

An Empirical Study Based on the Characteristics and Countermeasures of Murder Cases

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Abstract. Since 2004, the ministry of public security to carry out "the murder cases must be solved" special action, China's public security organs at all levels continue in accordance with the actual situation, innovative investigation methods, improving the detection mechanism, the effect is obvious. Summarizing the experience of ten years from the murder case investigation, the basic situation analysis the murder cases, from the murder investigation, case investigation process, the perpetrators, as well as the incidence of regional and other factors.

The history of human society, the murder case has been the focus of attention of the criminal cases. In order to maintain social stability, protect people's lives and property safety, Chinese public security organs began to carry out the "the murder cases must be solved " special action since 2004. All levels the criminal investigation department of the country under the unified leadership of the Ministry of public security, actively implement the work initiative, innovative case investigation mechanism, crack down on violent crime, keep the high incidence of murder within limits effectively. At the same time, also must see soberly, the situation of the murder cases with a high incidence has not been fundamentally curbed, especially the murder investigation and prevention still exist many problems and loopholes. The author random access 150 cases which has been investigated by the public security organs of 18 provinces and cities in china in recent three years in the murder cases evaluation, and study on the characteristics of incidence, case investigation and analysis of the weak links of prevention work, put forward a sound proposal.

The Murder Cases Incidence Characteristics

From the Incidence Characteristics of View, Civil Cases Changed into Criminal Cases is very Obvious.

In the 150 cases, neighborhood disputes, trivial altercation triggered the murder of 39, accounting for 26%; Because of emotional entanglements (marriage, such as adultery) triggered the murder of 38, accounting for 25.34%; Due to family conflicts of the murder of 29, accounting for 19.34%; Caused by debt, gambling have 14 cases, accounting for 9.33%. Because wealth triggered the murder of 19, accounting for 12.66%; Rape and murder of 6, accounting for 4%; mental illness triggered the murder of 5, accounting for 3.33%.

From the Investigation, Means, Combined Obviously With Traditional and Modern Means.

In the 150 cases, there are 91 cases through technical investigation, internet investigation, images investigation, and other modern technology to solve directly, 60.66% of the total; there are 21 cases mainly solved through traditional methods, 14% of the total; There are 36 cases of current captured, accounting for 24% of the total; there are 2 cases for criminal suspects surrendered, 1.34% of the total.

From the Perpetrators of the Murder Cases, Outsiders make A Lot Of Crime.

From the perpetrators, there are 120 cases for the outsiders commit crime, accounting for 80%. 111 cases of the criminal suspect domicile for rural, shows that farmers still accounted for the majority of the murder crime groups from a certain extent. Among them, many cases are caused by employment, borrowing or customs. Because of the huge Numbers of migrant workers groups, cultural level is low, lack of legal consciousness, in a weak position in the social activities, so easy to do something extreme when they meet disputes.

From Area of the Murder Cases, the Urban and the Rural Equal Shares.

Through area of the murder cases, 82 occurred in the town, 68 cases have occurred in rural, each accounted for 54.67% and 45.33% of the total. Crimes occurred in the town caused by rob money, marriage and family conflicts and economic disputes; Cases in rural areas caused by marriage family conflicts, neighborhood relations, land disputes or mental patients. There were 12 cases killed two people above at once, 9 in the countryside, 3 happened in the town. It is particularly worth mentioning that in all cases there were 19 for delivery dangerous material crime, all occurred in the rural areas. This may be due to the rural poor, at the same time, farmers living scattered, lack of social security measures, case can often be unpredictability and subtle.

The Investigation Countermeasures

"the murder cases must be solved" special action has been performed for fourteen years, the local public security organs combined with local actual, constantly summarize new experience, new methods, to improve the efficiency of the crime, made important contributions to maintaining social stability. With the unceasing change of crime situation and the enrichment of criminal investigation means and present the murder investigation work should to do a good job of the following three aspects.

Improve the Murders Probing Mechanism.

Local public security organ should constantly improve existing kills probing mechanism based on local practice of murder cases. In particular, should focus on the following four aspects of work. The first, we have to improve work efficiency and reduce unnecessary involved and the internal friction, fast response, quick survey, quick to busting, quickly obtain evidence, to discover and capture the criminal suspect in the first time. Second is to attach importance to science and technology, give full play to the role of modern technology. Gradually establish a scientific system of urban network monitoring, research and development of information investigation technical tactics, improve the level of science and technology the murder investigation. Third is to pay attention to the supportive role of criminal technology. The fourth is to do a good job in basic research.

Strengthen Investigation Basic Work.

