | 0 | 0 | 0 |
| | Accepting bribe | 0 | 0 | 0 |
| | Accepting free gifts | 0 | 0 | 0 |
| | Demanding by false pretense | 0 | 0 | 0 |
| | Other corruption offense | 0 | 0 | 0 |
| | **Subtotal** | **0** | **0** | **0** |
| Offenses involving police officers | Soliciting bribe | 0 | 0 | 0 |
| | Accepting bribe | 0 | 0 | 0 |
| | Accepting free gifts | 0 | 0 | 0 |
| | Demanding by false pretense | 0 | 0 | 0 |
| | Other criminal offense | 0 | 0 | 0 |
| | **Subtotal** | **0** | **0** | **0** |
| Offenses involving tourists | Bag snatching | 0 | 0 | 0 |
| | Other offense against tourist | 0 | 0 | 0 |
| | Other offense | 0 | 0 | 0 |
| | **Subtotal** | **0** | **0** | **0** |
| Offenses against children | Child stealing | | | |
| | Child trafficking | | | |
| | Cruelty to child | | | |
| | Other offense against child | | | |
| | **Subtotal** | N/A | N/A | N/A |
| Other | Other penal code offenses | 200 | 186 | 179 |
| **Grand total** | | **1,706** | **1,360** | **1,157** |

*Source:* Kisumu County police records.

both modern and traditional factors contribute to the problem in Seme. Respondents from the area cited the demise of institutions that once regulated the choosing of a suitable partner, as well as the increasing empowerment of women; others pointed to the tradition of wife inheritance, which when combined with high rates of HIV can subject women to rejection and abuse. Other noted factors include poverty, the abuse of cheap alcohol, and the use of bhang (cannabis). One administrator felt that Seme's bad reputation may be simply due to the fact that the situation is more publicized due to the interventions which happen to be taking place there (Ogot et al. 2019). The Kisumu County government's Gender Technical Working Group has been conducting sensitization exercises, however, and Plan International has an active presence in Seme.

The physical abuse of commercial sex workers by clients and the abuse of widows through denial of property rights and forced eviction from matrimonial homes are reportedly prevalent in Kisumu. There are no reports of female genital cutting/mutilation (Kisumu County 2018; NCRC 2016).

## Table 3.3. KDHS Data on Intimate Partner Physical and Sexual Violence

| | Physical Violence | | Sexual Violence | |
|---|---|---|---|---|
| | Ever Experienced (%) | Experienced in Last 12 Months (%) | Ever Experienced (%) | Experienced in Last 12 Months (%) |
| **Kenya** | | | | |
| Women | 44.8 | 20.3 | 14.1 | 7.8 |
| Men | 44.0 | 11.1 | 5.9 | 2.3 |
| **Nyanza** | | | | |
| Women | 57.1 | 30.0 | 22.0 | 12.9 |
| Men | 56.3 | 15.2 | 13.4 | 4.9 |

Respondents of this study indicated that, despite the changes taking place in Kenyan societies, patriarchy remains entrenched in Kisumu County. The county executive for education opined that girl children are often undervalued, viewed as wives from a very early age, resulting in cases of defilement and rape being rampant in the county. Interviewees emphasized that incidences of gender-based violence are grossly underreported. One key informant captured the situation this way:
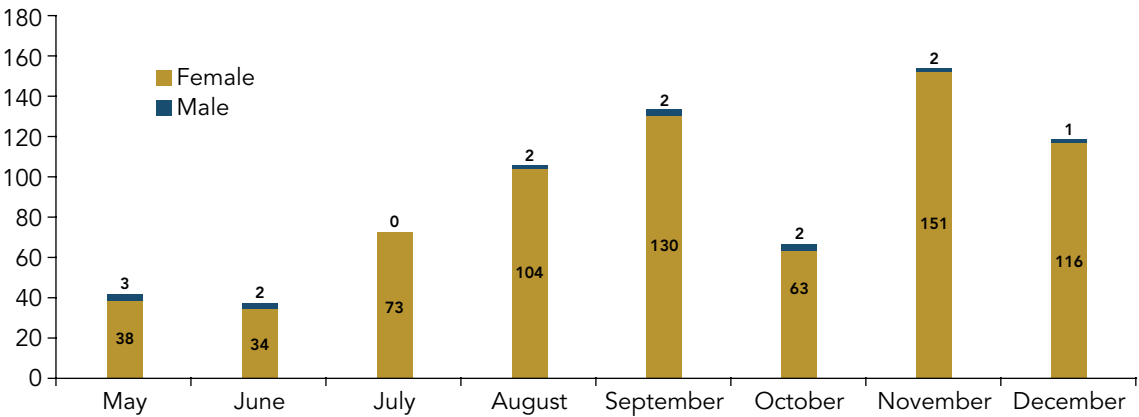
> "The majority of [gender-based violence] cases are never reported. Some are settled at home. In other instances, perpetrators bribe the police to escape being booked on police occurrence book, thereby rendering following up on the cases a major challenge."

