

# THE INDECOM QUARTERLY 4th

OCTOBER - DECEMBER 2018

# « 2018

## THE YEAR IN REVIEW

### Introduction

This paper details INDECOM's analysis of the fatal and non-fatal shooting incidents during 2018.

These incidents were caused by the Jamaican Security Forces, namely: the Jamaica Constabulary Force (JCF) and Jamaican Defence Force (JDF). The Department of Corrections (DCS) was not involved in any fatal incidents in 2018.

**NB.** This report does not address other Security Force related deaths e.g. road deaths, other assaults which result in death or deaths in custody. Whilst all such events are recorded by INDECOM they do not form part of this analysis.

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# **“Honour your commitments with integrity”**

Les Brown

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## COMPACT DISC

4th Quarterly Report: October - December 2018

New Complaints: October - December 2018

Commission's Reports Completed: October - December 2018

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

# IN THIS EDITION OF THE IQ

## 2018 YEAR IN REVIEW:

In this report, the Commission reviews the patterns and practices of shooting incidents for 2018, with comparative analysis for previous years. Issues relating to members of the security forces involved in fatal and non-fatal shooting incidents, off duty shooting incidents, multiple fatality shooting incidents, no gun/no weapon shooting incidents; and planned operations are highlighted and assessed.

## PART ONE: NEW COMPLAINTS

The Commission received 170 categories of complaints from 165 incidents reported for the period. The top five categories of complaints include: assault (75), discharge of firearm (45), fatal shooting (23)\* [see page 10], shooting injury (11) and neglect of duty (5).

The Commission's Forensic Unit responded to 57 incident scenes for the period. There were two deaths in custody for the period.

In relation to parishes with fatal shootings: St. Ann had no fatalities for the period. The parishes of Manchester, St. Thomas, St. Elizabeth, Portland, St. Mary, Hanover, Clarendon, St. James and Westmoreland recorded one (1) each; Trelawny recorded three (3); St. Catherine had four (4), and Kingston & St. Andrew recorded the highest at nine (9).

All parishes had complaints, both fatal and non-fatal, with Kingston and St. Andrew recording 65 complaints and Trelawny recording the least with two (2).

## PART TWO: THE LEGAL DEPARTMENT

In the Legal Department, 121 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. One (1) member of the Jamaica Constabulary Force (JCF) was arrested and charged during the period, for incidents investigated by INDECOM.

## PART THREE: LESSONS LEARNT

The Commission highlighted the actions of an off-duty Constable who was able to detect, and prevent crime, and to secure the apprehension of those that may be charged for committing crimes.

## PART FOUR: PUBLIC INFORMATION

The Commission's Senior Management Team in the Operations Unit had two (2) meetings with members of the JCF High Command to include the Inspectorate of Constabulary for the period. The matters discussed included Section 21 notices, firearm receipts and disciplinary proceedings.

The Commission participated in awareness exercises equaling 96.5 man hours for the period.

The Public Relations Unit issued 18 press releases for the period. The titles of these are listed in this section.

Continues from from page 1

### 2018 Fatal Shooting incidents

One hundred & thirty-seven (137) people were shot and killed in 2018, and eighty-four (84) persons were shot and injured. Table 1 shows the fatal and non-fatal shooting incidents for the four years 2015 - 2018.

**Table 1: Shooting incidents for 2015 - 2018**

Shooting Incidents	2018	2017	2016	2015
<b>Fatal</b>	<b>137</b>	<b>168</b>	<b>111</b>	<b>101</b>
<b>Non-fatal</b>	<b>84</b>	<b>86</b>	<b>69</b>	<b>68</b>
<b>Total persons killed or injured</b>	<b>221</b>	<b>254</b>	<b>180</b>	<b>169</b>

Thirty-one (31) fewer people were shot and killed in 2018 than in 2017, this represents an **18.45%** decrease over 2017.

Table 2 shows the total number of Security Force fatal shootings over the past eight years, 2011 - 2018. The four year period, 2011 - 2014, recorded 802 deaths. The following four year period, (2015 - 2018), recorded 517. This represents a **35%** reduction between the two periods.

**Table 2: Total Security Force fatal shootings for the period 2011- 2018**

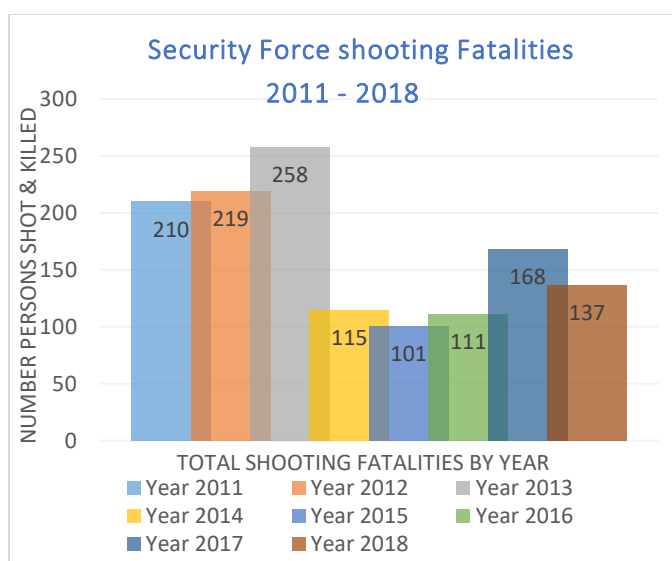
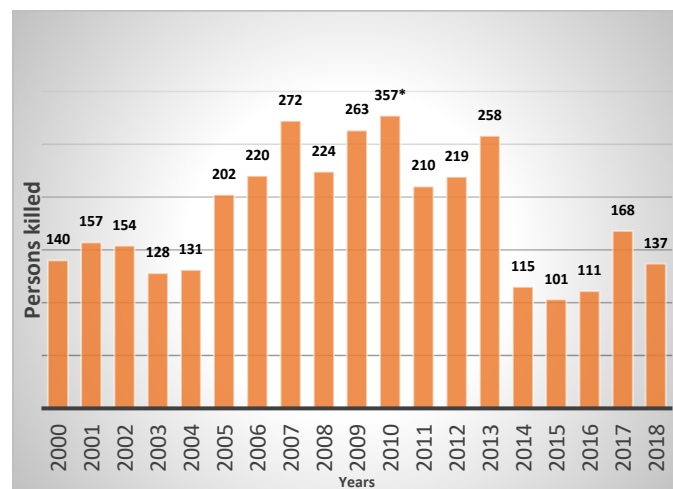


Table 3 shows the downward trend established in the three years, 2014 - 2016. There was a significant rise in fatal shootings during 2017 (51%), over 2016, however 2018 has seen an important 18.45% reduction in Security Force related fatal shootings from 2017. Importantly, the number

of persons killed has remained below the 200 level for the last five years, a figure which persisted for nine years between 2005 - 2013.

**Table 3: Security Force Fatalities 2000-2018**



N.B: The figure for 2010, includes persons killed during the Tivoli Incursion

**Table 4** (page 6) illustrates, in grid format, all fatal shooting incidents, by year and month, for the period 2011 to 2018 - a period of 96 months. Over 1300 citizens (1319) have been shot and killed in this eight year period.

