

# THE INDECOM QUARTERLY | 2nd

April - June 2018

## **Suicide in Custody: Vanessa Wint Revisited**



### **Background**

On November 21, 2012, Vanessa Wint, a ward at the Horizon Adult Remand Centre (HARC), committed suicide. Her death caused considerable outcry and concern and became the subject of a wider enquiry into the care and treatment of juvenile detainees. The death was investigated by both INDECOM and the Office of the Children's Advocate (OCA); and in 2016 a Coroner's

Inquest was conducted. The inquest found that "[t]he deceased Vanessa Wint committed suicide which was contributed to by the neglect of Horizon Remand Centre in failing to ensure that an adequate suicide watch was put in place and properly implemented when she was locked down in her cell at approximately 6 p.m. on the 21<sup>st</sup> day of November 2012".

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**“Justice is truth in action.”**

Benjamin Disraeli

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## COMPACT DISC

2nd Quarterly Report: April - June 2018

New Complaints: April - June 2018

Commission's Reports Completed: April – June 2018

(In compliance with Section 17(3) (C) of the INDECOM Act)

## IN THIS EDITION OF THE IQ

### SUICIDE IN CUSTODY: VANESSA WINT – REVISITED

In this report, the Commission revisits the issue of suicide of juveniles in custody, with specific focus on the case of Vanessa Wint. The original findings and recommendations of the Commission in October 2013 are assessed to determine if they have been implemented by the Department of Correctional Services (DCS). The case study included visits to the four juvenile correctional centres as well as an assessment of training materials/standard operating procedures for the detection and management of wards/inmates at risk for self-harm or suicide. Much has been done by DCS to address the recommendations made by the Commission. However, there are two areas where greater improvement is required. There is a need for more staff training and for consistent and frequent assessments of juveniles post intake.

### PART ONE: NEW COMPLAINTS

The Commission received 217 categories of complaints from 186 incidents reported for the period. The top five categories of complaints include: assault (70), discharge of firearm (46), fatal shooting (33)\* [see page 8], shooting injury (24) and unlawful wounding (7).

The Commission's Forensic Unit responded to 87 incident scenes for the period. There was one death in custody for the period.

In relation to parishes with fatalities: St. Thomas, Trelawny, and Manchester had no fatalities for the period. The parishes of Portland and St. Elizabeth recorded one (1) each; Hanover and St. James recorded two (2); St. Ann recorded three (3) and Clarendon had four (4). St. Catherine and St. Mary recorded six (6) each, Westmoreland had seven (7) and Kingston & St. Andrew recorded the highest at 11.

All parishes had complaints, both fatal and non-fatal, with Kingston and St. Andrew recording 68 complaints and St. Thomas recording the least with four (4).

### PART TWO: THE LEGAL DEPARTMENT

In the Legal Department, 199 Commission's Reports were distributed and completed. An overview of recommendations for no charge, disciplinary action or charge, for the reports completed are listed in this section. Recommendations from fatal shooting incidents, where Commission's Reports were completed during the quarter are also listed. Four (4) members of the Jamaica Constabulary Force (JCF) were arrested and charged during the period, for incidents investigated by INDECOM.

### PART THREE: LESSONS LEARNT

The Commission highlighted the actions of Constable A who was able to pacify an incident involving another police officer.

### PART FOUR: PUBLIC INFORMATION

The Commission's Senior Management Team in the Operations Unit had one (1) meeting with members of the JCF High Command to include the Inspectorate of Constabulary for the period. The matters discussed included INDECOM/JCF MOU and search warrants of police stations.

The Commission participated in awareness exercises equaling 297 man hours for the period.

The Public Relations Unit issued 3 press releases for the period. The titles of these are listed in this section.

The Commission celebrated its eighth anniversary April 15-21, with activities at Christ Church, Police Academy, Rockfort HEART Academy and Hilltop Juvenile Correctional Centre.

The Commissioner of INDECOM journeyed to St. Lucia as a presenter at a regional seminar and was invited as an expert participant at a meeting on less lethal weapons in Geneva, Switzerland.

**Continues from from page 1**

Vanessa's death followed confrontations with other wards and Correctional staff during the day. In statements taken from Correctional staff and other wards, Vanessa had an altercation with a fellow ward. Following the altercation, Vanessa brandished a pair of scissors and threatened to kill the other ward. Correctional Officers intervened by locking Vanessa in her cell. Later the same day, still enraged, Vanessa grabbed a sheet from her bed, tied one end around her neck and climbed upon an upstairs rail. Correctional Officers again intervened and sent Vanessa and the ward with whom she had the fight to speak with the Superintendent.

After leaving the Superintendent's office another fight developed between Vanessa and her fellow ward. The wards were parted and Vanessa was ordered into her cell. She refused to go into her cell and was forcibly placed there by Correctional Officers. The cell was locked and her sheets removed by order of the Superintendent.

Other wards stated that after Vanessa was locked in her cell they heard Vanessa tying up a sheet, which was allegedly taken from a neighbouring cell. Several of the wards began calling to the officers but the officers did not respond positively. Wards continued to raise an alarm regarding Vanessa.

The Correctional Officer who was assigned to the Observation Station stated that she was in the bathroom when she heard shouts coming from the dormitory. She left the bathroom and was joined by two other Correctional Officers. From the observation post they saw Vanessa with a sheet tied around her neck onto the grilled cell door. They shouted to Vanessa and when she was unresponsive they ran to get the Superintendent. Another Correctional Officer noted that attempts to get aid to Vanessa were hampered by how the sheet was tied.

**Original Findings & Recommendations**

INDECOM's completed investigation identified a number of critical factors that were potentially contributory to Vanessa Wint's death. These factors were:

- a. there was no established best practice on how to manage a ward like Vanessa who exhibited a proclivity to self-harm;
- b. there was no evidence that any of the Correctional Officers who were the first responders were given specific training to respond to suicide attempts;
- c. there was a time lapse which prevented responders from entering the cell to render aid to Vanessa;
- d. no proper tools were available for cutting down Vanessa;

- e. although the Superintendent on duty recommended measures be put in place to prevent Vanessa from harming herself, he could not have anticipated she would have reached into an adjoining cell to grab a sheet; and
- f. the design of the observational area presented a blind spot which prevented a view of the entire cell which made it unlikely that any Correctional Officer sitting in that area would have detected Vanessa's actions.

Following INDECOM's investigation and subsequent report, in October 2013, the matter was recommended to the Special Coroner, the Department of Correctional Services (DCS), for possible disciplinary hearing, and to the Solicitor General for consideration of compensation to the estate of Vanessa Wint.

INDECOM recommended that the DCS issue standardized operating procedures and develop training for an effective regime to detect and manage the risk of suicides by inmates and wards. The regime should include:

- a. improvement in staff training on the detection of the risk factors associated with suicide and signs of mental issues;
- b. emphasis on suicide prevention and providing documented procedures which would allow staff to respond to attempts in under two minutes;
- c. provide persons on suicide watch with one-on-one supervision in an approved facility;
- d. Correctional Officers who supervise juveniles be cognizant of and trained in areas such as child psychology, the Child Care and Protection Act and the different stages of development of teenagers;
- e. all staff should be trained in basic first aid including CPR;
- f. effective categorization of risk and provide for differing degrees of attention and treatment depending on the risk of suicide or self-harm;
- g. frequent assessment of inmates, especially if they are or have previously been on suicide watch;
- h. whenever there is extreme uncontrolled behaviour, the ward/ inmate should be immediately referred to a trained counsellor or psychiatrist;
- i. persons believed to be suicidal to be checked on every 15 minutes and persons who are on suicide watch to be under constant supervision;
- j. inmates in need of treatment should receive treatment without delay; and
- k. shift supervisors must clearly document any issues that might indicate risk of suicide and pass the information on to the supervisor on the next shift.

### **Post 2013 Findings & Recommendations**

This Quarterly Report examines the DCS in light of the recommendations made in 2013 and to identify whether the recommendations and training have been implemented.

In June 2018, pursuant to Sections 4 (1) and (2) of the Independent Commission of Investigations Act, the Commission requested from the DCS any and all training materials/standard operating procedures for the detection and management of wards/inmates at risk for self-harm or suicide. In conjunction with its request for documents, the Commission requested to visit Metcalfe Street Juvenile Remand Centre, South Camp Juvenile Remand & Correctional Centre, Rio Cobre Juvenile Correctional Centre and Hill Top Juvenile Correctional Centre. The Commission's requests were facilitated.

During visits to the institutions, INDECOM spoke to staff and focused on the following areas:

- a. staff training on handling juveniles with risk of self-harm or suicidal ideations;
- b. intervention for juveniles with risk of self-harm or suicidal ideations;
- c. identification and screening of juveniles with risk of self-harm or suicidal ideations; and
- d. housing of juveniles with risk of self-harm or suicidal ideations.

### **Training of DCS Staff**

Post 2013, DCS produced a Standard Operational Procedure for Suicide and Self-Harm booklet, Standard Operational Procedures for Suicide Monitoring Room, and a Training Manual for Suicide and Self-Harm. INDECOM was informed that all the materials are made available to all Correctional Staff. According to the Standard Operational Procedure Regarding Inmates/Wards Self Harm and Suicide Prevention (2014), the department aims to reduce the self-harm among its wards/inmates by:

- a. identifying vulnerable inmates/Wards;
- b. establish a Crisis Assessment/Intervention Team;
- c. identify various forms of intervention programmes available to be applied; and
- d. identify and address the training needs of staff members.

The booklet provided by DCS is replete with pictures and directions on the duties of a first responder, how to place victims in recovery positions, and where to cut a ligature. While at the institutions, INDECOM Investigators were shown cutting tools specifically designed to cut through nooses. Additionally, the training material provided detailed guidelines on how Correctional Staff should respond to suicide attempts. In speaking to institutional staff it was learned that all staff members are trained in

basic First Aid at the Carl Rattray Staff College. However, only few were qualified to provide Cardiopulmonary Resuscitation (CPR).

In the event that wards needed medical treatment outside the institution, all the institutions visited had designated vehicles to transport the wards. With the exception of Hill Top Juvenile Correctional Centre, all facilities are within a 15-20 minutes drive to a major public hospital.

