Soldiers of Justice

A CASE FOR INCREASED CITIZEN PARTICIPATION IN PROMOTING SECURITY WITHIN KISUMU COUNTY
PREFACE

This report covers the period from November 2014- November 2015.

The report depicts the situation on the ground as assessed by organizations and individuals working and living in Kisumu County. The report also contains information obtained from government agencies, both county and national, including the police, health institutions, the judiciary and local administration. Information has also been obtained from key stakeholders including CSOs, FBOs, opinion leaders and elected leaders. Further information has been obtained from institutions of learning, business community (formal and informal), as well as the general public.

The information received from the above sectors has been analyzed, contextualized and objectively assessed. To this extent, the report reflects the general situation of the state of insecurity in Kisumu County. The report demonstrates that the National Police Service is facing challenges in combatting the ever increasing insecurity in the county and it should therefore deliberately build strong linkages with the community so as to effectively respond to crime.


The Western Kenya Human Rights Network is comprised of 25 Civil Society Organizations and Human Rights Defenders working on human rights issues in the Western Kenya Region. The Network has been at the forefront of advocating for a number of human rights issues in the Region.
EXECUTIVE SUMMARY

Between November 2014 to November 2015, Kisumu County witnessed high levels of insecurity. Residents were killed and robbed at alarming rates. The attacks on residents with machetes, house break-ins and car-jacking were on the increase. There was a re-emergence of gangs and other organized crimes. Women and children were sexually abused in the spate of violence that spread to various areas in the county. 988 women were victims of sexual and gender-based violence, 1280 children were victims of defilement and rape. Mob justice was on the rise.

The security agents adopted various interventions to deal with insecurity. The Quick Response Team on various occasions responded in a timely manner to distress calls. This effort was appreciated by many residents. Various concerns were however raised on some interventions pursued by security agents. This report tells the story of the spiraling state of insecurity and calls for a more coordinated and multipronged approach to addressing insecurity. The Report makes the following recommendations:

To the Inspector General of Police

• Put in place a practical harmonization strategy to ensure better coordination between the two services within the National Police Service; Administration Police Service and the Kenya Police Service.
• Urgently put in place a framework for immediate establishment of the County Policing Authorities as stipulated in the National Police Service Act section 41.
• Intensify crime surveillance in Kisumu County with a view of repossessing all illegal firearms
• Ensure that all police officers including Administrative Police Officers who are either on interdiction or suspension to surrender uniforms and any property in their possession for the period not of duty

To the National Police Service Commission

• Ensure an effective vetting exercise is conducted in Kisumu and the public
is sufficiently engaged to enable them give information on the suitability, competence and conduct of police officers.

- Ensure adherence to the new bail and bond policy guidelines to promote fairness and restore public confidence of the police service.
- Advice that the Police Identification Number and names should be visibly embedded on the uniforms of police officers while on duty
- Enhance public-police partnerships.
- Ensure regular transfer of police officers to prevent situations where police officers stay in one region for a long time.

To the County Government

- Immediate establishment of the Kisumu County Policing Authority as stipulated in the National Police Service Act section 41
- Enhance public-police partnerships.
- Create public awareness on the Kisumu County Metro Police Bill

1. Introduction

Kisumu County has in the last one year been faced with escalating violent crime and deficient access to information. The increasing insecurity has affected the right to life and physical and human security for a number of residents. Many residents have been critically injured, and many women and children sexually violated. Many others have lost their property and sources of their livelihood. At the economic level, the insecurity is opening space for flight of capital, despotism and lack of space for private initiatives and entrepreneurship. Insecurity in Kisumu County continues to pose significant hindrances on sustainable development in the County.

The Constitution of Kenya guarantees the right to freedom and security of the person, which includes the right not to be subjected to any form of violence from either public or private sources (Article 29 (c)). The Constitution also guarantees the right to life (Article 26), human dignity (Article 28), Economic, Social and Cultural Rights (Article 43) all of which are invariably affected by lack of security. “Article 248 2 (j) of the
The constitution also contains provisions on National Security, defining National Security as the protection against internal and external threats to Kenya’s territorial integrity and sovereignty, its people, their rights, freedoms, property, peace, stability and prosperity and other national interests.” The responsibility of protecting, respecting, and fulfilling the rights enshrined in the constitution regarding security is placed upon the state and exercised through the security organs.

