

## The Silent Crisis in California: Unsolved Murders

April 7, 2010

While hundreds of millions of dollars are spent each year on the death penalty, a shocking number of homicides<sup>1</sup> remain unsolved in California. This report by California Crime Victims for Alternatives to the Death Penalty<sup>2</sup> (CCV) focuses on unsolved homicides in California, a problem that has been largely ignored until now by policy makers and the media. By shifting limited public safety resources away toward solving every murder we can achieve justice for all crime victims, not just symbolism for a few.

Solving murders is also the best deterrent to murder. Those who get away with murder, learn they can. With nearly half of all murders in the state remaining unsolved year after year, California is facing a public safety crisis that can no longer be ignored.

### I. The Numbers

<b>12 Counties with High Rates of Unsolved Homicide<sup>3</sup></b>	<b>Percent of Unsolved Homicides, 1999-2008<sup>4</sup></b>
Alameda	61.5
Monterey	61.5
San Francisco	59.7
Los Angeles	54.0
San Mateo	49.5
Ventura	49.4
Contra Costa	48.5
<b>CALIFORNIA</b>	<b>46.0</b>
Riverside	45.9
Kern	45.3
San Joaquin	43.0
Fresno	39.1
San Bernardino	37.3
<b>UNITED STATES<sup>5</sup></b>	<b>36.9</b>

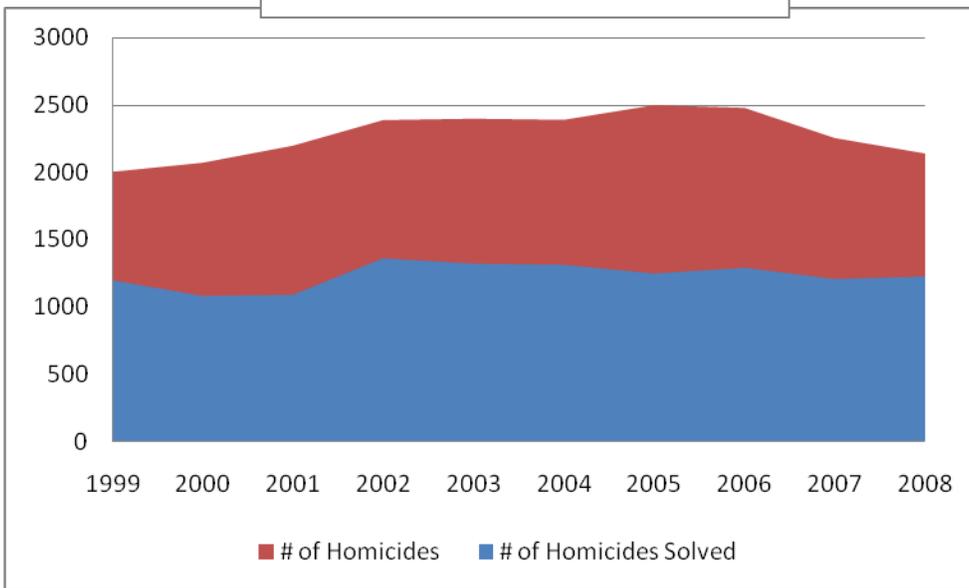
California significantly trails the national average for solving homicides. In California, almost half—46 percent—of all homicides were not solved from 1999 to 2008, the most recent ten year period for which data is available. Nationwide, a perpetrator is identified by police and arrested in 63 percent of all homicides, with 37 percent remaining unsolved.

On average, 1,000 homicides a year are not solved in California, adding up to 10,508 homicides from 1999 to 2008. That means as many as 10,000 killers who continue to walk the streets free in California and thousands of murder victims' family members living in fear and waiting for justice.

In some California counties, the numbers of unsolved murders are even more appalling. Alameda County has one of the lowest rates of solving homicides in the state, with a staggering 61.5 percent remaining unsolved. In this one county alone, 799 homicides remain unsolved from 1999-2008.

Four of California's largest counties solved less than half of their homicides. Twelve of California's largest counties fall below the national average for solving homicides.