### **Intake screening and risk detection**

The policy by DCS on Self-Harm and Suicide Prevention lays out a step by step process for evaluating a ward's propensity for self-harm or suicide risk. On intake all wards are to be interviewed and assessed using a risk/needs assessment questionnaire. For wards who exhibit risks for self-harm or suicide, the ward must be referred to the Crisis Intervention Team at the institution. Each institution's Crisis Intervention Team is comprised of Director of Medical Services (or other medical staff), Psychologist/Psychiatrist, Superintendent, Probation After-care Officer, Case Manager and a Chaplain.

### **Active monitoring & Housing of wards**

Based on guidelines provided, a ward who is at risk can be monitored using a tiered approach. The ward may be placed in a cell/dormitory with others and monitored closely by Correctional Staff or at the other end of the spectrum, where a ward has attempted self-harm, the ward is isolated in a cell and monitored on a one-on-one basis and observations are logged every 15 minutes. INDECOM was informed at each institution that the common practice mandates that the information logged is communicated to the Correctional Officer on the next shift.

At all institutions visited by the Commission's Investigators, the observational posts for the isolation cells had a clear line of sight into the cells. With the exception of one institution, all cells were devoid of light fixtures, window panes, sheets or other loose items, that could be used to facilitate self-harm.

### **Could it happen again?**

Based on information gathered during the visits to the juvenile correctional facilities, there are 466 Correctional Officers with responsibility for on average 270 wards. Since 2012 there have been sixty-two (62) suicide attempts and two incidents of suicide of wards who were in the care of DCS. Both suicide incidents were investigated by INDECOM. The first, was in 2013 and occurred prior to the release of INDECOM's recommendations following the death of Vanessa Wint. The circumstances surrounding this incident bore similar features with Vanessa's death. This matter was referred to the Special Coroner. The second

incident was in 2015. In this investigation, it is apparent that DCS had made changes in the way staff responded to the scene.

Much has been done by DCS to address the recommendations made by the Commission. However, there are two areas where greater improvement is required. There is a need for more staff training and for consistent and frequent assessments of juveniles post intake.

**Rule 22 of the United Nations Standard Minimum Rules for the Administration of Juvenile Justice (“The Beijing Rules”)** states that Correctional Staff should be professionally trained. Further, there is a need for in-service refresher courses to establish and maintain the necessary professional competence for persons dealing with juveniles. From the information garnered on our visits to the juvenile institutions it is evident that there is awareness around the issue of dealing with juveniles who self-harm. However, the frequency of the training varies. In some institutions, staff report that the topic is often raised during briefings and in some, staff only recall one training during their tenure.

For training to be effective it must be repeated with more frequency and staff must be reminded what to do in the event a ward attempts to self-harm. DCS needs to make specific training in adolescent care and behaviour a staple at Carl Rattray Staff College and need more frequent in-service courses of dealing with juveniles who are at risk of self-harm and who exhibit suicidal ideations. Correctional Officers need to be sensitized to identify and

respond to changes in behaviour that can be precursors to suicidal ideations.

As a part of the evaluation, methods used to identify youth at risk of suicide were also assessed. INDECOM was advised that upon admission to a facility, an intake screening is undertaken for each juvenile using a prescribed form. The juvenile is subsequently assigned to a Welfare Case Manager who is responsible for overseeing the ward's mental, physical and emotional needs while incarcerated. The Welfare Case Manager conducts a needs assessment within three months of the ward being admitted.

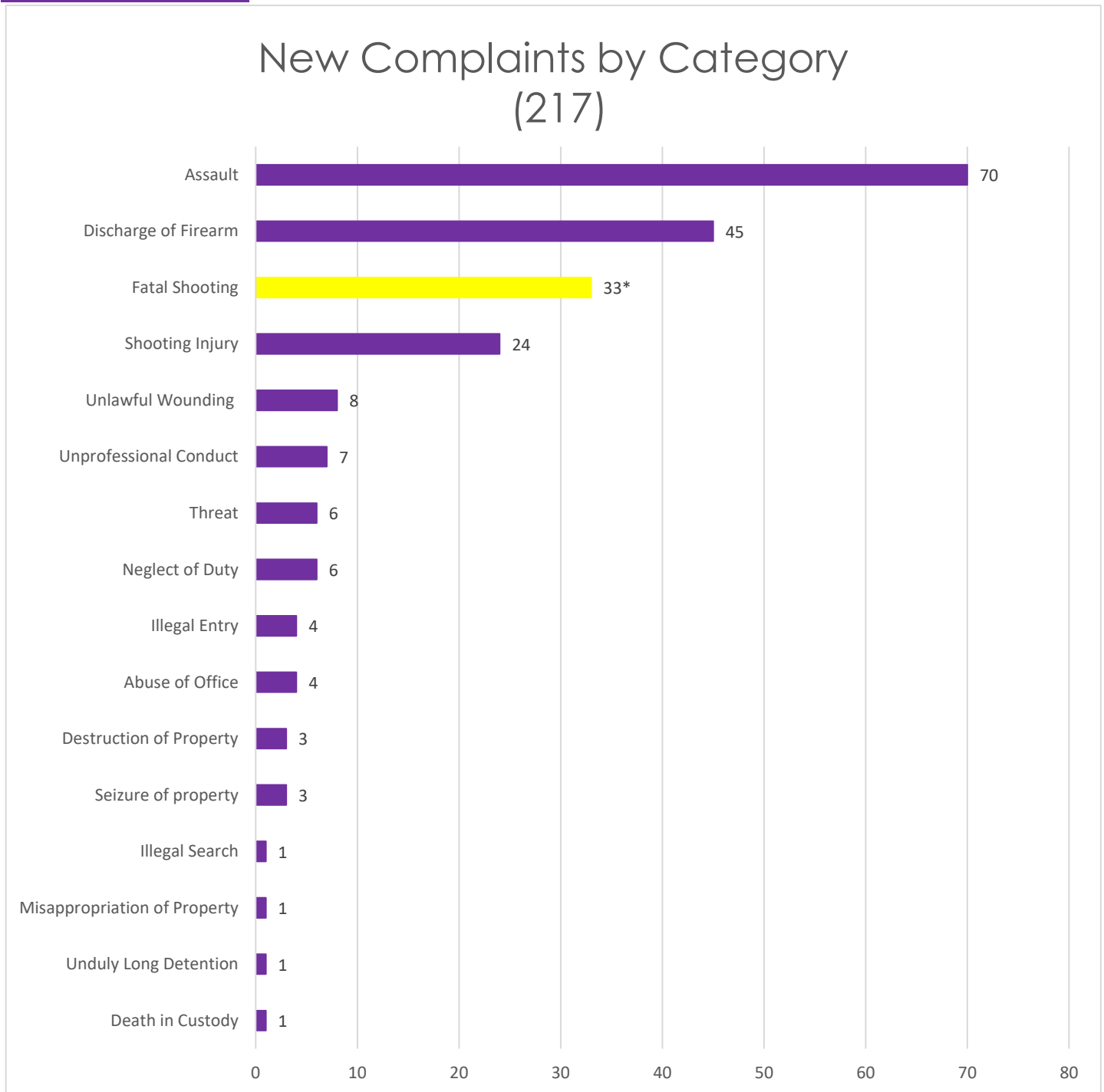
The initial intake assessment and later needs assessment are laudable steps. From the information garnered during the visits, it was not apparent that these steps occur with great frequency. The intake screening cannot be the only time a Ward is assessed. Follow-up screenings should be done at varying intervals within the juvenile's confinement period. Juveniles who are identified during these intervals as likely to self-harm should be properly treated outside of the confined settings of the institution.

According to Rule 53 of **The United Nations Rules for the Protection of Juveniles Deprived of Liberty**, a juvenile who is suffering from mental illness should be treated in a specialized institution under independent medical management. Steps should also be taken to ensure the continued delivery of mental health care post release.

The low occurrence of juvenile suicides since Vanessa Wint and the efforts of the Correctional Service in implementing the correct policies and procedures are welcomed.

