

COMMISSION'

No.	Category	Complainant/Victim
1	Shooting Injury	BP
2	Assault	KA
		LC
3	Assault	BL
	Harassment	
	Conduct unbecoming	
4	Assault	MS

5	Fatal Shooting	David Whyte
6	Fatal Shooting	Albert Rose
7	Assault	RM

8	Fatal Shooting	Kevin Brown
9	Assault Discharge of Firearm	MR
10	Fatal Shooting	Dean Meggo
11	Fatal Shooting	Mark Findley

12	Fatal Shooting	Eldene Whyte
13	Fatal Shooting	Dwayne Henry
14	Shooting Injury	KC
15	Fatal Shooting	Leonardo Mitchell

16	Death in Custody	Clive Cousins
17	Unlawful Wounding	GW
18	Malicious Destruction of Property	SG
19	Assault	VG

20	Shooting Injury	DR
21	Assault	DT

22	Shooting Injury	MF
23	Shooting Injury	LJ

24	Larceny	MG
25	False Imprisonment	MT obo CT

26	Larceny	JO
27	Assault	RC obo MT

28	False Imprisonment	RJ
29	Assault	EP
30	Fatal Shooting	Kwesi Brown and Shawn Thinker

31	Assault	VB
32	Conduct unbecoming	TH
33	Assault	NB
34	Malicious Destruction of Property	RS

35	Neglect of Duty	IG
36	Shooting Injury	SB
37	Threat	TB
38	Assault	NC
39	Abuse of Office	PB obo MB
40	Unlawful Search	KM
41	Assault	AD
42	Assault	KB

43	Assault	SB
44	Assault	LT
45	Harassment Fasle Imprisonment	DH
46	Shooting Injury	OF

47	Fatal Shooting	Floyd Edwards
48	Assault	RR
49	Misappropriation of Property	MM
50	Threat False Imprisonment	RC

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Case Summary

On September 18, 2013, at approximately 11:40 p.m., he was riding a bicycle. He rode through the Golden Acres, Spanish Town, Saint Catherine and saw three men. One man ran towards him with a hand underneath a shirt. Mr. BP ran and jumped over a fence. He ran alongside the side of a house and then went to the back of the house. He then heard about three to four gunshots. His eyes got **"dark"** and he saw **"twinkly stars"** but he continued to run. He left this premises and went to seek refuge at his cousin, DB's house. At that point, Mr. BP realized that he was shot. He called out to DB, **"D, D, some bwoy shot me"**. DB enquired who was speaking and the complainant identified himself. During the complainant's flee, he lost one of his slippers. DB then went outside to the complainant. The complainant again explained to DB that he had been shot by **"some bwoy"** and that he (the complainant) needed to go to the hospital.

The 1st complainant, **KA** otherwise called, **"Brownman"** alleges that on April 19, 2016, sometime after 10:00 a.m., he was assaulted by a police officer in the shower at the Horizon Remand Centre. KA sustained a wound to his head and was unconscious for approximately two seconds as a result of the incident.

The 2nd complainant, **LC** otherwise called **"Blinky"** states that when he was filling his jug with water, a man known to him as **"Q"** pushed away his hand. LC left with his jug and did not say anything to Q, however, outside of the showering room, Q hit him in the face. They began to fight. A police officer ran towards LC and beat LC. The officer tried to hit LC in the head with a baton but LC blocked this hit with his left hand which started to bleed. The officer hit LC in the upper right area of his (LC) chest and mouth. LC lost teeth as a result of the beating. LC's mouth bled.

On Monday, June 22, 2015, the Complainant, **BL**, was shopping in Montego Bay when he was approached by Officer J who requested a search. Officer J's request was made using expletives. The Complainant further alleges that after the search, the officer used the back of his hand and hit him in the chest three times. This incident was not the Complainant's first encounter with Officer J. The Complainant reports that the repeated incidents with this officer has made him fearful.