Although the term gender-based violence usually refers to violence toward females resulting from unequal gender-power relations, men and boys can also be victims of physical or sexual abuse, and their experiences of abuse tend to be reported even less frequently than those of women and children because of cultural barriers that make men feel ashamed of being perceived as weak. Some respondents pointed to the neglect of the boy child compared with the empowerment of the girl child
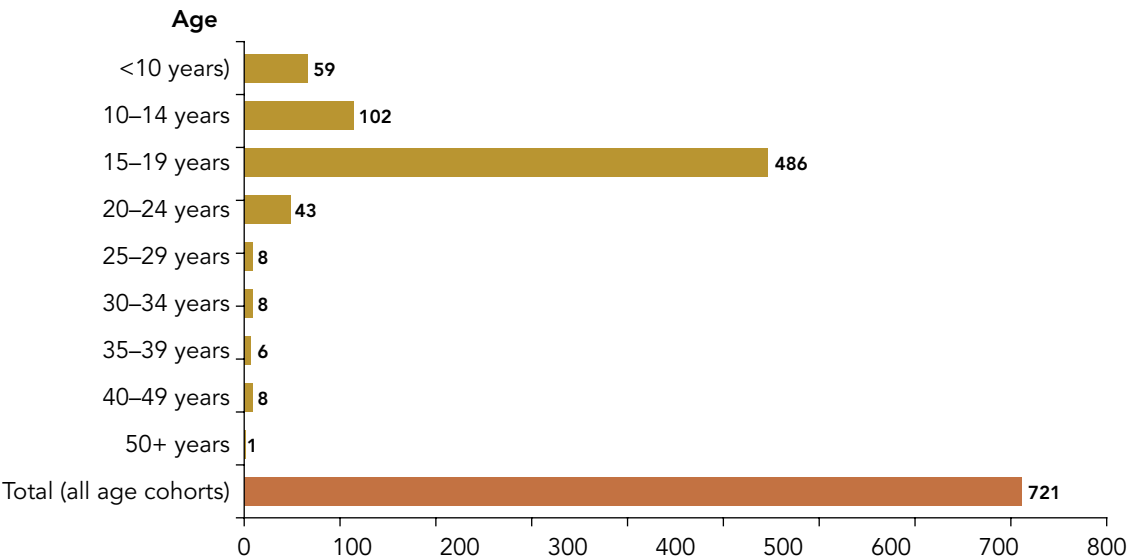
inadvertently resulting in the demoralization of young men, which potentially leads to them making harmful life choices.

Many incidents of sexual and gender-based crime and violence and also violence against children are hidden, but police and hospital records sometimes capture more serious cases (these are considered concurrently because of the considerable overlap between the two categories in the data on, for example, defilement). Data obtained for May to December 2018 from the Gender-Based Violence Centre at the Russia Referral Hospital reveal a total of 721 reported cases of sexual violence against both adults and children (see figure 3.2), with primarily female survivors. However, this figure probably underrepresents the situation, especially because this is an urban-based referral center and many cases—if presented—may have been handled at local health centers. An analysis of hospital data over an eight-month period reveals that the vast majority of survivors are between the ages of 15 and 19 (see figure 3.3). Some of these survivors are likely to have been minors who had engaged in consensual sex, but the cases were classified as defilement because they were younger than 18, and the laws of Kenya do not currently acknowledge consent

**Figure 3.2. Gender Distribution of Sexual Violence Cases Handled by the Gender-Based Violence Centre at Russia Referral Hospital, May–December 2018**

Bar chart showing monthly distribution of cases by gender (Female and Male):

| Month | Female | Male |
|---|---|---|
| May | 38 | 3 |
| June | 34 | 2 |
| July | 73 | 0 |
| August | 104 | 2 |
| September | 130 | 2 |
| October | 63 | 2 |
| November | 151 | 2 |
| December | 116 | 1 |

**Figure 3.3. Age Distribution of Sexual Violence Cases Handled by the Gender-Based Violence Centre at Russia Referral Hospital, May–December 2018**

| Age | |
|---|---|
| <10 years) | 59 |
| 10–14 years | 102 |
| 15–19 years | 486 |
| 20–24 years | 43 |
| 25–29 years | 8 |
| 30–34 years | 8 |
| 35–39 years | 6 |
| 40–49 years | 8 |
| 50+ years | 1 |
| Total (all age cohorts) | 721 |

under age 18; men over the age of 18 who engage a younger girl in sex risk a prison sentence. Nevertheless, a worrying percentage of survivors are under age 15 (14 percent), or even under age 10 (8 percent). While data may suggest that sexual violence in Kisumu County mainly affects young persons, this is probably because older women are more likely to be in long-term intimate relationships where rates of sexual violence are high but normalized.

Contributing factors toward sex offenses in the county include, sociocultural events such as Disco Matanga, which reportedly includes rampant alcohol and drug consumption, and religious practices such as Kesha (overnight prayer meetings), which congregate people of all ages into one space at night. Study participants also blamed such events for vacating women/wives from their homes, thus creating opportunities for men/husbands to prey on their own children—a practice that is especially common among blended families. Other noted factors include laxity among administrators who fail to act against offenders, as well as poverty which contributes to ignorance and powerlessness of victims. Some respondents in Seme cited the uncommon but dangerous misconception that defiling a child can cleanse a person from HIV (Ogot et al. 2019).

Reported sex-related criminal offenses include rape, indecent assault, defilement, and indecent acts with a child. At the time of this assessment, 179 of the total 347 inmates originating from Kisumu County (51.58 percent)

were serving time for sex related offenses, according to data from the Kisumu Maximum Security Prison (previously Kodiaga Prison). However, some study participants claimed that incidents of innocent persons being framed by relatives engaged in land-related disputes distorts these statistics. One key informant at the Kisumu Maximum Security prison explained:

"A considerable number of those serving time for sexual offenses … are innocent persons. Relatives who wish to exclude them from the sharing of dwindling family land resources have framed them. The aim is to isolate them for a lengthy period of time during which other family members share the little land available. All it takes is for the family to file a complaint about the individual and bribe a doctor to confirm that a sexual act involving the individual indeed took place then bribe a police officer to force a confession from the person. Once all this is in place, a conviction is guaranteed and the mission easily accomplished."