At the County level, The National Police Service Act 2011 (Section 41) requires the formation of County Policing Authority, to which the Inspector General is to appoint three officers; (from National Intelligence Service, Kenya Police, Administration Police); The Governor as the Chair of this Authority appoints 13 members (to represent Civil Society Organizations, Business Community, Faith Based Organization, Neighborhood Association, A Woman, Youth, PWD and two representatives from the county assembly). The role of the IG in giving this framework is critical to aid county governments in addressing the issues of insecurity. This structure has not been established in Kisumu County. Without this structure in place, it has been difficult to holistically address the insecurity problems in the County.

From a general view, residents have attributed the high rise in cases of insecurity on a number of issues including: Ineffective coordination between Kenya Police and Administration police; perceived lack of commitment from some police officers as demonstrated in instances where security officers have come late or failed to respond to distress calls during attacks; emergence of known criminal gangs like 42 brothers and other organized groups; Increased number of unemployed youths who have finished or dropped out of schools/colleges and have resorted to acts of lawlessness as means of fending for themselves; continued marginalisation of young people in the region leading to frustration and resentment; possible collusion by security officers with gangs who after successful raids share the benefits.

In many instances, the security agents have been blamed for not acting fast to contain the insecurity. While the security agents are the duty bearers on ensuring security, there is however a role to be played by the general public since the perpetrators of insecurity come from the same neighborhoods.
2. Crime Hotspots

The crime hotspots in Kisumu between November 2014 to December 2015 were Nyawita, Baraka, Mamboleo, Obuolo, Nyamasaria, Rabuor, Manyatta, Migosi Car wash, Bandani, Kibos Ogango, Nubia, Riat, Kanyamedha, Nyalenda A and B, Ahero Awasi, Nyakach, Auji and Mowlem.

Due to the crime rates in these areas, residents have been forced to a ‘self-imposed curfew, therefore curtailing the freedom of movement.

2.1 Crime Patterns

During the reporting period, there was an upsurge of crime and violent criminal related incidences reported in various areas of Kisumu County. The emerging trends were:

2.1.1 Urban Areas

Police records during the same period best exemplify the escalation of crime during the period under review. The reported cases, within this period were robbery, burglary, general stealing. 186 Cases of Robbery, in Urban and peri-urban areas, markets and other social convergence areas. The table below gives an overview of the incidences reported in the period.

<table>
<thead>
<tr>
<th>Crime</th>
<th>Prevalence</th>
</tr>
</thead>
<tbody>
<tr>
<td>Robbery</td>
<td>299</td>
</tr>
<tr>
<td>Burglary/Break in</td>
<td>182</td>
</tr>
<tr>
<td>Homicides</td>
<td>98</td>
</tr>
<tr>
<td>Assault</td>
<td>61</td>
</tr>
<tr>
<td>Possession of dangerous drugs</td>
<td>177</td>
</tr>
</tbody>
</table>
2.1.2 Sexual Violence

The table below shows the number of women and children who were subjected to Sexual violence between October 2014 – October 2015.

<table>
<thead>
<tr>
<th>AGE</th>
<th>O-18</th>
<th>18-50</th>
<th>50-90</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>Number of Victims</td>
<td>1280</td>
<td>988</td>
<td>7</td>
<td>2203</td>
</tr>
</tbody>
</table>

This data comprises the victims who visited health institutions and does not include unreported cases. Sadly, despite the rampant incidences of sexual violence, there are less than 200 cases lodged in court, representing just a fraction of the situation. Out of the 1208 children defiled, 5 are children with disabilities and their cases have not been prosecuted. The trends of sexual violence sometimes change e.g when schools are closed and during holidays when reports of rape and defilement tend to increase. The Gender recovery centers handled many victims as depicted below:

19th November 2015: Police display a number of assorted house-hold items recovered in Kisumu after a spate of robberies
# 1. GENDER RECOVERY CENTRE IN JOORH (SGBV)

Cases of Sexual Gender Based Violence SGBV reported and location of incidents between 2014-2015