The table depicts INDECOM's scalar of monthly deaths as 'Critical', 'Heightened', 'Normal', 'Below average' and 'Low'. This assists to assess and determine trends in the level of Security Force shootings per month, viz:

>20 Critical	16 -19 Heightened	10 - 15 Normal	6 - 9 Below Average	1-5 Low
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Only five months during this 96 month period (5%) has a total monthly fatality been at five or less, (low status). The trend of high volume fatalities (heightened or critical status) is observed primarily in the three years 2011-2013. The re-emergence of the heightened status featured again during four months of 2017, and twice in 2018, but did not reach critical status.

**Table 4: Security Force Fatal Shootings per month 2011-2018**

	J	F	M	A	M	J	J	A	S	O	N	D
2011	20	18	25	10	13	24	20	16	21	10	14	12
2012	11	20	35	12	10	18	16	17	19	24	18	19
2013	30	27	19	9	14	35	16	14	16	40	23	15
2014	22	12	4	8	14	11	10	7	7	5	9	6
2015	12	2	10	11	6	9	8	8	10	7	10	8
2016	7	13	4	13	10	12	13	4	10	6	9	10
2017	19	14	9	10	18	12	15	14	13	17	18	9
2018	15	10	9	17	10	16	11	12	12	11	8	6

**Trends and practices of shooting incidents**

Despite the welcomed reduction in 2018, fatal and non-fatal shooting incidents by the Security Forces, (primarily the JCF), still occurred too regularly and frequently. In 2018, there were 147 days (40% of days) when the Security Forces discharged their weapons, resulting in either death or injury. **NB.** This does not include 'discharge of firearm' cases, (incidents where no person is injured).

Two hundred & twenty-one (221) citizens were either killed or injured - (137 killed and 84 injured). The 84 people shot and injured, (two less than in 2017) all had the potential for being fatal incidents.

Trends and practices of Security Force shootings are observed from the high volume of incidents that occur. The data provides an evidential basis from which observation, comparison and commentary is made. 2018 has observed a discernible shift in the nature of shooting incidents and a welcomed downward trend in a number of aspects of Security Force shootings. These reductions are expected to continue as greater discipline and control is restored to the JCF.

**Nature of fatalities**

21% of the fatal shooting incidents investigated by INDECOM were deemed suspicious for the year 2018, compared to 12% and 25% in 2017 and 2016 respectively. Fatal shooting cases are classified in two main categories (suspicious and non-suspicious) upon our initial assessment. Cases in which there is some tangible evidence disputing the security force's version are deemed to be suspicious, whereas others are deemed non-suspicious. The initial designation may change as our investigations progress and new evidence comes to light.

Of the cases deemed suspicious in 2018, criminal charges were laid in 4% compared to 11% and 20% in 2017 and 2016 respectively.

The following areas are subject of further data and analysis:

1. Security Force agents involved
2. Fatal and non-fatal shooting incidents
3. Off duty shooting incidents
4. Multiple death incidents
5. No gun/no weapon shooting incidents
6. Planned operations

**1. Security Force agents involved**

Fatal shooting incidents by the respective Security Force agents are as follows:

	JCF	JDF	DCS	Total
2015	98	3	0	101
2016	106	4	1	111
2017	160	7	1	168
2018	133	4	0	137

The JCF was involved in the fatal shooting of 133 people in 2018. This is 27 less people than in 2017. This equates to a **16.85%** decrease for the JCF. The JDF was involved in four fatal incidents, a decrease of three, whilst the DCS was not involved in any fatal shooting incidents.

**2. Fatal and non-fatal shooting incidents**

Table 5 shows the breakdown between fatal and non-fatal shooting victims during the years 2015 - 2018

**Table 5: Total persons shot and killed or shot and injured 2015-2018**

Years	Total shooting incidents	Shot & killed	Shot & injured
2015	169	101 (60%)	68 (40%)
2016	180	111 (62%)	69 (38%)
2017	254	168 (66%)	86 (34%)
2018	221	137 (62%)	84 (38%)

Every Security Force shooting incident is self-evidently life endangering - to all persons involved, whether police officers, citizens or armed gunmen. One pertinent factor in assessing trends in use of force is the ratio between those killed and injured. There is an expectation that during Security Force shooting incidents, more persons would be wounded than killed. Where the number of civilians killed is greater than those shot and injured, it is a relevant factor in assessing the use of force and determining whether an excessive level of deadly force is being utilised.

The trend of Security Force shooting incidents in Jamaica shows there are always more people killed than injured in the reported encounters. The ratio between persons killed and injured by the JCF has remained relatively constant, at approximately 60/40 (3:2) – see table 5 above. This trend, whereby nearly 3/5<sup>th</sup> of total shooting victims are killed, as against 2/5<sup>th</sup> injured, was observed in the data 2014 - 2016, and earlier. These ratios are indeed worrying as they are indicative of police excesses when compared to the Chevigny ratio. The Chevigny ratios suggest that where the following state of affairs obtains, even in the absence of specific case data, one can infer that the use of force by law enforcement officials is excessive:

- When the number of civilians killed exceeds the number of civilians wounded by the police;
- When the number of police killed by civilians constitutes only a small fraction of the number of civilians killed by police, and;
- When the number of homicides by police represents a large fraction of all homicides.

In 2017 this ratio increased somewhat, whereby the ratio of killed to injured was nearly 2:1, and indicative of an excessive use of force.

However, 2018 has witnessed an increase in the survivor rate from shooting incidents, at the same time there was a fall in fatal incidents. This is indicative of a positive change.

### 3. Off duty shooting incidents

Off duty fatal and non-fatal shootings accounted for nearly 15% (14.47%) of all shootings in 2018, 32 of 221. This is a slight reduction in such shooting incidents, when compared to the two years, 2015 & 2016, but a small increase in comparison to 2017. Off duty shooting incidents in 2017 represented 13% of the total. In 2015 this category comprised 22% of all JCF shootings.

**NB.** The DCS were not involved in any 'off duty' fatal shootings in 2018, whilst the JDF in just one.

**Table 6: Persons killed and/or injured by off duty officers**

Years	Total off duty shootings	Off Duty Fatal	Off Duty Non-Fatal
2015	36 (22% of 169 victims)	16 (16% of 98 JCF fatalities)	20 (32% of 68 NF)
2016	32 (17% of 180 victims)	10 (9% of 106 JCF fatalities)	22 (31% of 69 NF)
2017	34 (13% of 254 victims)	13 (7.7% of 168 JCF fatalities)	21 (24% of 86 NF)
2018	32 (14.47% of 221 victims)	15 (11.27% of 133 JCF fatal)	17 (20.23% of 84 NF)

The number of off duty shooting incidents remains relatively static, but varies as a percentage, dependent on the yearly total shooting incidents.

There has been a reduction in injuries arising from accidental discharges by officers (two as against five in 2017) and only one fatal injury to a child, who gained possession of an officer's weapon. This is a welcomed reduction in such events over previous years.