## Unsolved Murders in California



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 unsolved homicides  
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**12,490**  
 killers continue to walk  
 the streets

*California has experienced a staggering 22,856 murders in the last 10 years. The family members for half of these 22,856 murders still do not know who the murderer is. Justice for them has not been served.*

## II. Voices Behind the Numbers: Aqeela and Judy

Though there may be no such thing as closure when a loved one is murdered, every time a murder goes unsolved the victim's loved ones are left behind without answers and without justice. By solving homicides and holding murderers accountable for their crimes, we provide justice for victims' families and remove killers from our streets. With over a thousand murders going unsolved each year in California, thousands of family members are left without justice. It is important to give voice to those who are hurt most by the failures in our justice system.

For the last two decades, Aqeela Sherrills watched friend after friend fall victim to the rampant gang violence that terrorized his South Central Los Angeles neighborhood. His strength was truly tested in 2004, however, when his 18-year-old son, Terrell, was murdered. Terrell, who was home during his winter vacation from college, had never been involved with a gang. Terrell's killer was never caught.

Aqeela feels strongly the need to change the way law enforcement approaches cases like his son's. He shares:

*I believe that we can work towards peace by communicating with at-risk youth, helping each one find his own humanity and see that violence is not the answer. We need to support early childhood intervention programs, violence prevention programs, and rehabilitation programs for those who have killed. We also need to make sure crime labs and law enforcement units have enough funding so that they can solve each and every murder.*

*... I don't understand why we waste our money on the death penalty when we can't even afford these programs. We continue to spend hundreds of millions of dollars on the death penalty even though it has never been proven to deter murderers or curb gang violence and even though one thousand killers get away with murder each year. We should work toward preventing violence and getting murderers*

*off of our streets by solving cold cases instead of executing the select few murderers who are already in prison.*

Judy Kerr of Albany, CA, felt “immobilized by the trauma” of her brother Robert’s brutal murder by an unknown robber. Judy has desperately sought the identity of her brother’s killer for the past six-and-a-half years. She has pleaded with investigators and forensic experts and has pored over coroner’s reports. “It has been agonizing to go through the pain and grief of Bob’s violent death.” Judy writes:

*While we spend millions on the death penalty every year, literally thousands of killers walk the streets. We spend so much money and focus so much attention on a few aging convicts when these resources would be better spent on law enforcement, state crime labs and investigations to bring these murderers to justice.*

*Revenge sounds sweet at first, but in reality families pay the real price. Our pain, suffering and doubt are prolonged endlessly, our communities remain at risk and killers roam free. The truth is California's death penalty wastes precious funds and does not deter crime. It does even less to bring healing to families and survivors.*

Cases like Terrell’s and Robert’s highlight the need to adjust our approach to fighting crime. As the number of people without justice for the loss of their loved ones grows, so does the evidence that something is not working. Victim’s families and loved ones deserve better.

### **III. The Solutions**

While we can never guarantee that every murder will be solved, we know what we need to do to increase the odds: increase the number of homicide investigators, improve the quality of forensic labs, and create a climate that supports and protects witnesses who come forward.

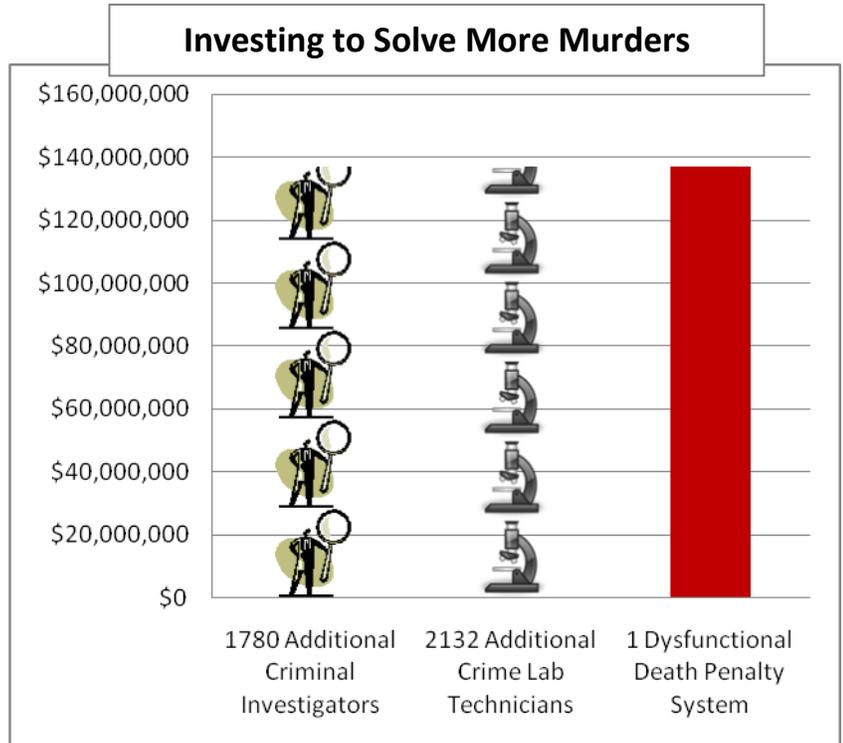
In many California communities, the primary obstacle to solving more murders is inadequate staffing levels at homicide investigation units, leading to poor quality investigations. Such is certainly the case in the city of Oakland, located in Alameda County. In a December 2008 article,<sup>6</sup> the Chauncey Bailey Project found that “[t]he Oakland Police Department has the lowest homicide clearance rate among California’s large cities because the department is understaffed and the detective work in certain instances is not thorough.”

