

# THE INDECOM QUARTERLY | 2nd

APRIL - JUNE 2019

## FIT FOR DUTY



### Introduction

Law enforcement officials are tasked by the State to protect its citizens and maintain public order. In fulfilling this mandate force may have to be deployed, however this force should be used in such a way that it is not deemed to be excessive, abusive or unlawful, thereby violating a person's human rights. To prevent this a human rights based approach to law enforcement has to be exercised.<sup>1</sup> Admittedly, there is no perfect system and where there are excesses an effective accountability system ought to appropriately respond.

This second quarter report examines the Jamaica Constabulary Force's (JCF's) approach to the retention of officers on duty whilst subject to criminal investigation or prosecution, or whose conduct should already have raised concerns as to their suitability for retention on frontline duties. It will also examine the absence of effective interim measures to control and monitor officers, a failure to recognize early warning signs of an officer's ill-discipline, and a failure to secure effective remedies to prevent further repetition of unwanted behaviours which places the public at risk of further harm or endangerment.

[Continues on page 5](#)

<sup>1</sup> Resource book on the Use of Force and Firearms in Law Enforcement. United Nations, May 2017, pp. 7 and 27

**“The dead cannot cry for justice.  
It is the duty of the living to do so for them”**

Lois McMaster Bujold

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## COMPACT DISC

2<sup>nd</sup> Quarterly Report: April – June 2019

New Complaints: April – June 2019

Commission's Reports Completed: April – June 2019

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

# IN THIS EDITION OF THE IQ

## FIT FOR DUTY:

This report examines the concept of fitness for duty of police officers. For the purposes of this report, fitness for duty refers to the ability to perform one's work assignment in a manner that does not endanger the safety or life of another person (whether a colleague or civilian). The report also analyzes this concept by examining legal precedence and examples of how the JCF has faltered in maintaining high standards among its members. The report concludes by making recommendations for improvement within the JCF in order to be in line with best practice.

## PART ONE: NEW COMPLAINTS

The Commission received 236 categories of complaints from 201 incidents reported for the period. The top five categories of complaints include: assault (85), discharge of firearm (60), shooting injury (23), fatal shooting (21)\* [see page 9], and threat (12).

The Commission's Forensic Unit responded to 74 incident scenes for the period. There were five\* deaths in custody for the period.

In relation to parishes with fatalities: St. Elizabeth, Hanover, Westmoreland, Manchester, St. Thomas and Portland had no fatalities for the period. The parishes of St. Mary, Trelawny and Clarendon recorded one (1) each; St. Ann recorded two (2); St. James had four (4), St. Catherine had six (6) and Kingston and St. Andrew recorded the highest at nine (9).

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

[Continues from from page 1](#)

## DUTY OF CARE

When a police officer assumes duty, and is issued a firearm, it is presumed that he/she is fit to carry and use a firearm, does not pose a danger to themselves or others,

## PART TWO: THE LEGAL DEPARTMENT

In the Legal Department, 165 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. Three members of the Jamaica Constabulary Force (JCF) were arrested and charged during the period, for incidents investigated by INDECOM.

## PART THREE: 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 Commission participated in awareness exercises equaling 712 man hours for the period.

The Public Relations Unit issued 19 press releases for the period.

and will act in harmony with the laws and policies governing the JCF and the country. Essential to this process is effective supervision as well as accountability and responsibility for one's actions. Those in command ought to "lead in a manner that fosters observance of,

and respect for human rights. This must include [inter alia]... reviewing conduct and facilitating independent investigation..."<sup>2</sup>

The relevant duty of care was discussed by the UKPC in the matter of *Attorney General v Hartwell (British Virgin Islands)*<sup>3</sup>. This case involved an officer, who, held the keys to the police station's strongbox which contained a gun. He removed the gun and went to a restaurant where he shot his wife and two others. The Commissioner of Police was found to be negligent in permitting the officer to have access to a gun because his commanding officers were aware of the allegations against him concerning domestic strife, and his fitness for duty.

Lord Nicholls opined; "...the appropriate analysis is that when entrusting a police officer with a gun **the police authorities owe to the public at large a duty to take reasonable care to see the officer is a suitable person to be entrusted with such a dangerous weapon lest by any misuse of it he inflicts personal injury, whether accidentally or intentionally, on other persons...**"

The judgement specifically made no distinction between on and off duty incidents, nor whether the officer had been convicted or had otherwise been found liable. The ruling concluded; "... [such] the duty imposes no more than an obligation to exercise the appropriately high standard of care to be expected of a reasonable person in the circumstances."

Given the officer's personal situation and the previous complaints made against him, the risk ought to have been acknowledged and reasonable care taken to prevent any further danger to the public.

Another ruling, equally relevant to this discussion, is that of The European Court of Human Rights (ECHR) in the case of *Abdusamet Yaman v Turkey*<sup>4</sup>. The ECHR opined that the Government has a duty to "demonstrate that the accused police officers were suspended from duty while being investigated or tried.... **to prevent any appearance of collusion in, or tolerance of, unlawful acts...**" This ruling has been relied on in subsequent matters brought before the ECHR and highlights the duty of care to be exercised by the police command.

## THE LOCAL CONTEXT

The Commissioner of Police has a wide range of options to treat with managing the risk posed by unfit officers. These

include: suspension pending charge, removal from frontline duties, withdrawal of firearm, not being allowed to re-enlist and retired in the public interest. Following a Court of Enquiry and conviction, a range of punishments exist, from paying a fine to being dismissed.

INDECOM has observed that the issue of managing JCF officers under investigation demonstrates a somewhat binary approach in addressing what is a matter of considerable public importance and interest. In that, certainty of JCF intervention regarding unfit officers only follows conviction. The treatment of officers, who are either under investigation for matters identified as suspicious, charged and awaiting trial, or who have subsequently been acquitted in the courts of criminal offences, is absent of consistency and rigour and seemingly not in accordance with international best practice.

The JCF continues to operate under regulations which are nearly 60 years old, and are limiting in their scope to manage in 21<sup>st</sup> century policing. Regulation 35 of the Police Services Regulations 1961, governs the discipline and control mechanisms of JCF members who have been criminally charged. Where such proceedings have been or are about to be instituted against the member, Regulation 35 states that members **may** be placed on interdiction or suspended. This is similar to the current Staff Orders for the Public Service, Sec 10.7. The decision to suspend or interdict rests with the Commissioner of Police, with the caveat that such action to be taken '...where it is necessary or desirable in the public interest'. In such a case an officer shall forthwith cease their functions. However this is too vague and leaves the matter entirely up to the discretion of the Commissioner, when the clearest understood policy is necessary for all parties concerned and the public.

A JCF Force Order (No. 3651) of May 25, 2017 states that if a decision is taken to allow a member to remain on duty, whilst criminal proceedings are progressed, the person is to be removed from Operational Frontline duties and assigned administrative duty. Currently, this approach is applied in an ad hoc manner, without a formal regulatory framework and without consistency. Further it only applies to officers subject to criminal proceedings, when such considerations are necessary to be applied to all officers subject to an investigation or where the facts give grounds for suspicion for criminal culpability.

<sup>2</sup> INDECOM Jamaica, "Command Responsibility for the Use of Force," *INDECOMs Special Investigations 2014 & Annual Financial Reports*, 2014, p. 13

<sup>3</sup> [2004] UKPC 12 delivered by Lord Nicholls of Birkenhead

<sup>4</sup> [2004] ECHR 32446/96 at para 55, 2 November 2004).

There are currently forty-nine (49) officers charged with murder and awaiting trial in matters being investigated by the Commission. Whilst a proportion of these officers are in custody (on the order of a Court), or have been suspended from duty, it is known that a number have been permitted to remain on active duty (see below) and it is apparent that the public interest criteria does not appear to be taken into account, nor the wider legal implications, which would satisfy the necessity to avoid a '...tolerance of unlawful acts..'

There are officers who, whilst charged and on bail for serious matters, have been implicated in and charged with other crimes. These officers oftentimes are still in possession of JCF property, especially firearms. Following an incident, important questions have been asked of the JCF upon the discovery that the concerned officers were already on bail for charges of murder. Neither officer was placed on interdiction or suspended and, one had even been authorised to return to operational duties, when such an action is prohibited by JCF Regulations. These officers, among others, have engaged in multiple fatal shooting incidents owing to lack of effective internal controls which creates the appearance of a culture and tolerance of unlawful acts.

If officers have been criminally charged, or committed a violation of policy, then the ability to effectively perform their duties must be fully examined. Failure to ensure fitness for duty oftentimes results in detrimental occurrences which are manifested, on and off duty, through excessive use of force, domestic violence or suicide and create legal liability upon the JCF or the State in failing to ensure citizen safety.

Repeated requests have been made for the JCF to respond with details concerning the criteria by which officers are either suspended or interdicted following charge, but the Commission has not received any response.

## CASE REVIEWS

The local landscape is replete with examples and a review of just some of the cases investigated by INDECOM highlights this issue.