The complainant **MS** stated that on Monday June 24, 2019 about 3:25 p.m. he was walking in the water pass Iberostar beach to give his brother his vehicle keys. A security officer who he knows is also a police officer told him to walk on the road to go across but he continued walking. After he gave his brother the keys, another male security who he knew is also a police officer called him and he went. The officer then told MS that his friend wants him for questioning and he should wait. MSm waited for a bit before walking away saying that he knows he is not wanted and they had mistaken him for another person. MS walked to the Craft Market on the Fisherman's Beach when he felt someone grabbed and pulled his locks; it was the same officer who had been walking behind him on his phone. He said that both of them started to and he pushed the officer in his chest. A crowd then surrounded them and the officer pointed his short gun at the crowd. MS said he walked away at this point and a police vehicle came for the offic to the Commission within fifteen (15) days of their completion.

It is also recommended that the Solicitor General be advised of the Commission's finding that a prima facie case exists that Mr. CT was falsely imprisoned having been detained for a prolong

On Saturday, January 6, 2018 at about 10:30 a.m. District Constable D of St. Thomas Operational Support Team armed who was off duty went to a premises at Spring Gardens West Albion, Yallahs, St. Thomas in the company of RW where they were standing and talking when now deceased, Dave Whyte, brother of RW, came from the side of a house armed with a piece of wood in his hand. He then advanced towards the police officer and his brother. He then attacked his brother, RW with the said piece of board. District Constable was to push RW out of the way to avoid being hit. The deceased then draped Dist. Cons. and started to punch and kick him. A tussle developed at which time both men fell to the ground. Dist. Cons. in his defense, punched the deceased in his abdomen and mouth resulting in him releasing Dist. Cons. Deceased then ran into the house and returned with a machete in his hand and again attacked Dist. Cons. who identified himself and commanded him to drop the machete. He failed to comply with his instruction.

e sufficient evidence to proceed.

Considering Mr. JO failed to make himself available, he seems unwilling to proceed with the complaint. Accordingly this matter was closed as withdrawn.

ur (4) police officers.

On Friday, November 6, 2015 at about 4:00 a.m. a team of police officers were on operation in Mount Pleasant District, Hanover. The team of six officers went to the dwelling of Albert Rose who is said to be in possession of an illegal firearm. The officers are said to have gone with a search warrant. The officers cordoned the house, four at the front and two at the back and shouted 'Police' and told the occupants to open the door. The front door was opened and a female exited. Shortly after the back door was opened and Albert Rose was seen exiting the house with a pistol in his hand, which he pointed at Corporal L and fired three shots. Corporal C who was standing close to the back door of the dwelling fired three shots at Mr. Rose who fell clutching a .45 pistol. Mr. Rose was subsequently taken to the Noel Holmes Hospital in Hanover where he succumbed to his injuries. A further search of the dwelling revealed seven .44 Remmag rounds, found in a Guinness Stout bottle.

The Complainant, RM stated that he was walking along Luke Lane with his friend when he saw two police officers who were known to him before that date, standing casually along the road and drinking alcoholic beverage. He then said that whilst passing them, they held on to him and began to beat him. He further stated that one of the police use a pick-axe stick and continue to beat him causing injury to his face, arm and back. After he released, he reported the matter to Kingston Central Police, then sought medical attention at the KPH.

On Thursday, June 2, 2011 at about 11 a.m. the deceased, Kevin Brown was fatally shot by police officers from the Montego Bay Area 1 Operation Support Team at the Brandon Hill National Water Commission Pump House, after it is alleged that he attacked one of the officers with a machete. At the time the police officers were acting upon information that the deceased Kevin Brown forcefully took one TE to the pump house at Brandon Hill, Montego Bay, St, James where he attempted to rape her. The now deceased was taken to the Cornwall Regional Hospital where he was pronounced dead by the Doctor on duty. One machete, one 9mm cartridge and one J-56 cartridge were recovered on the scene.

On Monday November 24, 2014 about 5:30 p.m. the complainant MR noticed that the police was mounting a road block at his gate. Shortly after a man who the police was talking to ran through his yard and escaped from them. One of the police man took out his firearm and discharged a shot in the air. The police went in search of the man and returned shortly. He was beaten all over his body and then taken to the Junction Police Station and charged for assaulting police and resisting arrest.