**PART ONE**

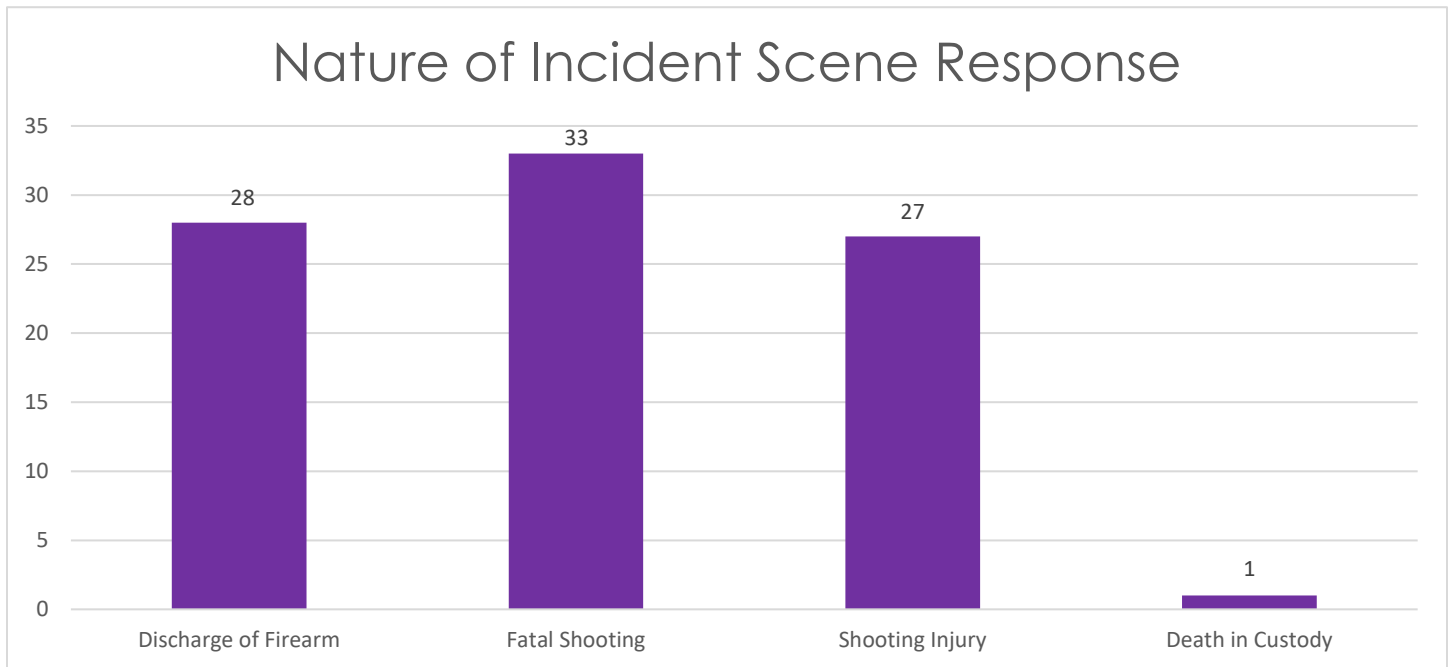
**NEW COMPLAINTS**



**There were 43 deaths from 33 fatal shooting incidents.**

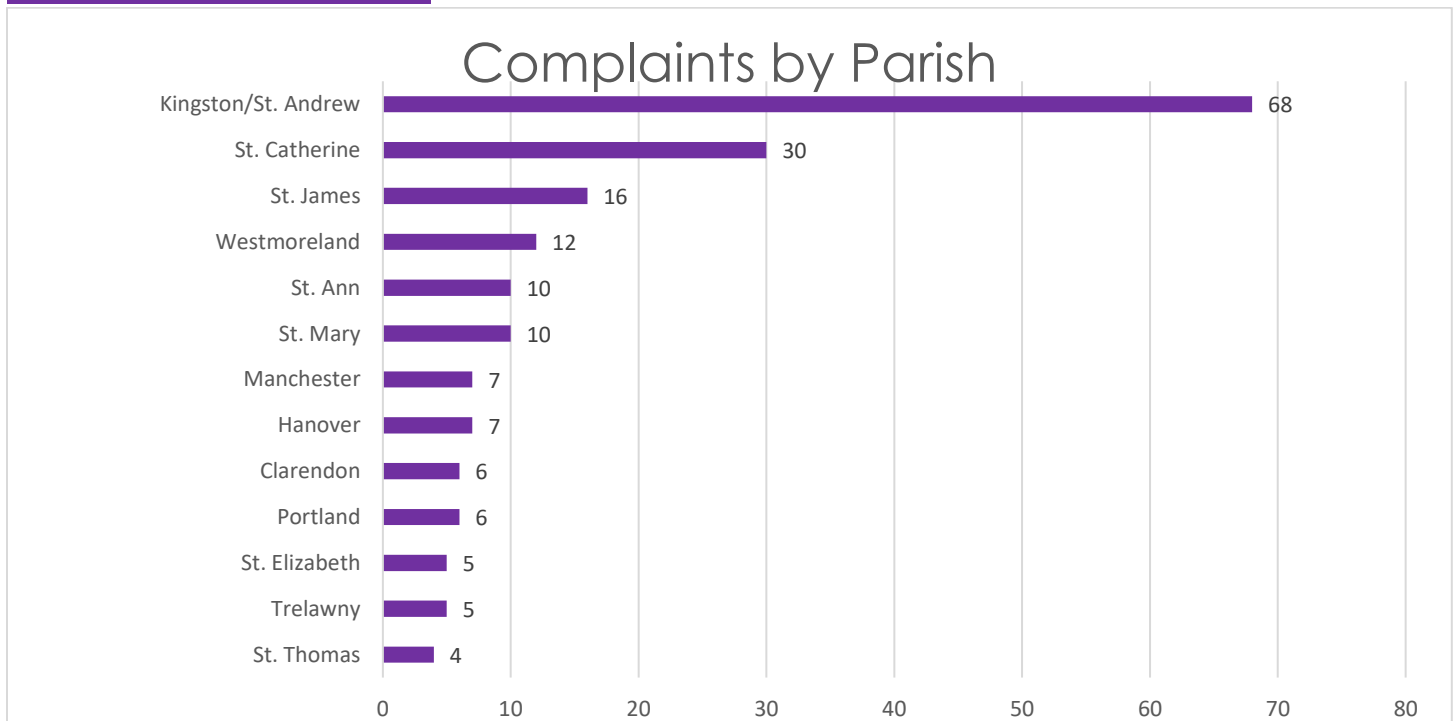
**Figure 1: The bar graph shows all categories of new incidents for which complaints were received by the Commission for the period of April to June 2018.**

**NATURE OF INCIDENT SCENE RESPONSE**



**Figure 2:** The above graph shows the nature of the incidents that the Commission’s Forensic Unit responded to for the period of April to June 2018.

**COMPLAINTS BY PARISH**



**Figure 3:** The above graph shows the number of new complaints received by the Commission per parish for the period of April to June 2018.

**FATAL SHOOTINGS BY PARISH**

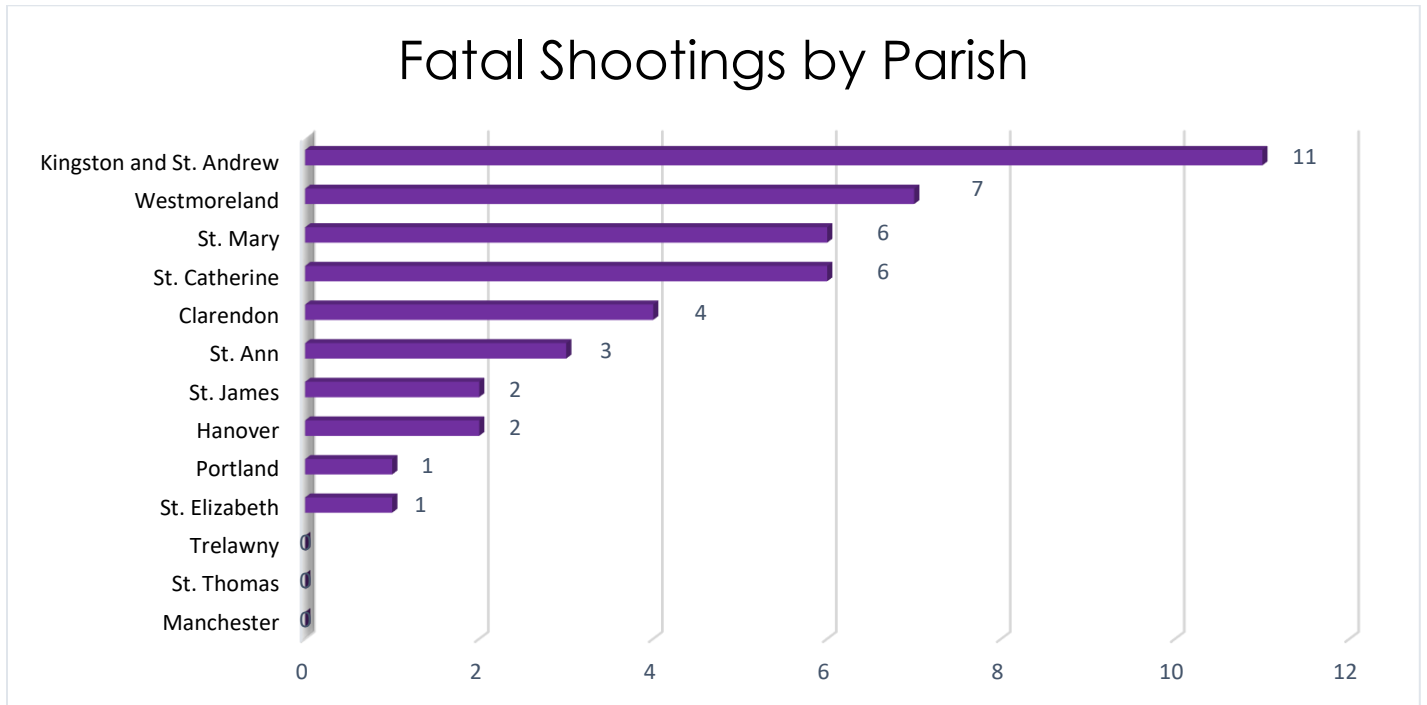


Figure 4: The graph above shows the total number of deaths from shooting incidents per parish for the period of April to June 2018.

**FATALITIES BY ORGANISATION**

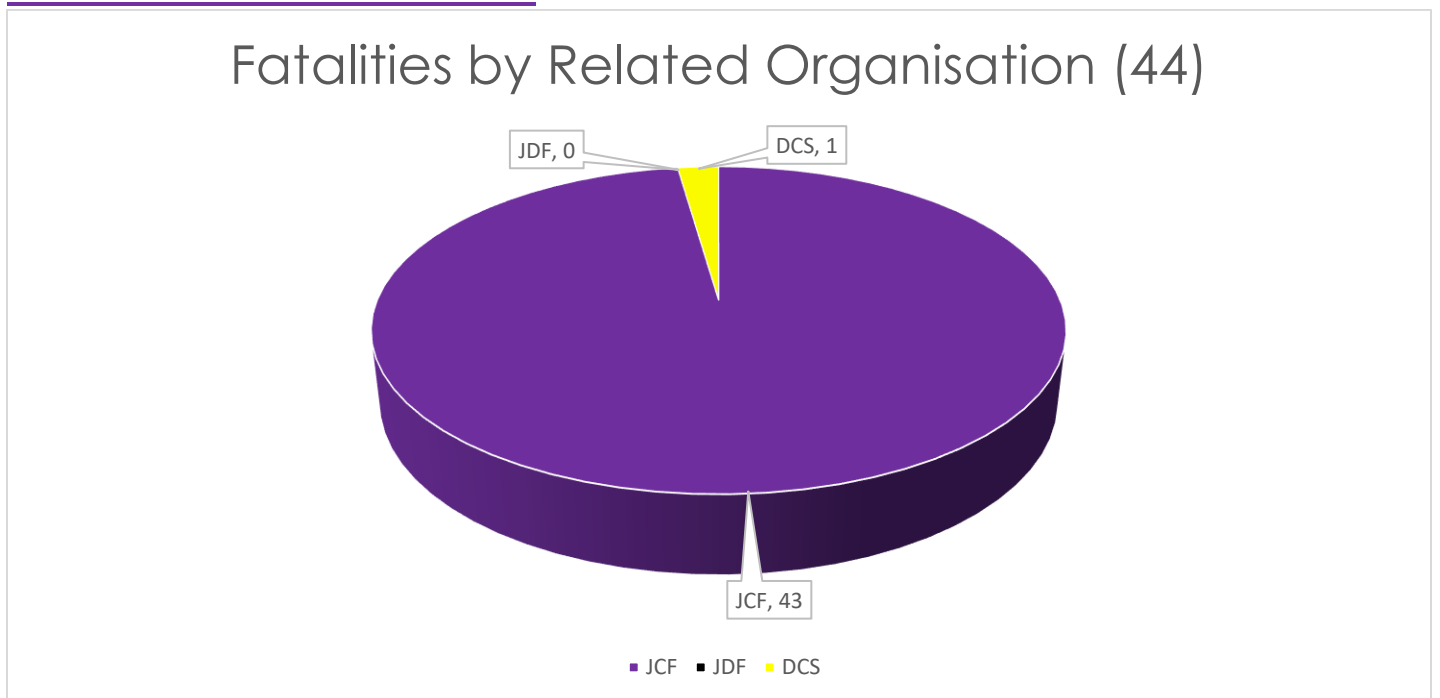


Figure 5: The above pie chart illustrates the State agency to which the fatalities recorded for the period of April to June 2018 are related.

**SECURITY FORCE-RELATED FATALITIES LIST**

JCF – Jamaica Constabulary Force

DCS – Department of Correctional Services

JCF-OD – Jamaica Constabulary Force Off Duty Officer

■ DIC – Death in Custody

Date	Name of Deceased	Location of Incident	Related State Agent
<b>APRIL (17) DIC (1)</b>			
3-Apr	Desmond TOMLINSON	Devonland, Westmoreland	JCF
5-Apr	Gawayne MUIR Nicholson SCARLETT	Kew main road, Hanover	JCF
7-Apr	Delroy BRISSETT	Durham Dist, Hope Bay, Portland	JCF
13-Apr	Dian HEPBURN Traphilous WALKER	Temple Hall Main Rd, Stony Hill, St Andrew	JCF
14-Apr	Ryan PETERKIN Delroy ROBINSON	Westmoreland	JCF
15-Apr	Shavoni A SIMMS	Crushers Heights, HARBOUR View, St Andrew	JCF
19-Apr	Tyrone GAYLE <b>DIC</b>	Richmond Farm Correctional Centre	DCS
20-Apr	Emile Dale GRAHAM	Gregory Park, St Catherine	JCF
20-Apr	Dwight CARTHY	McDonald Lane, Darliston, Westmoreland	JCF
21-Apr	Andre MASON	17 Farham Rd, Kingston	JCF
23-Apr	Ian STEPHENSON	Barton Town, Junction, St Elizabeth	JCF
25-Apr	Ricardo ROBINSON	14, Glen Drive, Cassava Piece, Kingston 8	JCF
27-Apr	Navado STERLING	35, Berwick Rd, Kingston	JCF
28-Apr	Samuda DALEY	Mearus Bar, Main St, Lionel Town, Clarendon	JCF-OD
28-Apr	Nico SAMULES	Hatfield, Coral Gdns, St James	JCF
<b>MAY (10)</b>			
4-May	Omar PENNICOTT Elvis SWABY	Nineteen Miles, Clarendon	JCF
5-May	Kaderi HAMILTON Shavaughn GORDON	Sport District, Islington, St Mary	JCF
6-May	Gregory McLEOD	Fourth St, Trench Town, Kingston	JCF
9-May	Omar STEPHENS	Somerton, St James	JCF
12-May	Robin THOMPSON	Tulip Lane, Kingston	JCF
12-May	Shem BECK	Negril, Westmoreland	JCF
23-May	Jermaine JONES	Whithorn, Westmoreland	JCF
26-May	Damion VERNON	Fleet St, Kingston	JCF
<b>JUNE (16)</b>			
1-Jun	Jabari CLARKE	Cressor Lane, Braeton, St Catherine	JCF

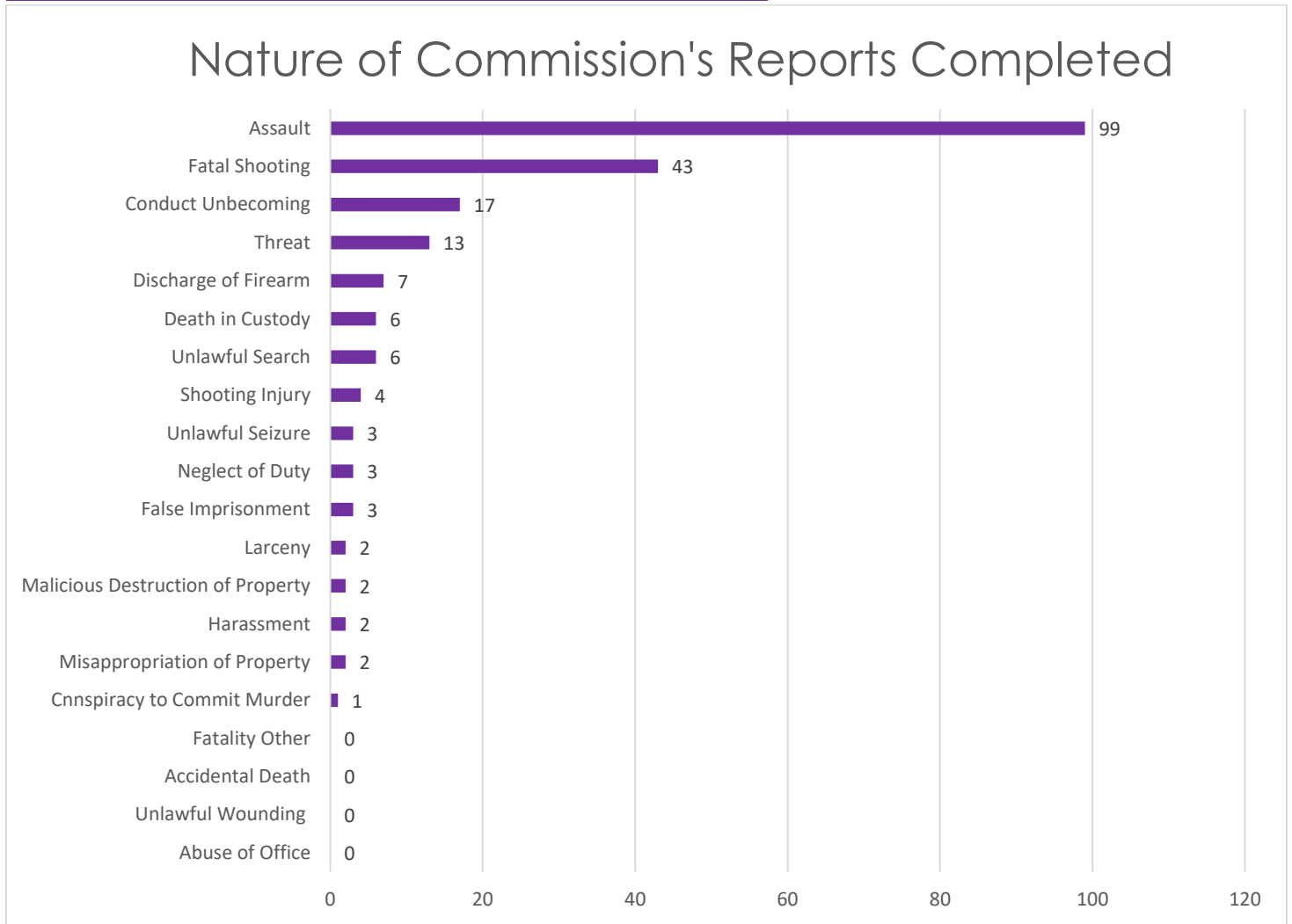
	Jerome NOBLE Damian DALEY Shaquille BROWN		
1-Jun	Jason PINNOCK	Steer Town, St Ann	JCF
3-Jun	Winston GRANT	Clydesdale, Alexandria, St Ann	JCF
6-Jun	Demar MONTIQUE	Trelawny, West Waterford, St Catherine	JCF
10-Jun	Devon EVANS	South Plum Lane, Olympic Gardens	JCF
12-Jun	Cee-Jay MORRIS	Lodge Lane, Annotto Bay, St Mary	JCF
14-Jun	Garfield McTAGGART	Roaring River, Steer Town, St Ann	JCF
18-Jun	Michael McPHERSON	Water Lane, near Bus Park, Kingston	JCF
22-Jun	James BROWN	Negril, Westmoreland	JCF
24-Jun	Andrew DAVIS Rohan KEYS Kemar ROBINSON	Marking Stone, Annotto Bay, St Mary	JCF
29-Jun	Cleveland BAXTER	Bucks Common, May Pen, Clarendon	JCF

**Table 1: The above list presents the names of civilians who died in security force-related incidents for the period of April to June 2018.**

**PART TWO**

**The Legal Department**

**NATURE OF COMPLETED COMMISSION'S REPORTS**



**Figure 6: The above graph shows the category of complaints for the Commission's Reports completed during the period of April to June 2018.**

**OVERVIEW: RECOMMENDATIONS MADE FOR COMPLETED COMMISSION'S REPORTS**

Charge		Disciplinary Action		Unsubstantiated
1 case	1 officer	6 cases	7 officers	192 cases

**Table 2: The above table shows the recommendations made for Commission's Reports completed for the period of April to June 2018.**

## RECOMMENDATIONS MADE FOR COMPLETED COMMISSION'S REPORTS – FATAL SHOOTING INCIDENTS

**Table 3: Recommendations by the Legal Department for Commission's Reports completed for fatal shooting incidents during the period April - June 2018**

No.	Complainant/Victim	Case Summary	Recommendation
1.	Shawn Marshall	On November 17, 2010, at about 7:00 p.m., Shawn Marshall was fatally shot by police along Barnett Street, Montego Bay in St. James. It is reported that Marshall, the driver of a white Toyota Corolla motor car, was involved in an altercation with Det. Insp. during which he drove the motor car onto a sidewalk where Det. Insp. was standing, attempting to run over the officer. Subsequently, Marshall was accosted by the concerned officers and a passenger travelling in the back seat of Marshall's motor car pointed a firearm at the officers and opened gunfire. The concerned officers returned fire in the direction of the motor car, killing Marshall. The gunman subsequently ran from Marshall's motor car and managed to escape with the firearm along Fish Lane.	No criminal charges be laid or disciplinary action be taken in relation to the fatal shooting of Shawn Marshall.
2.	Kayon Edwards	On September 26, 2017, Kayon Edwards o/c 'Saltfish' was fatally shot by the concerned officer of the Motorized Patrol Division, at her dwelling house at Morris Meadows in St. Catherine. It is reported that on the night in question, three gunmen forced their way inside the concerned officer's house and held her daughters at gunpoint, intending to rob them. The gunmen opened fire at the concerned officer and her daughters, wounding them, and the concerned officer returned fire in the direction of the gunmen, chasing them out of her house. After the shooting subsided, the concerned officer and her daughters were transported to the Kingston Public Hospital by police units who arrived on the scene shortly afterwards. During scene processing, the now deceased Kayon Edwards o/c 'Saltfish' was found lying in bushes approximately 100 metres away from the dwelling house in question. Another gunman, RT, turned up at the KPH with gunshot injuries and admitted that he was present at the concerned officer's house and involved in the incident. He was arrested and charged for wounding with intent and illegal possession of firearm.	The Commission respectfully recommends that no criminal charges be laid or disciplinary action be taken in relation to the fatal shooting of Kayon Edwards o/c 'Saltfish, and wounding of RT o/c 'Brown man'.
3.	Omar Wright	On August 20, 2015, at about 5:00 a.m., Omar Wright was fatally shot by police officers from the Hunts Bay Police Station during an operation in the Kingston 13 area of St. Andrew to apprehend wanted men and seize illegal firearms and ammunition. It is reported that the concerned officers went to premises at Oliver Crescent, based on information they received, and when they attempted to enter the target house a man inside pointed a firearm in the direction of the police and opened fire. The concerned officers returned fire in the man's direction, hitting him. A 'Heckler & Koch' 9mm pistol was recovered from the injured gunman after the shooting. The injured gunman was	The Commission respectfully recommends that no criminal charges be laid or disciplinary action be taken in relation to the fatal shooting of Omar Wright.

		subsequently rushed to the Kingston Public Hospital where he succumbed to his injuries.	
4.	Romia Brown	On June 18, 2012, at about 2:30 p.m., Romia Brown was fatally shot along Manley Boulevard in the Windsor Heights community of St. Catherine, by police officers from the Central Village Police Station. It is reported that the concerned officers were conducting enquiries in the area when they came upon two young men who were behaving suspiciously, walking briskly down a dirt track at the left side of the road. The officers accosted the two young men, one of whom who immediately turned around pointing a firearm in the officers' direction and opened fire. The concerned officers returned fire hitting one of the men while the other managed to escape. While lying on the ground, the injured gunman managed to pull a firearm and point it in the direction of the officers. One of the officers quickly reacted in self-defence and discharged rounds from his service firearm at the said young man on the ground. The injured gunman was subsequently taken to the Spanish Town Hospital where he was pronounced dead.	The Commission respectfully recommends that no criminal charges be laid or disciplinary action be taken in relation to the fatal shooting of Romia Brown.
5.	Ezroy Walker o/c Brushy	The deceased was shot and killed by the police in Mount Pelier District, Portland on May 21, 2011.	The Commission hereby recommends that no criminal charges be laid nor disciplinary action be taken.
6.	Shavon Cummings	On Monday July 3, 2017 at about 4 p.m. a team of police officers were in the Spanish Town section of Jarret Lane, Mountain View area, Kingston. The officers came upon three (3) men who brandished handguns and one of the men fired. Constable who was the driver of the service vehicle discharged two (2) rounds from his service glock pistol. He stopped the vehicle and they came out and pursued the men. Four officers were in a marked service and were in the area with respect to a murder investigation. Upon hearing the shots they went to investigate and saw the patrol team who made the report to them. The patrol team went one way and the Detectives went another way. The Detectives came upon a man who went into a yard bad brandished a firearm and fired at the police. Cons. discharged two (2) rounds from his glock pistol and another Cons. discharged two (2) rounds from his M16 rifle that he was armed with. This man hid himself in the yard. They went in and in clearing the area came upon the now deceased who had a firearm in his hand. He dropped the firearm upon instructions and Sergeant was in the process of handcuffing him when the man pushed him to the ground and jumped on him. The man tried to wrestle the firearm when Sgt. discharged three (3) rounds and the man was hit and taken to the Kingston Public Hospital where he was pronounced dead by Dr. at 4:35 p.m. Constable received injuries to his left ankle while Sergeant received injuries to his right arm, leg and toe. The deceased was identified by the patrol team as one of the persons who had brandished a firearm at the patrol team. He was identified by Constables. A Taurus 9mm semi-automatic pistol with nine (9) rounds and one (1)	The Commission respectfully recommends that: No criminal charges be laid or disciplinary action be taken against any of the concerned officers; in relation to the fatal shooting of Shavon Cummings. The file be forwarded to the Special Coroner.

		in the breach was recovered. There is no evidence to negative the police claim to self-defence.	
7.	Kemar Thompson	Allegations are that a joint police military team was on patrol in the Red Pond area of Spanish Town when 3 men were seen, one armed with a firearm. Two soldiers went in pursuit of the men who ran in separate directions. Gunshot explosions were heard and Thompson was found suffering from gunshot wounds and a Colt 9mm pistol x 7 live rds was taken from him.	The Commission humbly recommends that: a. the matter of the death of Mr. Kemar Thompson, be referred to the Special Coroner to determine whether an inquest ought to be held and The Chief of Defence conduct an internal inquiry into the post-incident conduct of the JDF personnel, and to advise the Commission of the results thereafter on or before August 13, 2018.
8.	Ricardo Wynter	It is alleged by Detective Constable that he was held up at gunpoint by Ricardo Wynter on July 17, 2011, approximately 8:00 p.m. while in the Capture Land area of St. Mary while visiting a friend. At the time of the incident he was allegedly in a motor car. Civilian eye witnesses somewhat disputed the Constable's claim and have alleged that the incident could have been planned by the officers.	The Commission humbly recommends that the matter of the death of Mr. Ricardo Wynter, be referred to the Special Coroner to determine whether an inquest ought to be held.
9.	Dane Stewart	The eye-witness, stated that sometime in February 2012, he and his friend "Arrow" went to the special education school in Denbigh. When they got to the school they jumped the fence, climbed onto the roof, pulled off a few of the zinc, and made way into the building. They had started to pack up computers into a bag when they saw a light at the gate and Arrow told him it was the police. Arrow climbed back on the roof and he heard when a voice told Arrow to come off the building. He heard when persons start to question Arrow. He looked through the bathroom window where he saw Arrow and police officers standing to the back of the building. He saw when one police officer in a blue suit shot Arrow and after he fell two other officers in plain clothes also shot him.	The Commission humbly recommends that the matter of the death of Mr. Dane Stewart, be referred to the Special Coroner.
10.	Leroy Berry	On Wednesday, 22 September, 2010 and at about 6:25 p.m. Leroy Berry was driving a Toyota Lite Ace motor vehicle along Dunbarton Avenue when the vehicle was hit from behind by a Nissan X-Trail motor vehicle operated by Transport Authority personnel. Mr. Berry alighted from his vehicle which had collided with a Pajero Sports utility vehicle, he accosted the driver of the X-Trail and was shot and killed by an off duty policeman who alleged that Berry had a machete with which he approached the driver and when instructed to drop the machete, he chopped at the driver and was shot by the officer.	The Commission humbly recommends that the matter of the death of Leroy Berry, be referred to the Special Coroner to decide if an inquest ought to be held.
11.	Damion Campbell	Damion Campbell was fatally shot on September 30, 2011 at his house located at Gully Bank, Barracks Road, Savanna-la-mar, Westmoreland by a member of the Jamaica Constabulary Force. It is alleged that police entered Damion's place of resident, knocked on the side of his house. After that a door was opened, a lady appeared at doorway and ran out. Next a man appeared with a gun pointing at the police and the	The Commission humbly recommends that the matter of the death of Damion Campbell, be referred to the Special Coroner to decide if an inquest ought to be held.

		police fired two (2) shots in his direction. An investigation was launched where statements were taken from the concerned officer and potential eyewitnesses. Forensic evidence was also gathered and a Post Mortem Examination conducted.	
12.	Jenese Burrell	On Tuesday, May 14, 2013 about 8:00 p.m. Jenese Burrell age 38 years old, a Tax Clerk of Logwood Valley, Lyndon Housing Scheme, Islington, Saint Mary was fatally shot by her son's father. Facts are that Constable, who was armed with his Glock service pistol, and thirty-four (34) rounds, was at home with Jenese Burrell and their three months old son inside their one bedroom dwelling, when a quarrel developed between them. During the quarrel, Constable became irritated, pulled his Glock service pistol and fired two (2) shots which caught Jenese Burrell who died on the spot. Of the two shots, one caught her at the lower right side of the mouth and the other below the left nostril. Constable was taken into custody after his firearm was seized and his hands swabbed. The scene was processed by the members of the Technical Service Division in Area 2 and thereafter, Jenese Burrell was pronounced dead by Dr. at the Port Maria Hospital.	The Commission respectfully recommends that the Commissioner of Police reviews the Force's policies and procedures surrounding: the suitability of its members to possess firearms when off duty; the treatment of complaints indicative that members of the JCF might have problems with their temperament; and the fitness of the JCF's counselling services. A report on the foregoing review would be appreciated on or before June 29, 2018. The Police Service Commission and Solicitor General are advised accordingly.
13.	Akeem Edwards & Vandroff Porter	On Tuesday, 11th January 2013 the deceased, Akeem Edwards and Vandroff Porter, were shot by the police in an abandoned house in their community. The shooting remains suspicious. The evidence that tends to refute the police version is based on inferences but there are inconsistencies on the primary facts. The evidence in support of the police version also has discrepant features. The Commission has referred the matter to the Special Coroner as an inquest may serve to test the credibility of witnesses and the inferences that may be drawn.	The matter is referred to the Special Coroner for determination as to whether an inquest ought to be held in relation to the fatal shooting of Mr. Akeem Edwards and Mr. Vandroff Porter.
14.	Karl Nation & Nigel Thompson	On August 25, 2012 about midnight the Denham Town Police station were travelling along Maxfield Avenue, Kingston 13 in a northerly direction when they came upon a group of men at the intersection of Maxfield Avenue and Moore Street. The police accosted the men and the men opened gunfire at the police and ran in different directions. The police took action and returned the gunfire. When the shooting ended, two men were found suffering from gunshot wounds. They were taken to KPH where one of the men was pronounced dead and the other died while undergoing treatment. A 9 mm Taurus pistol with a magazine loaded with two 9 mm rounds was recovered from one of the men. The deceased men were later identified as Karl Nation and Nigel Thompson. Some civilian eye witnesses have refuted the police version. They stated that they were walking towards their homes in a group from attending a party when they saw a police vehicle stop along Maxfield Avenue. The driver of the police vehicle stopped Nation and questioned him. Thompson also stopped while the rest of the person in the group quickly walked	The Commission humbly recommends that the matters of the death of Mr. Karl Nation and Mr. Nigel Thompson, be referred to the Special Coroner to determine whether an inquest ought to be held.

		away from the police. During that time, one of the witness saw when the police driver shot Nation and they later discovered that Thompson was also shot by the police.	
15.	Kevin Burke	On Tuesday October 9, 2012 about 11:00 pm, Kevin Burke, 20 years old, labourer of North Street, Kingston was shot and killed by a police officer during an alleged armed robbery. The incident occurred at the Total Gas Station, 60 Gilmore Drive (intersection of Washington Boulevard and Molyne's Road), Kingston 20. A firearm was allegedly taken from Burke. The scene was visited by INDECOM's investigators and Forensic Examiners where statements were obtained from witnesses and a report from Detective Sergeant who gave a report of the incident. The scene was processed and an investigation launched in to the matter.	The matter is referred to the Special Coroner to determine whether an inquest ought to be held. The Commission humbly asks that the Commissioner of Police consider formal commendation for the concerned officer for his actions.
16.	Kamar Fraser, Javion Nelson, et al.	On Tuesday, June 12, 2016 at approximately 2:40 p.m. at McLeod Close along Old Harbour Main Road, a team of police officers, acting on information, visited a building which is said to be under construction. The team was briefed, and divided into two teams. Inspector and team went to the building marked Black Shadow Sports Bar and Restaurant where a construction site is in progress. They went inside the building and were greeted by gunfire; the police returned the fire. When the shooting ended four (4) men were found with gunshot wounds. They were taken to Spanish Town Hospital where they were pronounced dead. Three (3) revolvers were recovered. The scene was processed by INDECOM Forensic Examiners and exhibits to include money, spent casings, bullet fragments were recovered. The initial accounts of all the officers were recorded by the investigators and they were all served with notices to attend an interview. The firearms were processed by the Forensic Examiners as well as the four bodies stored at the Morgan's Funeral Home in Spanish Town.	The matter is referred to the Special Coroner to determine whether an inquest ought to be held.
17.	Edward Smalling	Edward Smalling was fatally shot by police officers who alleged that he pointed a firearm at the officers who were conducting spot checks in the New Roads area on 2011 July 28th at about 12:30p.m. In this matter a taxi was carrying three passengers. The front seat passenger, Smalling, escaped from a lockup with others in days prior to the incident. The Police alleged that they stopped the taxi to conduct a routine stop and search. The taxi reversed and the front seat passenger, Smalling, brandished a handgun. A Constable discharged one (1) shot at the vehicle. Another alleged that he recovered a weapon from the deceased in the car. The taxi driver was also hit by the discharge of weapon.	The Commission humbly recommends that the matter of the death of Mr. Edward Smalling be referred to the Special Coroner.
18.	Witburn Catwell and Carlos Johnson	The decedents, Witburn Catwell, and Carlos Johnson were shot and killed by the police on January 24, 2014 in Halls Delight, St. Andrew. The police are alleging that the decedents ran from a house in the hills and fired at them. They returned gunfire on two (2) different occasions, and the deceased were found injured in two (2) separate locations.	The Commission hereby recommends that no criminal charges be laid nor disciplinary action be taken in respect of this fatality.  The Commission further recommends that this

		There are no witnesses to the incident. Self-defence cannot be negative by the evidence.	matter be forwarded to the Office of the Special Coroner for that office to decide whether an inquest ought to be held.
19.	Jason Dillion and Andre Currie	The complainants, LD and AR are alleging that their sons were shot and killed by police officers on the 9th day of December, 2011 under questionable circumstances; in that, the police allege that the males were killed in a shootout while, persons in the vicinity where the males were shot allege that there was no shootout between the deceased men and the police. However, there are no independent witnesses to support or refute the versions tendered by the police.	The Commission hereby recommends that no criminal charges be laid in respect of the deaths of Jason Dillon, and Andre Currie owing to the insufficiency of independent evidence.  The Commission further recommends that this matter be forwarded to the Special Coroner for him to decide whether or not to hold an inquest.
20.	Kimani Hyatt	The deceased, Kimani Hyatt was shot and killed by the police on the night of September 4, 2011 in circumstances of allegedly self-defence. However, the mother of the deceased is claiming that he was kidnapped from 3 Miles and then shot by the police, without cause. Having conducted a thorough investigation into the allegation, the Commission has found that the evidence is not sufficient to warrant criminal charges against the concerned officers.	The Commission hereby recommends that no criminal charges be laid nor disciplinary action be taken in respect of this fatality.  The Commission further recommends that this matter be forwarded to the Office of the Special Coroner for him to decide whether an inquest will be held.
21.	Gavay Brooks	The deceased, Gavay Brooks, was shot and killed by the police on Wednesday October 26, 2011 in Fairview District, Clarendon when he and his two (2) accomplices, allegedly engaged the police in a shootout. A firearm was recovered from him, and ballistic testing reveals that he fired nine (9) bullets during the incident.  There are no witnesses to the incident to refute the police claim to self defence. The scientific evidence gathered does not bring the police account into question.	The Commission hereby recommends that no criminal charges be laid nor disciplinary action be taken in respect of this incident.  The Commission further recommends that this matter be forwarded to the Office of the Special Coroner for him to decide whether an inquest will be held.
22.	Doecoy Spence and Kemar Perry	The decedents, Kemary Perry and Doecoy Spence were shot and killed by the police at Spence's home in Green Pond, St. James on the 9th day of July, 2011. The police is claiming that the killings were occasioned by reason of self-defence. While there is a witness who contradicts the police version, the Commission, having assessed the reliability of the statement, concluded that a conviction would not be obtained were the matter to be put before the Court.	The Commission hereby recommends that no criminal charges be laid nor disciplinary action be taken in respect of this fatality.  The Commission further recommends that this matter be forwarded to the Office of the Special Coroner for the Special Coroner to decide whether an inquest will be held.

23.	Richard Hylton	On March 30, 2012, Richard Hylton was fatally shot by police along Dumbarton Avenue, off Molyne's Road in St. Andrew. It is reported that the concerned officers were conducting mobile patrol duties when they observed a white Toyota Corolla motor car driving suspiciously along the avenue, and signaled the driver to stop. When the vehicle stopped a man ran from the left rear passenger side of the car and was chased by police. Shortly afterwards, the front passenger exited the car with a gun in his hand which he pointed and fired at the police. The police returned fire hitting the gunman. After the shooting subsided, a 'Sig Sauer' 9mm pistol was recovered from the gunman who was then rushed to the KPH where he was pronounced dead.	No criminal charges be laid or disciplinary action be taken against any of the concerned officers in relation to the fatal shooting of Richard Hylton.
24.	Shane Roberts	On April 1, 2011, Shane Roberts was fatally shot by police along Mobberley Avenue in the vicinity of Kempton Avenue in St. Andrew. It is reported that the concerned officers were on patrol in the area when they observed two men behaving suspiciously. They accosted the men, one of whom pulled a firearm from his waistband and opened fire at them. Constables returned fire in the direction of the gunmen who ran away. One of the men managed to escape, however, the concerned officers chased the second gunman into a yard along Kempton Avenue where he was seen suffering from gunshot injuries. He was rushed to the Kingston Public Hospital where he succumbed to his injuries.	The Commission respectfully recommends that no criminal charges be laid or disciplinary action be taken in relation to the fatal shooting of Shane Roberts.
25.	Troy Vassell	On October 4, 2013, Troy Vassell was shot and killed inside his apartment at Upper Regent Street, Denham Town in Kingston, during a police operation to search for illegal guns and apprehend wanted men. It is reported that the concerned officers went to the location in question, knocked on the door and two female occupants ran from the apartment, one holding a small child in her arms. The police subsequently entered the apartment and were fired upon by a man who was standing inside. The police returned fire hitting the alleged gunman. After the shooting subsided, a 'Smith & Wesson' .38 revolver was recovered from the injured gunman who was then rushed to the Kingston Public Hospital where he was pronounced dead on arrival.	The Commission respectfully recommends that no criminal charges be laid or disciplinary action be taken in relation to the fatal shooting of Troy Vassell.
26.	Gerald Harris	On December 2, 2017, Gerald Harris was shot and killed by police officers from the Hunts Bay Police Station after the said Harris and other gunmen engaged the police in a shootout along Crescent Road, off Waltham Park Road in Kingston.	The Commission respectfully recommends that no criminal charges be laid or disciplinary action be taken in relation to the fatal shooting of Gerald Harris.
27.	Damion Farquharson	On January 19, 2015, Damion Farquharson was shot and killed by police officers from the Half Way Tree Police Station after the said Farquharson engaged the police in a shootout at the intersection of Half Way Tree Road and Beechwood Avenue after a traffic stop.	The Commission respectfully recommends that no criminal charges be laid or disciplinary action be taken in relation to the fatal shooting of Damion Farquharson.
28.	Rishawn Oliver	On February 24, 2018, the deceased, Rishawn Oliver, was fatally shot and killed in Point Hill Saint Catherine. It	The Commission agrees with the ruling made by the

		is alleged that the shooter was Detective Constable of the Spanish Town Police Station. Whilst in his injured state and before he died, Mr. Oliver uttered that he had been shot by a 'Detective R'. The said statement of the deceased was witnessed by Corporal and Constable. Cons. captured said utterance by the deceased on a video recording using his cellular phone. Evidence uncovered during investigations, associated the alias 'R' to concerned officer, Detective Constable. Accordingly, on May 11, 2018, the Office of the Director of Public Prosecutions ruled that Constable Pennington be charged with the offence of Murder in respect of Mr. Oliver's death. The matter has since been placed before the court.	Office of the Director of Public Prosecutions (DPP) as regards the Fatal Shooting of Rishawn Oliver involving concerned officer, Detective Constable. The mentioned ruling states as follows: that Detective Constable be charged with the offence of Murder.
29.	Keith Gardener, BS and AC	On Wednesday, January 20, 2016, at about 8:30 p.m., Keith Gardener o/c 'Jimmy' was shot and killed in the vicinity of an apartment complex on Upper Regent Street in Denham Town, Kingston. Eyewitnesses to the shooting, namely Mr. BS, Ms. AC, Mr. ON, Ms. OA and Ms. SP allege that the now deceased exited through a passage and was called out to by one of two soldiers who were standing nearby. The deceased ignored the calls of said soldier and continued to walk away. The said soldier ran towards the deceased, turned him around to face him then fired shots at his person. At the time of the shooting, Mr. S was standing approximately two feet away from the deceased whilst eyewitness Ms. C was approximately three (3) feet away from said soldier during the incident. Witnesses further assert that Jimmy did not have a firearm in his hand at the time of the incident nor did he attack either of the two soldiers in any way. The concerned officer, Lance Corporal, however contends that he fired at the deceased in self-defence after he withdrew a firearm and pointed it in his direction. A Smith and Wesson firearm, which was allegedly in the possession of the deceased, was recovered.	The Commission hereby recommends that no criminal charges be laid or disciplinary action be taken in respect of the Fatal Shooting of Keith Thomas Gardener on January 20, 2016.
30.	Joel Lovelace	This report concerned the death of Joel Lovelace who was shot and killed on the 16th of March, 2015 in the Bedward Gardens community. The concerned officers contend that they were on patrol when they were met with gunfire from a gunman; they returned the gunfire in the direction of the gunman in an attempt to defend their lives. Later on, the deceased Joel Lovelace was found suffering from gunshot wounds and he was later pronounced dead at the hospital. A civilian eyewitness alleges that when he observed a policeman discharging his firearm, there were no other gunshots being fired.	The Commission respectfully recommends that: a. No criminal charges be laid or disciplinary action be taken in respect of this fatal shooting. b. The file be forwarded to the Special Coroner. c. The Solicitor General be advised as to the Commission's finding that a prima facie case exists that Joel Lovelace's right to life was breached. d. The family members of Joel Lovelace be advised to consider civil action against the State for the breach of his right to life.
31.	Kevin Campbell	The police reported that, on Saturday the 5th of March, 2011 about 11:30 a.m. Kevin Campbell, 23 years old labourer of Commodore District, Linstead and Content	The matter is referred to the Special Coroner for determination as to

		District, Bog Walk, St. Catherine was shot and killed by the police at Mickleton District, Linstead, St. Catherine. It was alleged that he along with two (2) other men opened gunfire at the police. One homemade hand gun loaded with one (1) .38 cartridge was recovered. Three civilians gave statements, however, none of these statements are eye witness statements touching and concerning the fatal shooting of Kevin Campbell on March 5, 2011. The police version has not been refuted.	whether an inquest ought to be held in relation to the fatal shooting of Mr. Kevin Campbell.
32.	Steven Thompson	On Monday December 10, 2012 at about 1:00 p.m., Steven Augustus Thompson was fatally shot by the police at Bongo Lane, Johnson Pen, St. Catherine. On Monday December 10, 2012 at about 12:30 p.m. a party of police, was on foot patrol in Bongo Lane, Johnson Pen, St. Catherine. The police went to a particular premises where two loud explosions were heard. Shortly after the seemingly lifeless body of Steven Thompson (deceased) was drawn towards a police vehicle. The body was placed in the vehicle which drove away. The Police also took the girlfriend of the now deceased man to the police station with them.	The Commission humbly recommends that the matter of the death of Mr. Steven Thompson, be referred to the Special Coroner to decide if an inquest ought to be held.
33.	Jevaughn Bartley	The deceased was fatally shot by the respondent(s) on Wednesday March 13, 2013 at an unfinished house along Confidence View Lane, Kingston 6. On Wednesday March 13, 2013 at about 11:50 a.m. a police party were on special operation in the Stand Pipe community. They entered premises on Cedar Valley Road where Bartley was seen running from a house with a handgun. He jumped onto a perimeter concrete wall and opened fire at the officers who took cover. He then ran onto premises on Confidence View Lane when he was cornered by Officers. Bartley opened gunfire at the officers who took cover and returned the gunfire hitting him to the chest, left side and left hand. One black browning pistol with a magazine and four 9mm cartridges were taken from Bartley. He was rushed to the University Hospital by the police and was pronounced dead. There is no evidence to negative the police claim to self-defence.	The Commission respectfully recommends that; no criminal charges be laid or disciplinary action be taken in relation to the fatal shooting of Jevaughn Bartley. The file be forwarded to the Special Coroner.
34.	Kenneth McCook	On Tuesday, March 8, 2016 a report was made to the police about a break-in at Forsythe Drive, St. Johns Heights St. Catherine. Officers from Guanaboa Vale responded to the call from Police Emergency and went to the area in a marked police unit. Upon the approach of the Police unit a man was seen leaving the house, Officers went in chase of the man who was joined by two other men who came from the area of the house. Both Officers lost sight of the men who ran into thick vegetation. The three men came upon Cpl. and one of the men produced a machete which he used to chop at Cpl. who shouted Police. The man continued to advance and Cpl. pulled his firearm and fired one shot at the man who fell. The injured man was rushed to the Spanish Town Hospital where he was pronounced dead. The house at Forsythe Drive was viewed at the back where there is evidence of forced entry through a glass window and grill. There is no evidence to negative the police claim to self-defence.	The Commission respectfully recommends that; no criminal charges be laid or disciplinary action be taken in relation to the fatal shooting of Kenneth McCook. The file be forwarded to the Special Coroner.

<p><b>35.</b></p>	<p>Paul Lewis</p>	<p>On the 11th day of October 2017, at 6:30 a.m. a team of officers got a search warrant to search the premises at Red Ground District, Old Harbour, St. Catherine. The man was shown the warrant by Supt. who explained the reason for their visit. He allowed the police inside the house and they entered via a rear entrance. In the process of searching inside the house the man pulled and pointed a firearm at the police. He was shot and injured and one black Glock pistol with magazine and 10 rounds was taken from the man, He was then taken to the Spanish Town Hospital where he was pronounced dead. He is identified as Paul Jay Lewis o/c G. City of a Montego Bay address.</p>	<p>The Commission respectfully recommends that; no criminal charges be laid or disciplinary action be taken against any of the concerned officers, in relation to the fatal shooting of Paul Lewis. The file be forwarded to the Special Coroner.</p>
<p><b>36.</b></p>	<p>Shane Johnson</p>	<p>On Monday, July 4, 2016 about 2:30 a.m. there was a shooting in Downs District St. Elizabeth in which one AR 25 years old, of Newport District Manchester was murdered. Based on information received a white Nissan Tida motor car was involved in that incident. The Police got information that the car was heading in the Mandeville direction and was later spotted in the May Day area. The car was pursued by the Police and it headed in the vicinity of Banstable where it crashed into a concrete wall. Four (4) men alighted and opened fire at the Police team. The fire was returned and one unidentified male was shot and injured while the other three (3) escaped into nearby bushes. The injured man was taken to Mandeville Hospital where he died. One 9mm Intra Tech Submachine gun with four (4) live rounds was recovered from him. There is no evidence to negative the police claim to self-defence.</p>	<p>The Commission respectfully recommends that; no criminal charges be laid or disciplinary action be taken in relation to the fatal shooting of Shane Johnson. The file be forwarded to the Special Coroner.</p>
<p><b>37.</b></p>	<p>Dennis Reid</p>	<p>On Wednesday October 17, 2012 at about 6:30 p.m. a team of police were on special operation patrol duties in the St Thomas division. Whilst they were patrolling on foot in the Friendship Pen area, they entered a premises where three men were seen. The officers shouted "Police don't move". Loud explosions like gunshots were heard followed by muzzle flashes from different directions. The gunfire was returned and the men ran in different directions. A search of the area was carried out and the now deceased Dennis Reid was found lying on the ground with gunshot wounds to his upper body and a .38 revolver with three live rounds and two spent casings beside him. He was transported to the Princess Margaret Hospital where he was pronounced dead by the doctor on duty. There is no evidence to negative the police claim to self-defence.</p>	<p>The Commission respectfully recommends that; no criminal charges be laid or disciplinary action be taken in relation to the fatal shooting of Dennis Reid. The file be forwarded to the Special Coroner.</p>
<p><b>38.</b></p>	<p>Lorant Lawrence</p>	<p>On Friday, December 21, 2012, WC attended a house party with Lorant Lawrence, Witness A and Witness B in DeCarteret Gardens in Mandeville, Manchester. Whilst at the party, C was approached by Detective Corporal, who voiced his disapproval about C's friend, Ch reporting him to INDECOM. The officer then spoke to Witness B about him (Witness B) having a firearm.</p> <p>As a result of this, Witness B requested of C that they leave the party. Upon C's exit from the party, he was again approached by the officer. C and Witness A were on C's bike. The Officer pulled his firearm and fired in C's chest.</p>	<p>In these circumstances, the Commission recommends no criminal charge or disciplinary action. The matter is therefore referred to the Special Coroner for an inquest to be held.</p>