Officer A was acquitted of a murder charge after video evidence showing the fatal shooting was rendered inadmissible. The video recording showed the actual shooting and that it was clearly unjustified. Officer A was allowed to return to frontline operational duties, entrusted with a firearm. Officer A has subsequently been implicated

in other shooting incidents. One of these incidents involved a mentally challenged individual who was fatally shot by Officer A. The circumstances surrounding the shooting clearly demonstrated the officer's impatience in the handling of the situation, which was already being addressed by other officers who had sought to de-escalate the situation.

Officer B was involved in the commission of a clear criminal act, with other officers, also recorded on video. Despite such an *in flagrante* act, Officer B was not removed from duty, nor was his weapon taken. Shortly afterwards Officer B was involved in an off duty fatal shooting incident, with a government issued firearm. Officer B fled Jamaica but has since been charged. The other officers involved in the first incident, still under investigation, remain on duty, entrusted with firearms.

Officer C has been involved in 28 police involved fatal shootings. Each administrative review has self-evidently permitted the officer to assume duties without sanction or meaningful intervention. Yet in many of the cases other officers have been subject to criminal charges, some shootings have been identified as suspicious and further, whilst disciplinary action has been previously recommended against Officer C by INDECOM, no action has been undertaken. Officer C is now being considered for promotion. This case is demonstrative of a pattern and trend in which limited remedy is effected to control excesses and is redolent of the Clarendon investigation, in which very similar post shooting reviews, resulted in no effective action or intervention.

Officer D and colleagues caused bodily harm to two female teenagers who were in the company of their mother during a stop and search procedure. Both young girls were charged with assaulting a police officer, resisting arrest and disorderly conduct, but the charges were subsequently dismissed in Court. Whilst the officers were transferred during the course of the investigation and the Court proceedings, they remained on frontline duties. The teens still experience medical and psychological challenges as a result of this incident.

Officer E, already identified as an officer in ten police involved fatal shootings, publicly advocated in media articles, a return to less accountability in respect to police shootings, viz; '*... form a super squad that is not subject to INDECOM's authority..*' and for '*criminal rights*' activists to *step out of [his] way*'. In another article, this officer called for the police fraternity to use their "power" to pressure for the reversal of the verdict and sentence properly rendered by a court against police officers. Such commentary, unaddressed, can only add to the apparent impunity and

belief that officers engaged in such actions require reward not action. An attitude that '*the police should have free reign*' should be discouraged and the clearest guidance that accountability for one's actions, or non-action, is of utmost importance.

### DOMESTIC VIOLENCE

Domestic violence is a too frequent feature within the JCF which is not treated with the alacrity it deserves. There have been many instances in which reports have been made about officers' actions that have caused the other party to feel threatened and vulnerable, and these have been subject of reports to INDECOM and the police. In some cases, whilst investigating, or when the guilty party is charged and placed before the Court, the complaint is withdrawn and the matter dismissed by the Court after the victim has been given reassurance that the violence will not be repeated and the officer's behaviour has been changed. The officer is not sanctioned and the incident regarded as the officer's 'personal business' and not to be interfered with. Such cases, left without the clearest risk assessment, allow officers to remain armed and risk repeat violence to their partner.

In one instance, reports were made by the spouse of Officer F to a supervisor about the officer's aggressive behaviour. The officer was removed from an Operational Team and counselling sessions initiated. Following a further complaint, the assigned Keep and Care firearm was removed, but the officer's weapon was returned shortly thereafter, following a favourable report from the Chaplaincy Unit. The officer's personal problems continued and the firearm was again removed and counselling sessions continued. As the officer complied with the instructions and continued with counselling, another favourable report was received from the Chaplaincy Unit which indicated that the Officer gained good self-control and was allowed the return of his firearm. A few months later, the officer killed his girlfriend during an argument. INDECOM's report recommended that a review be conducted of the Force's policies relating to members possessing firearms when off duty, the treatment of complaints made of members with temperamental problems and the fitness of the counselling services and a report be submitted. To date, this report is still outstanding.

Officer G was implicated in a serious violent assault of a woman, in which the victim gave a witness statement and the officer was charged. Proceedings were halted upon

the officer agreeing to pay a sum in mediation. However, Officer G was returned to frontline duties and again entrusted with a firearm, despite the evidently inherent risks associated with such a decision.

The instances listed above are not exhaustive but highlight the issue of haphazard, ambiguous application of rules within the JCF. They also highlight the ineffectiveness of the Administrative Review, which is in need of revision. Currently, the JCF Administrative Review is a cursory examination of reported facts, as provided by the concerned officers, and undertaken only for shooting incidents, to determine whether or not the shooting was justified and if the Force Orders and procedures were followed. Additionally, it considers if the member is physically or emotionally capable to resume normal police duties. This is submitted in the form of a written report within 24 hours of the incident occurrence to the Commissioner of Police who determines the readiness of the member.<sup>5</sup>

### AN EARLY INTERVENTION MODEL

The ECHR ruling which advocated the need for an avoidance of a perception of toleration of unlawful acts within a police service, extends wider than actual involvement in repeated shooting events. The duty of care requires extension to the wider public audience and address the culture which can appear to applaud the disregard of the law and right to life.

In many police forces officers suspected to be in breach of policies would not be returned to frontline duties, nor be entrusted with a firearm. This is affirmative action by police forces and is demonstrative of an awareness and addressing of public concerns and safety. Within the JCF, the absence of a clear, unambiguous policy and an absence of consequences for acting in such a repetitive manner, requires immediate remedy and an appreciation that such behaviour cannot be tolerated, and the environment for the circumstances to be repeated are limited. Any sanctions imposed should be commensurate with the seriousness of the offence and emphasis should be placed on professional behaviour of law enforcement officials.

A US based study, addressing supervision and intervention in police forces, identified the Early Intervention Systems (EIS) model. The research identified problematic behaviours at an early stage, so that the appropriate training or counselling may be given.<sup>6</sup> This system involves

<sup>5</sup> JCF Force Orders dated May 12, 2005 No. 3023

<sup>6</sup> *Supervision and Intervention within Early Intervention Systems: A Guide for Law Enforcement Chief Executives*. Police Executive Research Forum, Washington D.C., 2005

the effective gathering and analysis of officers work place performance, e.g. on a member's use of leave, complaints filed against them and their actions on duty.<sup>7</sup> This system has an equal benefit in identifying officers that qualify for promotions or commendation. The EIS holds supervisors accountable for the actions or non-action of those in their command, and helps officers to overcome personal and professional challenges that affect their performance on the job. This in turn strengthens the culture of the police force and the relations with the community. The EIS identified key features which are essential in a police force addressing the challenges faced and delivering change to officer behaviour. These include:

- EIS is part of a management toolbox. There is a need for supervisors to monitor staff and analyse the data gathered.
- EIS principles is one element of a larger effort and initiatives to address officer behaviour (they do not replace disciplinary measures). It is used to identify and address problems before an officer ends up in serious trouble and is a means of managing personnel.
- 1<sup>st</sup> line supervisors are critical as they are the ones to observe the potentially problematic behaviour first. But where 1<sup>st</sup> line supervisors are themselves the wrongdoers it makes for difficult enforcement. Consistency across the board is required for the system to be effective.
- Varied options should be made available within the EIS scheme to meet the needs of officers and improve performance. For instance retracting the officer's weapon, removal from frontline operational duties etc.
- Commissioner of Police is ultimately responsible for the operations and performance of all officers. The judgment delivered in the Hartwell case (mentioned above) demonstrates this point clearly.
- EIS enhances integrity and accountability. The system not only identifies the problems but also provides the means for correcting them.

It enhances the quality of supervision and thereby helps to reduce problematic incidents and the resulting costs.

## RECOMMENDATIONS

This report highlights the consequences of an ineffective accountability structure. The few cases highlighted form part of a wider problem of failing to address discipline in an effective and meaningful manner. It has the potential to develop a level of complacency and disregard for citizens safety and human rights, and their protection from officers who require further training, intervention and/or swifter discipline and sanctions. Ultimately the duty of care is placed upon the Commissioner of Police.