On September 27, 2012, at about midday, Dean Meggo was fatally shot by Detective Corporal of the Morgan's Bridge Police Station in Westmoreland. The concerned officer received certain information from two complainants relative to a case of robbery with aggravation and shooting with intent. He subsequently received additional information that the suspect in those cases was travelling in a taxi headed in the direction of Grange Hill. The concerned officer left the station and went out to the main road in front of the station with the aim of intercepting the taxi. Detective Corporal saw a taxi fitting the description he was given and signaled it to stop. Suddenly, a man alighted from the taxi with a gun in his hand and ran off down a lane beside the station. Detective Corporal gave chase and the gunman opened fire in his direction. Detective Corporal returned fire in the gunman's direction. The gunman was subsequently found lying in bushes on an open lot, apparently injured. He was rushed to hospital where he wa

On March 9, 2017, at about 11:30 a.m., Mark Findley o/c 'Babie' or 'Ba-Bye' was shot and killed along Crane Road in Black River, St. Elizabeth during a police operation. The concerned officers report that on the day in question, they received information from DSP – Operations Officer for the St. Elizabeth Division – that 'Ba-Bye', a person of interest for the St. Elizabeth police, was travelling in a motor car leaving the Mountainside area, heading to Black River. The concerned officers then went out on mobile patrol and intercepted the vehicle in which 'Ba-Bye' was travelling along Crane Road in Black River. 'Ba-Bye' jumped from the car, opened fire at the police and leapt over a nearby wall and ran away. The police returned fire in 'Ba-Bye's' direction and gave chase. 'Ba-Bye' was shot and injured and rushed to the Black River Hospital where he was pronounced dead.

On September 6, 2012, Eldene Whyte was fatally shot by Det./Cpl. along Barnett Street, Montego Bay in St. James. It is reported that sometime after 6:30 p.m., the concerned officer was on foot patrol duty in the town of Montego Bay, St. James when he received certain information regarding a suspected robber who was believed to be hiding in bushes on the "Old Fire Station" compound, in the vicinity of Howard Cooke Boulevard and Barnett Street. He proceeded on foot to the reported location with a view to apprehending the suspect. He was walking slowly and tactically through the open lot when he saw a man stooping with a handbag in one hand and a knife in the other. He identified himself as a police officer and instructed the man to drop the weapon, however, the man advanced towards him with the knife in a stabbing position. He discharged a total of 4 shots in this man's direction, in self-defence. The man was injured and taken to hospital where he was pronounced dead.

On January 24, 2014, at about 4:00 p.m., Dwayne Henry o/c 'Zemblance' was fatally shot by Cons. of the St. Andrew South OSU during an operation conducted in the McKoy Lane community in search of wanted men and illegal guns and ammunition. It is reported that upon arrival at the target location, Cons. entered a yard and approached a board structure where he saw a curtain hanging at the doorway. After shifting the curtain, Cons. saw a man inside the room. Cons. identified himself as a police officer and the man inside the room immediately picked up a firearm and pointed it in his direction. In fear for his life, Cons. fired shots from his 9mm Browning service pistol in the man's direction. The man fell to the floor, bleeding from apparent gunshot wounds. Cons. recovered the illegal gun after which the injured gunman was rushed to the KPH where he was pronounced dead on arrival.

On August 29, 2017, at about 7:15 a.m., the complainant Miss KC was shot and injured by Sgt., whilst she was standing at a stall in the vicinity of Spanish Town Road. It is reported that the concerned officer was chasing a suspected robber who pulled a firearm and pointed it in his direction. The officer drew his service pistol in self-defence and as he was about to take aim at the suspect, he slipped and fell and a round was discharged. He subsequently heard complaints being raised that a woman had gotten shot. He immediately caused her to be transported to the Kingston Public Hospital where she was treated and released.

On October 11, 2017, sometime after 2:10 p.m., Leonardo Mitchell was shot and killed inside the Guardroom of the Greater Portmore Police Station by Corporal who was on station officer duty at the material time. It is reported that Mr. Mitchell entered the Guardroom behaving boisterously and hostilely, and the concerned officer engaged him, enquiring how he could assist him. Mr. Mitchell was agitated and started shouting expletives inside the Guardroom. The concerned officer instructed Mr. Mitchell to either calm down or leave the station, and when he refused to calm down the officer insisted that he leave. Mr. Mitchell became aggressive and advanced towards the concerned officer who then pepper-sprayed Mr. Mitchell in the region of his eyes. Subsequently, Mr. Mitchell drew a knife from his waistband and held it in a stabbing position. Despite repeated verbal commands to drop the knife, Mr. Mitchell attacked the concerned officer with the knife causing the officer to fire shots in his direction, in self-defence to the Commission within fifteen (15) days of their completion.