In 2017 56% (19 incidents, and thus over half) of the 34 off duty shootings involved persons who were neither armed with a firearm or any other weapon. Of the 19 persons, seven were killed, seven injured and five victims of accidental discharges.

In 2018, the absence of a firearm or other weapon has been markedly less prevalent. In 2018, of the 15 fatal shootings, nine involved persons armed with a firearm, and in which a police officer intervened to prevent criminal activity or arrest a person, and two other fatalities involved a person in possession of a machete. Of the 32 cases, only nine incidents (28%), (four fatal, five non-fatal), involved the absence of any weapon.

In 2017 one police officer was charged with murder whilst engaged off duty with other persons. Similarly, in 2018 one officer was charged with murder whilst off duty.

It will be noted that this decline of off-duty murder cases was preceded by six fatal off duty shootings in 2015, (four of whom were charged with murder), and four off duty fatal shootings in 2016.

There were no reported instances of police party gun salutes, which is equally noteworthy.

#### 4. Multiple death incidents

A further feature of the Security Force shootings, potentially demonstrative of a trend and practice of excessive force is:

- Multiple deaths arising from a single incident. Where such events occur it will necessitate examination of the planning and proportionality of the policing response.

Multiple death incidents was a feature frequently observed in years pre 2014. In the six month period, July - December 2013, there were 15 multiple death incidents recorded, and subsequent years also resulted in numerous 'multiple death' incidents, involving triple, quadruple, and as high as six fatalities in a single event, a re-occurrence which was repeated in 2017.

Since 2013 the downturn of such incidents has contributed to the overall reduction in police shootings, however 2017 saw a return to a near doubling of the 'multiple fatality' incidents over 2016.

Table 7 shows the multiple fatalities from single incident shooting events.

**Table 7: Multiple deaths occurring from single incident shootings**

	2 Fatalities	3 Fatalities	4 Fatalities	6 Fatalities	Total Incidents	Total Killed
2015	x5	-	-	-	5	10
2016	x8	x1	x1	-	10	23
2017	x17	x1	-	x1 (JDF)	19	43
2018	x11	x3	x1	-	15	35

In 2017, 43 people were shot and killed from 19 shooting incidents. This equated to 25.5% of the 168 people killed. In 2018, 35 men were fatally shot from 15 incidents. This was also 25.5% of 137 killed.

It is noted that in multiple death shooting incidents, the number of weapons reported as recovered do not equate to the number of people reported as firing at the Security Forces. In 2017, it was reported that of the 19 multiple death incidents, a total of 29 guns were recovered from 43 dead men. Thus 14 men (32%) had no firearm or other weapon was recovered at the time of their death.

In 2018, of the 15 multiple death incidents, 23 guns were recovered from the 35 killed. Thus 12 men (37.5%) had no weapon.

The continuing absence of firearms, in one-third of those killed in such incidents, creates the concern of excessive use of force and challenges the accounts that all gunmen were firing at Security Forces.

#### 5. No gun/no weapon shooting incidents

All shootings incidents involving a dead or injured person have police accounts that either a firearm, or a weapon other than a firearm, was present, or suspected to be present, at the time of the incident. As reported at Section 4, the absence of recovered firearms presents as a significant feature in JCF shooting reports. INDECOM's Q4 2017, Year in Review provided much detail on this broader issue, which was a feature observed in many shooting incidents, not solely multiple fatality cases. It identified that a significant proportion of shot or injured persons were either completely unarmed, or in possession of an implement other than a firearm.

- in 2016, of the 111 persons **killed**, 27 had no weapon (24%)
- in 2016, of the 69 persons **injured**, 36 had no weapon (52%)
- in 2017, of 168 persons **killed**, 25 had no weapon (14%)
- in 2017, of the 86 persons **injured**, 45 had no weapon (52%)
- in 2018, of 137 persons **killed**, 19 had no weapon (13.86%)
- in 2018, of the 84 persons **injured**, 29 had no weapon (34.52%)

The absence of either a firearm, or any weapon at all, continues to be a feature of Security Force shooting cases and requires further action by the JCF in the deployment of appropriate and proportionate use of force when engaged in confrontations.

Whilst there has been both a numerical reduction and a percentage fall in the number of such cases in 2018, particularly in the number of injured persons discovered to have no weapon – a fall from 75% of such cases to 57%, there are underlying issues which remain.

The figures for all persons shot and killed or injured, over the past three years, who had **no firearm**, has remained relatively constant. Over a third of all citizens shot by the Security Forces are not found with any recovered firearm.

- in 2016, of the 180 persons killed or injured, 87 had no firearm (48%)
- in 2017, of the 254 persons killed or injured, 107 had no firearm (42%)
- in 2018, of the 221 persons killed or injured 77 had no firearm (34.84%)

Within this category of no gun/ no weapon are female shooting victims. This subset provides illustration of excessive use of force in table 8.

**Table 8: Females killed or wounded in 2018**

	<u>Fatal</u>	<u>Non-fatal</u>	<u>Total</u>
<b>2018</b>	3	8	11
<b>2017</b>	0	9	9
<b>2016</b>	1	7	8
<b>Totals:</b>	4	24	28

2018 saw an increase in the number of females shot and either killed or injured. None of the 11 women were in possession of any firearm at the time of their being shot. One was carrying stones.

- Six females were shot in cross fire, during police shooting incidents.
- One female was murdered by an on duty officer who immediately committed suicide.

#### **6. Planned operations**

Planned police operations where fatalities occur have previously been a significant contributor to the total fatalities per annum by the JCF. The introduction of the 'post event' questionnaire/evaluation in 2015, for Police Commanders, which examines and assesses the level of planning in such operations, has created an environment of change in policing practice.

There has continued to be an important downturn in the number of police related fatalities arising from planned police operations. This is to be welcomed and noted. There is evidence of greater care and compliance of the JCF's own Use of Force policy, and a reduced number of such planned operations being undertaken where death occurs. INDECOM's monitoring of the issues has contributed to effecting this change.

Since 2013 INDECOM has monitored and analysed two data sets:

1. Examination of the six month period, July - December, for the years 2013 – 2018 (table 9)
2. Examination of whole years 2014 – 2018 (table 10)

**Table 9: Six month period: July to December 2013 - 2018**

Year	Total Fatal shootings	Planned Op where fatality occurred	Total killed during Planned Ops	% of total shootings
<b>2013</b>	<b>124</b>	51	49	39.51%
<b>2014</b>	<b>44</b>	14	13	29.54%
<b>2015</b>	<b>51</b>	21	24	47.05%
<b>2016</b>	<b>52</b>	11	13	25%
<b>2017</b>	<b>86</b>	16	21	24.41%
<b>2018</b>	<b>60</b>	11	20	18.00%

**Table 10: Fatalities arising from planned operations 2014 – 2018**

Year	Total Fatal shootings	Planned Op where fatality occurred	Total killed during Planned Ops	% of total shootings
<b>2014</b>	<b>115</b>	36	38	33.04%
<b>2015</b>	<b>101</b>	33	38	37.62%
<b>2016</b>	<b>111</b>	21	28	25.22%
<b>2017</b>	<b>168</b>	30	41	24.40%
<b>2018</b>	<b>137</b>	17	20	14.59%

Both data sets demonstrate the decline in fatalities by the DeaSecurity Force in planned operations.

