

Security Threats Posed by Contraband Cell Phones in *Naivasha Maximum Prison in Kenya: Prison Officers' Perspectives*

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ABSTRACT

In the recent past, cell phones have emerged to be among the leading outlawed contemporary contrabands in correctional facilities around the globe. Although official statistics on number of contraband cell phones globally remains elusive, searches by prison officials project a worrisome trend. At Naivasha Maximum Prison, it is estimated that 30% of the inmates possess cell phone. This paper examines security threats prison officers are prone to due to smuggling and use of cell phones at prison; security threats inmates are prone to due to smuggling and use of cell phones at prison and finally, security threats members of public are prone to due to smuggling and use of cell phones at the prison. The study employed descriptive research design. The unit of analysis was an individual prison officer. A sample size of 182 respondents was drawn from a population of 507 junior prison officers using simple random sampling technique. Primary data was collected through questionnaires. The results indicated that prison officers are prone to physical injuries (38.92%), ambushes during escorts (29.94%) and espionage (20.35%). Inmates were prone to physical attacks (46.78%), electronic fraud (26.28%) and exploitation (21.79%). Members of public were prone to electronic fraud (74.40%) and kidnappings (40.47%). The study concludes that phones in prisons pose security threats which are of national concern. This will add to existing body of knowledge on security threats and policy gaps that exists in controlling cell phones in prisons. Awareness creation on security threats posed by phones in prison is recommended.

Key words: Cell phones; Contraband; Inmates; Prison; Security threats.

INTRODUCTION

In the recent past, cell phones have emerged to be among the leading outlawed contemporary contrabands in correctional facilities around the globe. Although official statistics on the number of contraband cell phones globally remains elusive, searches by prison officials project a worrisome trend (Pew Research Center, 2014). For instance, in Mississippi state prisons, over 25% of prisoners possessed cell phones in 2012. Conversely, in 2008 and 2013, 2214, and 3400 cell phones respectively were recovered (Mississippi Department of Corrections, 2014). Similarly, in the year 2011, at least 15,000 cell phones were confiscated in all Californian state prisons with the help of managed access security systems (Grommon, 2018). With such an increase in number of contraband cell phones in the USA prisons, addressing it has emerged as one of the key priorities for many correctional administrators and policy makers in the country. The existence of cell phones in correctional facilities poses significant security threats to prison officers, inmates and the members of public (Grommon, 2018; Williams, 2014).

In Africa, the nature of cell phones in correctional facilities has not been well documented. Some existing studies, however, shows that Africa is no exception. For instance, in Nigeria, Obioha (2011) admits the existence of cell phones that are illegally allowed in by some correctional officers. In South Africa correctional facilities, prison gangs acquire, distribute and control cell phones among contrabands. It was as a source of income to the prison gang and this symbolizes authority and influence (Lindegaard & Gear (2014).

In Kenya, smuggling and the use of cell phones in prisons continues to be experienced (Aluda, 2012). The prohibition of cell phones in prisons makes it hard for Kenya Prisons Service (KPS) to know the accurate number of cell phones in inmates' possession. According to Aluda (2012), 24,520 cell phones were recovered from prisoners between 2009 and 2011. Within the same period, he noted that 1,205,000 Kenyans received unlawful calls originating from prison settings nationally. Further, according to KPS (2018), 600 cell phones and 5,000 Subscribers Information Module (SIM) cards were confiscated in 2014 by prison officers at Kamiti Maximum Prison. In addition, 3,398 and 4,750 cell phones were confiscated from inmates across Kenyan prisons in 2014 and 2015 respectively. Aluda postulates that inmates' demands for cell phones will increase if adequate measures are not put in place to discourage the acquisition of this contraband item. It is estimated that 30% of inmates in Naivasha Maximum Prison (NMP) possess at least one cell phone translating to 1000 phones, while all prisoners have at least one SIM card (KPS, 2018).