It is also recommended that the

On February 12, 2019, shortly after 7:00 a.m., inmate Clive Cousins was found unresponsive inside his cell at the Tower Street Adult Correctional Centre ("TSACC"), by Staff Officer who immediately raised an alarm and called for assistance. Medical orderlies and other staff responded quickly and cut down inmate Cousins, lowering his body to the floor. Preliminary checks did not reveal a pulse and it appeared that rigor mortis had already set in. The inmate's body was removed from the cell and transported via ambulance to the Kingston Public Hospital ("KPH") where he was pronounced dead by the doctor on duty.

The complainant, GW, alleges that whilst leaving the 'Demills Night Club' in Old Harbor, St. Catherine on Sunday, December 24, 2017, at about 3:00 a.m. in the company of several friends, he was pushed by a man who was instructing patrons to exit the club since it was closing. Said man further threatened to throw drinks into the complainant's face. The man subsequently overheard when the complainant told a friend that he had threatened to throw the drink. The man threw the drinks into the complainant's face and he in turn threw the drink he had back into the man's face. The man then ran towards him, withdrew a knife and began cutting him on his face and other parts of his body. After a male friend of the complainant grabbed onto the man's hand which wielded the knife, the man ran back into the club. The complainant was later told that the man who attacked him was a police officer working at the club as a security officer.

The complainant, SG, alleges that on November 28, 2015, she returned home to her residence in Mount Pleasant, St. Andrew to find her fridge thrown out onto the veranda, the windows to the house broken, her child's mattress and crib outside on the ground and her cabinet damaged. Her component set, DVDs and other smaller items were also thrown onto the outside of the house. Her neighbor, 'F' informed her that the police had visited her home and had destroyed her property. 'F' expressed that the persons who visited were police officers as they were dressed in ballistic vests and blue uniform.

The complainant, Mr. VG, alleges that on Tuesday, November 24, 2009, at about 2:45 p.m., he was driving out from the Darliston taxi stand towards lower Darliston in Westmoreland when he heard a police officer utter, "*Hey bwoy, pull over deh so.*" Unaware that the officer was speaking to him, the complainant continued to drive and upon reaching his place of business on Orange Hill Road, he pulled over and stopped his vehicle. The police vehicle, with its siren blaring, then stopped beside his own. Cpl. thereafter alighted therefrom and took hold of the complainant by the waist of his pants. Cpl. pulled the complainant and told him that 'he would have put seventeen bullets in his head and 'plant' a gun on him had it not been for the location'. The complainant was subsequently taken to the Darliston Police Station where he was charged with several offences inclusive of Assault. He was released from police custody on the same day of the incident. The complainant sought medical attention the following day.

The complainant, DR alleges that on February 28, 2014 he left his home and boarded a white Toyota Probox taxi being driven by a Rastafarian man. When he entered the taxi, he saw a man unknown to him seated in the motorcar. While in transit along Aboukir Road, the police stopped the vehicle and instructed them to exit the vehicle. The police searched them and the vehicle and found a firearm in the car. In fear, he walked away and Corporal shot at him. Mr. DR then ran away and was shot in his leg which caused him to fall to the ground.

The police however indicated that they received information that three men armed with knives and what appeared to be a gun threatened the security guards at KML Mining Co and stole petrol from the excavators at KML site in Fullerton Park. The three men were allegedly aboard a white Toyota Probox being driven by a dreadlocked man. While driving along Aboukir Road, the police saw the said vehicle and intercepted the same. The officers ordered the three suspects out of the car. The men were searched and knives were found on two of the men. The stolen fuel was also found in the vehicle. The police reported that during the search and stop, DR tried to escape. Corporal chased him and it is alleged that DR pointed a firearm at the officer and the officer returned fire in self defence. DR was found to be suffering from gunshot wounds. A homemade firearm was allegedly recovered from the Mr. DR.