## Figure 3.4. Cases of Theft and Housebreaking Recorded by the Kisumu Judiciary Registry, 2018
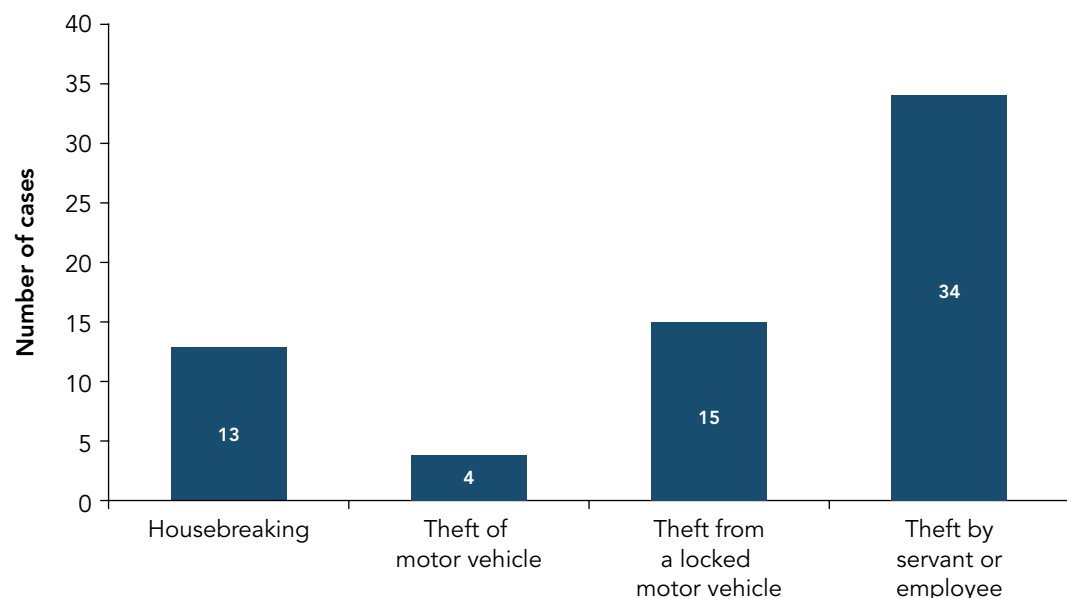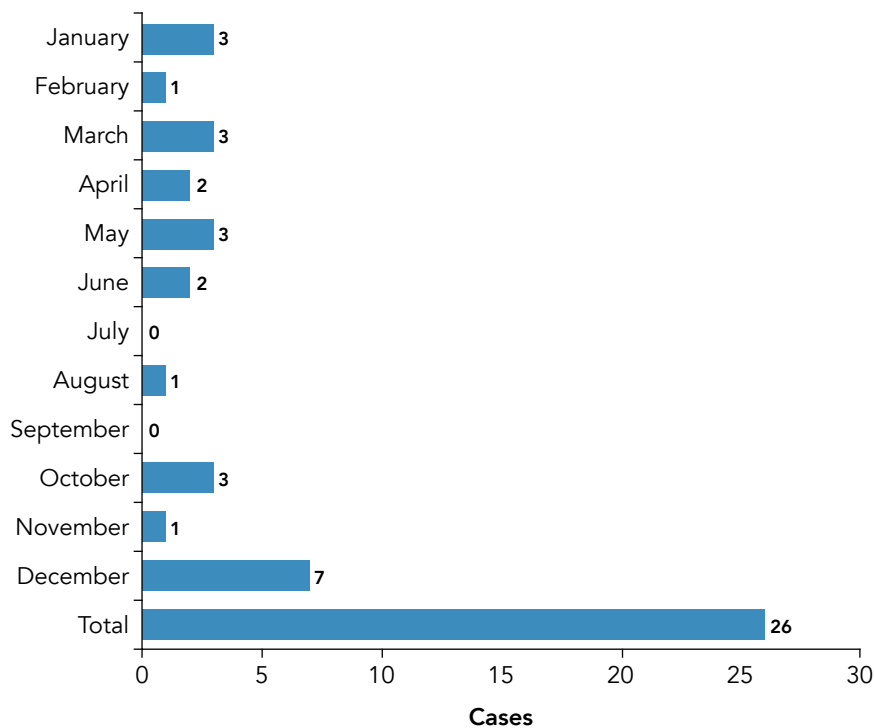
## Theft, Housebreaking/Burglary, and Robbery

According to study participants, theft, especially pickpocketing, is the most common crime in and around Kisumu City's central business district. Passenger vehicles have also reportedly been hijacked, especially between the hours of 8:00 and 10:00 pm, with victims forced to surrender any valuables they have with them. Other cited types of theft include the stealing of motor vehicles from parking lots and housebreakings by organized gangs, especially during demonstrations.

Figure 3.4 presents the distribution of theft offenses recorded by the Kisumu Judiciary Registry during 2018. The 66 documented incidents probably only represent a small fraction of total cases, however, since many crimes are not reported, and very few end up in court. Over half of all recorded cases of theft that are addressed in a courtroom involve stealing by a servant or employee, followed by stealing from a locked motor vehicle (23 percent), housebreaking (20 percent), and stealing of a motor vehicle (6 percent).

Many assessment participants cited robbery as a serious problem, especially within Kisumu City, with the major perpetrators reportedly youth who had previously worked as security personnel for politicians during the campaign season. Robbers can be well armed, extremely violent, and willing to kill anyone who could identify them in the course of committing the crime. Figure 3.5 summarizes the incidences of robbery recorded by the Kisumu Judiciary Registry in 2018. Notably, seven of the 26 documented cases were in the festive month of

## Figure 3.5. Number of Robbery with Violence Cases Recorded by the Kisumu Judiciary Registry, 2018



| Month | Cases |
|---|---|
| January | 3 |
| February | 1 |
| March | 3 |
| April | 2 |
| May | 3 |
| June | 2 |
| July | 0 |
| August | 1 |
| September | 0 |
| October | 3 |
| November | 1 |
| December | 7 |
| Total | 26 |

Cases

December. Again, however, there is most certainly an underreporting of cases to police and a lack of evidence to take most cases to court.

## Murder and Manslaughter

Murder and manslaughter together represent the third most commonly cited explanation among study participants for why inmates from Kisumu County were serving time in Kisumu Maximum Security prison. Of 347 total inmates from the county, 65—or 18.73 percent—are murder convicts. Data extracted from the Kisumu Judiciary registry reveal three recorded murder cases in the county in 2018, although the official statistics even underestimate murder cases. Interviewees opined that the challenge of collecting proper evidence

was the primary reason that murder cases take so long in the courts. Such delays result in victims' families feeling denied of justice and discourages them and others from engagement with the modern criminal justice system.

Security guards—who are not allowed to carry firearms—are particularly vulnerable to murder. Kenya National Private Security Guards Union's 2019 data reveal that an average of two security guards are killed every day in Kenya (Mabonga 2019). In Kisumu, night security guards from ethnic groups other than the Maasai are more likely to be murdered possibly because the Maasai are armed with traditional weapons such as spears and because their warrior tradition is revered and feared.