The following recommendations are being made to ensure fitness for duty:

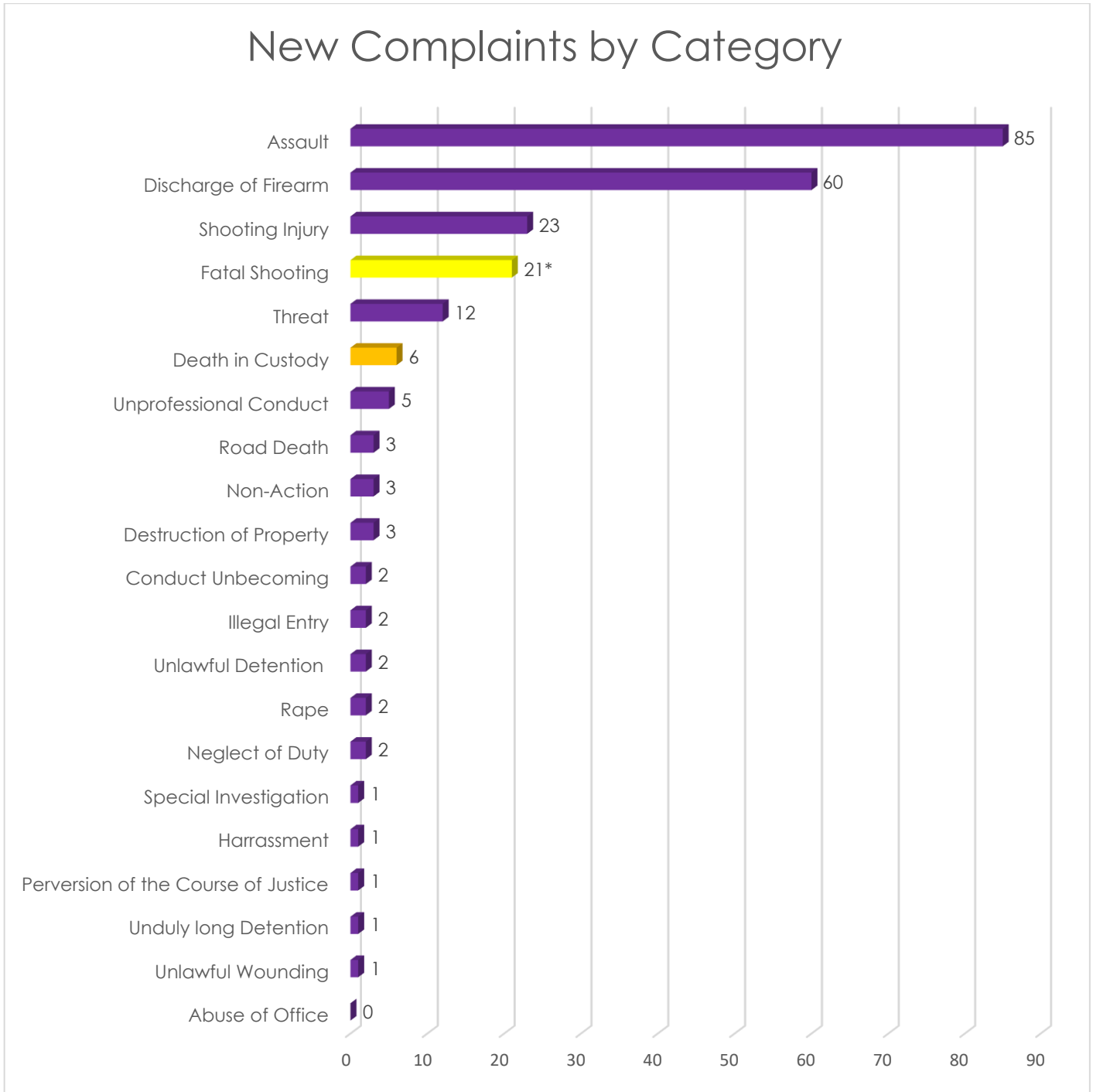
1. The JCF's Administrative Review process should receive and consider reports from INDECOM to ensure all factors are taken into consideration.
2. An immediate review of the JCF policies in relation to Keep and Care firearms, both at initial authorisation, and particularly following incidents of violence – whether charges are pending or not.
3. An adjustment to the police rules to make specific mandatory provisions for the suspension of an officer pending criminal investigation for serious charges, particularly where officers are charged with murder, wounding, bribery or extortion.
4. Officers under suspicion should be removed from frontline duties to ensure there is no appearance of collusion or tolerance of such incidents. Further, that in egregious cases, where clear breaches of policy, practice or law are apparent, that officers be discharged from the police service, without awaiting pending criminal proceedings.
5. The implementation of an Early Intervention System which would assist in identifying problematic behaviour at an early stage and allows for wider discretion to prevent, manage and/or remedy risk.

# PART ONE

<sup>7</sup> Ibid



**NEW COMPLAINTS**

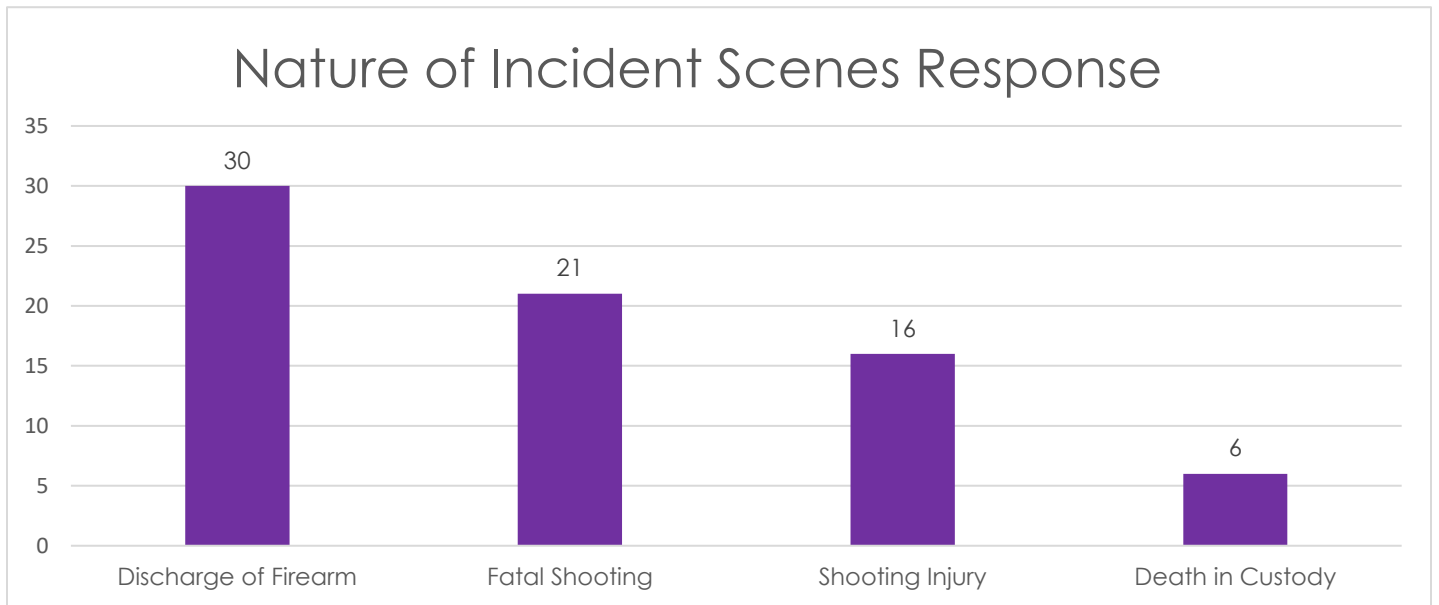


**There were 24 deaths from 21 fatal shooting incidents.**

**One case of death in custody was reported to the Commission in Q2 but occurred in Q1.**

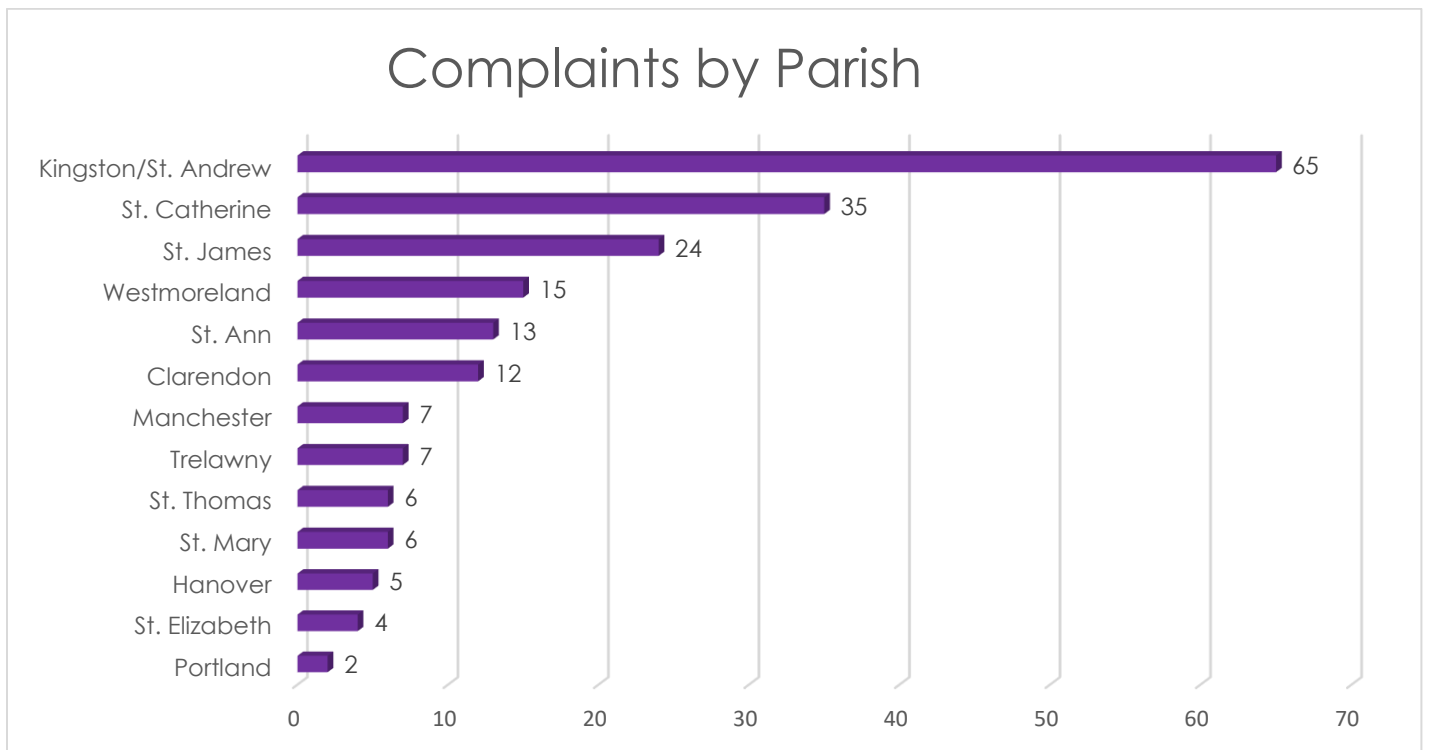
**Figure 1: The bar graph shows all categories of new incidents for which complaints were received by the Commission for the period of April - June 2019.**