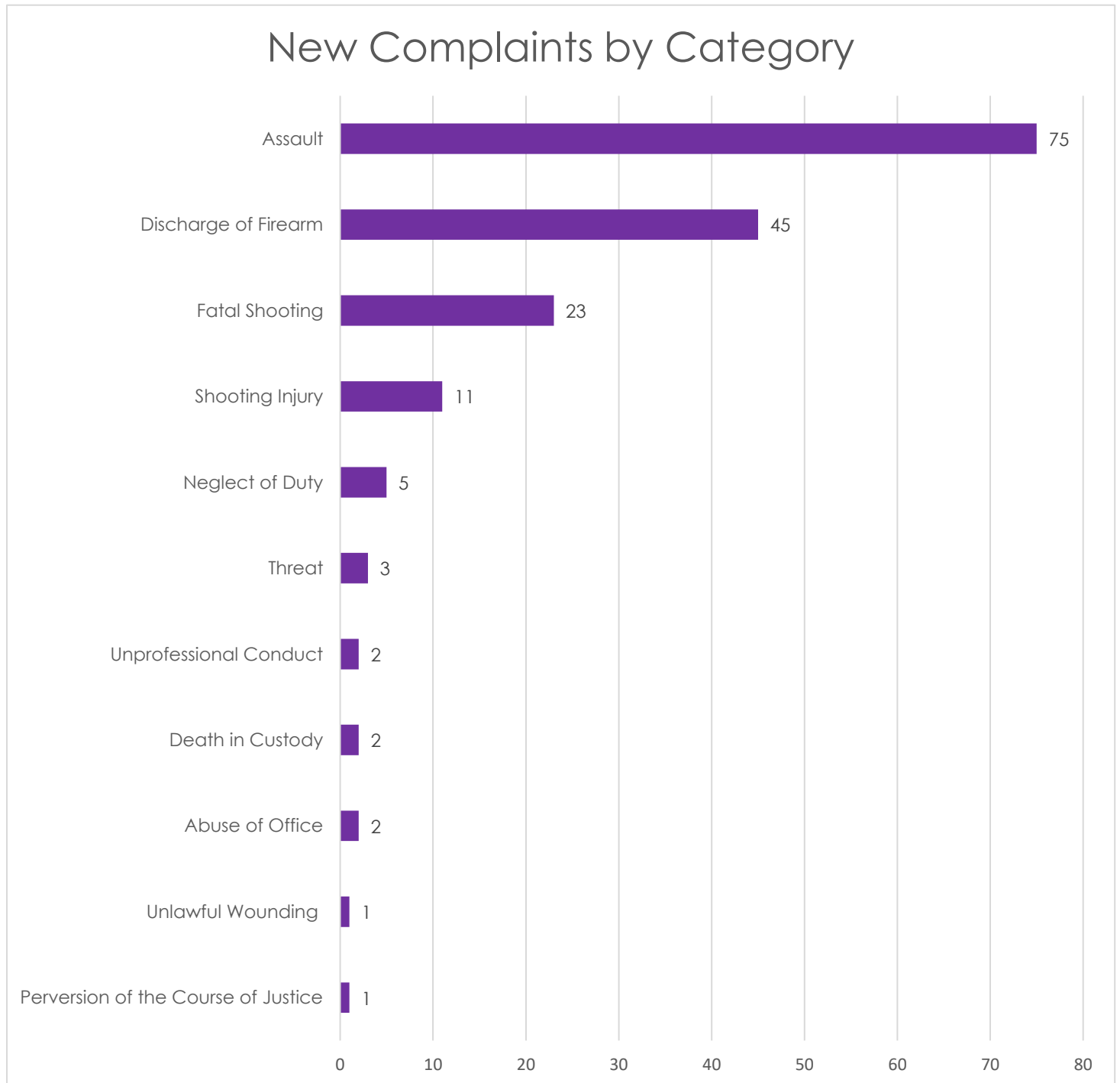
2016 saw the first marked reduction in the number of such fatalities arising from planned police operations. The proportion of such deaths falling in 2015 from 47% to 25% (see table 9) and from 37.62% (2015) to 25.22% (see table 10).

Analysis of the five year period 2014 - 2018 (60 months) illustrates the continuing reduction in Security Force deaths arising from planned police operations. Until 2015 police fatal shootings arising from planned operations accounted annually for some 33% - 37% of all fatalities. This changed in the years 2016-2017 when such fatalities were reduced and accounted for a quarter of all deaths. In 2018 fatalities arising from planned police operations accounted for less than 15%.

This continued reduction in this area of policing operations, is welcomed and acknowledged. INDECOM will continue examining this aspect of JCF operations and utilise the post operation Command evaluation questionnaire to ensure compliance with the JCF's own Use of Force policy.

