



Kenneka Jenkins Case Types: Assessing Responsibility and Passive Offending Involving Peer Groups in Forensic Investigations

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Abstract

One of the most vulnerable and voiceless population groups is the deceased, particularly those who suddenly pass away from preventable causes while in the presence of peers and/or multiple bystanders. Many of these sudden, preventable, and peer-oriented cases of death tend to involve alcohol and/or drug intoxication. Forensic investigations involving peer groups and intoxication can prove to be particularly unique and challenging. As a consequence, the investigation may be left either unresolved or have questionable outcomes. This presentation seeks to briefly assess and highlight concern and responsibility in these instances, while introducing potential accountability for passive offending.

Background Research

- ❑ Adolescents are more likely to offend during time spent in the company of peers without adult supervision (Gerstner & Oberwittler, 2018).
- ❑ White, Fite, Pardini, Mun, & Loeber (2013) reported that youth drinkers are more likely to commit delinquent acts even when sober in comparison to nondrinkers.
- ❑ In examining precursors to early adulthood violent behavior among urban, racial minority participants, Brook, Brook, Rubenstone, Zhang, & Saar (2011) found that young adult (age = 19.1 years) participants' illicit drug use had both direct and indirect paths to violent behavior.
- ❑ A longitudinal study assessing the influence of deviant peer affiliations on psychosocial measures such as crime and substance abuse outcomes in adolescence/adulthood revealed that affiliating with deviant peers was significantly associated ($p < .0001$) with each of the following: violent crime, property crime, alcohol abuse, and nicotine dependence (Fergusson, Swain-Campbell, & Horwood, 2002).
- ❑ In a study examining the effects of co-witness familiarity on statement similarity, results revealed that post-event discussion significantly increased the level of similarity in blame attribution among eyewitnesses who already had a pre-existing relationship (Mojtahedi, Ioannou, & Hammond, 2018).

Kenneka Jenkins: Case Snapshot

- ❑ In September of 2017, a 19-year-old African American woman named Kenneka Jenkins was found dead in a hotel freezer after attending a hotel party with a group of friends (Keilman, 2017).
- ❑ Live video feeds of the party surfaced creating much speculation regarding occurrences leading up to the discovery of Kenneka's body trapped in a Rosemont, Illinois hotel freezer (Keilman, 2017).
- ❑ Released hotel footage showed Kenneka, who was reported to have been drinking with friends, staggering down a hallway hours before she was found.
- ❑ Currently to date, no arrest or charges have been made in connection to her death.
- ❑ Kenneka's death was determined to be accidental death by hypothermia with contributing causes of alcohol and medication ("This Kenneka," 2017).

Central Questions

- ❑ Based on available information, is it reasonable to conclude that Kenneka's death was preventable?
- ❑ Where were Kenneka's peers while she was staggering down the hotel hallway appearing to be highly intoxicated?
- ❑ Where were hotel staff while Kenneka was staggering down the hotel hallway appearing to be highly intoxicated?
- ❑ Given that released hotel camera footage captured Kenneka roaming throughout the hallways, why didn't the on-duty security official(s) act?
- ❑ What is the likelihood that no one saw Kenneka roaming helplessly through the hallway while she was in observable distress?
- ❑ Is it possible that Kenneka's death was not an accident?

Supporting Evidence & Theory

Forensic Investigation

According to recent research, intoxication presents unique challenges, especially in determining the manner of death (MOD) classification of whether an individual died of a natural cause, accident, suicide, homicide, or undetermined cause (Stone, Holland, Bartholow, Logan, McIntosh, Trudeau, & Rockett, 2017).

Variability and misjudgment in MOD classification of drug intoxication deaths was found to stem from the following: ambiguous evidence at the death scene or the circumstances leading to the death, missing or incomplete information because either no death scene investigation (DSI) took place or investigation was not obtained or was partially obtained during DSI, observer bias and lack of appreciation for implications of DSIs on behalf of death scene investigators, varying medical examiner training and philosophies, and National Association of Medical Examiners (NAME) accreditation obtained by fewer than 100 of 2,479 offices in the United States (Stone et al., 2017).

Politics and stigma, deemed to be particularly relevant in smaller jurisdictions, can affect MOD classifications (Stone et al., 2017).

Peer Offending

In applying Situational Action Theory (SAT) — which posits that rule breaking and abiding behavior is dependent on who is in what setting — to crime causation, adolescents who pursue unstructured peer-oriented activities outside of school are at increased chance to be placed in criminogenic settings with opportunities and frictions for delinquent behavior (Gerstner & Oberwittler, 2018).

Offending is especially likely during unstructured socializing in public spaces in the absence of adults and in the company of multiple peers (not single peers) and during evening hours (Gerstner & Oberwittler, 2018). Even peers who are not especially delinquent will often react positively to the excitement, conspicuous consumption, and toughness inherent in most delinquent acts (Gerstner & Oberwittler, 2018).

Motivations for offending may be amplified by positive feedback from one's peers, because youth are prone to show riskier behavior in the presence of peers (Gerstner & Oberwittler, 2018).

Implications/Outcomes

- ❑ Intoxication death that could have been prevented
- ❑ Heightened public safety concerns
- ❑ Increased risk of negative psychological consequences for the bereaved due to sudden loss of loved one (Guldin et al., 2017; Keyes et al., 2014)
- ❑ Community and peer relational distrust
- ❑ Questionable forensic investigation tactics and methodology
- ❑ Potential negative impact for public health related research that is dependent upon mortality surveillance

Future Goals

Facilitate Brother's Keeper Atmosphere Via Associate Accountability

Increase Public Safety and Improve DSIs

Reduce Potential Psychological Consequences Stemming from Sudden Loss

Intervention

- ❑ Increase programs targeted at adolescent substance use
- ❑ Evaluate and assign degree of responsibility for peers as appropriate to preventable death circumstance
- ❑ As recommended by the CDCP, improve standardization in death scene investigation, toxicology, and autopsy practice; greater accountability; and creation of job aides for investigators (Stone et al., 2017)
- ❑ Conduct future research regarding passive offending/ bystander effects and unstructured socializing, as well as explore the strength of this potential association with regard to social media presence

Limitations

- ❑ Adolescent and emerging adulthood were often found to be combined age and development groups (14-21 yrs.) throughout the literature — may not be generalizable
- ❑ Findings are based on media publicized case, and scope of presentation is limited to published details