Studies have shown that prison officers are involved in the smuggling of cell phones used by inmates to perpetrate crimes within and outside prisons (Burke & Owen, 2010). For instance, according to National Institute of Justice (2013), cell phones expedited a fatal shooting of a prison officer. Nyandiko (2015) notes that search for cell phones and other contrabands was a trigger for riots in Kenyan prisons. Searches are occasioned by retaliation by inmates using crude weapons like metal bars and sharpened spoons. The riots exposed prison officers to physical injuries including grievous bodily harm. She found out that majority (82%) of officers indicated that they faced high levels of insecurity due to riots.

States are obliged to ensure the safety of inmates at all times where they should be protected from any form of violence or ill-treatment from prison officers or other inmates (United Nations, 1955). While smuggling, possession and use of cellular phones by prisoners in the prisons precinct is a

breach of security (Bates, 2016); Burke & Owen, 2010), some inmates continue smuggling and using cell phones in prisons. This exposes them to multiple risks (Henderson, 2016) where there might be conflict between inmates and correctional officers (Federal Bureau of Investigation, 2013). In Nigerian prisons, some inmates bully other inmates (Akpunne, 2014) which may be as a result of cellular phones or personal differences. In a study by Gumbi (2015), majority (72%) of the respondents indicated that sale of contrabands in prisons is a recipe for violence among inmates. A perplexing finding is that violence occurred when inmates stole contrabands from other inmates.

Inmates use cellular phones to commit criminal activities outside prisons walls. For instance, cell phones were linked to the killing of witnesses (Christie, 2010) and aided inmate escapes from prisons (Burke & Owen, 2010) for revenge or furtherance of other criminal activities. Grommon *et al.*, (2015) found out that between March-July 2012, a daily average of 4,678 illegal calls were made from Mississippi State prisons. Adetula *et al.*, (2010) opined that prisons in Nigeria turn petty offenders to hardcore criminals in prisons and relapse to crime upon release from prisons and this was in concurrence with Chukwudi (2012) findings. Prisons were aimed to deter inmates from being a threat to society, however they have turned out to be sources of crimes and security threats (Aluda, 2012). In his study, Aluda (2012) found out that inmates use cell phones to commit criminal activities as individuals or through accomplices outside the prison walls. He pointed out extortion for money as one common form of crimes committed against the members of public. This finding was equally echoed by Omboto (2013) and Gumbi (2015).

PROBLEM ANALYSIS

In recent years, cell phones have emerged to be the most smuggled and illegally used items in Kenyan prisons. They are smuggled into prisons by prison officers, inmates and members of the public. To curb this challenge, KPS has invested in a variety of modern security systems including detection, surveillance and interruption security systems that are managed by prison officers. In spite of the security systems in place, smuggling and the use of cell phones in prisons continue to be reported. With their reporting, there are mixed reactions on their implications. One school of thought argues that cell phones are smuggled into prisons and used by inmates for a good course. For instance, they are a means of contacting their significant others outside the prison walls and a source of leisure therefore a necessary evil. The other school of thought argues that they are used to commit crimes and a source of insecurity to prison officers, inmates and the members of public. If the latter argument is to go by, then it undermines the correctional philosophy on safe custody of inmates for community protection. This background forms the basis of this study.

OBJECTIVES

1. To examine security threats prison officers are prone to due to smuggling and use of cell phones in the prison.
2. To examine security threats inmates are prone to due to smuggling and use of cell phones in the prison.
3. To examine security threats members of public are prone to due to smuggling and use of cell phones in the prison.