<table>
<thead>
<tr>
<th>No</th>
<th>Place</th>
<th>Number</th>
<th>New Cases</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Manyatta</td>
<td>64</td>
<td>11</td>
</tr>
<tr>
<td>2</td>
<td>Mamboleo</td>
<td>32</td>
<td>2</td>
</tr>
<tr>
<td>3</td>
<td>Migosi</td>
<td>34</td>
<td>5</td>
</tr>
<tr>
<td>4</td>
<td>Kibos</td>
<td>18</td>
<td>3</td>
</tr>
<tr>
<td>5</td>
<td>Nyalenda</td>
<td>23</td>
<td>6</td>
</tr>
<tr>
<td>6</td>
<td>Nyawita</td>
<td>13</td>
<td>2</td>
</tr>
<tr>
<td>7</td>
<td>Car Wash</td>
<td>12</td>
<td>-</td>
</tr>
<tr>
<td>8</td>
<td>Kondele</td>
<td>11</td>
<td>3</td>
</tr>
<tr>
<td>9</td>
<td>Nubian</td>
<td>7</td>
<td>1</td>
</tr>
<tr>
<td>10</td>
<td>Kibuye</td>
<td>5</td>
<td>-</td>
</tr>
<tr>
<td>11</td>
<td>Mosque/Patel Flats</td>
<td>3</td>
<td>-</td>
</tr>
<tr>
<td>12</td>
<td>Midway/Arina</td>
<td>4</td>
<td>2</td>
</tr>
<tr>
<td>13</td>
<td>Shaurimoyo</td>
<td>3</td>
<td>-</td>
</tr>
<tr>
<td>14</td>
<td>Kowla</td>
<td>3</td>
<td>-</td>
</tr>
<tr>
<td>15</td>
<td>Obunga</td>
<td>3</td>
<td>-</td>
</tr>
<tr>
<td>16</td>
<td>Nyamasaria</td>
<td>6</td>
<td>2</td>
</tr>
<tr>
<td>17</td>
<td>Orongo</td>
<td>3</td>
<td>-</td>
</tr>
<tr>
<td>18</td>
<td>Russia Quarters</td>
<td>2</td>
<td>-</td>
</tr>
<tr>
<td>19</td>
<td>Kiboswa</td>
<td>4</td>
<td>5</td>
</tr>
<tr>
<td>20</td>
<td>Otonglo</td>
<td>3</td>
<td>1</td>
</tr>
<tr>
<td>21</td>
<td>Rabuor</td>
<td>3</td>
<td>2</td>
</tr>
<tr>
<td>22</td>
<td>Nyahera</td>
<td>1</td>
<td>0</td>
</tr>
<tr>
<td>23</td>
<td>Kisian</td>
<td>1</td>
<td>-</td>
</tr>
<tr>
<td>24</td>
<td>Polyview</td>
<td>1</td>
<td>-</td>
</tr>
</tbody>
</table>
25  Railways          3  1
26  Bandani/Riat      12  2
27  Ouko/Airport/Ahero/Awasi  4  -
28  Outside Kisumu Centre Seme/Nyakach/Milimani  56  8
                                 329  43
TOTAL                           372

CLIENTS SERVED 2014-2015

<table>
<thead>
<tr>
<th></th>
<th>NEW</th>
<th></th>
<th>RESIST</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>M</td>
<td>F</td>
<td>TOTAL</td>
</tr>
<tr>
<td>1</td>
<td>17</td>
<td>98</td>
<td>162</td>
</tr>
<tr>
<td>2</td>
<td>38</td>
<td>86</td>
<td>124</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>286</td>
</tr>
<tr>
<td></td>
<td>TOTAL=632</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Don't know 11-13 cases

Morning from 105-124 cases (Midnight - 11.59am)

Evening from 42-47 cases (4.00p.m.- 6.00p.m.)

Afternoon 35-43 cases (12noon-4.00p.m.)