“At the heart of the crime-solving problem is the understaffing,” found the report. “Oakland’s homicide investigators are each being handed 13 new cases a year, while detectives in California’s 10 other large cities get no more than five.” In these times of economic crisis, elected officials and politicians frequently claim “we will do more with less.” When it comes to solving murders, we are simply doing less with less.

According to the Chauncey Bailey Project, problems continue even after a suspect is identified and arrested by police. In fact, insufficient evidence often causes dismissal after the arrest of a suspect. Thus, even homicide cases that are officially “solved,” often do not result in conviction. The Chauncey Bailey Project concluded that the lack of sufficient evidence stems in part from reliance “on interrogation to get suspects or witnesses to talk [rather than] gumshoe detective work.” Using the fastest investigation techniques, such as interrogation, instead of the most thorough and reliable, can lead to false confessions and weak cases.

But with a few simple steps, we can significantly improve the rate of solving homicides in California and the rate of accurate convictions. Suggestions include:

1. Hire more homicide detectives and investigators to decrease individual workloads and increase efficiency.
2. Modernize police departments' approaches to law enforcement—including forensic science—to increase accuracy, efficiency and professionalism.
3. Publish accurate crime and clearance statistics to hold law enforcement accountable for its progress and shortcomings. Publish cold case information to encourage public contribution of helpful information.
4. Develop more effective witness relocation and protection programs to encourage cooperation with police.
5. Develop productive relationships with the families of murder victims to increase trust in law enforcement and encourage open communication which could be helpful to solving homicide cases.



*California spends \$137 million per year to fund our death penalty system. The same amount could instead be used to hire an additional 1,780 criminal investigators or 2,132 crime lab technicians in order to solve more murders.*

These steps would provide homicide investigators with the resources and tools needed to do a more thorough and accurate job. They would also improve the relationship and the cooperation between law enforcement and the community. While such reforms would require more funding, the continued abysmal rates for solving murders in California come at an even higher cost.

#### IV. Conclusion

California is facing tough choices. We simply do not have the resources to provide every service and program the state residents want. In this fiscal crisis, our public safety priority should be to remove the most violent and dangerous offenders from our communities. We cannot continue to waste hundreds of millions of dollars on a symbolic yet ineffective death penalty system. It is time for policy makers and community members to break the silence: we need justice for all murder victims, not symbolism for a few.

<sup>1</sup> In this report, "homicide" and "murder" will be used interchangeably when referring to unsolved killings.

<sup>2</sup> <http://californiacrimevictims.org/index.html>

<sup>3</sup> Data taken from the 24 most populous counties in California.

<sup>4</sup> [http://stats.doj.ca.gov/cjsc\\_stats/prof08/](http://stats.doj.ca.gov/cjsc_stats/prof08/)

<sup>5</sup> National Clearance Rates: <http://www.fbi.gov/ucr/ucr.htm#cius>

<sup>6</sup> <http://www.chaunceybaileyproject.org/2008/12/28/understaffed-oakland-department-behind-other-cities-in-solving-homicides/>