METHODOLOGY

The study adopted descriptive research design and was carried out at Naivasha Maximum Prison located in Nakuru County in Rift Valley region in Kenya (KPS, 2018). The prison holds an average of

3,000 inmates most of whom are high risk offenders including condemned and life-sentenced inmates (KPS, 2018). This study targeted uniformed prison officers. Multi-stage method of sampling respondents was used in this study. First, the cluster-sampling method was used to select respondents from the entire prison fraternity of officers' namely uniformed staff, non-uniformed staff and inmates, where uniformed officers were arrived at. Further, stratified sampling was used to select the uniformed officers in different ranks of between Senior Sergeant (SSGT) and Prison Constable (PC) who total to 507 junior officers. Sample size was computed using Ewen's (1972) theory where 224 respondents were arrived at and sampled using simple random method. An actual sample size of 182 respondents representing 81.25% was reached and participated in this study. Unit of analysis in this study was individual prison officers. Quantitative primary data was collected using questionnaires. The data generated was analyzed using Statistical Package for Social Sciences (SPSS) and presented in frequencies and percentages.

RESULTS AND DISCUSSIONS

Results

Social Demographic Data of the Respondents

On the age of officers' respondents, this study found that 43.40% of the respondents were aged between 31-40 years, with (25.27%) of the respondents aged between 41-50 years and 21.97% aged 21-30 years. Those aged 51 years and above accounted for 7.14% while those between 19-20 years accounted for 2.19%. On the level of education, results of this study showed that the majority (62.08%) of respondents had attained secondary education while 23.62% had acquired diplomas. At least 10.43% were degree holders while 3.84% had attained post-graduate education. Regarding the number of years officers have been in the prison service, the results showed that 41.20% of the respondents indicated that they had served between 11-20 years and 33.51% had served for 10 years and below. Those who had served for 21-30 years represented 19.23% while those who had served for over 30 years accounted for 6.04%. Majority (74.17%) of the respondents were of the rank of prison constables and were followed by officers of the rank of corporals at 14.83%. those of the rank of sergeant accounted for 7.14% while senior sergeant represented 3.84%.

Security Threats Prison Officers are Prone to due to Cellular Phones in Prison

On security threats prison officers experience due to smuggling and use of cellular phones in the prison, the results of this study indicate physical injuries (38.92%) as the main security threat to prison officers. This was followed by ambushes of prison officers during escorts of inmates (29.94%) and espionage (20.35%). Other security threats identified are electronic fraud (19.16%), legal and disciplinary actions against officers (18.56%), imminent terror attacks and inmates' radicalization (17.96%), riots and ungovernable prisoners population (16.16%), kidnapping of prison officers (11.37%) and threats to harm and intimidation to prison officers (11.37%). Other security threats with less than 10% responses included involvement in money laundering (7.18%), psychological torture (6.58%) and fire outbreak due to the improvised charging system (6.58%). This results are shown in Table 1 below.

Table 1: Security Threats Prison Officers are Prone to due to Cellular Phones in Prison

Security threats to prison officers	Frequencies	Percentage
Physical injuries	65	38.92
Ambushes of officers during escorts	50	29.94
Espionage	34	20.35
Electronic fraud	32	19.16
Legal and disciplinary actions to officers	31	18.56
Imminent terror attacks and inmates radicalization	30	17.96
Riots and ungovernable prisoners population	27	16.16
Kidnapping of prison officers	19	11.37
Threats and intimidation to prison officers	19	11.37
Involvement in money laundering	12	7.18
Psychological torture	11	6.58
Fire outbreak due to improvised charging system	11	6.58

Source: Field data (2019)

Security Threats Inmates are Prone to due to Cellular Phones in the Prison

Regarding security threats inmates are exposed to due to smuggling and use of cellular phones in the prison, the results are highlighted as follows: physical attacks (46.78%) and electronic fraud between inmates (26.28%). These were followed by exploitation and victimization among inmates (21.79%), legal and disciplinary actions against inmates (19.23%), health hazards like infectious diseases especially when they hide phones in the rectum (16.67%) and sexual related violence like Men who have Sex with Men (MSM) and sodomy (8.97%). Other security threats include ambushes and attacks during escorts (8.33%), riots and incitement to violence (7.69%) and finally, fire breakouts due to improvised charging systems at 3.84%. Table 2 below presents these results.