		<p>Lawrence enquired from the officer why he had shot C. In response, the officer fired two shots at Lawrence. Both men fell to the ground and were wrestling. Lawrence then appeared from a house with a gun in his hand and pointed it at the other officer. Th officer fired three shots. Lawrence sustained injuries and subsequently died.</p> <p>Officers allege that they were at all times acting in self-defence as both C and Lawrence were armed.</p>	
39.	Michael Gordon	<p>On October 28, 2013, Michael Gordon was fatally shot by the concerned officers in the vicinity of the intersection of Beeston and West Streets in Kingston. It is reported that the concerned officers were on mobile patrol duty in the area when they heard several loud explosions which sounded like gunshots and went to investigate. Subsequently, the concerned officers came under gunfire from a group of gunmen and the police team returned gunfire in the direction of the gunmen, hitting the now deceased. A firearm was recovered from the now deceased at the scene and he was rushed to the Kingston Public Hospital where he was pronounced dead.</p>	<p>The Commission respectfully recommends that no criminal charges be laid or disciplinary action be taken in relation to the fatal shooting of Michael Gordon.</p>
40.	Kimani Gayle	<p>On February 20, 2017, Kimani Gayle was fatally shot by the concerned officers along Ellesmere Road in St. Andrew. It is reported that the concerned officers were on duty in the St. Andrew Central Division when they received a report of two men standing on the compound of the Total petrol station along Constant Spring Road, behaving suspiciously. When the concerned officers accosted the men they ran off in different directions. The officers chased one of the men onto Ellesmere Road and the said man opened fire at the police. The officers returned firearm at the said gunman, hitting him. The gunman fell to the ground and the firearm was retrieved from him after the shooting subsided. The injured gunman was then rushed to the Kingston Public Hospital where he succumbed to his injuries.</p>	<p>The Commission respectfully recommends that no criminal charges be laid or disciplinary action be taken in relation to the fatal shooting of Kimani Gayle.</p>
41.	Marlon Wellington	<p>On October 1, 2015, Marlon Wellington was fatally shot by the concerned officers along Joshua Edwards Avenue in the Olympic Gardens area of Saint Andrew. It is reported that the concerned officers were on mobile patrol duty along Balmagie Avenue in the vicinity of Joshua Edwards Avenue when they observed a man walking along the roadway with a firearm tucked inside his waistband. The concerned officers accosted the said gunman who fled to a nearby school compound. The concerned officers went in pursuit of the said gunman who upon reaching the rear section of the school compound turned around, pointed a gun in the direction of the police and opened fire. A running gun battle ensued between the concerned officers and the said gunman. After the shooting subsided, the said gunman was found lying in a gully at the rear of a yard located along Joshua Edwards Avenue where he had fled. The gunman appeared to be suffering from gunshot wounds to his body and was clutching a loaded 9mm pistol. The concerned officers recovered the pistol from</p>	<p>No criminal charges be laid or disciplinary action be taken in relation to the fatal shooting of Marlon Wellington.</p>

		the injured gunman who was then rushed to the KPH where he was pronounced dead on arrival.	
42.	Conway Warren	On January 31, 2014, Conway Warren was fatally shot by the concerned officers at his home at Bob Marley Boulevard in the Cooreville Gardens community during a police operation to apprehend wanted men and seize illegal guns. It is reported that the concerned officers went to the target house on the morning in question and upon entering the now deceased's bedroom, they were attacked by the now deceased who had a firearm in his hand. The now deceased pointed the firearm at the concerned officers who opened fire in his direction, in self-defence.	No criminal charges be laid or disciplinary action be taken in relation to the fatal shooting of Conway Warren.
43.	Wayne Campbell	On June 21, 2013, Wayne Campbell was fatally shot by the concerned officers at Meadsfield, Knockpatrick district in Manchester. It is reported that on the night in question, the concerned officers were conducting surveillance and intelligence-gathering duties when they came upon three armed men walking along a grassy/dirt path. The concerned officers accosted the men who immediately opened fire at the police. The officers returned fire in the direction of the men, hitting one, while the others retreated but continued firing at the police. The concerned officers recovered a firearm from the fallen gunman but before they could remove the injured gunman from the scene to take him to the hospital, the officers came under heavy gunfire from gunmen in the area and were therefore forced to leave the area. The injured gunman later succumbed to his injuries. He was later identified as Wayne Campbell.	The Commission respectfully recommends that; no criminal charges be laid or disciplinary action be taken in relation to the fatal shooting of Wayne Campbell. The file be forwarded to the Special Coroner.

**ARRESTS MADE/CHARGES LAID (APRIL - JUNE 2018)**

Name and Rank	Charge	Date of Arrest	State Agency
Cons. Ricardo Robinson	Murder	23-Apr-18	JCF
Cons. Sirgehno Steele	Murder	23-Apr-18	JCF
Cpl. Sadiki Maragh	Unlawful Wounding	24-Apr-18	JCF
Cons. Pennington	Murder	16-May-18	JCF

**Table 4: The above table shows all members of the Security Forces who were arrested and charged for various offences for the period of April - June 2018.**

## PART THREE

### LESSONS LEARNT: COMMENDABLE ACTIONS OF OFFICERS

The actions of Constable A who was on the scene of a shooting injury incident on August 27, 2017 are to be commended and highlighted.

Constable A was the organizer of a football competition held at the Barry and Lloyd Community Centre. During the match, Constable A heard gun shots coming from the field of play. He observed a young man on the field holding a firearm in his right hand pointing in the direction of an injured man who was lying on the football field. The Constable shouted to patrons to get off the field, pulled his service weapon, identified himself verbally, showed his identification booklet and asked the spectator who had fired (a police officer) to place his firearm on the ground. Constable A retrieved the firearm, removed the spectator from the field and handed the weapon over to a nearby Police Station.

The de-escalation tactics employed by the Constable are worthy of emulation, as the incident scene had two male persons who had discharged their weapons, one of whom was now injured, and a crowded venue of frantic spectators. The officer was able to assess and pacify the situation through use of verbal commands and identification without discharging his weapon.

Correspondence was been sent to the Commissioner of Police, to advise of the Commission's commendation of this officer's actions.

## PART FOUR

### PUBLIC INFORMATION

- **Meeting: Security Forces & INDECOM**

Meetings with Security Forces and INDECOM:

In the 2nd quarter of 2018, INDECOM senior managers in the Operations Unit had one (1) meeting with members of the JCF High Command. The following matters were discussed:

- INDECOM Q1 2018 Report
- Serving of Notices to officers
- Section 21 Interviews
- Specific cases

- **OUTREACH – Awareness Exercises**

Unit/Division/Station	Group Size	Contact hours
Black River Divisional HQ	15	3.5
Tamarind Farm Correctional Centre	31	1
Richmond Farm Correctional Centre	30	1.25
National Police College of Jamaica	28	2
Rockfort Heart Academy	60	2

- **Press Releases**

For the 2nd quarter of 2018, The Public Relations Unit issued the following press releases:

1. INDECOM appeals for witnesses in shooting injury at Sovereign
2. Det. Cons. Pennington charged for murder
3. INDECOM investigating assault at Falmouth Hospital

- **INDECOM Week: April 15-21, 2018**



The Independent Commission of Investigations (INDECOM) celebrated INDECOM Week April 15-20, 2018. The Commission continued its focus on strengthening and enhancing the understanding of its role with specific emphasis on engaging with young people. INDECOM Week was held under the theme “Youth participation in law and justice”.

The week’s activities began with a church service at Christ Church in Vineyard Town, where Commissioner Williams and the Attorney General of Jamaica, Mrs. Marlene Malahoo-Forte gave greetings. Assistant Commissioner, Hamish Campbell and Director of Complaints – Central Region, Dave Lewin then journeyed to the National Police College of Jamaica on Monday, April 15, where a group of recruits were encouraged on their quest to truth and justice and protection of citizen’s right and were engaged in discussions as we dispelled myths and preconceived notions of INDECOM. Director of Complaints – Eastern Region had a spirited discourse with enrolled students of the Rockfort HEART Academy, who shared their views on incidents involving the security forces and concerns about lack of free movement in areas under the State of Emergency and Zones of Special Operations. The INDECOM team completed its week of activities with a treat and rap session with the boys at the Hilltop Juvenile Correctional Centre. The young men tackled Team INDECOM in a friendly football game and domino competition.

- **INDECOM Commissioner presents at regional seminar in St. Lucia**

The Commissioner of the Independent Commission of Investigations (INDECOM), Terrence Williams was invited as a presenter and participant to a regional seminar as part of the Convention against Torture Initiative's (CTI) activities. The event, Sharing experiences and building capacity in the Caribbean: The Fair Administration of Justice and UN Convention against Torture was held in St. Lucia June 4-6, 2018.

The seminar explored experiences and good practices toward the ratification and implementation of the UN Convention against Torture, safeguards for the detention and custody of suspects, criminal investigation techniques and professional standards of law enforcement aligned with the rule of law and human rights.

Commissioner Williams' presentation focused on lessons learnt in establishing professional standards for policing in Jamaica through the work of INDECOM as an investigative oversight mechanism for law enforcement, and the need for an adequate and comprehensive police standards and accountability framework in the Caribbean. The members were also introduced to the Caribbean Human Rights and Use of Force Model Policy which was the product of the consensus arrived at amongst the regional and international attendees at the Caribbean Use of Force in Law Enforcement Conference hosted in Kingston, Jamaica in 2017. The policy serves as guidelines for use of force and firearms which it is hoped that States will legislate for implementation.

- **INDECOM Commissioner among experts in Geneva discussing less lethal weapons**

Terrence Williams, Commissioner of The Independent Commission of Investigations (INDECOM) was among a group of 40 experts who were invited to engage in discussions on international standards or guidance concerning the procurement, testing, training and use of "less lethal" weapons in law enforcement and the human rights challenges related to their use. The meeting was held at Geneva Academy in Switzerland on 28 – 29 June 2018.

The participants reviewed a draft document which was established to guide the use of less lethal weapons and other equipment used in law enforcement.

"The proposed meeting, around a draft document would assist relevant stakeholders in meeting the requirement of these exiting standards to develop non-lethal incapacitating weapons for use in appropriate situations and that such development and/or deployment of such weapons be carefully evaluated in order to minimize the risk of endangering uninvolved persons" explained the organizers of the event in extending the invitation.

The diverse group included law enforcement officials, oversight, policy makers, weapon manufacturers, human rights experts, UN specialized agencies, government, civil society and academia.

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