

## **FACTORS IMPEDING THE DIRECTORATE OF CRIMINAL INVESTIGATION (DCI) IN HOMICIDE CASE CLEARANCE AT THE KIAMBU COUNTY HEADQUARTERS, KENYA**

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### **ABSTRACT**

**Background:** The current study sought to investigate the impediments of homicide case clearance at the Kiambu County DCI Headquarters, in Kiambu, Kenya. The study was necessitated by concerns of increasing homicide cases with increased perceptions of slow clearance of homicide cases which this study attributed to underlying causes that this study sought to investigate.

**Methodology:** The study was guided by Conspiracy Theories that helped to explain the impediments of homicide cases clearance. A descriptive survey research design and purposive sampling technique were used to select respondents for the study. The study comprised of 76 respondents, who were drawn from the homicide unit at County DCI HQs, in Kiambu.

**Findings:** According to the study, the main predictors of homicide crimes that impeded homicide case clearance in the Kiambu law courts include; The nature of homicide committed, the type of weapon used to commit the offence, location of the crime, victim characteristics, victim/Offender relationship and time of the day the offence was committed. According to the study, the greater the involvement of strangers, the difficult it is to clear homicide cases. According to this study homicides, caused by poison are cleared faster than those committed by use of other weapons such as Pangas/ Knives, guns and blunt objects. Accordingly, Homicide happening in homes, Hotels and working places are easier cleared than outdoor homicides. Further, Inadequate; training, level of education and experience were the major bottlenecks found to undermine homicide investigation and case clearances. Investigator biases such as gender of the respondents played a pivotal role in clouding the spirit of investigation and affected homicide cases clearances. According to the study an investigator from a strict religious family may be biased in profiling murders involving religious conflicts.

**Recommendations:** In order to address impediments of homicide cases clearance the major recommendations revolve around the efforts of the police human resources office to mitigate all impediments and beef up homicide investigators capacity to be above board in their work. These include deployments of effective, trained, experienced police managers.

**Keywords:** *Predictor, organizational factors, Investigator biases, contextual demographic factors, homicide case clearance*

## **1.0 INTRODUCTION**

Criminal investigation is one of the major functions of policing in all criminal justice systems. It attempts to link an offence to an offender through admissible evidence in the court of law (Lyman, 2016). The United Nations Office on Drugs and Crime (2006) note that crime investigation involves identification of the perpetrator of a crime, or intended crime, through the gathering of facts of case. Investigation can either be reactive, i.e. applied to crimes that have already taken place, or proactive, i.e. targeting a particular criminal or forestalling a criminal activity planned for the future.

In all Common Wealth countries like Kenya, the tradition has been that, criminal investigation is mainly the preserve of the police. In countries with Civil law tradition like Germany and France criminal investigations are done by the prosecutors. The aim of the criminal investigation is bringing offenders to justice by solving crimes. Concurrently, wrongful convictions based on poor police investigations can lead to miscarriages of justice (Drew & Prenzler, 2015; Leo, 2009).

Across the globe, criminal investigators face various challenges in their efforts to uncover the truth about crimes and or solve criminal cases. These challenges affect the effectiveness of their activities and consequently negatively affect clearance of criminal cases. For instance, according to Baral (2015), in Nepal despite the signatories to the UN Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment of 1984 which prohibits the use of any forms of torture, physical or mental, for the purpose of obtaining information or confession from the person held in detention, the use of force is a common phenomenon to extract confession from the accused persons by criminal investigators has been dotted as efficacious in all criminal investigations (Baral, 2015).

### **1.1 PROBLEM STATEMENT**

Despite concerted efforts by DCI officers to resolve all crimes, homicide crimes have remained unabated. Most previous research attribute this to clumsy homicide profilation procedures, while significant others attributed this failure to the problem of linkage blindness which refers to failure of the investigators to link the murder to the perpetrator. There is no study that is explicit about the diminishing homicide case clearances in Kenya, more so at the DCI in Kiambu, County. This study assumes that there are certain underlying issues that buffet the institution or affect homicide solvability factors at DCI in Kiambu County, with the view of filling the knowledge gaps. Besides, there has never been a systematic and detailed inquiry seeking to address the problem, hence the rationale of this study.