Table 2: Security Threats Inmates are Prone to due to Cellular Phones in the Prison

Security threats to inmates	Frequencies	Percentage
Physical attacks	73	46.78
Electronic fraud	41	26.28
Exploitation and victimization among inmates	34	21.79
Legal and disciplinary actions against inmates	30	19.23
Health hazards like infectious diseases	26	16.67
Sexual related violence like MSM and sodomy	14	8.97
Risk of ambushes and attacks during escorts	13	8.33
Riots and incitement to violence	12	7.69
Fire breakouts due to improvised charging systems	6	3.84

Source: Field data (2019)

Security Threats Members of Public are Prone to due to Cell Phones in Prison

Pertaining to security threats members of public are prone to due to smuggling and use of cell phones in prison, majority (74.40%) indicated electronic fraud and demand for ransom. This was followed by organized kidnappings (40.47%), intimidation and threats to harm witnesses and victims of crimes (36.90%) and hacking of private information (11.30%). Other threats include

money laundering (8.33%), planning of terror attacks (7.73%) and planning of murders (6.54%) as indicated in Table 3.

Table 3: Security Threats Members of Public are Prone to due to Cell Phones in Prison

Security threats to members of public	Frequencies	Percentage
Electronic fraud and demand for ransom	125	74.40
Kidnapping of members of public	68	40.47
Intimidation and threats to members of public	62	36.90
Hacking of private information	19	11.30
Involvement in money laundering	14	8.33
Terror attacks	13	7.73
Murder	11	6.54

Source: Field data (2019)

Discussions

Security Threats Prison Officer are Prone to due to Cell Phones in Prison

This current study identified security threats prison officers encounter due to inmates smuggling and use of cell phones. One of these threats was physical injuries where inmates physically confront officers mainly during searches for mobile phones. The confrontation may result in grievous bodily harm or loss of life. This concurs with the findings by Mbugua (2011) and Biermann (2007). Other attacks to officers may be committed outside the prison environment by inmates' accomplices. In addition, some inmates hold grudges for their confiscated cell phones and may attack officers upon release from prison. Further, cell phones may facilitate ambushes of officers during escorts that may result to fatalities. In the process, inmates may escape from lawful custody resulting to officers being punished for losing supervision over prisoners.

Espionage was also noted as a security threat. Prison is a controlled area, collection of information through any means including photos and disclosure of such information without prior authorization from the CGP is highly prohibited and amounts to espionage (GOK, 1977). The collection and release of such information using cell phones may lead to prison attacks and breaks. In addition, officers are prone to electronic fraud through the acquisition of their cell phone numbers that subject them to conning and extortion. Further, officers experience legal and disciplinary actions and this is common when found engaging in cell phone-related deals. Such officers are interdicted waiting for the conclusion of their cases while those found guilty might have their services terminated.

On imminent terror and prison attacks, the prison holds serious offenders including those convicted of terrorism (KPS, 2019a). Cell phones may be used for planning of terror attacks and radicalization. This finding is in line with Kahara (2017) who noted that there are instances of radicalization in prisons. The prison holds inmates sentenced to terrorism-related offenses, some may be engaging in instilling extreme ideologies to some inmates. Further, it can be used to download and share extreme ideology materials. Such inmates must be put on high security to bar them from abetting acts of terrorism against the prison which has a significant high population. The presence of terror offenders makes the prison more susceptible to terror attacks as they endeavor to achieve their goals for human suffering. Further, prison breaks may occur in an attempt to free inmates of interest held in such prison facilities.

Further, cellular phones could lead to riots and ungovernable prisoners' population and this concurs with findings from Nyandiko (2015) and Rocheleau's (2014) studies. Some inmates resist searches and may confront prison officers in the process. This is evidenced by a recent incident of a riot occasioned by search for contrabands including cellular phones at Kamiti Maximum Prison on 30th September 2019. The management of the facility had to call for reinforcement from the police to calm the situation (Wambui, 2019) and this signifies the complexity of the problem. The current study findings indicated that officers are susceptible to kidnappings facilitated by cell phones. They may fall victims while out of the prison environs. Further, inmates may threaten to harm officers.