## Figure 3.6. Drunken and Disorderly Cases Recorded bythe Kisumu Judiciary, 2018
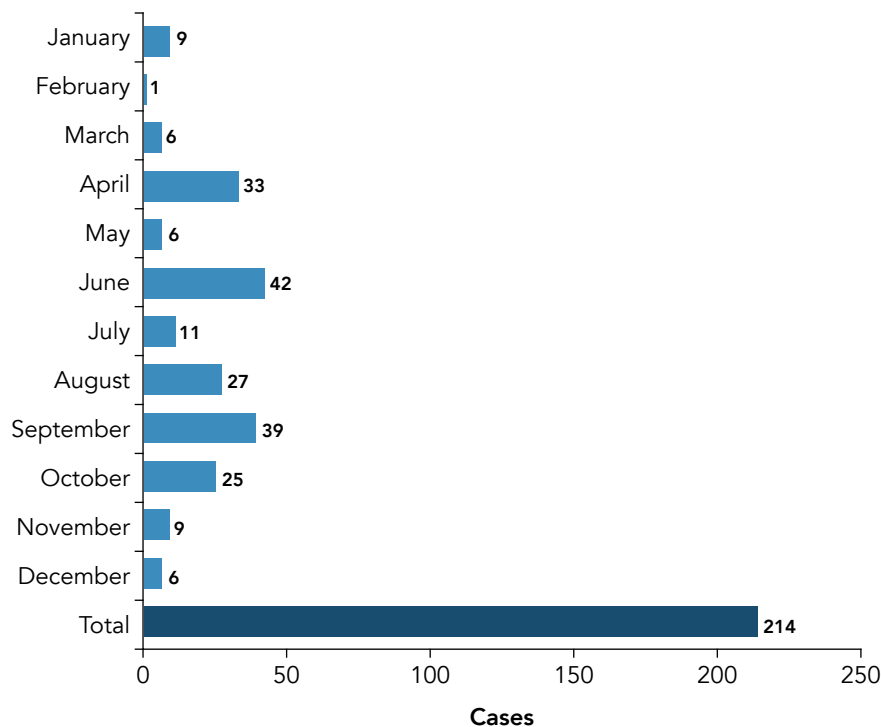
## Drug and Alcohol-Related Offenses

Respondents noted that illicit brews are prevalent in the villages of Kisumu County, with brewers use molasses from the region's sugar factories, including Chemelil, Muhoroni, Miwani, and Kibos. Simba Waragi and Empire, illicit brews illegally transported from Uganda, are also reported menaces. Compounding the problem of illicit brews is the lack of proper reporting to relevant government officers, particularly among chiefs who fear reprisals from villagers involved in the illicit brew business, coupled with lenient sentences for brewers and traders. One security officer who served as a key informant for this assessment explained:

> "Illicit brew is the most challenging crime in this county as there is no proper punishment by the courts. More often than not, the court fines are very cheap for those caught with illicit brew. As such, many are no longer afraid of courts and any other legal authority."

Figure 3.6 presents drunk and disorderly cases captured by the Kisumu Judiciary registry during 2018. A total of 214 cases were recorded between January and December, with great variation in monthly figures. Reasons for the variation are not apparent.

Many interviewees asserted that bhang is the most frequently abused drug in Kisumu County and that it is primarily boda boda drivers who transport it out of Migori County using shortcuts through the bush rather than major roads and highways, making it difficult for police officers to catch them. The presence of hard drugs like heroin and cocaine was suggested consistent with Syvertsen et al. (2016), who finds that markets for heroin and cocaine are emerging and injection drug use is becoming more common in the county.

## Illegal Firearms

Firearms are seemingly in abundance and easy to acquire, especially from neighboring countries such as Uganda and Tanzania. As a result, many unlicensed firearms have found their way into civilian hands. Possession of illegal firearms is itself a crime, and can also lead to further criminal and violent acts. The police and other law enforcement officials lack accurate records of who owns legal firearms, compounding the problem.

## Traffic and Transport-Related Offenses

Some participants placed blame on the boda boda transportation sector for aggravating criminal and violent activities in the county, claiming that there are strong links with various forms of crime and violence, and that the sector appears to have been infiltrated by gangs. The competition for customers is a recipe for conflict that can be further aggravated by an encroachment into another person's territory or operating zone. Boda boda transportation reportedly also aids crime and violence by facilitating the quick movement of people within the county. Because they can aid in a quick escape, the motorcycles are used to engage in petty theft and armed robbery. One chief described how 2 million Kenya shillings (about US$20,000) was stolen from a book store in this manner (Mkutu and Mkutu 2019). Boda bodas are also a convenient means for transporting illicit alcohol and drugs.

Traffic offenses are prevalent in Kisumu County. Data from court records suggest that these are sometimes the result of unqualified drivers using a driver's license and ID number of a friend—the police use the ID number to

check if a driver is registered with the National Transport and Safety Authority, which does not have photographs of drivers on record. Drivers also often bribe traffic police so they will not demand to see an original ID card. Similar to other parts of Kenya, many boda boda drivers in Kisumu County lack national ID cards and driver's licenses; a 2016 study finds that 62 percent had no formal training at all (Nyachaieo 2016).

## Organized Gangs

The assessment unearthed the fact that organized gangs are a major problem in Kisumu County, especially in informal settlements such as Obunga and Kondele. Some prominent gangs in the county include Baghdad, Somali Based, Car Wash Base, and Kosovo Base. NCRC (2016) names a number of active gangs, including the China Squad and the "U.S. Marines," which are exclusively found to Kisumu, as well as the Bagdad Boys, 40 Brothers/Thieves, 9 Boys, Taliban, Sokoni Youth, and Shymbo 12, which can be found in Kisumu and elsewhere in Kenya, although the extent to which this represents networking rather than the simple borrowing of names is not known.