**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 - June 2019**

**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 - June 2019.**

### FATAL SHOOTINGS BY PARISH

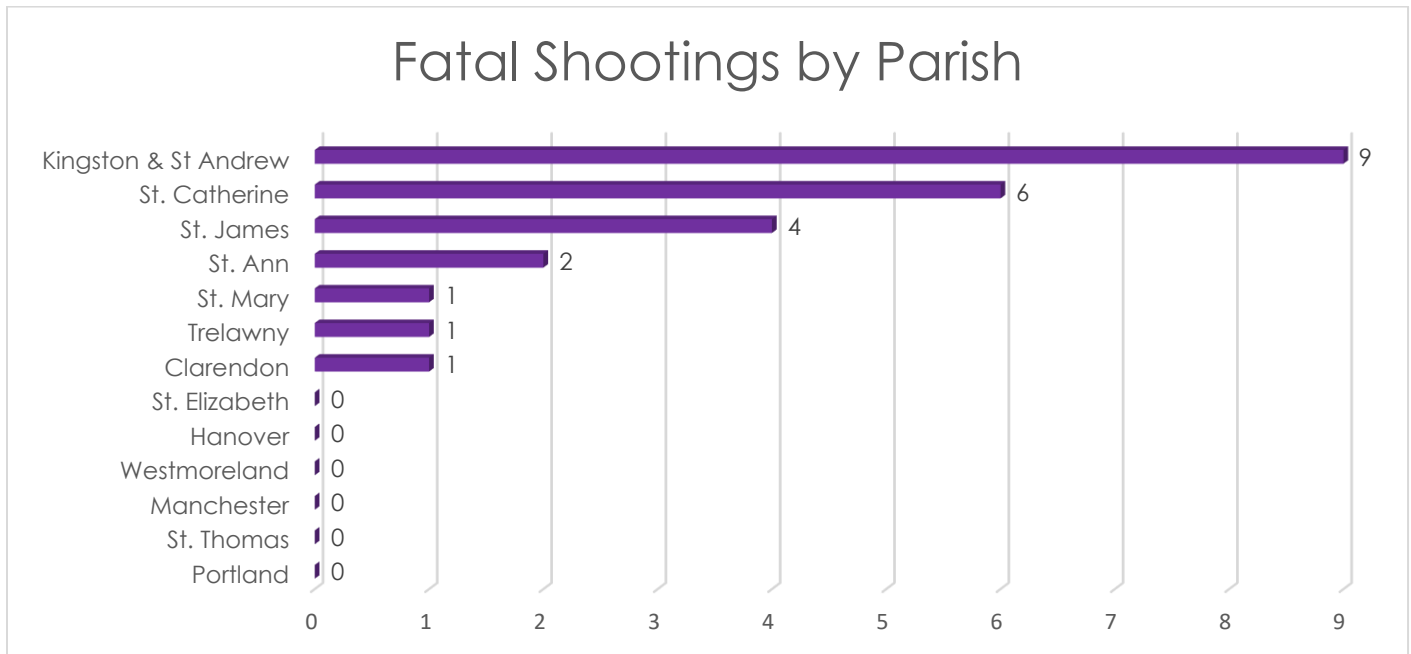


Figure 4: The graph above shows the total number of deaths from shooting incidents per parish for the period of April - June 2019.

### FATALITIES BY ORGANISATION

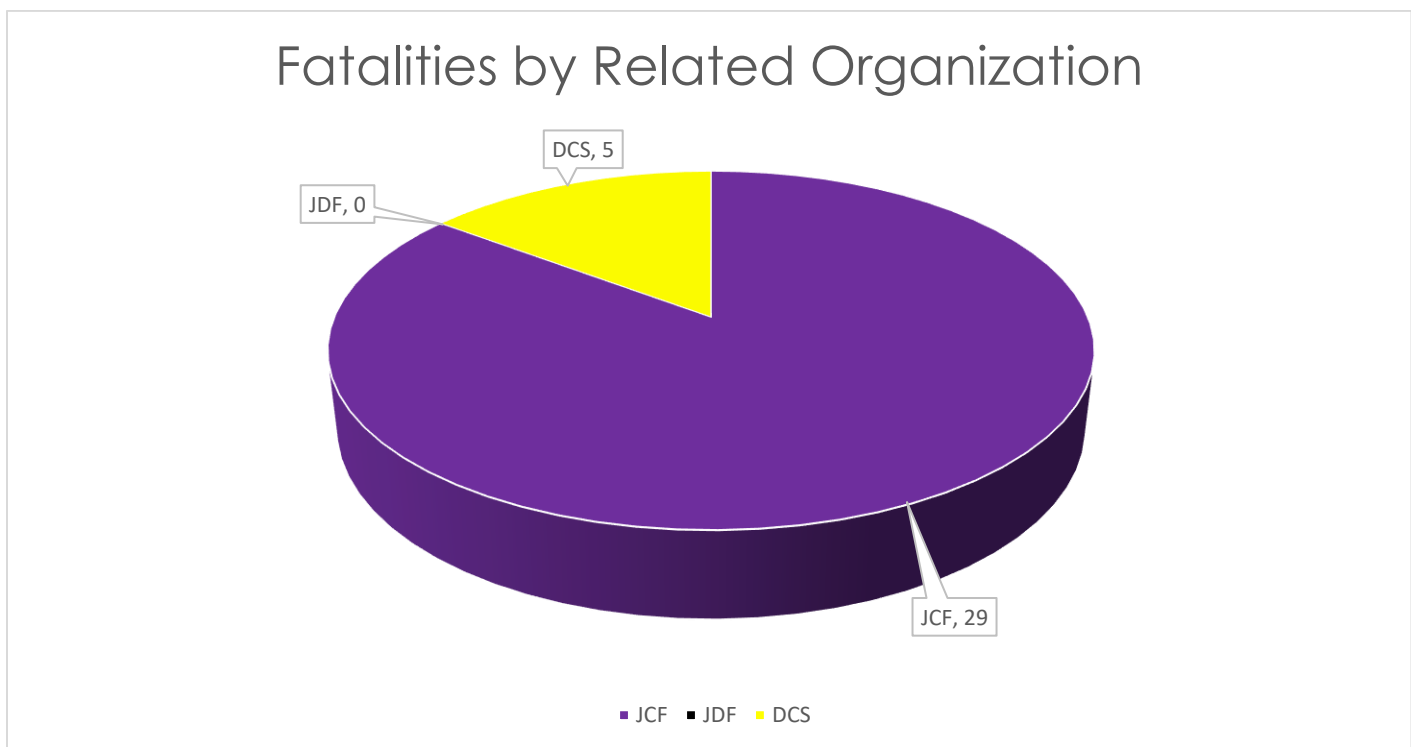


Figure 5: The above pie chart illustrates the State agency to which the fatalities recorded for the period of April - June 2019 are related.