Relationship between survivors & perpetrators of SGBV

<table>
<thead>
<tr>
<th>Relationship</th>
<th>Number</th>
<th>Percentage</th>
</tr>
</thead>
<tbody>
<tr>
<td>Unknown</td>
<td>143</td>
<td>43%</td>
</tr>
<tr>
<td>Uncles</td>
<td>22</td>
<td>2</td>
</tr>
<tr>
<td>Cousins</td>
<td>13</td>
<td>-</td>
</tr>
<tr>
<td>Brothers/Step brothers</td>
<td>12</td>
<td>-</td>
</tr>
<tr>
<td>Father/step fathers</td>
<td>11</td>
<td>-</td>
</tr>
<tr>
<td>Neighbours</td>
<td>57</td>
<td>9</td>
</tr>
<tr>
<td>Boyfriends</td>
<td>24</td>
<td>4</td>
</tr>
<tr>
<td>Bodaboda</td>
<td>17</td>
<td>-</td>
</tr>
<tr>
<td>Drivers</td>
<td>2</td>
<td>-</td>
</tr>
<tr>
<td>House helps</td>
<td>4</td>
<td>-</td>
</tr>
<tr>
<td>Watchmen</td>
<td>2</td>
<td>2</td>
</tr>
<tr>
<td>Teacher</td>
<td>4</td>
<td>-</td>
</tr>
<tr>
<td>Pastor</td>
<td>1</td>
<td>1</td>
</tr>
<tr>
<td>Herdsmen</td>
<td>2</td>
<td>-</td>
</tr>
<tr>
<td>Other tout employers</td>
<td>13</td>
<td>8</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>329</strong></td>
<td></td>
</tr>
</tbody>
</table>

2.1.3 Challenges of addressing Sexual and Gender-Based Violence

i. Identification of culprits: People make reports but they are unable to take the police to the perpetrators making it difficult for the police to arrest.

ii. Lack of confidentiality and handling of sensitive sexual violence reported cases especially at the police stations.

iii. Handling of files: Crucial evidence disappears from police files. The file moves from the police-registry-prosecutor-police so when the papers get lost there is shifting of blame.

iv. Cases take long and the victims lose hope and abandon the cases. The children also grow up if cases take up to 3 years to be heard and get traumatised when put to remember a 3 year old incident. Over the course of time, memory
fades and may lead to contradicting statements. Slow investigation and prosecution of cases has resulted in traumatisation of the survivors and in some cases, acquittals.

v. Witnesses do not attend court and without their testimonies it is hard to proceed with the case.

vi. Poor response to distress call by the police.

vii. Challenges in accessing and duly filling of P3/PRC Forms required to sustain the charge

viii. Victims are currently made to pay between Kshs.1,000 to Kshs.1,500 facilitation allowance to the ‘Medical Practitioner’ to attend Court as often as the Court is in session

ix. Lack of awareness on the part of the survivors to preserve evidence

x. Tendency to settle SGBV Cases out of Court

3. Suspected Perpetrators

The crime in Kisumu has exhibited a systemic trend involving various groups and gangs. Residents who have fallen victims to these groups have been able to identify some defining characteristics. While the case of individuals perpetrating crime cannot be ruled out, it seems that most of the criminal activities affecting security in Kisumu are carried out by groups or gangs. These groups have been identified as follows:

**Machete- Wielding Criminals**

Residents describe this group as comprising of between 7-15 individuals who slash their victims with machetes/pangas. They do not rob their victims and their motive remains unclear. They often wear dark jackets. Their main area of operation is Nyalenda A/B- Oboch-Nyamasaria-Manyatta-Molem-Migosi and Mamboleo.

**Motor-bike gangs**

This gang often operates in a groups of 3. They are often spotted on motor bikes with concealed number plates. Their pattern of operation is different from the machete-
wielding gang. They majorly are involved in robbing people of money, phones and property. They way-lay the unsuspecting victims at the gates of their homes and compounds. Their area of operation has been identified Migosi and Lolwe. The Police have deployed patrols within these areas, which has reduced the incidences. Their victims describe them as being aged between 20-25.

The 42 Brothers

This gang comprises of youth between the ages of 15 – 35 years. The group is very vicious and has been involved in a spate of robberies with violence in Nyalenda B (Kilo area), Manyatta and Mamboleo. They came to the limelight after killing a boy who was operating a video shop during a botched robbery attempt. Confirmed reports indicate that 6 of them have been killed by mob Justice, while an additional 7 have been killed by the police. Other members remain at large.

Rape Gang

This is a group of 5 people aged between 17-20. They break into people’s houses and rape them. They do not rob and are only after perpetrating sexual violence. Their area of operation is Manyatta, Lolwe, Migosi, Nyalenda A/B, Bandani and Mamboleo. This gang has been in operation since 2014.

4. Impact of Insecurity

Insecurity in the County has had far reaching negative impact on the lives, economic and social activities of the residents.

Some of the attacks have resulted to deaths and serious injuries. In almost all the settlements within and around Kisumu County, a number of people have fallen victim of armed robbers who sometimes kill without taking anything from the victims, which makes it difficult to know what they are really after.