Gangs are often well-organized groups with well-known members and a clear authority structure. Most gang members are youths between age 12 and 24; some gangs comprise only juvenile members. Politicians often use gang members during their campaigns, only to leave them idle again once the electioneering period is over. According to key informants and focus group discussants, a year before an election, youths start going to the gym to build their muscles in order to convince the politicians of their ability to protect them. Politicians, however, do not pay them well and, as a result, whenever there are

demonstrations, gangs raid the city's shops. When the campaigns are over, most politicians do not express concern over the social and economic welfare of their former protectors. One study participant explained:

> "Gangs operate by attacking people, using stones, machetes, and blunt objectives. They commit organized crime, mainly economic in nature, like burglary. Those allied to politicians are said to be bolder and can even operate with impunity and openly, courtesy of the political patronage they enjoy."

Interviewees indicated the presence of two prominent gangs in Kisumu county: the China Squad and the American Squad. The China Squad, reportedly allied to the Jubilee Party, mainly operates within the central business district of Kisumu City, controlling all of the businesses located there. The American Squad, purportedly allied to the Orange Democratic Movement political party, draws its membership from vendors who control most of the matatu stage (minibus stations) in the city. A member of the China Squad gang explains the activities and perceived benefits of membership this way:

> "The American Squad was the first one to exist and it was the one commanding everything. So, after the gym you would go to the matatu stage to get a job where we made a lot of money—about 40,000–100,000 shillings—but by the end of the day you got very little as the American Squad was demanding a lot. We then decided to start our China team to control the business within the CBD [central business district] and other matatu stages outside the CBD, which has changed my life."

Some youth engage in crime and violence due to peer pressure, not because they lack

employment. Such youth believe that engaging in crime is "macho" and that perpetrators are heroes. Participants for this assessment cited 42 Brothers and Tesa Tesa ("Punish") in the Obunga slum as examples of gangs engaging very young boys in criminal activities in this way.

## Cattle Theft

Interviewees reported that cattle theft is very common in Nyakach subcounty. Perpetrators are mainly youths from upper and West Nyakach, who steal the cattle and then secretly hand them over to their youth counterparts in the Koguta Forest in Kericho County in exchange for money. Sometimes, the money is advanced to avoid delays. According to one administrator from Nyakach,

> "The youth in Nyakach travel to as far as Homa Bay County to violently steal the cattle and settle the debt given in advance by their counterparts in Kericho County."

According to focus group discussants, a key sustaining factor for cattle theft is the abetting of the crime by elderly men in Kericho County, evidenced by their inability to answer questions about the new cattle on their land.

## Land/Boundary Conflict

Land- or boundary-based violence often arises due to the double allocation and illegal occupation of scarce and continuously dwindling resources. Such violence is a common result of neighbors competing with each other for grazing space as well as families fighting amongst themselves due to an absence of proper documentation regarding the subdivision of family land. Most village members lack succession evidence because they are discouraged by complicated land subdivision and succession

procedures as well as corrupt practices in the land sector. Participants cited a case in which residents succeeded in their legal battle to recover a 900-acre plot of community land in Kanyakwar from which they had been evicted in 1978 for development purposes and which had subsequently been land-grabbed by others. However, delays in the implementation of the National Land Commission ruling persist (Omollo 2019).

Kisumu County locals sometimes fight over the boundaries of their ancestral lands. The people living along the Nyando River, for example, clash over riparian, undemarcated land. Tullow Oil's discovery of oil in central and West Nyakach has led to conflict among the 11 clans in Nyakach who have been scrambling to settle within the boundaries of oil discovery area; the conflict has even divided families.

Kisumu County is also impacted by boundary conflicts with neighboring counties (see map 3.1. The Kalenjin of Nandi County claim that their precolonial boundary with Kisumu County was past Chemelil and included the towns of Fort Tenan, Koru, Muhoroni, Chemilil, and Awasi, but that the colonial government had taken the land away from them during the construction of the railway line. Local Nandi people have expressed their anger by allowing their herds to invade the several large farms located in the border area. The Nandi have seized opportunities to repossess parts of the land, and there is perennial armed conflict in the form of cattle raiding between them and Luo communities, which has hindered free movement and trade, development, cultivation, and livestock breeding. Political promises and statements serve to incite the conflict further, while local administrators may behave in a partisan manner to protect themselves (Nyamagwa et al. 2019).

Sondu Miriu Hydro Power Station is situated in a conflicted area at the border between Kericho and Kisumu counties | Ministry of Tourism, County Government of Kisumu

A local chief noted that the lack of a clear border between Kisumu and Kericho counties has caused a serious dispute in the town of Sondu. The absence of such a boundary and lack of clarity about jurisdiction also makes it difficult for county governments to collect taxes in the market and has at times led to conflict among tax officers and sellers. A boundary dispute between Sigowet subcounty in Kericho County and Sigoti location in Nyakach subcounty of Kisumu County has been the source of cross-border skirmishes. Hostilities are heightened when the residents of contenting subcounties belong to different political parties.

The clans and subclans of Nyakach and Nyando subcounties have engaged in long-running boundary conflicts, resulting in many deaths and property loss. The subcounties are separated by the Awach and Nyando rivers, but periodic changes in the course of the rivers and the emerging of new fertile floodplains has led to boundary disputes, particularly during the dry spells of December to February, when grazing land is scarce and cattle are moved to graze near the rivers. Governance failures and a lack of political will feed into the conflict (Kamala et al. 2019).

## Corruption

People refer to corruption as "negotiated crime" in Kisumu County, which may be an indicator of its high prevalence. Interviewees for this assessment singled out police officers as the major perpetrators of corruption in the county. They accused them of openly extorting money from public service vehicles in the morning. One member of the matatu owners' association elaborated:

"The matatu drivers in Kisumu must give traffic police 100 shillings at around Kisumu Girls' Secondary School in order to operate within Kisumu town or else they look for mistakes for those who are not corrupt and fix them in court."

Operators who refuse to pay are harassed, and sometimes their vehicle number plates are removed from their vehicles. The police were also associated with the disappearance of suspects from police stations.