DT, a child of 10 years, reported that on February 13, 2015 after 2:30 pm, he was involved in a fight with his classmate, D. D reported the matter to a policeman, Mr. J. Mr. J carried him to the Vice Principal's office. Shortly after, Mr. J brought him into a room and punched him twice in his stomach. D was slapped twice with a belt. He went home and his sister, SB who witnessed the events told her aunt, who then told his mother. His mother went to Morant Bay Police Station and reported the matter. DT also went to Princess Margaret Hospital and was treated.

Constable J reported that while on duty a complaint was made to him by a student that DT hurt him. He caused both students to be brought to the Vice Principal's office, where he made a report to the Vice Principal. He then verbally reprimanded DT for his behaviour and jabbed him twice in his stomach.

The complainant, MF alleges that after 9pm Constable L shot him without cause at his ex-girlfriend, SM's home while he was attempting to visit his children, whom he had not seen for over three months due to a restraining order.

The concerned however, Constable L however indicated that after 1am, he saw MF, who was known to him before, heading into the direction of his cousin, SM's house with a machete in his hand. He reported that he was aware of a restraining order taken out by SM against MF, and that he was aware that he had hit her previously before. When he reached SM's home, the back door was kicked in and MF was inside the house with the machete in his hand. He told MF repeatedly to drop the machete but he refused to do so. He reported that MF advanced towards him and in fear of his life, he discharged one shot in the direction of him. He stated that MF was determined and continued to advance towards him and he discharged another round in his direction.

The concerned officer's account is corroborated by an eye witness.

The complainant though not confirmed, is understood to be by members of the Watt Town District, St Ann as mentally unstable. While he was being interviewed by the Commission's investigators he stated that he thought that the police had no right to tell him to drop the machete and that he was, "watching the officers because he has eyes". He also stated that he chopped a man called "J" as he thought that the man (J) was going to help the police arrest him.

The police stated that they were in dialogue with the mental health personnel in a bid to have the victim receive medication as he was getting uncontrollable. They stated earlier in the day they received a report of a stabbing committed by the victim. And that whilst going back to the station approximately 8:00 a.m. on the 20th of December, 2013, they pounced upon him, who allegedly had a machete in his hand. The victim refused to comply and as a result tried to elude them. They reportedly gave chase on foot for several hundreds of metres in the environs of Watt Town, during which the victim at intervals attacked the police officers. One of the police officers reportedly fired warning shots at three different points in a bid to have the victim drop his machete but to no avail. It is also alleged that throughout the chase a group of citizens followed.

Along Turner Street in Watt Town despite warnings by the police, a member of the group (R) rushed ahead of the two policemen and allegedly confronted the complainant. During the altercation, R fell, at which point LJ chopped him in the forehead. LJ was allegedly shot in the stomach by the police as he tried to inflict more injuries to R. Both persons were transported to the St. Ann's Bay Hospital for treatment.

An eyewitness account was recorded which corroborated the police's account.

The complainant, Mr. MG alleges that on Saturday, October 26, 2013 at about 5:00 am while alone at home, police conducted a search of his home. While the house was being searched, other officers searched his house not in his presence. He was taken into custody at Falmouth Police Station. After returning home, he realized that One Hundred and Eighty Thousand Dollars (\$180,000) and a notebook which he used as Ledger was missing.

The concerned officers however deny taking any monies while conducting the search of Mr. MG's premises as they contend that the search was conducted in Mr. MG's presence.

The complainant, MT, on behalf of her brother CT, made a complaint on December 9, 2015 that her brother was arrested and detained by the police on December 23, 2015 at the Yallahs Police Station. She attempted to obtain from the officers at the station the reason for his prolonged detention, but no reasons/satisfactory reasons were forthcoming from the officers.

The concerned officer reported that on December 22nd, 2015 two policemen were shot and killed in Yallahs, St. Thomas. He received information that MP o/c 'Duppy Film', KE o/c "Harry Potter" and JF o/c "Jay" were suspects in relation to the double murder. He received information that the said men were seen in East Albion at the residence of the T's. Accordingly, an operation was conducted in East Albion where Mr. CT and his sons, RT and RT were apprehended. Based on Mr. CT's statement, other information received in the investigation of the double homicide of the policemen and in a case of receiving stolen property, in which Mr. CT's wife, JT was charged, Mr. CT and his sons were detained to facilitate further investigations.