## SECURITY FORCE-RELATED FATALITIES LIST

JCF – Jamaica Constabulary Force  
 JCF-OD: Jamaica Constabulary Force Off Duty Officer  
 ■ RTA: Road Traffic Accident

■ JDF: Jamaica Defence Force  
 DCS: Department of Correctional Services  
 ■ DIC: Death in Custody

Date	Name of Deceased	Location of Incident	Related State Agent
<b>APRIL (18)</b> <b>(Fatal Shooting – 13; DIC – 2; RTA - 3)</b>			
1-Apr	Winthrop Miller - <b>DIC</b>	TSACC	DCS
2-Apr	Lloyd Boothe - <b>RTA</b>	Mandela Highway, St. Catherine	JCF
7-Apr	Damion Thomas - <b>DIC</b>	Horizon ARD	DCS
10-Apr	Colin Francis	Golden Smith Villa, Kingston 6	JCF
14-Apr	Tajae Brown	Duke Street/East Queen Street, Kingston	JCF
15-Apr	Tarrick Campbell Almarick Goodhall	Old Harbour, St. Catherine	JCF
18-Apr	Shaquille Harrison	Tivoli Gardens, Kingston	JCF
20-Apr	Shamoy Gray	Bethel Town, St. James	JCF
23-Apr	Tomtroy McKenzie	Priory, St. Ann	JCF
24-Apr	Cedric Thomas	Denham Town, Kingston	JCF
26-Apr	Kevin Morgan Jevaughon Ellis	Retirement, St. James	JCF
28-Apr	Sheldon Daley	Chedwin Park, St. Catherine	JCF-OD
28-Apr	Con. Rohan Williams - <b>RTA</b> Kevron Burrell - <b>RTA</b>	Brunswick Avenue, St. Catherine	JCF-OD
29-Apr	Stephen Rush	Glengoffe, St. Catherine	JCF
30-Apr	Donovan Thompson	Anchovy, St. James	JCF
<b>MAY (9)</b> <b>(Fatal Shooting – 7 ; DIC – 1; RTA - 1)</b>			
3-May	Ants Man	Guananboa Vale, St. Catherine	JCF
5-May	Richard Dewar - <b>RTA</b>	Hope Road/ Downer Avenue, Kingston	JCF
7-May	Alando Dixon Ricardo Reynolds	Duhaney Park, Kingston	JCF
18-May	Nicholas Henry	Orange Street, Kingston	JCF-OD
18-May	Leon White	Martha Brae, Trelawny	JCF
21-May	Odane Morgan - <b>DIC</b>	St. Catherine Adult Correctional Centre	DCS
24-May	Male u/k	Ocho Rios, St. Ann	JCF

28-May	Janet Hardy-Lawrence	Prospect, St. Mary	JCF-OD
<b>JUNE (7)</b> <b>(Fatal Shooting – 4; DIC – 2; RTA - 1)</b>			
5-Jun	James Wallace - <b>RTA</b>	Spanish Town, St. Catherine	JCF-OD
6-Jun	Burwind Williamson – <b>DIC</b>	TSACC	DCS
7-Jun	Glen Lennon	Half Way Tree, Kingston	JCF-OD
10-Jun	Hugh Robertson - <b>DIC</b>	TSACC	DCS
22-Jun	Priston Johnson	Kellits, Clarendon	JCF-OD
25-Jun	Rushane Harrison	Old Harbour Bay, St. Catherine	JCF
28-Jun	Peter Campbell	Barbican Road, Kingston 6	JCF-OD

**Table 1: The above list presents the names of civilians who died in security force-related incidents for the period of April - June 2019**

# PART TWO

## The Legal Department

### NATURE OF COMPLETED COMMISSION'S REPORTS

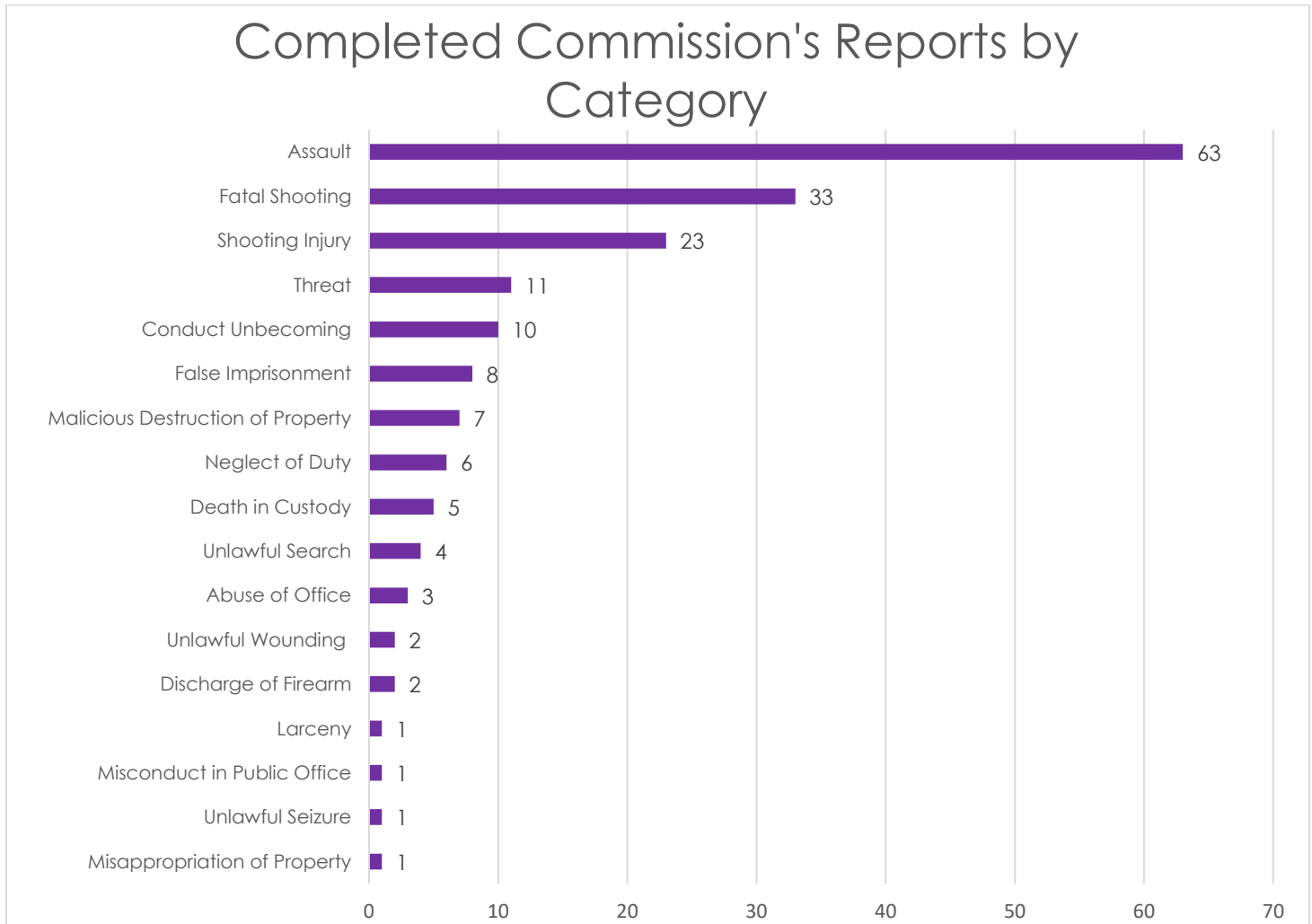


Figure 6: The above graph shows the category of complaints for the Commission's Reports completed during the period of April - June 2019

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

Charge		Disciplinary Action		Unsubstantiated
0 cases	0 officers	6 cases	14 officers	159 cases

Table 2: The above table shows the recommendations made for Commission's Reports completed for the period of April - June 2019

## **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 2019**

<b>No.</b>	<b>Complainant/Victim</b>	<b>Case Summary</b>	<b>Recommendation</b>
1.	Brian Pearce	<p>On Wednesday, April 10, 2013 at about 4:15 a.m. the police went to Capture Land, Parry Town, St. Ann in search of a man known as "Streetlight" who was wanted for questioning in relation to a case of shooting which occurred on Monday the 8th April 2013 in the Parry Town area, St. Ann. Upon the arrival of the police at the premises they cordoned the one apartment unfinished house occupied by "Streetlight" and announced their arrival during which two men ran from the said house firing in the direction of the police. The police took evasive action and returned the fire. During the exchange of fire "Streetlight" fell to the ground and a firearm fell from his grip. This firearm was retrieved by his crony who continued firing and made good his escape in nearby bushes. "Streetlight" was rushed to the St. Ann's Bay Hospital where he was pronounced dead. The body was removed to the St. Michael's Funeral Home waiting post mortem. The scene was processed by TSD Area 2 and INDECOM. A total of nineteen (19) assorted rounds were found in the said house which included five (5) .38 spl, five (5) twelve gage and nine (9) 5.56 cartridges. One world speed shooting champions semi-automatic combat .44 magnum imitation firearm as also a quantity of ganja seeds also taken from this house. Detective Sergeant said he fired two (2) rounds, Detective Corporal fired three (3) rounds, and Constable fired two (2) rounds all from their glock pistols while Constable said he fired two (2) rounds from his M16 rifle.</p>	<p>The Commission respectfully recommends that no criminal charges be laid or disciplinary action be taken in relation to the fatal shooting of Brian Pearce. The file be forwarded to the Special Coroner.</p>
2.	Dushane Grayson	<p>Dushane Grayson was in custody at the Savanna-la-Mar lock up on charges of robbery. He along with several inmates escaped during a cell break some weeks prior to him being shot and killed by the police. On Monday, July 20, 2015 an operation led by Supt. to include W/Insp. Black shift commander and 16 other ranks went to Prospect District, Westmoreland to capture persons who had escaped from Savanna la Mar Lock up. The group were split in two and deployed at two different locations in Prospect District, Westmoreland. The police allege that Sgt. and Cons. approached a two room board constructed house. The door was opened and they entered. Cons. who was in front saw Dushane Grayson pointing a gun in his direction. Cons. instructed Dushane Grayson to drop the gun. Instead, Dushane Grayson fired in his direction. Cons. fired three shots from his M16 rifle in the direction of Dushane Grayson. Dushane Grayson ran through a back door. Both officers heard two shots fired outside where Dushane Grayson ran. The officers went outside after the shooting subsided. They saw Dushane Grayson lying face down suffering from gunshot wounds. He was taken to Savanna la Mar 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 Dushane Grayson. The file be forwarded to the Special Coroner.</p>