## Fraud

The assessment revealed that fraud is an emerging crime in Kisumu County, whose victims are mostly business people, land buyers, and car buyers. People are tricked into thinking that they are buying genuine property, only to see the "sellers" vanish after being paid. This type of crime is commonly referred to as "*wash was*" in the county (reflecting the "laundering" of money). Bank attendants are also believed to conspire with fraudsters to commit such crimes.

## Human-Wildlife Conflict

Conflict between humans and wildlife is evident in Nyakach and Nyando subcounties. In Nyakach subcounty, monkeys living in the Koguta Forest are said to be destroying farm crops. In Nyando subcounty near Lake Victoria, hippopotami living in Lake Victoria have been attacking people in Nyando subcounty. The situation was especially acute in areas such as Kakola, Ombaka, Ogenya, and Nduru, which experience flooding during the rainy season. Interviewees expressed their disappointment with the fact the Kenya Wildlife Services office does not always help affected locals, although the national government is actually responsible for such compensation.

## Interventions

Key informant interviewees and the focus group discussants for this rapid assessment identified a wide variety of strategies for crime and violence prevention. Key interventions are explored below.

## Law Enforcement Process

Previous crime and violence surveys have revealed that a lack of capacity, corruption, inadequate witness protection programs, and poor relationships with the community hamper police efforts to fight crime and violence. Because of such factors, people do not want to be witnesses, many crimes are not investigated, and criminals go free, ultimately becoming a vicious cycle where people do not report to the police in the first place, which then leads to the inevitable problem of mob justice.

In Kisumu, respondents for this assessment similarly alluded to bias and bribe-taking among law enforcement officers, which does nothing to deter crime. Penalties, when charged, are considered weak and ineffective. Some participants expressed their sense that the campaign activities of human rights groups hamper the effective application of the law. Also cited was a tendency toward reactive, militaristic, and brutal approaches to law enforcement during demonstrations and at election time (Mkutu, Marani, and Ruteere 2014).

A final feature of law enforcement that increases the propensity for crime and violence is the lack of trust between the public and the police, a problem which appears to be endemic, especially in Kisumu City. The two factors prompting this are the manner in which junior officers conduct themselves and the ethnic composition the of the force: officers are mainly drawn from the Kikuyu and Kalenjin

ethnic groups and are therefore viewed as having been posted to Kisumu for the purpose of political control, fueling anger among youths.

## Community Policing

Interviewees for this rapid assessment acknowledged that community policing, including the Nyumba Kumi initiative, was a step in the right direction in the fight against crime and violence in Kisumu County. They commented on the integration of youth into such initiatives but also cautioned that this could create enmity between the youths and other members of the community. Interviewees were quick to point out, however, that despite being an effective structure, the county government gives inadequate support to community policing, including the Nyumba Kumi initiative, despite the legal mandate that counties oversee community policing and set security priorities through county policing authorities, which should then be communicated to the county commissioner and county police commandant. Notably, there has been a long delay in setting up these structures in Kenya's counties (Ombati and Obala 2018).

## County Government Interventions

Kisumu County's Integrated County Development Plan did not specify which development projects had been completed during the first phase (2013–18), but it does note that expenditures on development were low at the start (County Government of Kisumu 2018) partly due to bureaucratic constraints at the onset of devolution (Messanoui et al. 2018). Kisumu County received donor funding under the World Bank's Kenya Urban Project, from UN Habitat, and from the Danish agency Danida. The County Integrated Development Plan for 2018 to 2022 notes that the central focus of the governor's manifesto is job creation

and ending poverty through sustainable development in agriculture, industry, and the service sectors. The ten-point agenda calls for:

1. Revitalizing agriculture for food security and agribusiness;

2. Ensuring a healthy population living in a clean and secure environment;

3. Modernizing infrastructure;

4. Promoting skills development and innovation;

5. Conserving the environment while opening the Kisumu lakefront for business;

6. Promoting decent housing;

7. Promoting sports, culture, and the arts;

8. Promoting the use of sustainable energy sources in industry and the service sector;

9. Promoting tourism driven by culture and heritage; and

10. Deepening the structures of devolved governance by establishing village councils.

## Opening up of Informal Settlements and Enforcement of Development Controls

To address the rampant problem of crime and violence in the informal settlements in Kisumu City, the physical planning department has embarked on an ambitious program of increasing access, opening up, and improving lighting. Notwithstanding the upheaval which this has caused, when complete, such steps will hopefully deter criminal and violent activities by increasing police and neighborhood

watch patrols and improving visibility at night. In addition, the county government is strengthening the enforcement of urban development and planning by-laws to ensure that development in informal settlements is properly controlled, such as moving back developments that have encroached on road reserves, public parks, or other public lands. However, the process faces major challenges, especially a shortage of human resources. The county government is also involved in the cleanup of informal settlements as a means of curtailing criminal activities.

## National Government Commissions and Youth Economic Programs

The national government has initiated economic programs targeted at disadvantaged groups, particularly youth and women, to address factors that contribute to poverty, unemployment, and idleness among youth, including the Youth Fund, Uwezo Fund, and an expansion of intake into the National Youth Service. Unfortunately, those who initially procured funding from the funds have failed to pay it back so that others might also benefit. Similarly, corruption and other negative practices such as nepotism have crippled the Youth Service Program, diminishing its benefits to Kenyan youth.

The national government has formed multiple commissions, such as the Truth, Justice, and Reconciliation Commission, which was expected to usher in reparations for historical injustices, and the Ndung'u Land Commission, among others. Interviewees felt that such commissions could have had far-reaching effects in addressing some of the roots of conflict and risk factors for crime and violence but a lack of implementation has rendered them mostly impotent. To illustrate, interviewees opined that the failure to implement the findings

of the Ndung'u Land Commission might be related to recurring border clashes punctuating parts of Kenya, such as the Muhoroni–Nandi conflict.