# PART ONE

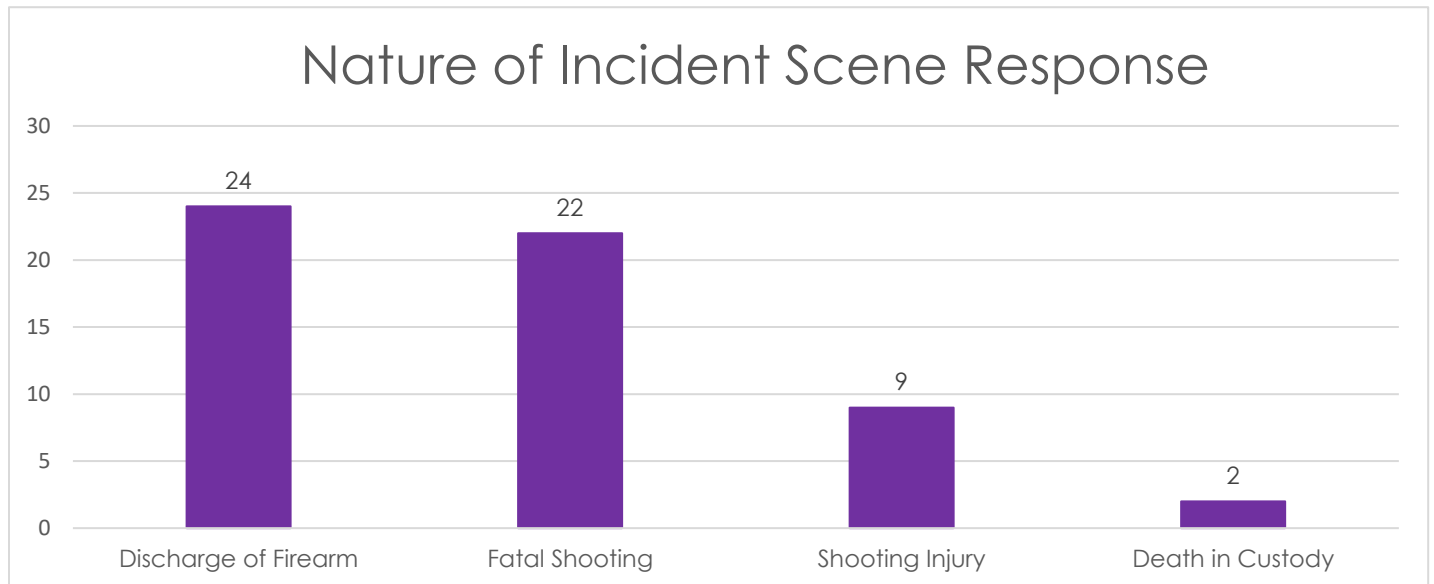
## NEW COMPLAINTS



**There were 25 deaths from 23 fatal shooting incidents.**

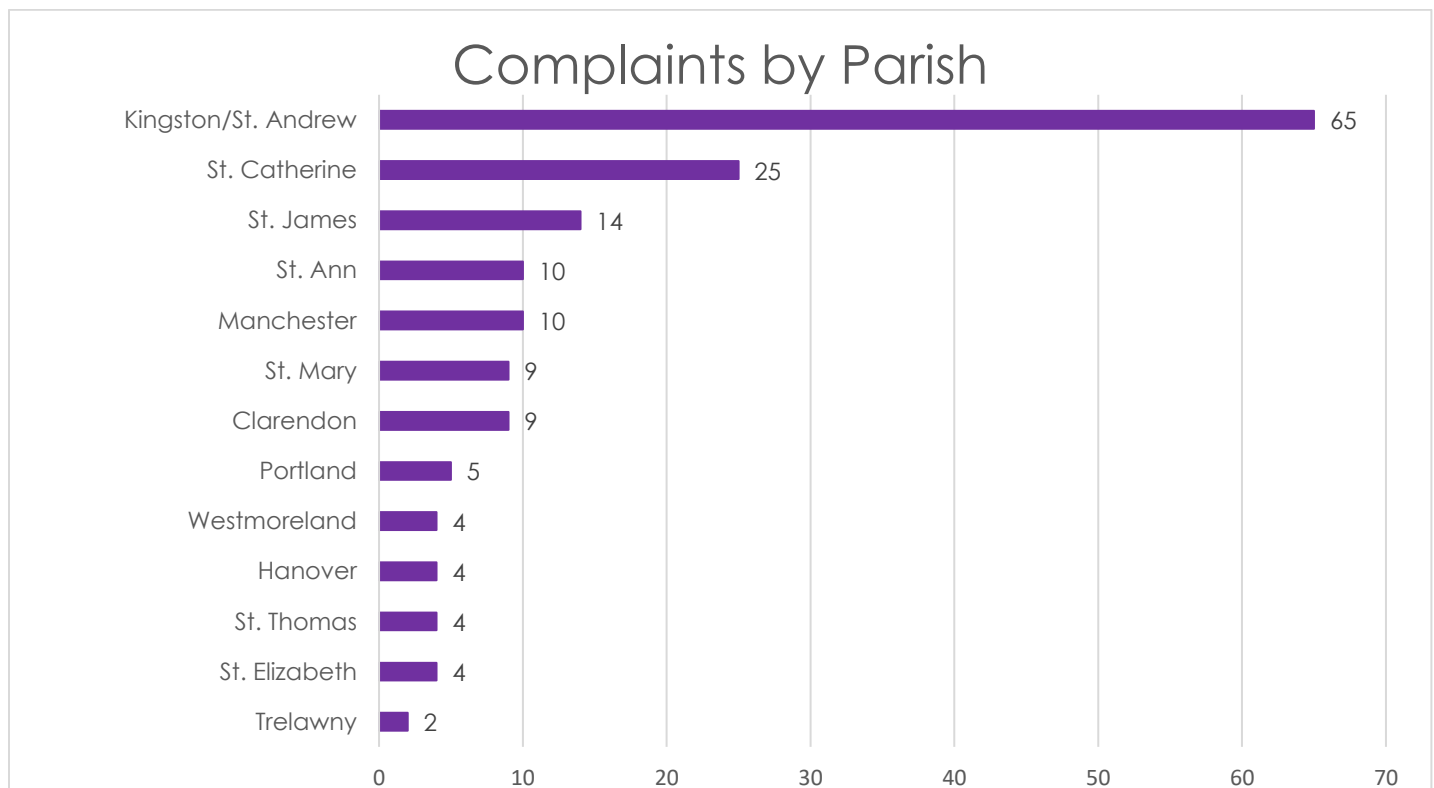
**Figure 1: The bar graph shows all categories of new incidents for which complaints were received by the Commission for the period of October to December 2018.**

## 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 October to December 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 October to December 2018.

## FATAL SHOOTINGS BY PARISH

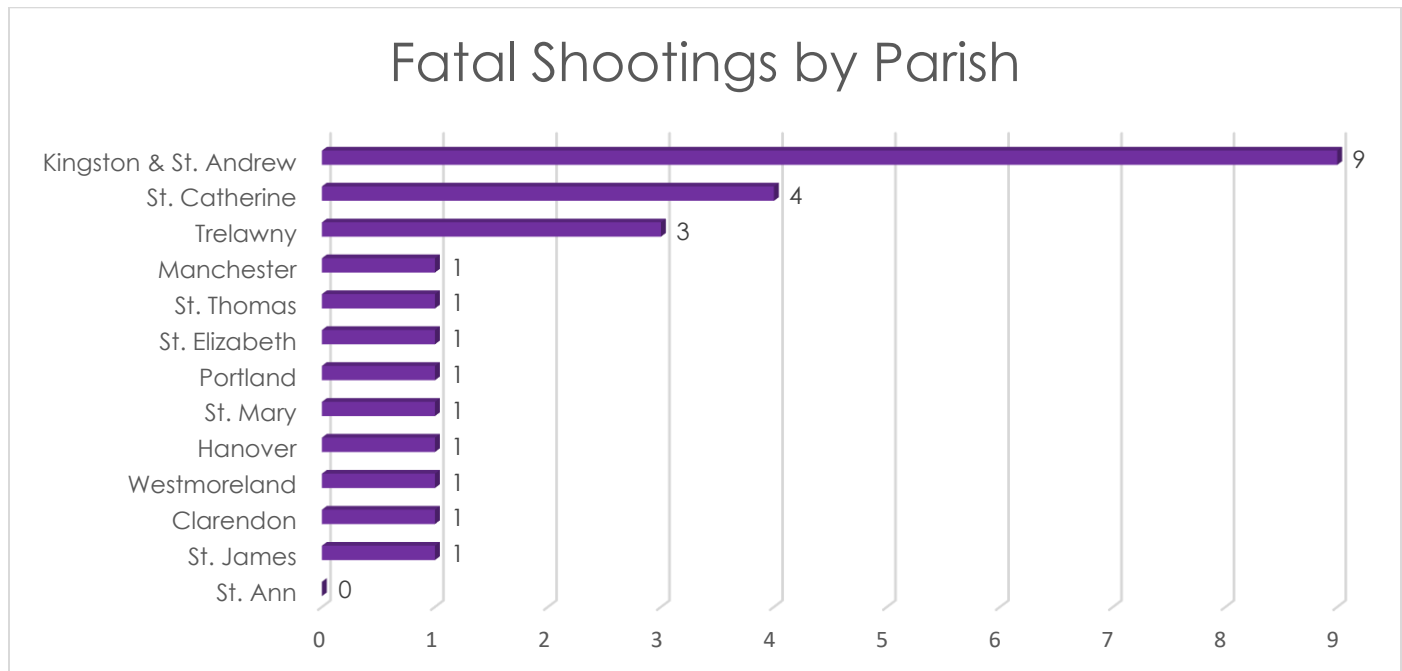


Figure 4: The graph above shows the total number of deaths from shooting incidents per parish for the period of October to December 2018

## FATALITIES BY ORGANISATION

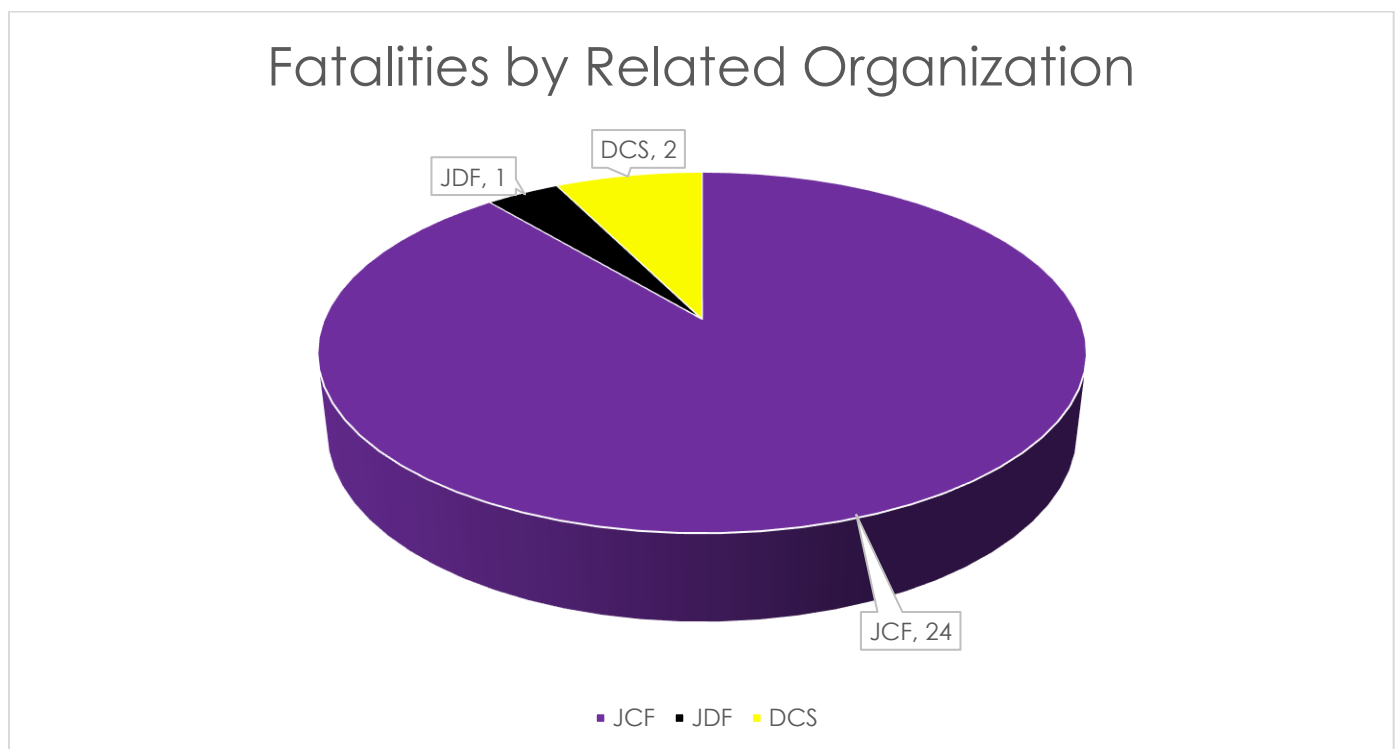


Figure 5: The above pie chart illustrates the State agency to which the fatalities recorded for the period of October to December 2018 are related.

## SECURITY FORCE-RELATED FATALITIES LIST

JCF – Jamaica Constabulary Force

JCF-OD – Jamaica Constabulary Force Off Duty Officer

■ JDF – Jamaica Defence Force

DCS – Department of Correctional Services

■ DIC – Death in Custody

Date	Name of Deceased	Location of Incident	Related State Agent
<b>OCTOBER (13)</b> <b>(Fatal Shooting – 11; DIC – 2)</b>			
2-Oct	Odaine GORDON	New Town, Cousins Cover, Hanover	JCF
9-Oct	Herbert SMITH	East St, Kingston	JCF-OD
10-Oct	Stacey ROBINSON (Female)	Dons Garage, Lime Tree Grove, Spanish Town, St Catherine	JCF-OD
11-Oct	Michael SCHASCHMIDT <b>DIC</b>	SCACC to Spanish Town Hospital	DCS
15-Oct	Andrew HENRY <b>DIC</b>	TSACC to KPH	DCS
16-Oct	Calvin EUBANK	Reckford Dist, Clarendon	JCF
17-Oct	Garth THOMAS	Kitson Town, St Catherine	JCF
18-Oct	Michael CALDWELL	Phillippa Rd, Olympic Gdns, Kingston	JCF-OD
18-Oct	Renardo POWELL	Mauescaux Road, Kingston	JCF
22-Oct	Adrian WALKER Robert MILLER Denton GRANT	Friendship Dist, Trelawny	JCF
22-Oct	Romario WRIGHT	Caymanas Drive, Caymanas, St Catherine	JCF
<b>NOVEMBER (8)</b> <b>(Fatal Shooting – 8; DIC - 0)</b>			
8-Nov	Dwayne HILL	Animal Lane, Callaloo Mews, Kingston	JCF
8-Nov	Christopher ARMSTRONG	Bayshore Area, Harbour View, Kingston	JCF
12-Nov	Richard ANDERSON	Cambridge, St James	JDF
12-Nov	Anjordy SMITH	Grange Hill, Westmoreland	JCF
13-Nov	Giovani SKERVIN	Unity Drive, Balcome Ave, Kingston	JCF
16-Nov	Rexon BAKER	Jacksville Dist, Bull Bay, St Thomas	JCF
17-Nov	Jeffrey ALLEN	Cocoa Main Walk, Manchester	JCF
30-Nov	Letroy REID	Providence District, St Elizabeth	JCF