On involvement on money laundering, officers facilitate launder of proceeds originating from electronic frauds committed by inmates. Inmates may channel such proceeds to the officer's cell phone number for withdrawal and maybe traced as a party to such crimes. Regarding psychological torture to the officers, controlling smuggling and use of cell phones comes along with a myriad of challenges. They conduct searches which sometimes result to violence and may be exposed to health hazards as no provision of the necessary protective gears. This hinders the officers' performance of duties thus affecting their emotional well-being. Finally, fire outbreaks in the prison was also cited. Cellular phones are outlawed in prisons and therefore no provision for a phone charging system in the accommodation blocks or cells. As such, they do illegal power connections to facilitate charging of the phones, which may lead to fire outbreak, and officers may fall victims while on duty.

Security Threats Inmates are Prone to due to Cell Phones in the Prison

Physical attacks as also found by (Lindegard & Gear, 2014) was highlighted as a major security threat to inmates. Physical confrontations ensue when inmates steal cell phones from one another, disagree over phones and when a cellular phone deal goes sour. This is supported by secondary data where two life-sentenced inmates were arrested for affray over ownership of a cell phone at the prison on 03/04/2019 (KPS, 2019a). Like prison officers, inmates subject fellow inmates to electronic fraud. They play tricks over others and end up defrauding their own. Some inmates exploit and victimize others in the name of cell phones. Those possessing phones are of higher social class and treat others like lesser human beings through harassment.

Inmates found smuggling and using cellular phones in the prison are subjected to an internal disciplinary mechanism. If found culpable, they are put on cellular confinement or lose remission of their sentences leading to longer stay in the prison. On the other hand, inmates linked with commission of organized crimes like kidnapping and threatening to harm victims of crimes are subjected to the criminal justice system process. Secondary data from the prison affirms that inmates are subjected to disciplinary action while found in possession of cellular phones. For instance, 86 inmates in the year 2018 and 23 from January to August 2019 (KPS, 2019a) had their remission withdrawn or put on solitary confinement as provided for in the Prison's Act (GoK, 1977). Further, from the KPS (2019a), two inmates serving life sentences fought over a mobile phone at the institution on the 3rd of April 2019 and were charged with affray in a court of law.

Other threats include health hazards like infectious diseases. This is common when inmates hide phones in the rectum. Cell phones are sometimes contaminated with pathogens (Bisht *et al.*, 2018) and make inmates susceptible to multiple infections. Continuous and prolonged concealment of a phone in the body cavity may pose other health hazards including the inability of such inmates to control their stool. Further, cell phones are linked to sexual violence like MSM and sodomy.

Economically stable, older and hardcore inmates sexually lure the less fortunate particularly newly sentenced and youthful inmates using phones. They download pornographic materials using cell phones which drives sexual arousal resulting to sexual violence in prison. This finding concurs with Makoha (2019); Lindegaard & Gear (2014); Truth, Justice & Reconciliation Commission (TJRC, 2012). Sexual violence especially non-consensual triggers violence. In addition, engaging in risky sexual violence could be directly or indirectly linked to the new HIV/AIDS infections and this is as pointed out by Musili & Mbatia (2016); KPS, United Nations Development Program & Kelin (2014); National AIDS and STD Control Program (NASCOP, 2012).

On ambushes and attacks during escorts, inmates may plan for their rescue and in the process they may suffer injuries or lose their lives. Equally, fire breakouts may be triggered by improvised phone charging systems by the prisoners. This may interfere with power system resulting to a fire outbreak. As pertaining to the riots and incitement to violence, some inmates may engage in disorderly manner which may result to harming of some inmates. This current finding concurs with those of Jones *et al.*, (2015). They opined that prison facilities are places of chaos instigated by inmates' possession and use of cellular phones. This finding attests that inmates are prone to security threats due to their smuggling and use of cell phones in prisons.