## Socioeconomic Programs by Religious Organizations

Some religious organizations have initiated socioeconomic programs that engage youths and keep them away from the kind of idleness that has been associated with their involvement in crime and violence. For example, in collaboration with the Catholic Church, the National Council of Churches in Kenya has been involved in a program seeking the transformation of members of the Baghdad Boys' gang. It involves visiting communities and having conversations with young people to identify their grievances, which are then presented to the government so it can help find solutions. Religious organizations have also initiated livelihood programs such as revolving funds and resource training targeted at the youth.

The results of this rapid assessment suggest that the Catholic Church is among the most active religious organizations working on youth-related matters in Kisumu County. Through the Catholic Justice and Peace Committee, it is running four programs tailored toward the county's youth: (1) Democracy and Governance, (2) Transformative Civic Education, (3) Peace Building and Reconciliation, and (4) Lenten Campaign.

The Democracy and Governance program educates young people about elections, enabling them to engage constructively in the process and making them responsible citizens. The Transformative Civic Education program aimed to help people consider carefully the

way in which they choose their leaders. The Peace Building and Reconciliation program emphasizes peace with justice by guiding participants through the wheel of justice, which turns very slowly. The program stresses community-level social peace and recovery. Its guiding question is: "How do you recover when someone robs or violates you?" The initiative operates in the spirit of some self-help groups created by survivors of the 2007 postelection violence, such as Siri ya Jikoni, promoting community recovery by assisting each another materially and socially. The seasonal Lenten Campaign takes a "see, judge, and act" approach, which takes advantage of the mood of Lent to explore ways to peacefully coexist with one's neighbors. The program engages the interfaith networks of Kisumu County to organize small Christian communities ("*Jumuia*") and hold weekly thematic discussions. The general theme for the program is prepared a year in advance and is anchored on the projection of the political environment. In 2018, the theme was "Justice for All," and for 2019 it is "Uniting, Healing, and Renewal of Our Nation: God's Gift."

The church also has a robust development wing—International CARITAS Organization—which seeks to address the issue of marginalization. Through CARITAS, the church is engaged in development-oriented activities such as drilling boreholes, relocating internally displaced persons, responding to crises and emergencies, and providing seeds to farmers during the planting season to boost food security.

## Rehabilitation Programs

The Kisumu Maximum Security Prison, formerly known as Kodiaga prison, runs a number of rehabilitative programs for inmates aimed at curtailing repeat offenses and thereby reducing the rate of crime and violence, including vocational training such as carpentry, masonry, metalwork, and upholstery; formal education—from class one to form four; spiritual and mental welfare services; games and sports; social welfare and counseling programs; and a psychiatric clinic.

## Suggested Interventions

Respondents suggested a variety of measures to strengthen traditional law enforcement, including strengthening the training of law enforcement officers, improving their pay and conditions, and revising and strengthening law enforcement. Another suggestion was to improve surveillance, including embracing and harnessing the full potential of technology such as closed-circuit television cameras for deterrence and hotlines for rapid response.

Some suggestions such as strengthening the partnership between law enforcers and community members reflected awareness of one of the key themes of the crime and violence prevention approach, namely inter-sectoral partnership. Further, peace building and peace advocacy were considered particularly good strategies for dealing with election-related violence. Interviewees cited the need for government officials, chiefs, civil society organizations, and others to engage youths through different forums, especially prior the next elections in 2022, with the view toward preaching peace. They emphasized that peace advocacy must begin as soon as possible and include young people.

Lastly, some argued more broadly that devolved development presents opportunities to address grievances emanating from the marginalization factor. However, they lamented that the county's leadership was not effectively harnessing these opportunities.

Kisumu Yacht Club on the lakefront | Ministry of Tourism, County Government of Kisumu

# 4. Conclusion

Kisumu is a strategically located vibrant county with impressive natural and human resources and significant economic potential. However, as this assessment reveals, important crime and violence challenges threaten the county's—and indeed all of Kenya's—security, stability, and sustainable development. A picture has been revealed of a county with a troubled history of political and economic marginalization and political conflict, with current problems of youth unemployment, urban—including gang—crime, rural resource-based conflict, police corruption, and gender-based violence. At the same time, Kisumu's strategic geographic position on the border of Uganda makes it particularly vulnerable to alcohol smuggling.

## Risk Factors

Identifying the many drivers of and risk factors for crime and violence victimization and perpetration is important to the creation of prevention strategies (see table 4.1). Some risk and enabling factors are cross-cutting in that they lead to a variety of types of crime and violence while others are specific to certain categories and settings.

Economic marginalization and mismanagement of state industries are key contributors to the current severe challenge of youth unemployment. Youth unemployment and lack of investment in education swells the informal sector, especially the boda boda industry, which in turn is associated with multiple harmful repercussions. Various

forms of theft, robbery, and gang-related crimes are somewhat related to politics, especially during times of electioneering, however, the lure of political violence would be lessened if other employment opportunities were more readily available. The recent political handshake between opposition leader Raila Odinga and President Uhuru Kenyatta resulted in an instant cooling of political tensions (Pala 2019). However, the long-term effectiveness of this truce is in question, particularly as it has not solved underlying grievances, and has been seen as compromising the political independence of the opposition (Cheeseman et al. 2018).

Although a full review of formal security interventions was beyond the scope of this assessment, it is evident that an effective police response to crime and violence is lacking. Policing are hampered by corruption and a breakdown in the relationship between the police and the public, which is self-reinforcing and leads to lost opportunities for intelligence gathering. Many see community policing as an important arm of crime and violence prevention, but it is currently impeded by a lack of financial backing and leadership at the county level.