Resident Magistrate (now Parish Judge) Wilshire made an entry in the Remand Register for the men to be charged or released before January 6, 2016. Mr. CT was released before that date.

This matter was borne out of the infamous 'Tivoli Incursion' in the May 2010 by security forces in Tivoli Gardens. During the Tivoli Incursion on May 26, 2010 a search and seizure operation was carried out by Jamaica Constabulary Force and Jamaica Defence Force personnel at premise situated at Spanish Town Road, Kinson, which houses the offices of Mr. JO and companies. During the operation, several items were seized, along with cash.

Attorney PB lodged a complaint before the Commission alleging that the police unprofessionally misconducted themselves and unlawfully seized the property of his client, JO on May 26, 2010. Attempts were made by the Commission to obtain a statement from the victim, Mr. JO on at least two occasions at the offices of his attorney, but he failed to make himself available on both occasions. The Commission understands that the recovery of Mr. JO's assets was the subject of civil proceedings. The Asset Recovery Agency discontinued its claim against Mr. JO noting that they did not have sufficient evidence to proceed.

Considering Mr. JO failed to make himself available, he seems unwilling to proceed with the complaint. Accordingly this matter was closed as withdrawn.

Ms. RC on behalf of MT (a child of fourteen years) made a complaint of assault to the Commission. The complainant, MT, a child, alleges that on February 24, 2016 about 8:30 am, four (4) police officers came to his home and repeatedly asked questions about a firearm. On each occasion he denied knowledge of a firearm. His house was searched. He reported that one of the officers who questioned him used his hand to slap him in his face, which caused him to cry. He was carried to the Mandeville Police Station, but was not placed in a cell because he was a minor.

To date, the Commission has been unable to identify the concerned officer despite numerous attempts to identify the same. (See Investigation)

The Commission made checks at the Mandeville Police Station and made enquiries in the relevant data entries registers, however no entry was made in relation to the said incident.

The complainant alleges that from the 12th-19th October, 2010, he was detained at the Denham Town Police Station on the instructions of Senior Superintendent. On the 12th day of October, 2010, he was assaulted by Senior Superintendent when he was being interrogated about some stolen property.

The complainant further alleges that from December 15, 2010 to January 6, 2011, he was detained at the Central Police Station Lock-up at the instance of Senior Superintendent who, on the 15th day of December, 2010 sent one Sergeant to his (the complainant's location) to escort him to the Flying Squad. There, the complainant was interrogated by Senior Superintendent about stolen property.

The complainant further alleges that on March 22, 2011 four (4) police officers came to his house where they inquired whether he had a court date the following day and used intimidatory tactics to prevent him from giving evidence against the police. In particular, the police officers were accompanied with two (2) masked men, one (1) of whom slashed him with a knife in his head and stabbed him in his back when he tried to escape from him. This masked man is known to the complainant as M and was brought to his home by the four (4) police officers.

The complainant alleges, amongst other things, that he was assaulted by Constable while he was in custody at the Darliston Police Station on May 26, 2013. There is medical evidence of an assault being occasioned on the complainant's person; and so a prima facie case exists. However, for the reasons herein contained, the Commission opines that a rational jury or tribunal, properly directed would not convict Constable of an offence.

The decedents, 13 year old Kwesi Brown, and 21 year old Shawn Thinker were shot and killed by Detective Corporal R and Constable P in a densely vegetated area along Christian Pen Main Road, Portmore in the Parish of St. Catherine on July 4, 2012.

The fatal shootings occurred when Shawn Thinker who was identified by civilian victims to have committed common assaults against them with a firearm; and another man engaged the concerned officers when they were accosted. The concerned officers returned fire in their direction, and the decedents were found to have sustained fatal injuries.

The Commission notes that the police account of the incident is amply corroborated by civilian witness, as well as the ballistics evidence which indicated that a gun found in close proximity to the deceased was discharged at the scene.

Having assessed the evidence garnered, the Commission finds that no prima facie case of criminal conduct has been established against the concerned officers.

The complainant, VB alleges that excessive and therefore unlawful force was used against his person by the police on October 23, 2013 in the vicinity of Ivan Housing Scheme, Duckensfield District, Golden Grove in the Parish of Saint Thomas.