<p><b>3.</b></p>	<p>Jeffrey Brown &amp; William Alexander Wallace</p>	<p>On Saturday, September 7, 2013 at about 1 a.m. Cpl. and six others were on operation when they received information that a stolen motor vehicle was in bushes in Amity Hall District and they drove to the district. The police team parked the service vehicle at a point and proceeded on foot. About 1 a.m. during the operation the team came to a bushy area and heard voices. Lights were shone in the direction of the voices and a group of men were seen. The police called out to the men who immediately opened gunfire at the police who returned fire. The men ran in different directions while firing at the police. The gunfire ceased and a search of the area was conducted and two men were found suffering from gunshot wounds one of whom was clutching a .38 revolver. A further search of the area was conducted and a white Toyota coaster bus was seen and also a body of a male person in a decomposed state was discovered some distance away from the scene of the shooting. Both men were subsequently rushed to the Spanish Town Hospital, where they were pronounced dead at 1:30 a.m. The bodies were transported to the Funeral Home for storage pending post mortem examination.</p>	<p>The Commission respectfully recommends that no criminal charges be laid or disciplinary action be taken in relation to the fatal shooting of William Alexander Wallace and Jeffrey Anthony Brown. The file be forwarded to the Special Coroner.</p>
<p><b>4.</b></p>	<p>Kamall Lonbridge</p>	<p>On Friday April 4, 2014 sometime after 5:30 a.m. a joint police operation was conducted with officers from Hunts Bay Police Station, Area 4 Delta Team and Central Police Station. Acting on information, they went to premises at Regent Street in search of a wanted man. The officers were placed at different sections of the premises and two (2) officers went to a particular house where they reported that they were fired on by a man and the gunfire was returned by Cons. The injured man was rushed to KPH where he was pronounced dead. He was identified as Kamall Longbridge o/c "Sleepy, o/c Derrick Lee, 25 years old of a Maxfield Avenue address. A Ruger 9mm pistol with three live rounds, serial number erased was recovered from the deceased.</p>	<p>The Commission respectfully recommends that no criminal charges be laid or disciplinary action be taken in relation to the fatal shooting of Kamall Longbridge. The file be forwarded to the Special Coroner.</p>
<p><b>5.</b></p>	<p>Anthony Stern</p>	<p>On Tuesday, February 5, 2013 at about 4:20 am a team of Police officers from the Kingston Western Division and Area 4 Delta Operations under the powers of a search warrant entered premises Alexander Street, CSO occupied by Anthony Stern o/c Mashe in search of illegal firearms and ammunitions. The breach team allegedly came under fire after knocking on the door and shouting "Police". Cons. entered the house and a man fired at them. He returned fire and the man fell. He was later pronounced dead at the Kingston Public Hospital. A Smith &amp; Wesson semi-automatic pistol with erased serial number containing five 9mm rounds was recovered. A search of the house revealed 32 assorted rounds of ammunition.</p>	<p>The Commission respectfully recommends that no criminal charges be laid or disciplinary action be taken in relation to the fatal shooting of Anthony Stern. The file be forwarded to the Special Coroner.</p>
<p><b>6.</b></p>	<p>Carl Swaby</p>	<p>On Tuesday, September 6, 2011 at about 4 p.m. the police acting on information went to a premises in the Spring Village area when they accosted two men who pulled firearms from their waistbands and opened gunfire at the police party, who returned the gunfire at the men who ran to the rear of the premises. A search was subsequently made of the area and one (1) of the men was found suffering from gunshot wounds and</p>	<p>The Commission respectfully recommends that no criminal charges be laid or disciplinary action be taken in relation to the fatal shooting of Carl Swaby. The file be</p>



		one 9mm Beretta pistol bearing serial number along with three (3) live 9mm cartridges was found beside him. He was subsequently taken to the Spanish Town Hospital where he was pronounced dead. The body was then transported to the Funeral Home to await post mortem examination.	forwarded to the Special Coroner.
7.	Adrian Donalds & Shane Thomas	Allegations are that, on the 14th July, 2016 two men, Adrian Donalds o/c "Rainy" and Shane Thomas were shot and killed by a team of police officers along the Hope Bay Main road after they allegedly engaged the police with gunfire. The duo is said to have been involved in numerous criminal activities in the Portland police area to include multiple acts of rape, shootings and murder. The police reported that they received information that the men were traveling along the road when they were intercepted. On 14th July, 2016, the Commission commenced its investigation into the fatal shooting incident of both men. In conclusion the Commission on March, 2019 caused a Commission's Report to be prepared.	The Commission humbly recommends that the fatal shooting of Adrian Donalds and Shane Thomas be referred to the Special Coroner for a determination as to whether an inquest will be held.
8.	Schawal Lawrence	The police reported that they were acting on information when they went to premises Waltham Park Road and as they alighted from the vehicle, they were fired on by a group of men armed with guns. The also reported that they returned the gunfire and went in pursuit of two of the men who continued firing at the police. They again returned the fire and one of the men was shot and injured. They further reported that a .380 pistol was taken from the injured who was later pronounced dead at hospital. The sole eye-witness claimed that the deceased and he were victims of a drive-by shooting at a time when they were no threat to anyone. The completion of the Commission's investigation has been retarded by the inability of the JCF to account for an exhibit and the intransigence of the eye-witness and his family to assist the investigation. The Commission humbly recommends that disciplinary action be taken against Detective Corporal for his inability to account for the exhibits.	The Commission humbly recommends that the death of Schawal Lawrence be referred to the Special Coroner; and disciplinary proceedings be brought against Detective Corporal for breaches of paragraph 7.6 Book of Rules and Force Order 3270 (2010- 02-04).
9.	Mark Clarke	On November 27, 2013, at about 8:00 a.m., Mark Clarke was fatally shot inside premises at Watson Avenue, Swallowfield in St. Andrew. It is reported that police officers from the St. Andrew Central OST were on patrol in the area when they accosted 4 men standing inside a yard, and the men immediately pulled firearms from their waistbands and opened fire at the police. The police returned fire and one of the gunmen was hit and fell to the ground while the others ran off in different directions. A 'Ruger' .45 ACP/Auto pistol was recovered from the injured gunman who was then rushed to the Kingston Public 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 Mark Clarke.
10.	Clive Samuels	On July 2, 2016, at about 6:30 p.m., Clive Samuels was shot by police officers from the St. Catherine North Proactive Investigations Unit after the said Samuels and his cronies engaged the police in a shootout along Magazine Lane in Bog Walk, St. Catherine. A firearm was recovered from Samuels at the scene after which he was rushed to the Linstead Hospital for treatment. He died while undergoing treatment.	The Commission respectfully recommends that no criminal charges be laid or disciplinary action be taken, in relation to the fatal shooting of Clive Samuels.