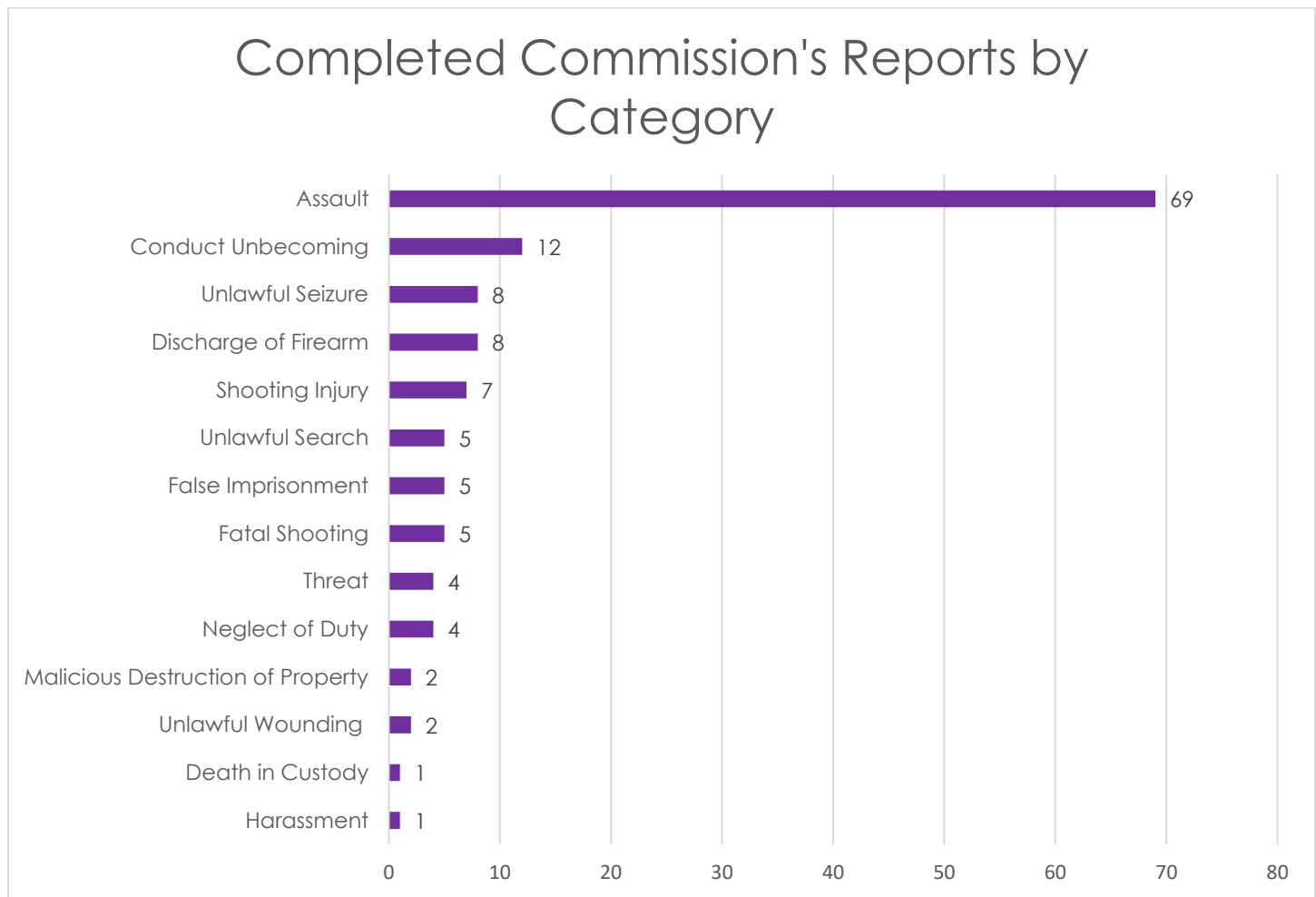
<b>DECEMBER (6)</b> <b>(Fatal Shooting – 6 ; DIC – 0)</b>			
2-Dec	Lentoy SMALLING	11 Mile, Bull Bay, St Andrew	JCF-OD
4-Dec	Anthony HARRIS	Beacon Hill, Portland	JCF
9-Dec	Dawnette MAXWELL (Female)	Islington PSTN, St Mary	JCF
10-Dec	Terrence Gayle	Treadways, Linstead, St Catheirne	JCF
11-Dec	Francisco DALEY	Fourth St, Trench Town, Kingston	JCF
22-Dec	Javaunne CUNNINGHAM	Seaview Gardens, Phase 2, Kingston 11	JCF

**Table 11: The above list presents the names of civilians who died in security force-related incidents for the period of October to December 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 October to December 2018

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

Charge	Disciplinary Action		Unsubstantiated
0 cases	3 cases	5 officers	118 cases

**Table 12:** The above table shows the recommendations made for Commission's Reports completed for the period of October to December 2018

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

**Table 13: Recommendations by the Legal Department for Commission's Reports completed for fatal shooting incidents during the period October to December 2018.**

<b>No.</b>	<b>Complainant/Victim</b>	<b>Case Summary</b>	<b>Recommendation</b>
<b>1.</b>	Renardo Wilson	On October 26, 2010, at about midday, Renardo Wilson was shot and killed along Grants Pen Avenue in St. Andrew. While on special patrol in the community, the concerned officers observed three men behaving suspiciously and, when accosted, the men opened gunfire at the police. The officers returned fire and after the shooting subsided, the said Wilson was found suffering from gunshot injuries. He was taken to the KPH where he was pronounced dead.	The Commission respectfully recommends that: a) No criminal charges be laid or disciplinary action be taken in relation to the fatal shooting of Renardo Wilson. b) The file be forwarded to the Special Coroner.
<b>2.</b>	Devin Melmabee o/c 'Boy Boy'	On December 22, 2015, at about 5:00 a.m., Devin Melmabee was shot and killed at a dwelling house located along Hart Boulevard in the Paradise Norwood community of St. James, during a special operation to apprehend the said Melmabee who was reportedly in possession of illegal firearms and ammunition.	The Commission respectfully recommends that: a) No criminal charges be laid or disciplinary action be taken in relation to the fatal shooting of Devin Melmabee o/c 'Boy Boy'. b) The file be forwarded to the Special Coroner.
<b>3.</b>	Sinclair Perry	On Friday, May 20, 2011, about 5:10 pm, allegations are that, acting on information, a team of police officers went to a premises in Thompson Pen Lane, Old Harbour Bay, St. Catherine in search of the now deceased Sinclair Perry o/c "Tilly man". Upon arrival at the house, the spouse of Perry, ran out of the house. Perry then pointed a shot gun at the police who opened fire hitting him. Perry was taken to the Spanish Town Hospital where he was pronounced dead.	The Commission humbly recommends that the matter be referred to the Special Coroner to determine whether an inquest ought to be held.
<b>4.</b>	Jermaine Campbell	On Tuesday January 8, 2013 at or about 7:30 pm Jermaine Campbell was fatally shot by members of the JCF in the community of Deans Valley, Westmoreland. It is alleged that a group of three police officers were on foot patrol in Dean's Valley area and observed the deceased standing by the roadway. They observed him enter a car, then exited the vehicle suspiciously adjusting his waistband. They tactically approached the deceased and identified themselves as police. He suddenly pulled a firearm from his waist and pointed it in their direction. Cons., took evasive action and fired in the direction of the man and he fell. They found a chrome .38 revolver in his hand. It contained three live rounds. The complainant however alleges that, Jermaine Campbell was in negotiations with the police for the return of his bike and had received calls from police that night with the view of paying for the return of his bike. When the call came for Jermaine to go outside, the complainant followed him, and observed him cross the road way to a "champagne" coloured	The Commission humbly recommends that the instant matter be referred to the Special Coroner to decide if an inquest ought to be held.