For a long time, the basic work of criminal investigation for the public security organs to effectively maintain social stability, to control the social security situation, timely detection plays an important role. However, with the change of the crime situation, especially the rapid development of public security information work, the basic work of criminal investigation in some areas did not keep pace with the times, but there have been signs of weakening. The basic work of criminal investigation is the precious wealth of the criminal investigation for many years, should be based on the new situation of the crime, combined with the public security informationization trend, constantly adjust and improve. First is to control the suspected criminal suspects. The Second, was attached to the intelligence source. We should conscientiously implement the comprehensive training requirements, based on local conditions, and actively cultivate various types of informants. Aiming at the high risk population in the region, establish a strong warning informant team, formed a sensitive, accurate, efficient and comprehensive informant information network. The third it is to position control. Continuously strengthen the management and control of high-risk places of the murder. Control the transportation, complex and special industry. At the same time, to the local actual, comprehensive control and hire, small hotel, bath place, Internet bars, hair salons and other complex place.

Make Full Use of Social Resources.

The criminal investigation work can't depart from the support of the masses, make full use of various social resources, arouse the masses to maintain public enthusiasm, has very important significance for the prevention of crime. [9] In the actual work, we should do a good job in the following two points. On one hand is to make full use of people's social resources. We should continue to improve the legal advocacy and legal consciousness, arouse the enthusiasm of the masses to fight crime. we should pay attention to methods, guide, inspire the masses to provide clues. [10] We should guide the people to provide their personal resources. At the same time, combined with the actual cases, timely issued a "Reward notice", use economic means to arouse the enthusiasm of the masses to actively participate in solve the murder.

Ways and Measures to Prevent and Control Homicide Cases

Although there are many favorable conditions for the prevention and control of homicide, we still need to make great efforts to achieve this goal. With the continuous development of China's society and economy, there have been many new changes and new characteristics in illegal criminal activities and there are still some weak links and loopholes in public security management and prevention. For example, population management, explosive material management, public security management in industries and places can still not meet requirements of prevention and control of homicide cases. Therefore, we must face up to the difficulties, forge ahead and solve difficulties and problems with clear targets.

Adhere to the Principle that "Disputes must be Settled" and Take the Initiative to Prevent Homicide.

It is greatly possible to prevent and control homicide cases changing from "civil cases to criminal cases" by mediating disputes in a timely manner and eliminating the inducement that may lead to homicide cases to the greatest extent. We should take the following measures in preventing homicide cases changing from "civil cases to criminal cases": First, we must make the construction of Public Security Committee as the primary link for prevention and control of homicide cases and try to make it better. We should establish and improve security organizations, raise funds for security work through multiple channels, provide regular professional guidance and legal guidance to security cadres so as to improve their professional quality and mediation level. Second, we should establish dispute mediation work responsibility system; include the principle that "disputes must be settled" and that homicide must be prevented into the work goal of Public Security Committee; strive to solve a large number of conflicts and disputes at the grassroots level and in the bud so as to minimize the occurrence probability of homicide cases. Third, we should resolve conflicts in accordance with laws with open and fair attitudes; adhere to the principles of fairness, openness and impartiality; set up open mediation offices; establish and improve mediation procedures and relevant systems and hold hearings to solve complicated and difficult cases; employ law enforcement supervisors or public figures to participate in mediation or audit and use other forms to increase the transparency of mediation work so as to win the trust and support of the masses.

Insist on Preventing Theft and Robbery and Controlling Homicide Cases.

Robbery crime is a serious criminal crime which can cause homicide easily. Under certain conditions, theft crime may be transformed into a violent crime, resulting in homicide. Carrying out anti-theft and robbery activity can prevent homicide to a certain extent. First, we must attach great attention to the security protection of financial systems and other key units which have plenty of money, property and goods; spare more prevention efforts effectively; make strict various safety management affairs and implement the one-vote veto system for comprehensive management; hold regular anti-robbery combat drills to prevent and control theft and robbery cases in financial departments and the occurrence of homicide cases. Second, we must make full use of the combination of specialists and masses and fully mobilize the masses against theft; adhere to the principle that "robbery cases must be prevented" and fully mobilize the masses to participate in anti-theft activities; establish full-time and compulsory public security patrols based on public security organizations; use mass defense forces, such as gate attention, joint defense and watch keeping, to give theft criminals no opportunity to run away. Third, we should use the way of block control and widely carry out safe community establishment activities. Anti-theft work should be done from a gate, a yard, a unit, a small community, should gradually form plates and should promote small security to a big one. Fourth, we should recognize and reward the masses to improve their anti-theft work enthusiasm and conscientiously implement relevant laws and regulations and ceremoniously commend police stations, police officers, cadres and public security activists who have made outstanding achievements in preventing theft with great fanfare.

Prevent and Control the Occurrence of Gun-Related and Explosive Cases and Accidents.