House owners are now registering low income because tenants in neighbourhoods
that are considered unsafe are moving out for fear of possible attacks. The situation has also contributed to low up take of investment in Kisumu especially in hospitality that targets both local and international tourists.

Transport operators are ‘restricted” not to operate early in the morning and late into the night because of the situational curfew occasioned by insecurity. Workers are afraid to report to work in early hours of the morning, or leave late in the night. This considerably impedes the County’s socio-economic growth.

Businesses have especially been adversely affected as they have had to be closed earlier than usual for fear of being robbed. Kiosks and shops within the estates close as early as 7.00 pm, leaving late shoppers with no option but to carry with them the basic requirements from supermarkets in town thus denying the small retailers a chance to grow. People within the estates have resorted to engaging vigilant groups to enhance patrol, while some business people have had to hire private security guards to take care of their premises. It’s no longer safe for women who wake up early in the morning to get groceries and cereals from Kibuye and ChiroMbero as had been the routine thus affecting their businesses and meager daily income.
5. Victims
Citizen Participation In Promoting Security Within Kisumu County
Citizen Participation In Promoting Security Within Kisumu County
6. Responses:

6.1 Kenya National Commission on Human Rights

Police Training

KNCHR pursued various interventions on the insecurity situation in Kisumu. The Commission’s first intervention involved training of Senior Police officers in the Nyanza and Western Region on human rights principles in security operations. This training took place between 4th -7th November 2014 and targeted 84 OCPDs and OCSs in the Western Kenya Region. Through this training, KNCHR aimed to equip the Police Officers with necessary knowledge on human rights in security operations. Discussions centered on security and policing within the context of the 2010 Constitution and police officers were able to share perspectives and approaches to the security challenges within the County.

Research and Report on Insecurity

In October 2014, KNCHR also conducted a research on the state of insecurity in Kisumu. The research revealed that insecurity was rampant in Migosi, Manyatta and Nyawita Estates. Armed robbery, physical assault, rape and defilement, drug-trafficking, murder, theft were particularly rife. Insecurity was attributed to a number of factors including unemployment, poverty, and marginalization, inequality coupled with unequal distribution of Resources, police in-action and collusion with criminal gangs, among others. These findings were included in a report titled “A Country under Siege: The State of Security in Kenya” which was published by KNCHR in December 2014 where several recommendations were made to tackle insecurity not only in the Kisumu but throughout the Country.

Dialogue forum between the Police, CSOs and the Public

As insecurity escalated and the public grew impatient, KNCHR convened a dialogue forum between the Police, CSOs and the public. This was a discussion forum aimed
at exploring areas where all parties could collaborate to tackle the insecurity that had tremendously increased in the county. The forum provided a good chance for law enforcement officers as well as the public to reflect on the situation.

During this forum, it emerged that the public feared to share information with the police only for this information to be relayed to the people complained against or for the person reporting to be apprehended instead. CSOs also expressed the barriers and challenges they faced when trying to access information from police stations. The time taken by the police to respond was also discussed. The police expressed concerns about what they saw as a limiting constitution that impeded efforts to fight crime. KNCHR however reminded the participants that security operations must adhere to Article 238 of the Constitution and that with good preparatory/intelligence gathering, it was possible to fight crime within the confines of the Constitution.

Consultative meetings

KNCHR also held consultative meetings with the police on incidences of insecurity. These meetings were meant to discuss specific incidences of insecurity and find lasting solutions to the problem.

6.2 Civil Society Organizations

The role of civil society organizations in addressing the issues of insecurity in Kisumu County has been noted through the engagements at different levels with the Kenya National Commission on Human Rights (KNCHR), The National Police Service Commission and The County Government. Particular CSOs have been engaged in different interventions as follows:

Trainings

The trainings have majorly focused on the sectoral partnerships and engagement between the Kenya Police and the Communities in order to enhance public trust and address the emerging law enforcement challenges within the County. These trainings
have specifically focused on youth in the transport sector, youth in slum areas and other settlements. These trainings have provided a clear framework for engagement with police, youth in the transport sector in Kondele now share information with the police in terms of crime reporting.

CSOs have also undertaken trainings for youth in order to curb radicalization among youth and other groups within Kisumu. Radicalization of young persons in Kisumu County incidentally is not being addressed with the seriousness it deserves. The burgeoning youth need to be engaged in meaningful socio-economic activities. Further, the County needs to relook at the causes of the ethnicity and religious divides and how this has created a recipe for young people participating in acts which enhance insecurity.