		car, which was parked face out on the open lot across from a bar. The complainant reported that when he approached the vehicle, and opened the door, he stepped back and was shot twice. The occupiers of the vehicle instantly took up Jermaine and sped off with him in the Petersfield direction; two more gunshots were heard while he was in transport.	
5.	Everton Lewis	On September 16, 2013, sometime after 2:30 p.m., Everton Lewis was fatally shot, at premises located in Rosemount Housing Scheme in Linstead, St. Catherine. It is reported that the concerned officers received a report of a housebreaking in progress and when they went to investigate they were attacked inside the house by a man armed with a knife. The said man stabbed at the concerned officers several times with the knife and in fear for their lives the concerned officers discharged rounds from their service firearms in the direction of the said man. The man was hit and subsequently found suffering from gunshot injuries. He was taken to the Linstead 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 Everton Lewis.

### ARRESTS MADE/CHARGES LAID (OCTOBER - DECEMBER 2018)

Name and Rank	Charge	Date of Arrest	State Agency
Det. Sgt. Oral Israel	Murder	16-Oct-18	JCF

**Table 14: The above table shows all members of the Security Forces who were arrested and charged for various offences for the period of October - December 2018.**

# PART THREE

## LESSONS LEARNT: COMMENDABLE ACTIONS OF OFFICERS

The action of Corporal A ought to be commended for his observance of his duty under Section 13 of the Constabulary Act to detect, and prevent crime, and to secure the apprehension of those that may be charged for committing crimes.

Corporal A's actions demonstrated a self-less act whilst off-duty, in engaging an armed man who was committing a robbery. The Officer intervened without regard for his own safety, but more the concern of others. Without a ballistics vest, radio communication, or assistance from colleagues, he was able to prevent the commission of a crime.

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

# PART FOUR

## • Meeting: Security Forces & INDECOM

In the 4th quarter of 2018, INDECOM's Senior Management had two (2) meetings with members of the JCF High Command. The following matters were discussed:

- Clarendon cases
- Section 21 notices
- Evidence interference
- Weapon handling
- Firearm receipts
- Disciplinary proceedings
- Model Use of Force Policy Forum

## • Outreach: Awareness Exercises

Unit/Division/Station	Group Size	Contact hours
St. Andrew North Police Civic Committee	22	2
Office of the Public Defender	21	2.5

## • Press Releases

For the 4th quarter of 2018, the Public Relations Unit issued the following press releases:

1. INDECOM is the first Caribbean recipient of NACOLE Achievement in Oversight Award
2. INDECOM investigating four fatal shooting incidents
3. INDECOM investigating four deaths in two incidents
4. Release of mentally ill persons must be a coordinated effort
5. INDECOM investigating fatal shooting of Dwayne Hill & Christopher Armstrong
6. INDECOM investigating fatal shooting of Richard Anderson
7. INDECOM investigating fatal shooting of Anjordy Smith
8. UPDATE: INDECOM investigating fatal shooting of Giovanni Skervin along Unity Drive
9. Guilty verdict for Cons. Collis Brown
10. INDECOM investigating fatal shooting of Rixon Baker
11. INDECOM investigating fatal shooting of Jeffrey Allen
12. Guilty verdict for SSP Anthony Castelle
13. INDECOM investigating fatal shooting incidents at Islington Police Station
14. Convicted JCF officer SSP Castelle sentenced to pay fine of \$1,000,000.00
15. INDECOM investigating fatal shooting in Linstead
16. INDECOM investigating fatal shooting in Bull Bay
17. INDECOM investigating fatal shooting in Beacon Hill, Portland
18. INDECOM investigating fatal shooting of Francisco Daley

- **INDECOM first Caribbean recipient of NACOLE Achievement in Oversight Award**



The Independent Commission of Investigations (INDECOM) became the first Caribbean and Non-American recipient of NACOLE's (National Association for Civilian Oversight of Law Enforcement) Achievement in Oversight Award. The award was presented at the 24<sup>th</sup> Annual NACOLE Conference Sankofa Dinner and Awards Ceremony held on Wednesday, October 3 in St. Petersburg, Florida.

In accepting the award, INDECOM Commissioner, Terrence Williams, expressed his gratitude and noted that he accepted it on behalf of his staff, members of the Security Forces for which the Commission has oversight and all Jamaican citizens.

He recognized the dedication of the Commission even during challenging circumstances. "I am really very proud of the work done by these Investigators and the staff of INDECOM," said Commissioner Williams.

Williams further commented on the positive change happening within the police force, army and correctional services, in improving their standards and giving more recognition to the rights of citizens.

In furtherance of the Commission's resolute approach to independent investigations, Commissioner Williams affirmed that the Commission will strive to ensure that there is rule of law, fairness and accountability.

The Achievement in Oversight award recognizes specific, significant accomplishments or contributions to civilian oversight by individuals, an organization, or an agency, which have helped to further the field of civilian oversight of law enforcement. The Commission has been a member of NACOLE since 2015, and three members of the organization's senior management, to include the Assistant Commissioner and two Directors of Complaints have completed the NACOLE Certified Practitioner of Oversight Program.

- **INDECOM appoints new Director of Complaints**



The Independent Commission of Investigations (INDECOM) is pleased to announce the appointment of Ms. Makiedah Messam as Director of Complaints, Eastern Region. Her appointment was effective on December 17, 2018. Her employment to the Commission began in 2014, where she has ascended the ranks from Investigator to Director of Complaints.

Ms. Messam has been an Attorney for over 15 years. Prior to her work at INDECOM, she worked as a Legislative Drafter for the Ohio Legislative Service Commission and Senior Legislative Aide to the Minority Whip in the Ohio Senate. In addition to her service in the public sector, she has also practiced law as a solo practitioner and as a part of a firm. As a practicing attorney and Associate with the firm of Morgan, Lewis & Bockius in the Litigation Division where she advised clients on records management and discovery issues associated with large litigations. She has a Juris Doctorate from the University of Cincinnati College of Law and a Legal Education Certificate from the Norman Manley Law School. She is qualified to practice law in Jamaica, the District of Columbia (Washington, DC) and the State of Ohio.

Ms. Messam's appointment, completes the required five Directors of Complaints as prescribed in The Independent Commission of Investigations Act, 2010.

**INDECOM Directors of Complaints**

Makiedah Messam – Eastern Region, Shooting Incidents

Floyd McNabb – Eastern Region, Non-Shooting Incidents and Special Cases Unit (SCU)

Nigel Morgan – South Eastern Region

Dave Lewin – Central Region

Errol Chattoo – Western Region

# INDECOM OFFICES

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## **Incident and Tip Lines:**

**(F)1.888.991.5555**

***Searching for Truth, Striving for Justice***