The evidence reveals that the complainant was wanted on a Bench Warrant, and that the officers were allegedly acting to execute the said warrant at the time the complainant was injured. The complainant alleges that Corporal M spray Chemical Mace down his throat, and there is medical evidence to support this claim.

Having found that the force above described was excessive and unlawful; but not, due to identification issues warranting a criminal prosecution, the Commission's recommendations are as follows:

[a] disciplinary action be taken against Corporal Alric McKenzie for spraying Chemical Mace down the complainant's throat thereby causing a life-threatening attack of asthma.

[b] Corporal Alric McKenzie, Detective Constable Delano Martin, Special Constable Domeon Raymond, and Constable Kimani Williams be retrained in the procedure for executing warrants, and the principles by which they are to be guided when using force to effect an arrest; and

[c] the complainant be advised to pursue his civil remedies in respect of the excessive use of force on his person while the police were effecting his arrest.

The complainant alleges, amongst other things that he was removed by the police from his place of work, and accused of stealing credit card information and cash from guests. His home was searched without the production of a warrant, and during the course of the interaction with the police, derogatory comments were made to him such as "dutty thief".

Having attempted a full investigation of the matter; the Commission is unhappy to report that none of the officers concerned were identified. Accordingly, no adverse recommendations could be made against any member of the JCF.

The complainant alleges that on November 5, 2014 and November 26, 2014, she was assaulted by Correctional Officer S, R & L, and Corporal J. Having examined the evidence, the Commission found no prima facie case of criminal conduct to be in existence.

The complainant is alleging that a member of the Jamaica Constabulary Force entered his yard in the Norwood community on the 5th day of February, 2014 and shot and killed his pet dog, "Two Face". However, the member of the Jamaica Constabulary Force cannot be identified as the complainant and his witness did not personally perceive the incident by sight. The Jamaica Public Service, at whose instance the police entered the complainant's yard could not assist the Commission to identify the concerned officer.

The complainant is alleging that Detective Woman Corporal of the Morant Bay Criminal Investigation Branch neglected in her duty to investigate a report of embezzlement made to her by him on the 24th day of December, 2011, arising from circumstances dating back to 2005. Having assessed the matter, the Commission found that it had no jurisdiction to investigate the complaint against the concerned officer, by reason of the expiry of the limitation period, and neither the relevant officials of the St. Thomas Parish Council as those persons did not exercise police-like powers, and the fact that no Ministerial Order has given the Commission jurisdiction to investigate.

The Complainant is alleging that on May 26, 2015, he was shot on the back left shoulder by Cons. in circumstances which amount to unlawful conduct. The witnesses to the incident corroborate in all respects the complainant's account as to how he sustained injury. There is credible identification and ballistic evidence in existence to support a prosecution in this matter. Cons. claims that the complainant was shot by accident, but the witnesses evidence refutes this claim. Having considered the evidence, the Commission concluded that this is a matter deserving of examination by a jury.

The complainant, TB, alleged that on April 20, 2012, while in the vicinity of Asia Police Station, he was threatened by Corporal. He also alleges that Corporal has been harassing him overtime.

The complainant, NC, alleged that on February 19, 2018 he was at a building which is under construction at Lawrence Tavern Square, when he was assaulted by a police officer who he subsequently learned his name. Mr. NC was arrested and charged for Resisting Arrest and Disorderly Conduct. He received bail. The assault resulted in an injury to his mouth which was treated.

The complainant, PB, alleged that on January 7, 2017 her son, was arrested and charged with Illegal Possession of Firearm and was in placed in custody at the Hunts Bay Police Station Lock-Up. Upon speaking with her son's Attorneys-at-Law, she was informed that her son alleged that he was assaulted and coerced into holding a gun which did not belong to him, by police officers attached to the Hunts Bay Police Station.

The complainant, KM, alleged that on November 22, 2016, while she was traveling along Home Hill Road a team comprising of three (3) police officers stopped and searched her vehicle. She also stated that the police officers, during the execution of the search, conducted themselves in a manner unbecoming. On November 26, 2016, she was in Norwood, walking with a friend, when she encountered the said service vehicle from the night of the search. She recognized one of the police officers, who intimidated her by slowing down upon seeing her.