### **1.3 STUDY OBJECTIVES**

- i. To examine the effect of predictors of homicide crimes in impeding the homicide case clearance investigation at County DCI headquarters, in Kiambu, Kenya.
- ii. To assess the role of organizational factors in impeding clearance of homicides at County DCI headquarters, in Kiambu, Kenya.
- iii. To establish how investigator biases in homicide profiling affect case clearance at County DCI headquarters, in Kiambu, Kenya.
- iv. To determine the influence of contextual demographic factors in affecting clearance of homicides cases at County DCI headquarters, in Kiambu, Kenya.

## **2.0 LITERATURE REVIEW**

### **2.1 Theoretical Review**

This study is guided by the Conspiracy Theories. These theories are useful to explain why homicides take place as most of them are premeditated and as such guide this study to unravel impediments to homicide investigations. Conspiracy theories point an accusing finger at two or more people or groups of people or an organization for causing cover-up by secretly planning an act and deliberate action which is illegal or harmful. Young and Nathanson (2010) identify characteristics of conspiracy as: composed of groups, not separate individuals; has illegal or sinister objectives; not beneficial to society as a whole; orchestrated acts are organized; and secret planning. Nefes (2013) and Nefes (2012) avers that conspiracy theories reveal real but hidden powers relations in social groups. Barkun (2003) notes that the theories explain events as a result of a secrets plot by “exceptionally powerful and cunning conspirators too achieves malevolent end”.

Barkun (2003) groups conspiracy theories into event, systemic and super conspiracy theories. In event conspiracy, the conspiring forces focus energy on limited, well-defined objectives while systemic conspiracy has broad goals in controlling a country, region or the world. In super conspiracy, multiple conspiracies are linked together. Chip (2004) groups characteristics of conspiracy theories into three: they claim to explain what institutional analysis cannot; they achieve the explanations by classifying the worlds into “forces of light” and “forces of darkness” and traces evils back to the conspirators and their agents; the theories are regarded as special, secrets knowledge, unknowns or unappreciated by others. Chip (2004) indicates that conspiracy theorists believe that they can penetrate the plotters’ deceptions.

Walkers (2013) developed a typology of five aspects of conspiracy theory. They are: “enemy outside” with mobilizations done outside their community, scheming against their community; “enemy within” conspirators within the system, indistinguishable from ordinary people; “enemy above” involving powerful people manipulating the systems for their own gain; “enemy below” showing that the lower cadres are breaking constraints to overturn the social order; “benevolent conspiracies” where forces of light work behind the scene to improve the situation”. Rothbard, Murray classify conspiracy into shallow and deep conspiracies (Marcus, 2013). He argues that shallow conspiracy theorists focus on those who benefit and conclude that they conspired in covertly influencing events; while deep conspiracy theorist uses their suspicion to dig into the matter by seeking out reputable and verifiable evidence. This is important in homicide investigations, especially in murders.

### **2.2 Empirical Review**

Homicides committed with weapons such as knives that bring the offender and victim into contact with one another generally increase the likelihood of clearing the case (Addington, 2006; Roberts, 2007). The majority of studies find homicides committed with firearms are less likely to be cleared (Alderden & Lavery, 2007; Rinehart, 1994). Riedel and Boulahanis (2007) found no significant effects for different types of firearms or sharp instruments on the likelihood of the case being exceptionally cleared. We predict that homicides committed with contact weapons will have a low likelihood of exceptional clearance. If the offender is killed prior to arrest, it is unlikely this would

occur with a weapon such as a knife regardless of whether the death occurs as a suicide, shooting by police, or homicide by another offender.

Swanson et al. (2019) note that backlog of cases at the crime lab is due to high demand and limited resources. Crime labs personnel are forced to work overtime and over the weekend to conclude backlogged cases especially if the case is regarded as a high profile. In addition, backlog of cases in US is due to inadequate personnel and there is dire need for supplementary budget for increasing current salaries to avoid brain drain and to increase the number of crime lab personnel.

Effects of marriage were studied by Grzywacz and Marks (2000). They used ecological theory too expands conceptualization of work and marriage and to identify correlates of multiple dimensions of work-marriage spill-over using a sample size of 1,986 respondents in the U.S.A. Their analysis indicates that work such as murder investigation and profiling are influenced both positively and negatively by marriage and family. They found out that work pressures and marriages disagreements are associated with negative spill-over and less positive spill-over. Such spill-overs may influence the profiling especially in murders. This research was, however, general to work, but was not specific to murder investigation and profiling.

Litwin (2004) aver that the role of demographics in homicide is also a common area of examination when studying police approaches to homicide investigation. Further, within the homicide clearance literature, chief among these examinations is policing strategies relative to victim demographics. This notion, attributed to Black (1976, 1980), highlights that police devalue victims of certain demographics when investigating criminal complaints. In terms of homicide clearance, this is often expressed as victims from lower social strata receive less law (less clearances) than that of higher social strata (Borg & Parker, 2001). However, the empirical literature has been ambivalent at best on this point with support found by some (Litwin, 2004; Litwin & Xu, 2007) but contrary evidence noted by others, including Addington (2006), and Roberts (2007). Other demographic influences sometimes thought to influence case clearance include the size and composition of the underlying population or geographic area served by the policing agency. This study however is set to establish the effect of these factors amongst others if any on homicide case clearance at Kiambu County, Kenya.

### **3.0 METHODOLOGY**

A descriptive survey research design and purposive sampling technique were used to select respondents for the study. The study comprised of 76 respondents, who were drawn from the homicide unit at County DCI HQs, in Kiambu. Both primary and secondary sources were used to generate quantitative. Data was analyzed using both descriptive and inferential statistics such as Frequencies, Means, Standard deviations and Pearson correlation and Regression analysis.

### **4.0 RESULTS AND DISCUSSION**

#### **4.1 Effect of the Predictors of Homicide Crimes in Impeding the Homicide Case Clearance**

The first objective sought to examine the effect of predictors of homicide crimes on impeding the homicide case clearance investigation at the Kiambu County DCI offices. The variables that were measured include; The nature of felony related homicide that was committed, the weapon that was to commit the homicide offence, location of the crime, victim characteristics, victim/Offender Relationship and time of the day the offence was committed. The results are presented as shown below;

### Nature of Homicides and their Propensity to Clear

The study further sought to establish the existing types of felonies and their propensity to be cleared. Two major variables were measured. The results are presented in Table 1.

**Table 1: Nature of Homicides and their Propensity to cleared**

Nature of Homicides	Frequency	Percentage (%)
Violent Homicides	23	30.3
Non-Violent homicides	53	69.7
<b>Total</b>	<b>76</b>	<b>100</b>

According to this study, homicides are not necessarily violent as exhibited by 30.3 percent as shown by 30.3 % of the respondents. According to this study this determined their clearance rates. According to this study, non-violent homicides are easier to clear than violent homicides. As indicated by one Key informant;

*“Non-violent homicides such as killing through poisoning are always not difficult to clear because they are mostly committed by close acquaintances who do not in most cases run away. Family members are always also available to support the cases by availing themselves to give the required evidence in court when called upon to do so”*

This may however be explained by the fact that there is a greater involvement of strangers in violent homicides, making it harder to identify a suspect.

This study further sought to assess the types of violent homicides with their propensity to be cleared. The results are presented in Table 2.

**Table 2: Ranking of Violence-Related Homicides and their Propensity to cleared**

	Frequency	Percent
Murder committed out of excitements, lust or pleasure	32	42.1
Homicide driven by interpersonal violence	28	36.8
Homicide inspired by a certain belief	12	15.8
Political Homicide	4	5.3
<b>Total</b>	<b>76</b>	<b>100</b>

According to the findings in Table 2. Murder committed out of excitements, lust or pleasure ranked the highest with 42.1%, followed closely by homicide driven by interpersonal violence (36.8), then homicides inspired by certain beliefs (15.8) and finally political homicides with 5.3 Percent. According to this finding, these homicides can be cleared in that same continuum determined by availability of witnesses and apprehension of homicide suspects. As one of the interviewees stated,

*“Violent or nonviolent, all homicide cases clearance is determined by availability of witnesses and apprehension of homicide suspects. The greater the involvement of strangers, the harder to identify a suspect and also difficult it is to clear homicide cases”*

### The Weapon that was used to commit the Homicide Offence

The study sought to establish the type of weapon used for most homicides. The results are presented in Table 3.

**Table 3: Type of Homicide Weapon Used**

S/NO	Description	Category of Respondents	Total
1	Homicide Weapon	Gun	10
		Panga/Knife	13
		Blunt object	6
		Poison	14
		Other	9
		Not disclosed	27
Total			76

As shown in Table 3, Pangas and knives ranked higher than the use of guns and blunt objects. Moreover, the highest percentage of respondents (20%) did not disclose the weapons they used to commit homicides. The implication here is that this may have had a bearing on case clearances.

According to this study however, cases cleared by poison are cleared faster than homicides committed by use of other weapons such as Pangas/ Knives, guns and blunt objects. One possible explanation is that forensic processes involved are always faster than the rest that require DNA processing of blood component in them, a process that take more time than analysis of poison component in a forensic laboratory. As a Key informant stated,

*“Homicides committed by poisoning are solved faster than than homicides committed by use of other weapons such as Pangas/ Knives, guns and blunt objects”*

### Location

This study also sought to establish the influence of location of homicide crimes and homicide case clearance. The results are submitted in Table 4.

**Table 4: Aspects of Location and their influence on Homicide Case Clearances**

Age of Respondents	No of Respondents	Percentage (%)
Out Door locations	12	15.8
Homes	36	47.4
Hotels and working places	28	36.8
<b>Total</b>	<b>76</b>	<b>100</b>

As indicated in table 4 above certain aspects of location influenced Homicide Case Clearances. For example, Homicide happening in Homes (47.4%), and Hotels and working places (36.8%) are easier cleared than outdoor homicides. This may be explained by the fact that homicides in outdoor places may have challenges in locating witnesses who are important in providing evidences for legal processes in court.



According to this study however, noted that the odds of a case being barred to prosecution (exceptionally cleared) were greater for homicides occurring in private indoor areas and public outdoor locations. As a respondent put it,

*“Most homicides in private indoor areas and public outdoor locations and streets are difficult to clear because of a lack of witnesses and/or evidence needed to help build a case strong enough to go forward with a prosecution”*

### Victim Characteristics

This study also sought to establish the influence of victim characteristics of homicide crimes and homicide case clearance. Three variables were tested and presented as shown in Table 5.

**Table 5: Influence of Victim Characteristics on Homicide Case Clearances**

Age of Respondents	No of Respondents	Percentage (%)
Child Victim	38	50.0
Adult	10	13.2
Gender	28	36.8
<b>Total</b>	<b>76</b>	<b>100</b>

As indicated in Table 5 there was a high homicide clearance rates for cases involving child victims (50%), and the greater difficulty of clearing cases involving adult victims (13.2%) especially those who were a bit elderly. Further, victim/male offender homicides were less likely to be cleared than homicides involving female adults. One possible explanation for the above observation is that most child homicides are committed by significant others; mothers committing infanticides and later presenting themselves to the police; or a father who opts out to kill his children over domestic wrangles. Cases involving adult victims on the other hand may have been hard to clear because they are also most likely committed by adult criminals who most often than not take their quality time to scheme it and cover their possible traces.

### Gender

As indicated in Table 5 above, there is was a high homicide clearance rates for cases involving female (60%), and the greater difficulty of clearing cases involving the male (40 %). Further, victim/male offender homicides were less likely to be cleared than elderly homicides. This may be explained by the fact that homicides involving elderly victims are more likely to be to involve a suicide pact with an ailing spouse than homicides involving younger victims.

As a respondent indicated,

*“Homicides of female victims will always have a greater likelihood of exceptional clearance as women are much more likely than men to be killed by an intimate partner who may take their own life as part of the event”*

### Victim/Offender Relationship

This section sought to establish the influence of Victim/Offender Relationship on homicide crimes and homicide case clearance. Three variables that were tested are presented as shown in Table 6.

**Table 6: Victim/Offender Relationship and Clearance Rates**

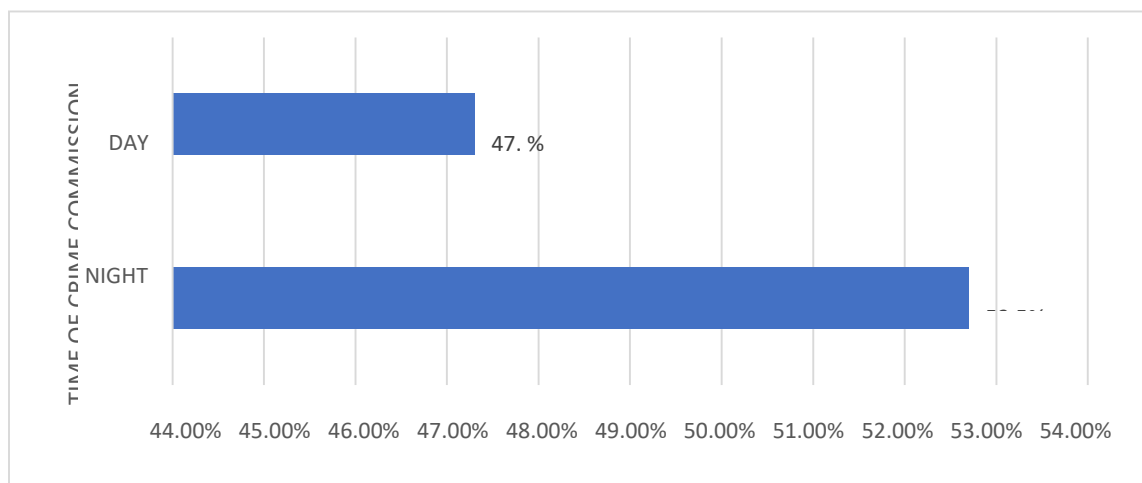
S/NO	Description	Category of Respondents	Total
1	Offender/victim Relationship	Unknown	1
		Lover	3
		Neighbor	6
		Spouse	10
		Friend	9
		Family member	48
Total			76

As shown in Table 6 above, cases where the victim/offender relationship is unknown have lower clearance rates. However, the categorization of a victim/offender relationship as unknown is typically implies that the case is still open but the suspect is at large. Further as indicated in Table 5 above however, homicides of family member cases solvability factors and hence clearance is high, followed closely by spouse killing, and then neighbor's homicide. Friend, lover and unknown categories are ranked, the lowest.

From the findings in Table 6 it is however clear that most offenders knew their victims long enough in order to attack them when they were least aware. In relation to these findings, therefore it is also clear that homicide victims are mostly acquaintances with their attackers and most likely have personal differences as a result of their relationships.

### Time of Crime Commission

This section sought to establish the effect of time of homicide crimes commission on homicide case clearance. Three variables that were tested are presented as shown in Figure 1.


**Figure 1: Time of Crime Commission**

According to the study 47 % of the homicides are committed during the day time while majority (52.5%) committed the homicide at night. Further there were perceptions that most offenses committed during the night were cleared faster than the ones committed during the day. This



observation may be explained by the fact that most homicides committed at night are likely to be of either, family member, Spouse killing, or neighbor's homicide as explained by findings in Table 6. In any case witnesses are expected to volunteer and give evidence in court. Further, it is ordinarily expected that it is easier to get witnesses during the day than during the night who are crucial in any case clearance. Though this finding is a contradiction, in the case of a family member killing another family member, witnesses are still family members who are always available to give the much-needed evidence to support case clearances.

#### 4.2 The Role of Police Related Factors in Impeding Clearance of Homicides

The second objective sought to examine the role of Police related factors in impeding clearance of homicides at the Kiambu County DCI offices. The variables that were measured include; Forensic capacity of the investigating officers such as; Availability of investigative tools such as dusting powder, storage of evidence facilities; Forensic science skills; Crime scene management skills; and Evidence management skills such as Extraction and storage. The results are presented as shown below.

**Table 7: Role of Police related factors in impeding clearance of homicides**

		No	Yes	Total
Management of crime scenes credible evidence	<b>n</b>	<b>0</b>	<b>76</b>	<b>76</b>
	%	0	100.0	100.0
Sufficient training to conduct criminal investigations	<b>n</b>	<b>0</b>	<b>76</b>	<b>76</b>
	%	0	100.0	100.0
Untraceable and missing files	<b>n</b>	<b>4</b>	<b>72</b>	<b>76</b>
	%	5.3	94.7	100.0
Quality and Efficiency of Investigations	<b>n</b>	<b>0</b>	<b>76</b>	<b>76</b>
	%	0	100.0	100.0
Sufficient Resources	<b>n</b>	<b>12</b>	<b>64</b>	<b>76</b>
	%	15.8	84.2	100.0
Adequate Forensic Skills	<b>n</b>	<b>0</b>	<b>76</b>	<b>76</b>
	%	0	100.0	100.0
Availability of investigative tools such as dusting powder, storage of evidence facilities;	<b>n</b>	<b>0</b>	<b>76</b>	<b>76</b>
	%	0	100.0	100.0
Evidence management skills such as Extraction and storage.	<b>n</b>	<b>0</b>	<b>76</b>	<b>76</b>
	%	0	100	100.0

As shown in Table 7, a number of factors were overwhelmingly found to impede clearance of homicide cases at the Kiambu DCIO Offices. These include; inability to manage homicide crime scenes, credible evidence, insufficient training to conduct homicide investigations, Untraceable and missing files, low quality and inefficiency of Investigations, Insufficient Resource, inadequate forensic Skills, lack of investigative tools such as dusting, and lack of evidence management skills such as extraction and storage.

Poor quality and inefficient investigations, insufficient training to conduct criminal investigations are other overwhelming factors that impede clearance of homicide cases. The officers are expected to learn practical investigation while on job where they are expected to solve complex criminal cases. Refreshers courses among the constables are rare and when offered they are offered by senior officers who do not have police science training.

As revealed by this study inadequate funding is one of the factors that impede clearance of homicide cases at the Kiambu DCIO Offices. Victims are made to sponsor their cases from beginning to their determination in courts, if at all they ever reach that stage. When the victims file a report to the police station, they are expected to fuel the police vehicle to go and arrest the suspects. They are also expected to purchase stationaries such as files to open a case at the police station. If the complainants cannot afford or do not have money their cases die a natural death since the case may never be investigated. On the same note, criminal investigators in Nigeria are also faced by a challenge of lack of proper facilities to investigate crimes. For instance, many police stations do not have cameras, fingerprint materials, computers, office stationaries and even scientific laboratories.

Further homicide investigation is an activity that requires a substantial funding to be successful. Money is required to recruit, train and mobilize criminal investigators. In Kiambu the complainants of murder cases are required to fund the postmortem of the dead since there is no money set aside for such activities. At the end of the investigation the complainant is also expected to pay for the duplication of the investigation file. If the complainant is not in a position to fund the investigation the chances of getting justice are very slim.

### **Other Organizational Factors and Homicide Case Clearances**

This section sought to establish other police related factors with a bearing on Homicide Case Clearances. These included the effect of; Training, Education and Experience of DCI officers. These factors are explained as follows;

As is always the case with other professions, after initial training at Kenya Police College in Kiganjo there are other criminal investigation trainings that DCI officers are expected to undergo to sharpen their investigations knowledge and to enhance efficiency. However, the study indicated that there were still training gaps among DCI officers in Kiambu County headquarters.

#### **A Key respondent stated:**

*“Most Homicide investigators are not trained properly. Without good training, even talented investigators may miss the point in murder cases that are often elusive. However, lack of training sometimes hinders the ability to effectively carry out homicide investigations and profiling”*

The implication of the above finding is that this may affect officers' investigation efficiency and accuracy in murder profiling, hence occasioning some delays in solving cases.

With regard to investigators level of education, it is expected that investigators should have critical thinking and in-depth analysis skills that are necessary in most homicide investigations. These skills either come with long experience or with higher levels of education. These skills are also necessary in preparing what police call "murder bundles". An officer who must rely on others who may also be overwhelmed by pressure arising from their cases will most definitely cause delay in clearance of cases.

A Key respondent stated:

*"Most of our homicide investigators are not highly educated. In my opinion only graduates should be selected for these assignments because in many times critical thinking and in-depth analysis is required. Intelligence of the investigators is key to good reasoning and effectiveness that is vital to homicide profiling and investigations. In addition, education in my view is important in equipping one with analytical skills but may not improve one's curiosity or thinking beyond obvious fact"*

As has been argued above critical thinking and in-depth analysis skills that are necessary in most homicide investigations also come with long experience. These skills are also necessary in preparing what police call "murder bundles". In most some cases because of tribalism or nepotism senior officers post their relatives to these specialized units without requisite experience. These officers have to rely on others so that they can do their work. The result is delay of procedures that are necessary for case clearances

With regard to importance of experience in homicide investigation that had a bearing on cases clearance, a key respondent stated:

*"The problem we have in our units is that of some inexperienced homicide investigators. There is need for investigators to be experienced in examining the effects of victim and offender age in murder profiling. Homicide investigator experience and competence in procedures like examination of victim characteristics such as race, gender, weapon used, offending process and victim-offender relationship are important in carrying out murder profiling. Experience helps to avoid mistakes that a novice may do and increases efficiency, accuracy, understanding and analysis of murders"*

#### **4.3 The Role of Investigator Biases in Impeding Clearance of Homicide Case Clearance**

The third objective sought to examine the role of investigator biases in impeding clearance of homicide case clearance at the Kiambu County DCI offices. The variables that were measured include; gender, marital status, age, family background and religion of parties to the offence of homicides. The results are presented in Table 8 below;

**Table 8: Role of Investigator Biases in Impeding Clearance of Homicide Cases**

		No	Yes	Total
Gender	n	33	43	76
	%	<b>43.4</b>	<b>56.6</b>	<b>100.0</b>
Marital Status	n	28	48	76
	%	<b>36.8</b>	<b>63.2</b>	<b>100.0</b>
Age	n	24	52	76
	%	<b>31.6</b>	<b>68.4</b>	<b>100.0</b>
Family Background	n	36	40	76
	%	<b>47.4</b>	<b>52.6</b>	<b>100.0</b>

### Role of Investigator's Gender Biases in Impeding Clearance of Homicide Case Clearance

As shown in Table 8 although a significant percentage (43.4%) of respondents indicate that gender biases of the investigator does not affect homicide cases clearance, majority of the respondents (56.6%) indicate that investigator gender biases play a pivotal role in blurring the spirit of investigation as argued by the respondents, a female investigator profiling murder of female in family-based murder may be biased to think that it was done by male partner, even though this is usually, but not always the case. Further, this may be explained by investigators past experience and or trauma that incline an investigator against a particular gender. The study also found that victims and offenders gender play a role in investigator understanding victim offender interruptions in murder.

As a respondent reported,

*"It is always elusive to deal with a female serial killer. In such circumstances the only option we have is to have radical female detectives to investigate the case".*

### Effect of Marital Status Biases in Impeding Clearance of Homicide Case Clearance

As shown in Table 8, although a significant percentage (36.8%) of respondents indicate that marital status biases of the investigator does not affect homicide cases clearance, majority of the respondents (63.2%) indicate that investigator marital status also play an important role in determining homicide cases clearance. This view was further emphasized by an interviewee who stated,

*"Homicides investigation is sometimes influenced by both, positive and negative marriage and family pressures. For example, marriage disagreements and distress may result to negative spill-over and result to spouse killing".*

The implication here is that a married investigator may be influenced by factors surrounding his/her marriage and may affect murder profiling. One in abusive marriage may be fast to conclude that murder was done by a partner of same orientation as the abusive one.

### Effect of Age in Impeding Clearance of Homicide Case Clearance

As shown in Table 8, although a significant percentage (31.6%) of respondents indicate that the investigator's age does not affect homicide cases clearance, majority of the respondents (68.4%) indicate that investigator age also plays an important role in determining homicide cases clearance. This view was further emphasized by an interviewee who stated,

*“In my opinion age is a factor and is an important correlate of homicide investigation experience. There is in fact inverse relationship between age, experience and homicide profiling accuracy”*

#### **Effect of Family Background Biases in Impeding Clearance of Homicide Case Clearance**

As shown in Table 8, although 47.4% of respondents indicate that family background biases of the investigator does not affect homicide cases clearance, majority of the respondents (52.6 %) indicate that investigator family background bias also play an important role in determining homicide cases clearance. This view was further emphasized by an interviewee who stated,

*“An investigator from a single parent family may be biased towards profiling of murders affecting single parent families. Also, those from polygamous families may be influenced by their formative experiences and may have effect on their handling of murders related to such families”*

#### **4.4 The Influence of Contextual Demographic Factors in Affecting Clearance of Homicides**

The fourth objective sought to examine the effect contextual demographic factor biases in impeding clearance of Homicide case clearance at the Kiambu County DCI offices. The variables that were measured include; community areas where the upper class or the lower class live. The results are shown in Table 9.

**Table 9: Contextual Demographic Factor Biases in Impeding Clearance of Homicide**

		No	Yes	Total
Upper class Residence	n	76	0	76
	%	<b>100</b>	<b>0</b>	<b>100.0</b>
Lower Class residence	n	0	76	76
	%	<b>0</b>	<b>100</b>	<b>100.0</b>

As indicated in Table 9 above, victims from lower social strata receive less law (less clearances) than that of higher social strata. This may be explained by respondents' perception that, *“The upper class always receive more attention even in general policing than the lower class”*. The implication here is that if this is the trend, then even murder profiling may be focused on where the upper class live first and those from the lower class later on. There were further views that police devalue victims of certain demographics when investigating criminal complaints. In terms of homicide clearance, this is often expressed as victims from lower social strata receive less law (less clearances) than that of higher social strata. However, other demographic influences sometimes thought to influence case clearance were said to include the size and composition of the underlying population or geographic area served by the policing agency.

## **5.0 CONCLUSION**

### **5.1 Theoretical Conclusions**

This study was guided by the Conspiracy Theories. These theories explained why homicides take place as most of them are premeditated and as such unraveled impediments to homicide investigations. Conspiracy theories point an accusing finger at two or more people for causing cover-up by secretly planning an act and deliberate action which is illegal or harmful. As argued by Barkun (2003) conspiring forces focuses energy on limited, well-defined objectives as was demonstrated in this study. Chip (2004) groups characteristics of conspiracy theories into three: they claim to explain what institutional analysis cannot; they achieve the explanations by classifying the worlds into “forces of light” and “forces of darkness” and traces evils back to the conspirators and their agents; the theories are regarded as special, secrets knowledge, unknowns or unappreciated by others.

Walkers (2013) developed a typology of five aspects of conspiracy theory. They are: “enemy outside (Homicide offenders)” with mobilizations done outside their community (geospatial decisions), scheming against their community (In this case their targets-victims) so that “enemy with-in” conspirators, indistinguishable from ordinary people; “enemy above” involving powerful peoples manipulate the systems for their own gain (in case of oiling the system by those who kill because of religious beliefs for cover up); “enemy below” showing that the lower cadres are breaking constraints to over-turn the social order; “benevolent conspiracies” where forces of light work behind the scene to improve the situation (in this case the DCI). In addition, the theory practically concludes if DCI anti-homicide unit should comprise of experienced, educated and trained individuals properly equipped and resourced to unravel, outsmart and crush the homicide offenders.

### **5.2 Empirical Conclusions**

In conclusion, the extent, magnitude, and complexity of the problem of impediments of homicide cases clearance have increased dramatically in recent years. This is as a result of the effect of; predictors of homicide crimes in impeding homicide cases, police related factors, investigator biases and contextual demographic factors. The exponential speed and effect of these impediments must be navigated by pundits, crime analysts and practitioners. Appropriate measures must be put in place. This way, there will be effectiveness of homicide cases clearance and bring offenders to book. In order for the DCI to navigate this challenge, the best the issue of experienced, educated and trained homicide investigators cannot be understated. Critical thinking and in-depth analysis is required. Intelligence of the investigators is key to good reasoning and effectiveness that is vital to homicide profiling and investigations. In addition, education in my view is important in equipping one with analytical skills but may not improve one’s curiosity or thinking beyond obvious fact. The problem we have in our units is that of some inexperienced homicide investigators. There is need for investigators to be experienced in examining the effects of victim and offender age in murder profiling. Homicide investigator experience and competence in procedures like examination of victim characteristics such as race, gender, weapon used, offending process and victim-offender relationship are important in carrying out murder profiling. It exposes investigators to real-life situations and is important in regard to how skills are applied in solving. Experience helps to avoid mistakes that a novice may do and increases efficiency, accuracy, understanding and analysis of murders.



## **6.0 RECOMMENDATIONS**

The first objective identified the effect of predictors of homicide crimes in impeding homicide case clearance investigation at County DCI headquarters, while the second objective revealed organizational factors that affect DCI investigations. According to this study all mitigation measures will be hinged on effective human resource office in place to review the working conditions of officers. Further, the third objective revealed a mismatch between the skill demand in terms of education, experience of homicide investigations and the capacity of many officers who are posted there. An effective human resource office should in addition urgently review and address the problem. Additionally, investigator biases and the influence of contextual demographic factors in affecting clearance of homicides cases at County DCI headquarters, in Kiambu, Kenya will also be effectively handled by a deployment of competent, skilled and effective police managers who will avoid the mistakes of skewed policing in service delivery.

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