CSOs have also had their capacities enhanced in documentation and reporting for general crime as well as interaction and engagement with the Police vetting Team. CSOs mobilized the public to participate in the police vetting process undertaken in Kisumu.

Further, in relation to Sexual and Gender-based violence, CSOs held a consultative meeting whose theme was “amplifying women voices in SGBV handling of survivors and reporting.”

**Demonstration/Petitions**

A section of Civil Society groups also organized a public demonstration when at the height of insecurity, where a petition was presented to the Governor-Kisumu County, the County Commissioner and the County Commandant.

**Advocacy**

Civil Society Organizations have continued to undertake advocacy and other related interventions in addressing the spiraling insecurity in Kisumu. These interventions resulted in Street lighting, Metro police and the interactive police report and
information short message service.

Although CSO interventions have led to some positive steps, the cry of citizens remains unanswered especially in certain areas in Kisumu where “curfews” are becoming the norm as “gangs” take root. In Nyawita and in many other boroughs in Kisumu, the freedom of movement has been curtailed by the “PikiPiki i.e. Motor Cycle Gangs”. It is evidently clear that these are gangs of young people who are making this a way of life.

6.3 Response from the Public

Mob Justice

With the rise of insecurity, mob justice is quickly becoming common in Kisumu County. Communities have resorted to mob justice due to mistrust in the criminal justice system. The public also distrust the police because they leak sensitive information/reports about crime. As a result people resort to mob justice to deal with crime and deter potential criminals. Those who mete out mob justice subvert the rule of law but they are rarely apprehended and prosecuted. In Kisumu, police have been on the spot for slow response and for taking no action against mob justice perpetrators within the town. Residents complain that the police often take too long to respond when informed that mob justice is taking place.

When the public take the law into their own hands, they subvert the course of justice. Cases of mistaken identity lead to injuries and loss of innocent lives. The public must understand that even at the height of insecurity, police must be allowed to investigate, apprehend suspects and take them through the due process of the law.
Citizen Participation In Promoting Security Within Kisumu County

Case 1
Dennis Opany, a student of Maseno University Kisumu City Campus was attacked by angry matatu operators and conductors along the Kisumu-Kakamega road for suspected robbery.

The young student was beaten, stoned and cut with machetes before being lynched using a tyre. He later succumbed to the injuries and died on the spot.

Case 2
A young boy was killed around Gesoko when residents suspected him to be a member of the 42 brothers gang that terrorizes people in the town. Police arrived at the scene 6 hours after the incident.

Case 3
On 20th July 2015, a suspected thief beaten mercilessly by a mob in Kisumu after he was found riding a motorbike said to have been stolen in Mumias, Kakamega County.
Case 4
On 21st November 2015, two suspected members of the 42 brothers were lynched by the public in Manyatta area in Kisumu.

Gang Justice/ Vigilante Groups

Other than mob justice, a trend is emerging in Kisumu where gangs mete out justice on suspected criminals. However, this is an extremely dangerous trend. Gangs are not authorized to maintain law and order. The “street” justice they tend to met out is unrecognized within the rule of law. Gangs pose a threat to the very law and order that they purport, without any legitimacy, to aid in maintaining.

6.4 Police Response

Over the intervening period, there have been a series of noticeable positive responses undertaken by the Kenya Police in Kisumu County in addressing the spiraling insecurity situation. Some of these recommendations have been commendable.
For instance in order to address the challenge of accessibility, the National Police Service (NPS) and the Inspector General of Police engaged with the local communities and the political leadership in building, equipping and staffing two police posts in Migosi and Nyalenda‘B’Wards in Kisumu Central Constituency. These police posts were funded through Kisumu Central Constituency Development Fund and were officially launched by the Inspector General.

Further, lighting was increased in some parts of the city after consultations with the stakeholders including demonstrations by CSOs to pressure for provision of street and flood lights in key identified hot spots.

The QRT has also been instrumental in responding very quickly when distress calls are made, thereby confronting the perpetrators of crime and rescuing a number of victims.