11.	Sylvester Gallimore	On May 5, 2011, at about midday, Sylvester Gallimore o/c 'Nasive' was shot and killed at Cayman Grocery Store along the Havannah Heights Main Road in Clarendon. According to the eyewitness, Gallimore was sitting on a stone at the storefront when police officers alighted from a parked motor car, walked up to Gallimore and immediately shot him. Gallimore fell from the stone and the officers dragged him to an area of gravel in front of the shop and shot him again. Gallimore was unarmed when he was shot and killed by the police. The police then placed Gallimore in the back of their motor car and drove away from the scene.	The Commission respectfully recommends that officers be charged for murder relative to the fatal shooting of Sylvester Gallimore.
12.	Omar Jackson	On December 15, 2013, at about 5:00 a.m., Omar Jackson o/c 'Ommie' was shot and killed in the New Ramble community of St. James by members of the Mobile Reserve and St. James Police Divisions during a planned operation to search for wanted men, illegal guns and ammunition, and drugs. It is reported that the now deceased Jackson opened fire on the police who returned fire in self-defence. An 'FEG' 9mm pistol (s/n partially erased) was recovered from the deceased Jackson at the scene after the shooting.	The Commission respectfully recommends that no criminal charges be laid or disciplinary action be taken, in relation to the fatal shooting of Omar Jackson.
13.	Orville Buckett and Garnett Pinnock	On March 3, 2013, at about 3:00 a.m., Orville Buckett and Garrett Pinnock were shot and killed along Upper Rose Lane in the Hannah Town area during an alleged shootout with the police.	The Commission respectfully recommends that no criminal charges be laid or disciplinary action be taken, in relation to the Orville Buckett and Garrett Pinnock.
14.	Nicholas Mitchell, Orlando Cormack and Dennisen Greene	On February 8, 2013, sometime after 4:00 p.m., Nicholas Mitchell, Orlando Cormack, and Dennisen Greene were shot and killed by police at Mitchell's home in the Gulf community of Norwood, St. James, during a special cordon and search operation in search of wanted men and illegal guns. It is reported that on entering the target premises, the 3 men engaged the police in a shootout and the police returned fire hitting them. Two illegal firearms – a 'Taurus' 9mm pistol and 'Intratec' 9mm pistol – were recovered from the men.	The Commission respectfully recommends that no criminal charges be laid or disciplinary action be taken in relation to the fatal shooting of Nicholas Mitchell, Orlando Cormack, and Dennisen Greene.
15.	Hank Hope	On February 3, 2012, at about 5:30 a.m., Hank Hope was shot and killed by police at his residence at Upper Oxford Street in Kingston. The police report that during that fateful operation, they approached the residence and knocked on the front door and were almost immediately confronted by Hope who began shooting at them. The police returned fire at Hope killing him.	The Commission respectfully recommends that no criminal charges be laid or disciplinary action be taken, in relation to the fatal shooting of Hank Hope.
16.	Everton Wright	The deceased was fatally shot by the police on December 15, 2012. They allege that the deceased had pointed a firearm at Constable in the vicinity of Dalling Street that night after his accompanied, the wanted man "P", jumped from a bicycle on which they were both riding, and made good his escape in nearby bushes. The witnesses are saying that the deceased was riding home and the motor car in which the Constables were travelling has passed him as he was riding. They turned around, and, as they approached him, he was hit and shot. The deceased was seen hopping to the car on one foot; the witnesses	The Commission hereby recommends that no criminal charges 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 ought to be held.

		presuming that he had been shot in the foot. The deceased was last seen alive with the police officers.	
17.	Adrian Knight o/c Rice Bag	The deceased, Adrian Knight was shot and killed on February 9, 2014 at a home in Four Miles, Lambs River, in the parish of Westmoreland. The evidence uncovered by investigation indicates that the police were in pursuit of Knight who went onto the roof of Mr. M and illegally gained access to the said home by removing a portion of zinc roofing. He was found by the police in the kitchen area of the home where he pointed a firearm at them. In fear for his life, Constable discharged three (3) rounds from his M16 rifle, killing Knight. The evidence is not sufficient to afford the Crown an ability to disprove the police claim to self-defence at a criminal trial.	The Commission hereby recommends that no criminal charges nor disciplinary action be taken in respect of this fatality. The Commission further recommends that this matter be forwarded to the Special Coroner for him to decide whether an inquest ought to be held.
18.	Elvis Nicholson	On January 7, 2011, at about 9:40 p.m., Elvis Nicholson was shot and killed by police officers from the Area 4 Police Headquarters during a special police operation in the Brook Valley community of Duhaney Park, Kingston 20. Whilst on duty at the location, the police came upon a group of men who pulled firearms from their waistbands and fired on the police. The police returned fire and, after the shooting subsided, Mr. Nicholson was found suffering from gunshot injuries, with a firearm beside his body. The firearm was recovered and he was rushed to the Kingston Public 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 Elvis Nicholson.
19.	Neco Nesbeth, Dwayne Nesbeth & Gregory Whitter	On Friday 10th February 2012 at about 5:30 a.m. a team of police officers acting on information went to Rosevale Drive, Rosevale Housing Scheme, St. James in search of wanted men and illegal firearms. The police knocked on a back door, they were then greeted by gunfire coming through the back door. The police returned the fire and a woman ran from the house through the front door. The police then entered the house through the same door where they were greeted by gunfire again. Police returned the fire when the shooting subsided three men were found suffering from gunshots wounds to the upper body and two firearms were recovered from them. All three injured men were rushed to the Cornwall Regional Hospital where they were pronounced dead and the bodies later transported to the Maddens Funeral Home awaiting post mortem examination.	The Commission respectfully recommends that no criminal charges be laid or disciplinary action be taken in relation to the fatal shooting of Nico Nesbeth, Dwayne Nesbeth, and Gregory Whitter. The file be forwarded to the Special Coroner.
20.	Ransford Meikle	On Friday, October 5, 2012 at about 5:40 a.m. officers who were on operation at Gordon Crescent, Granville in search of wanted men, firearm and ammunition went to the premises of a man named Ransford Meikle o/c Digicel. On arrival at the house which was at the rear of the premises a man was seen fitting the description of Meikle standing in the doorway with a handgun in his hand. The police ordered the man to drop the gun and the man pointed the gun at the police and fired one shot in their direction and ran into the house, the police gave chase into the house, a man of fair complexion was seen on a bed, and on seeing the police ran under the bed while the other man ran into the back room of the house. Officers ran into the room and the man pointed a gun at the police he was ordered to drop the gun and he refused. The	The Commission respectfully recommends that no criminal charges be laid or disciplinary action be taken in relation to the fatal shooting of Ransford Meikle. The file be forwarded to the Special Coroner.

		police fired in his direction. He fell and was seen suffering from gunshot wounds to the chest, abdomen and left hand. One. 45 Springfield pistol containing magazine with four rounds was recovered from him. The man was rushed to the Cornwall Regional Hospital where he was pronounced dead.	
21.	Christopher Henry	The deceased, Christopher Henry was shot and killed at his home in Capture Land, Parry Town in the parish of Saint Ann on the morning of the 13th day of January, 2012. The police's claim is that the death was occasioned in self-defence. The Commission's investigation of the matter yielded no evidence to the contrary as regards the police's claim.	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 a decision to be made as to whether an inquest ought to be held.
22.	Quincy Frater	The deceased, Quincy Frater, was shot and killed at his home in Ocho Rios, St. Ann on January 29, 2018 in circumstances alleged by the police to have amounted to self-defence. Having assessed the nature and quality of the evidence, the Commission has found that self-defence could not be negated beyond reasonable doubt by the Crown if a prosecution were to ensue.	"The Commission hereby recommends that no criminal charges be laid nor disciplinary action be taken. The Commission further recommends that this matter be forwarded to the Special Coroner for him to decide whether an inquest ought to be held in this matter.
23.	Romario Walker	On Tuesday, December 25, 2012 at about 5 a.m. a joint police military operation was on an operation in the Arnette Gardens area, when two of the officers approached a one bedroom board house at premises number 27 Fourth Street, Kingston 12, knocked on the door and shouted police. The door was forced open and the officers were greeted by gunfire. The gunfire was returned and the now deceased was hit in the chest whilst sitting on a bed, clutching a firearm that was taken from him. He was rushed to the Kingston Public Hospital 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 Romario Walker. b) The file be forwarded to the Special Coroner.
24.	Malcolm Kerr	On Tuesday, September 29, 2015 a police team was on patrol in the Burnt Savannah area and was randomly stopping vehicles. Whilst checking a dark colored Honda a white vehicle was noticed reversing in the distance. This vehicle was pursued and it reversed onto an alley and men exited and opened fire at the police, the police returned the fire and one man was found suffering from gunshot wounds with a Thompson sub machine gun beside him. He was taken to Black River Hospital and 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 Malcolm Kerr. b) The file be forwarded to the Special Coroner.
25.	Kamar Thomas & Everton Miller	On Tuesday, August 23, 2011 in Free Town Clarendon there was a robbery at the Stewart's Hardware outlet in Longville Park Plaza in Clarendon where two (2) employees were shot and injured. They received reports that suspects in the shooting had escaped in bushes behind the plaza. While searching in the bushes behind the National Water Commission pump house along the Free Town Main Road they saw a group of six (6) men who pointed guns in their direction and	The Commission respectfully recommends that: no criminal charges be laid or disciplinary action be taken in relation to the fatal shooting of Kamar Thomas and Everton Miller. The file be forwarded to the Special Coroner.

		opened fire. The fire was returned which resulted in the injury of two (2) men – Mr. Kemar Thomas and Mr. Everton Miller of Free Town, Clarendon. The men were pronounced dead at the May Pen Hospital. A 9mm pistol with a magazine and three (3) rounds were reportedly recovered at the scene.	
26.	Dwayne James	On Friday, September 2, 2011 at about 4:00 p.m. officers stated that they commenced mobile patrol duties in an unmarked service vehicle. They were dressed in plain clothes and ballistic vest marked police. They stated that at about 7:20 p.m. they saw three suspicious looking men with bulges in their waistbands in the vicinity of AutoZone Carwash along Market Street in Montego Bay. All three men ran upon seeing them. The Officers said they pursued the men while shouting "Police" but neither of them stopped. The men then ran in different directions between Hopewell lane and Warpole Lane. As a result they stopped the vehicle and both two Constables pursued the men on foot. They said while doing so they solicited the assistance of some young men who were in the lane. However, one of these men which they held began fighting them. The officers reportedly then observed this man pulled his firearm and fired at JH, RK, and MJ and was about to fire at other persons in the street. Constables said they took evasive actions and one Constable returned fire in the man's direction. He was later found dead clutching a .38 revolver.	The Commission respectfully recommends that no criminal charges be laid or disciplinary action be taken in relation to the fatal shooting of Dwayne James. The concerned officers should be commended for their bravery. The file be forwarded to the Special Coroner.
27.	Duvar Johnson	On Thursday, October 4, 2012 at about 5:10 a.m. at Salt Avenue, Mineral Heights, Clarendon a team of police party acting on information went to the above mentioned premises in search of wanted men and guns. On reaching the premises, the police surrounded a six (6) bedroom concrete grided structure house and they shouted "police" and ordered the occupants to open the grill. One Mr. FM, watchman, opened the grill to the front verandah. Other police were at the rear of the premises. Mr. M stepped outside and shortly after a man was seen coming through the front door with a gun in his hand pointing in the direction of the police. The police shouted out to the man and he opened gunfire in the direction of the police. Officers took evasive action and returned fire in the man's direction who fell to the ground at the entrance to the verandah. The police retrieved one .380 pistol with a magazine containing two (2) live .380 rounds. He was rushed to the May Pen Hospital where he was pronounced dead. During the shooting Det. Sgt. discharged four (4) rounds and Cons. discharged one (1) round.	The Commission respectfully recommends that: no criminal charges be laid or disciplinary action be taken in relation to the fatal shooting of Duvar Johnson. The file be forwarded to the Special Coroner.
28.	Dianne Gordon	On Friday, March 16, 2012 Dianne Gordon, a 45 years old Office Attendant of Constant Spring Road, Kingston 8 was fatally shot whilst at her home. The case is a particularly sad one as it uncontested that she was an innocent victim of either the criminal actions of gunmen or of policemen. Sometime after 1:00 am police personnel from the Constant Spring Police Station went to Constant Spring Road, Kingston 8, popularly known as Cassava Piece in response to reports that armed men were in the area. On the	The Commission humbly recommends that the matter be of the death of Ms. Dianne Gordon be referred to the Special Coroner.

		<p>arrival of the police a shooting incident ensued, on the police version, between the police and armed men. When the shooting subsided it was discovered that Dianne Gordon was suffering from multiple gunshot injuries as she lay on the ground in her yard near to the gate. She was rushed to the Kingston Public Hospital (KPH) where she was pronounced dead. The civilian version of the events denies that there were any gunmen trading fire with the police. This version is supported by the fact that the ballistic material recovered, and the scene reconstruction, point to the police as being solely responsible for the gunfire. Indeed, one of the men against whom charges were brought for shooting at the police was acquitted. On the other hand, the pathologist's report claims that the deceased was shot at close range by someone who must have been inside the yard with her. No version of the event has a police officer in the yard during the encounter. The pathologist's opinion in this regard is disputed by the international forensic expert retained by the Commission. He opines that the injuries to the body are consistent with firing through the zinc fence that enclosed the deceased's yard. The completion of the investigation has been delayed by seeking to resolve the contradictory reports of the experts by way of an opinion from another pathologist. So far the attempts to get such an opinion has proven futile. Further, even if it is shown that the deceased was killed by a police officer it is not possible to determine which of the officers was responsible.</p>	
29.	Oneko Webb	<p>On Sunday, 2011.06.05 at about 6:00 p.m. Oneko Webb otherwise called "Bull Bull" 26 years old, fisherman of Terminal Road, Old Harbour Bay, St. Catherine was fatally shot by the police whilst he was in the company of a man known as WL who allegedly opened fire at the police. One .38 Taurus revolver bearing with one (1) live round and five (5) spent casings were reportedly recovered. A Cons. ,a member of the police party, received a gunshot wound to his left leg.</p>	<p>The Commission humbly recommends that the matter be referred to the Special Coroner to determine whether an inquiry ought to be held.</p>
30.	Odainie Wilson	<p>Reports are that on Monday November 21, 2016 about 12:55 p.m. Woman Detective Corporal went to conduct business at an Internet Cafe located on Coles Plaza in Santa Cruz, St. Elizabeth. She left the store followed by a young man who she observed placing something in his waistband. She identified herself as a police officer and accosted him. He pulled a ratchet knife from his waist and flashed it open. She stepped back and he tried to pass her but she held him in the back of his waistband. She then took him inside a clothes store where a struggle developed between them. While they were struggling she had her service firearm in her right hand. During the struggle she heard a loud explosion and he fell to the floor. He was rushed to the Black River Hospital where he was pronounced dead at 1:50 p.m.</p>	<p>"The Commission recommends that no criminal charges be laid or any disciplinary action be taken in relation to this matter. The Commission further recommend that the matter of the death of Odaine Wilson, be referred to the Special Coroner to decide if an inquest ought to be held.</p>
31.	Oshane Thompson	<p>At about 5:00 a.m. on November 10, 2012, police officers from the Clarendon OST and Street Crime Unit went to premises off Nelson Street in May Pen on a cordon and search operation in search of wanted men</p>	<p>The Commission respectfully recommends that no criminal charges be laid or disciplinary action</p>

		and illegal guns. During that police activity, Oshane Thompson was shot and killed. The police reported that Thompson ran out of a house on the premises with a firearm in his hand which he pointed at Cons. and, in turn, Cons. fired on Thompson in lawful self-defence.	be taken relative to the fatal shooting of Oshane Thompson.
32.	Jeffery Bailey	On January 5, 2012, at about 5:20 a.m., members of the Area 4 Special Operations Unit, went to premises along Regent Street in the Kingston 14 area on a special operation in search of wanted men and illegal firearms. During that police activity, Jeffery Bailey was fatally shot. It is reported that upon arrival at the location, Cpl. entered the target house and was immediately fired on by 2 men inside the house. Cpl. immediately returned fire at these men who then ran through a rear door. After the shooting ended, one of the men was found clutching a firearm and suffering from gunshot injuries. The firearm, a 'Taurus' .380 semi-automatic pistol was recovered and the injured man rushed to the KPH where he was pronounced dead.	The Commission respectfully recommends that no criminal charges be laid or disciplinary action be taken relative to the fatal shooting of Jeffery Bailey.
33.	Sashon Hibbert	On April 1, 2012, at about 5:30 a.m., police officers from the Olympic Gardens and Hunts Bay Police Stations went on enquiries at a construction site at Henley Road, Kingston 11 in St. Andrew based on information received that men were seen there with high-powered weapons. It is reported that during that police activity, the police came under heavy gunfire from 4 men who were seen on the property. The police returned fire at these men. Three (3) of the men managed to escape through neighbouring premises while the fourth was found lying on the ground suffering from apparent gunshot injuries after the shooting subsided. A firearm was recovered from the injured gunman and 2 other firearms were recovered from an area near to where the 3 men had run to escape. The injured man was rushed to the Kingston Public Hospital (KPH) where he was pronounced dead on arrival. The deceased was subsequently identified as Sashon Hibbert.	The Commission respectfully recommends that no criminal charges be laid or disciplinary action be taken relative to the fatal shooting of Sashon Hibbert.

**ARRESTS MADE/CHARGES LAID (APRIL - JUNE 2019)**

Name and Rank	Charge	Date of Arrest	State Agency
Cons. Junior Hayles	Attempting to Pervert the Course of Justice	26-Apr-19	JCF
Cons. Kirk Frazer	Murder Illegal Possession of Ammunition Shooting with Intent Manslaughter	17-May-19	JCF
Cpl. Rhamone Scott	Murder Illegal Possession of Firearm Illegal Possession of Ammunition Shooting with Intent Manslaughter	17-May-19	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 2019.**

## PART THREE

- **Meeting: Security Forces & INDECOM**

In the 2<sup>nd</sup> quarter of 2019, INDECOM's Senior Management had one (1) meeting with members of the JCF High Command. The following matters were discussed:

- ID parades
- Scene Preservation Protocols
- Section 21 notices

- **Outreach: Awareness Exercises**

Unit/Division/Station	Group Size	Contact hours
Ridgemount United Church	60	6
Rio Cobre Juvenile Correctional Centre	36	6
Black River Police HQ	34	4

- **Press Releases**

For the 2<sup>nd</sup> quarter of 2019, the Public Relations Unit issued 19 press releases.



# INDECOM OFFICES

## Head Office

1 Dumfries Road  
Kingston 10  
Telephone: 968.1932 / 968.8875  
920.2324. Fax: 908.0403

## Interview Centre

9 Dumfries Road  
Kingston 10

## Central Regional Office

1 A Brumalia Road  
Cobblestone Professional Centre - Unit 10  
Mandeville, Manchester  
Telephone: 961.1542 / 961.4171  
Fax: 962.3419

## Western Regional Office

Praise Concourse Plaza  
18 Queens Drive,  
Montego Bay, St. James  
Telephone: 940.2310  
Fax: 940.2310

Email us: [info@indecocom.gov.jm](mailto:info@indecocom.gov.jm)

Website: [www.indecocom.gov.jm](http://www.indecocom.gov.jm)

## Incident and Tip Lines

(F)1.888.991.5555

Whatsapp

(876) 553 - 5555

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