As long as guns, ammunition, explosives and other dangerous goods are stolen and robbed, they will be used by criminals as tools to create homicide cases. At the same time, if explosives are not well managed, explosion accidents which may lead to mass death and casualty will also occur. Therefore, in order to prevent and control the occurrence of malignant cases and accidents, we must earnestly

implement relevant laws and regulations and do the following work: First, we will control the gateways for the safekeeping and use of explosive materials and resolutely block the source of their flowing to society. We should improve and standardize the construction of facilities for explosive materials and focus on their storage and usage. Second, we should work deeply and persistently to investigate and deal with explosives and guns. Deep investigation and disposal of explosives and firearms are important means and measures to prevent and frighten crimes, so they must be done continuously. Public security organs at all levels and the public security police should resolutely overcome the fear of war and weariness of war and firmly establish the concept that "responsibility is more important than Mount Tai". They should increase their confidence and determination to investigate and deal with explosives and guns and truly implement all measures to investigate and deal with explosives and guns. Third, we should strengthen the training and selection of personnel in charge of gun explosions, and constantly improve their law enforcement and management level. The management of explosives, guns is professional and technical. Local governments should organize police officers in charge of gun explosions to strictly study and enforce relevant laws and regulations. In addition, they should pay much attention to training specialized police on relevant technical norms, professional knowledge and skills so as to improve their professional quality. At the same time, professional and technical persons with high political quality who are familiar with businesses shall be assigned to gun management posts.

Strengthen Basic Work of Public Security Management and Actively Provide Services to the Prevention and Control of Homicide.

All local places should closely link the basic work focusing on population management with the work related to the prevention and control of fatal cases and make great efforts to do well basic work focusing on population management. First, the overall control method shall be used to constantly improve the management level of major population. The policemen responsible for related police stations should go deep into the areas under their jurisdiction and find out and grasp situations of key population in a timely and comprehensive manner. They should pay special attention to the investigation of relevant personnel and find key population and timely manage them. All departments should enhance their sense of overall control and cooperation, actively provide relevant information to the police station and further improve their control and management quality. They should carefully verify clues obtained and timely supervise those persons which cannot be handled by taking crackdown measures and arrange case clues and information obtained in time. They should achieve "three transformations" and "one extension" in management according to new characteristics of key population management and implement "one key point". "Three transformations" refer to the change from the management of registered permanent residence to the management of current residence; the change from static management to dynamic management and the change from open management to combined management. "An extension" means that we should extend the management work to places where key population stay. "One key point" means that we should grasp the actual performance and their activity rules of population. Local public security organs should attach great importance to this work, should decompose related tasks in accordance with the task indicators proposed by the provincial public security departments and should organize all relevant police classifications, especially grassroots police stations, to manage daily public security, to apply for and handle resident identity cards and to do everything possible to handle fingerprint stamping work. They should complete enough tasks with high quality and should facilitate and serve the masses. Second, we should establish and improve the management mechanism for floating population and rental houses and lay special emphasis on public security management of floating population and rental houses. We should continue to implement relevant laws, adhere to the principle of combining specialized work with the mass line and fully implement various management mechanisms and measures. We should comprehensively expand and strengthen basic work and take the initiative to prevent and detect crimes through the public security management of the floating population and rented houses. Third, we should implement the management responsibilities of key population, floating population and rental houses and improve the incentive mechanism for incentive rewards and punishment. All local departments should strictly implement the pre-case management and control responsibility system for population management. In places where homicide cases occur, after homicide cases are solved, the pre-case management and

control situations of members involved should be checked backwards and the results of the investigation should be included in the objective assessment of public security management. The implementation of the reward system can enhance the sense of honor and responsibility of policemen in the district. Fourth, we should strengthen the control of industries and places and enhance the ability to prevent and control homicide case. Places where criminal suspects often set foot in and settle down should be an important position where the public security organs discover and control illegal crimes. Local public security organs should urge the industry to strengthen the construction of public security prevention organizations, should establish and implement the internal security management system and train the industry staff on security prevention businesses. Besides, we should hotel industry public security management system should be constructed quickly. This shall be taken as an opportunity to carry out the hotel cleaning and rectification work. Our focus should be placed on the problem that the accommodation registration system is not implemented. All hotels should be equipped with resident identity card verification machines and the verification and registration system for hotel accommodation should be strictly implemented to effectively solve the problem of non-verification, non-registration and incomplete registration. The system of backward responsibility investigation should be implemented. If there are people who fail to register their accommodation, the hotel and its direct responsible persons should be punished according to laws. In addition, responsibilities of the police and relevant leaders in charge of the hotel should also be investigated.

Perfect the Early Warning and Quick Response System for Homicide cases.

Public security organs at all levels should further improve the homicide early warning and rapid response system on the basis of the existing homicide investigation mechanism. First, they shall timely check related cases based on the community police work and criminal investigation work and seriously solve all kinds of social contradictions. Homicide case the Situations that can easily cause the serious criminal crimes must promptly reported and earnestly solved so as to earnestly eliminate reasons for the occurrence of homicide cases. Second, a rapid response mechanism shall be established on the basis of the public security traffic police system and social hazard behaviors should be settled in time after their appearance. On the one hand, the injured should be timely rescued so as to prevent further serious consequences; on the other hand, criminals shall be timely arrested so as to prevent them from continuing to commit crimes. Public security organs at all levels should also establish a complete information research system to analyze and study cases within a certain period so as to predict the development trend and eliminate all contradictions in the bud.

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