Despite these positive steps, many concerns remain:

- **Police Crack down**

  The Police in Kisumu County have undertaken a series of ‘blanket”’ crackdowns across the County. These ‘blanket’ swoops, though effective in furthering the mandate of the police in preventing, responding and prosecuting crime and other related vices, have resulted in arrests and detention of innocent youth, women, and ordinary citizens going about their daily chores. A case in point is the widely reported 7hr night lockdown/crackdown on the sprawling slums of Obunga.

  The net effect of these crackdowns, has been widespread abuse of basic human rights, rights, especially the right of association as well as economic and social rights.
• **Youth Profiling and Harassment**

In the crime prone areas, the youth are profiled in terms of dressing, outlook (dread locks) and age. These youth suffer harassment in the hands of the police and are often arrested and confined.

• **Extra Judicial Killings**

Instances of extra judicial killings have included the killing of twelve members of the 42 brothers. A second incident involved the killing of a suspected criminal around Gesoko area by the police.

• **Lack of Police-Public Partnership**

Some security organs have not embraced positive and constructive engagement with the public as a means of creating a workable partnership in order to effectively address the security challenge.
Recommendations

Based on the above findings, the report makes the following recommendations:

To the Inspector General of Police

• Put in place a practical harmonization strategy to ensure better coordination between the Administration Police Service and the Kenya Police Service.
• Urgently put in place a framework for immediate establishment of the County Policing Authorities as stipulated in the National Police Service Act section 41.
• Intensify crime surveillance in Kisumu County with a view of repossessing all illegal firearms
• Ensure that all police officers including Administrative Police Officers who are either on interdiction or suspension to surrender uniforms and any property in their possession for the period not on duty

To the National Police Service Commission

• Ensure an effective vetting exercise is conducted in Kisumu and the public is sufficiently engaged to enable them give information on the suitability, competence and conduct of police officers.
• Ensure adherence to the new bail and bond policy guidelines to promote fairness and restore public confidence in the police service.
• Advice that the Police Identification Number and names should be visibly embedded on their uniforms
• Enhance public-police partnerships.
• Ensure regular transfer of police officers to prevent situations where police officers stay in one region for a long time.
To the County Government

• Immediate establishment of the Kisumu County Policing Authority as stipulated in the National Police Service Act section 41
• Enhance public-police partnerships.
• Create public awareness on the Kisumu County Metro Police Bill

Recommendations Specific to Sexual and Gender-Based Violence

a) Sensitizing members of the public on the importance of availing witnesses.
b) Automation of reports to avoid plucking of papers from files.
c) A chamber in court to be put for SGBV cases only to make sure they are heard within the shortest time possible.
d) A Gender crime units and functional gender desk to be set within the police stations. Transfer of the police should be within the unit.
e) Awareness creation about importance of seeking justice and timely reporting through legal process for victims of sexual and gender based violence.
f) Document feedback and court sentences to raise the public confidence in the judicial system.
CONCLUSION

Peace and Security is at the heart of the development of this nation and it is imperative that all persons are enabled to protect this right. Combating insecurity in the County requires concerted effort from all stakeholders, including Civil Society organizations and the Public. The Civil society has been perceived as “Paper Tigers” who make noise but this is changing and as soldiers of justice, there must be capacity enhancement for Human Rights Defenders (HRDs) to constructively engage with the police service.

The police service and other security agencies should have a policy to enable easy access to information to ensure that the human rights protection framework is functional. The public also has a role to play in providing crucial information to the police. Confidentiality in handling this information is key. This creates harmony amongst parties, removes mistrust and suspicion. The public must also desist from mob justice but instead be prepared to assist in securing convictions by recording statements and attending Court to give testimonies.

The Western Kenya Human Rights network is at the helm of ensuring that Civil Society continues to be Soldiers of Justice at the lowest village unit. This requires continued engagement with both the national and county government to ensure that the spirit and principles of the Constitution are applied in toto. The civil society must continue to hold brief for others who do not have the voice or presence. They must continue to be soldiers of justice.
MEMBERS OF THE WESTERN KENYA HUMAN RIGHTS NETWORK

KNCHR

CHAMPIONS OF PEACE KISUMU

KEFEADO

Pasem in terris

KISUMU CITY RESIDENTS VOICE (KICIREVO)
Citizen Participation In Promoting Security Within Kisumu County

ICEDA

NYARWEK

LGBTI NETWORK

ONE STEP ONE CHILD

TRANSFORM EMPOWERMENT FOR ACTION INITIATIVE (TEAM)

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