Security Threats Members of Public are Prone to due to Phones in Prison

Electronic fraud and demand for ransom were the major security threats members of public are prone to due to cell phones in prison and this is in tandem with Maingi (2018); Aluda (2012) findings. Majorly, this is committed with the use of both a mobile phone and SIM cards. Most inmates extort and defraud innocent members of the public through sending an attractive yet financially exploitative message to the members of the public. Commission of electronic fraud is linked to the number of SIM cards confiscated from the inmates and this is supported by secondary data from the prison. For instance, in the year 2018, 166 cell phones and 400 SIM cards and between January to August 2019, 106 cell phones and 265 SIM cards were confiscated. Further, a life-sentenced inmate was arrested on 11th June 2019 while in possession of 30 assorted SIM cards from different service providers (KPS, 2019a). This implies that the number of SIM cards in possession of inmates is higher than that of cellular phones. This is attributed to a number of factors: first, they have very low metal content thus hard to detect using existing security systems. Second, they are micro in size thus easily concealable and portable. Third, it is easy for multiple inmates to use one cell phone consecutively. Finally, they are cheaper in price than a cell phone.

Organized kidnappings as also noted by Aluda (2012) and National Crime Research Centre (2017) was another source of security threat. Some inmates plan kidnappings, which are executed by accomplices in society. For instance, Aluda (2012) pointed out a case involving a six-year-old girl kidnapped from the Mavuno church compound in Nairobi County and made a demand for ransom. Upon the investigations, an inmate detained at Kamiti Maximum Security Prison who was charged in a Nairobi court had organized the kidnapping. Further, inmates intimidate and threaten to harm witnesses and victims of crimes. This is very common upon successful conviction and when co-accused are acquitted. In other cases, inmates hack private information for their gain. For instance, they illegally dial cell phone numbers at random to lure unsuspecting members of the public and acquire their personal details for illegal use.

On money laundering, inmates send relatives and friends proceeds of extortion and fraud for their expending including development. This exposes them to legal actions when found guilty of such crimes. Further, they plan terrorism while in prison. Terror acts have far reaching effects including loss of lives and property. On murder, inmates can plan murder of people who are in the community through the help of their proxies. Such murders may be orchestrated against witnesses and victims of crime. The results of this study implies that members of the public including their relatives are prone to a variety of security threats which are as a result of cellular phones in the prison facilities.

CONCLUSIONS AND RECOMMENDATIONS

Conclusions

While the essence of imprisonment is majorly rehabilitation and public safety through safe custody of inmates, the results of this study show otherwise. The results show that prisons are as source of security threats which are as a result of smuggling and use of cellular phones. The prison officers are prone to physical injuries; ambushes during escorts duties; espionage; electronic fraud; legal and disciplinary actions; imminent terror attacks; riots and ungovernable prisoners population; kidnappings and threats to harm and intimidation to prison officers. Security threats inmates are prone include physical attacks; electronic fraud between inmates; exploitation and victimization; legal and disciplinary actions; health hazards like infectious diseases and sexual violence. Finally, security threats members of public are prone to due to smuggling and use of cell phones in prison include electronic fraud; organized kidnappings; intimidation and threats to harm witnesses and victims of crimes; hacking of private information; money laundering and terror attacks. In conclusion, the security threats identified are a source of national security concern and calls for urgent intervention. In addition, a prison free of phones is favorable for inmates' rehabilitation, harmonious coexistence and a conducive working environment for prison officers.

Recommendations

This current study recommends that Kenya Prison Service should create awareness on the consequences of cellular phones to prison officers, inmates and members of the public. Further, there is need for a continuous vetting of prison officers in all prison facilities. For further research, this paper recommends a comparative study in a female maximum prison to examine the nature of security threats attributed to smuggling and the use of cell phones. Finally, a study on the assessment of the effectiveness of existing disciplinary measures in addressing smuggling and use of cellular phones in prison facilities.

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