## Protective Factors

Some risk factors of crime and violence in Kisumu County are longstanding and challenging to address, but we can identify potential areas for intervention that are within reach and that could bring tangible benefits over the short to medium term. Based on the risk factors described in table 4.1, areas for possible intervention include increasing youth training

### Table 4.1. Identified Risk Factors of Crime and Violence in Kisumu County

| Level | Risk Factor |
|---|---|
| Individual | Alcohol use |
| | Unemployment |
| | Poverty |
| Family | Poor parenting |
| | Family breakdown |
| | Poor communication |
| | Exposure to violence in the home |
| | Exposure to alcohol in the home |
| Community | Access to drugs and alcohol, especially at certain cultural events |
| | Local alcohol brewing |
| | Access to guns |
| | Cultural norms of livestock raiding |
| | Intercommunal land conflict |
| | Land grabbing |
| | Poor urban planning (access and lighting) |
| | Inequality |
| Societal | Economic marginalization |
| | Politics |
| | Declining religious influence and social control |
| | Patriarchy and norms of violence against women and girls |
| | Proximity to Ugandan border and poor border controls |
| | Police corruption and inefficiency |
| | Outdated education system |
| | Bloated boda boda sector |
| | Unscrupulous private security sector |
| | Social media misinformation |

opportunities and family support programs, promoting tighter controls on alcohol sales and brewing, improving border controls, and enhancing the urban improvement. Existing community policing structures also could be strengthened as a prevention measure. Finally, security and peace actors must explore ways of bridging the community-police gap, assisting collaboration, and protecting those who are leading the way with such endeavors.

This assessment reveals multiple religious and civil society organizations engaged in valuable work and trusted by the local population. Further research would be valuable to map these actors and improve coordination and partnership among them. Devolution intended to reverse the problems of marginalization by allowing for direct funding of county-level development activities. While progress during the first county government term was rather slow (Kisumu County 2018), several promising developments have arisen, including a dairy project, job creation in road building, entrepreneurial training for youth, lake-based industries such as oil transportation, and a revival of urban improvements with donor support (Olouch 2018). There has been an upsurge in development in Kisumu County since the symbolic handshake, with KShs 3 billion allocated to projects such as the revamping of the port and lake and the revival of Kenya Breweries and the sugar industry, as examples (Nyabundi 2019).

The adoption of the 2030 Sustainable Development Goals has been a watershed moment for the global community, especially because it recognizes that achieving social and economic progress for humanity requires varied multisectoral approaches and that security and justice are central aspects of social development. Progress in these areas will be essential to achieving the goals. Evidence suggests that strengthening legitimate institutions and governance to provide citizen security, justice, and jobs is crucial to breaking cycles of violence (World Bank 2011). However, crime and violence prevention efforts require incentives and coalitions of many actors to become an effective development tool (World Bank 2017).

Crime and violence prevention efforts require leaders to foster a culture of prevention and hence the attention of county governments. Twenty-first century leaders should have the characteristics of good governance, equity, and inclusion to truly embrace development for their citizens. County governments in Kenya now have an important role to play in fostering a collaborative framework that allows for the participation of both levels of government in the management of peace and security in Kenya, provides a forum for dialogue between levels of government and with civil society, and strengthens and operationalizes key institutions and structures. The county policing authority and county security committees/peace committees can potentially serve as vehicles for prevention; the former under the supervision of the county government and can provide direction to the latter. The Crime and Violence Prevention Training collaboration therefore aims at continuing to provide technical advice and training for capacity building to multisectoral actors at the county level with a view toward meeting these needs.

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New highways for urban regeneration | Ministry of Tourism, County Government of Kisumu

# Appendixes

## Appendix A. Crime and Violence Baseline Rapid Assessment Methodology

| Police | National Government Administrator | County Government | Civil Society and Faith-Based Organizations | Community | Other (e.g., Business, Hospital, or School) |
|---|---|---|---|---|---|
| **Crime, violence, and their drivers in the studied county** | | | | | |
| Annual Crime Report statistics<br><br>Types of crime and violence<br><br>Hidden crime and violence?<br><br>Hot spots?<br><br>Gangs?<br><br>Resource and land conflict?<br><br>Ethnic/religious conflict?<br><br>Boda bodas | Types of crime and violence<br><br>Drivers of crime and violence | Types of crime and violence<br><br>Drivers of crime and violence (e.g., youth unemployment, inequality, borders, resources, and underdevelopment) | Specific crime and violence seen<br><br>Drivers of crime and violence observed (e.g., conflict and youth employment)<br><br>Community safety<br><br>Protective and risk factors | Types of crime and violence (violence against women and children, petty crime, conflicts, boda boda)<br><br>Community safety<br><br>Protective and risk factors | Violence against women and children (gender-based violence statistics if available from hospitals) |
| **Responses to crime and violence** | | | | | |
| Current police strategies, effective?<br><br>Not effective?<br><br>Police-community relations | Current government strategies, effective?<br><br>Not effective? | Current government strategies, effective?<br><br>Not effective? | Experience of current strategies being used in county, effective?<br><br>Not effective?<br><br>Police-community relations | Experience of current strategies being used in county, effective?<br><br>Not effective?<br><br>Police-community relations | Experience of current strategies being used in county, effective?<br><br>Not effective?<br><br>Police-community relations |
| **Crime prevention activities and partnerships** | | | | | |
| Partnerships with other organizations?<br><br>Thoughts about the CPA<br><br>Thoughts about community policing/Nyumba Kumi<br><br>Vigilante bill? | Addressing development and drivers of crime and violence<br><br>Partnerships?<br><br>Thoughts about the CPA<br><br>Thoughts about community policing/*nyumba kumi* | Addressing development and drivers of crime and violence<br><br>Partnerships?<br><br>Thoughts about the CPA<br><br>Thoughts about community policing/Nyumba Kumi | Specific activities (e.g., peacebuilding, advocacy, support, and practical help)<br><br>Partnering with police and government?<br><br>Effectiveness of partnerships?<br><br>Duplication? | Specific activities?<br><br>Partnering, with police and government? | Specific activities?<br><br>Partnering with other organizations, police, and government? |

CPA = County Policing Authority; NGO = nongovernmental organization.

## Appendix B. General Framework for In-Depth Interviews and Focus Group Discussions

### Crime and Violence Rapid Assessment

**Interview/meeting report**

Date:

Reporter:

Other Participant(s):

Meeting with:

Name:

Organization:

Contact Information:

(1) What are the main activities of this organization related to crime and violence?

(2) What are the main challenges related to crime and violence in this locality?

(3) What are the drivers of these challenges?

(4) What is being done or could be done to help reduce crime and violence?

The Crime and Violence Prevention Training Project
is funded by the following development partners: