



D36 Managerial Responsibilities in the Homicide Investigation Process: Making a Case for Periodic Reviews of All Ongoing Death Investigations

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After attending this presentation, attendees will learn about the frequency of homicides in the United States and the clearance rates associated with them; will learn about some of the reasons wrongful convictions have occurred; will learn about other investigative failures that have occurred; and, will be provided with a sample of managerial tasks, that if properly instituted could increase solvability (clearance) rates for homicides.

This presentation will impact the forensic science community by detailing investigative failures in death cases that have contributed to their “cold case” status of being unresolved and will impact the community by outlining a proposal of instituting certain managerial tasks into the investigative framework to increase the number of solved cases.

Over the past five decades the clearance rate of homicides in the United States has dropped from 92% to 62%. In 1993 the highest number of homicides occurred with 24,530 murders that carried with it a clearance rate of 67%. During the next 15-18 years the number of murders dropped to 16,000 while the clearance rate remained in the low sixty percentile.

With the emergence of DNA the innocence projects found a significant number of people wrongfully convicted and contributed those convictions to incorrect identifications of suspects, false confessions, faulty forensic science and scientists, and jail house snitches or informants. With the exception of faulty forensic science and scientists, the majority of reasons cited for wrongful convictions are directly related to the investigative process.

Furthermore, over the years, during the evaluation of numerous cold cases of unresolved homicides it became evident there are a significant number of investigative failures found within these case files that probably contributed to the fact these investigations are still unresolved. A common thread found throughout these evaluations was that there were no supervisors conducting periodic reviews of these investigations to ensure the detectives remained on track.

Detectives, as a whole, are given complete freedom and latitude to conduct their investigations as they see fit. While most of the time this is probably alright, tunnel vision, for example, has a way of surfacing and the investigation goes awry, wasting time and money. However, the inserting of a periodic review process of these cases by a supervisor would serve to identify problem areas and issues early on in the investigation hopefully preventing the investigation from becoming an unresolved cold case.

With this concept in mind two models of a review process will be addressed. One is subjective while the other is objective in nature. The

subjective review process is basically where the supervisor/reviewer conducts regularly scheduled reviews and in most situations uses his/her experience and knowledge to identify and address problem areas. It is subjective in the sense that this process always opens the door to bias and prejudices from the reviewer who is limited to his/her level of expertise. And, in the experience of the author, the criticism from these reviews sometimes becomes more negative than positive that can create an unhealthy atmosphere and even resentment within the investigative unit.

The second approach is objective and comes to us from a police detective in Great Britain who was attempting to address a way to curb the wrongful convictions. He subsequently designed a “structured and guided approach” to conducting a review of ongoing murder investigations “as opposed to the reviewing officer using their own knowledge, experience and skill,” as previously described. The objective review tool he designed, while considered to be somewhat labor intensive, has 31 categories that comprehensively cover the aspects of any murder investigation. As these categories are outlined, one will clearly see how objective this approach to reviewing murder investigations is structured.

In light of what this presentation has uncovered it behooves us to search for other avenues to correct the mistakes found in all investigations, not just death cases. Because of the magnitude of the crime of murder these get more attention and our efforts should be limitless. The author would proffer that periodic reviews of either type, subjective or objective, would move us in the right direction while increasing the solvability rate. But that the structured and objective approach would better serve the criminal justice system and its victims. **Death, Homicide, Clearance Rates**