The St. Catherine Adult Correctional Centre reported that on September 25, 2016 the complainant, AD, an inmate of the aforementioned facility, was allegedly assaulted by Correctional Officer 1 while he was on his section. He was subsequently taken to the Medical Facility for treatment of the injuries he sustained.

KB was allegedly hit in the face and kicked all over his body by Corporal on the G North section of Tower Street Adult Correctional Centre.

The complainant states that on Tuesday the 26th of February 2019 at about 4:15 p.m. whilst making her way to the 'Clock' in Montego Bay, St. James to take a taxi home, she was approached by two male police officers in the vicinity of J&J Pharmacy along Barnett Street. An argument then developed among the officers and the complainant. The complainant was subsequently handcuffed by both officers and taken to the Barnett Street Police Station.

Complainant alleges that he was assaulted by the respondents while he was in custody at the Denham Town Police Station lock-up in 2007. This matter was investigated by the Police Public Complaints Authority (PPCA) and was closed as the concerned officers failed to respond to the PPCA's request for statements. The matter was reopened by the Commission but later closed as the complainant withdrew his complaint and the Commission's efforts were stymied by delays in the police identification process. There was no value in continuing the investigation. This formal report closing the investigation was delayed by the press of other work.

The complainant alleged that Superintendent and Detective Sergeant were instrumental in detaining him on three different occasions without reason or explanation. He also made mention of SP. assaulting him on one of those occasions.

On 29 August 2018 at about 11:45pm, a team from the Denham Town P.S. was patrolling the Upper 2nd Street area when they observed several men acting suspiciously. Upon seeing the police they pulled their guns and opened fire. The fire was returned and the men ran in different directions. Upon entering premises they were again fired on by men who escaped. Upon searching the area a man was found in a house suffering from gunshot wound to the left foot. A firearm was also recovered from the scene which the officers allege fell from OF's hands while firing at them and climbing over the fence. According to the DNA Certificate, there was no blood nor DNA profile present from the allegedly recovered firearm.

There are no independent eyewitnesses to the shooting to challenge the police accounts. Efforts to obtain same proved futile.

The complainant, AG alleged that on October 26, 2010 his cousin Floyd Edwards o/c 'Chase' was shot and killed by the police. He need an investigation to be done into the killing.

The concerned officer, reported that, he was on patrol duties in the Nelson Street area, Kingston 13 when he observed a suspicious looking man. He shouted "Police!" and ordered the man to put his hands in the air which he disobeyed. The man then pulled a firearm from his waistband and fired at the police. The concerned officer fired a shot which injured the man. He was taken to the Kingston Public Hospital where he was pronounced dead upon arrival.

The account given by the police was refuted by an eyewitness who reported the deceased, Floyd Edwards did not have a gun as he ('Chase') was searched and nothing was found in his possession. An investigation was launched in relation to the matter as well as the matter was referred to the Special Coroner. An inquest was held and the jury unanimously decided that, it was a justifiable homicide.

The matter is hereby closed.

Ms. RR stated that on Wednesday the 15th day of May 2019 at about 1:00 p.m. she went to the JCF's Centre for Investigation of Sexual Offences and Child Abuse (CISOCA), located at 3 Ruthven Road Kingston 10, after she was called by the Principal of Preparatory School, located at Newark Avenue, Kingston 11, and told that a lady attended the school and took her son JG away to CISOCA.

When she went to CISOCA she was assaulted and beaten by about seven (7) individuals who were on the compound of CISOCA. She later found out that two of her female assailants are police officers assigned to CISOCA, Woman Inspector P & S. She is not sure if the other individuals are police officers.

According to the police officers at CISOCA, Mrs. S-R of CPFSA came to the location with JG seeking their assistance. Mrs. S-R corroborates this and indicated that she first had to seek assistance from officers at the Hunts Bay Police Station to remove JG to a safe environment based on allegation of him being sexually abused. She was aware that CISOCA had previously received two reports concerning of similar allegation. In addition, her agency had also appreciated two reports of similar nature, one in April and the last in May 2019.

The complainant, MM, alleges when he was arrested on January 10, 2015, his property was seized and not returned to him. The respondent contends that the complainant's property that he was aware of, was returned to him.

The complainant, RC, alleges that on January 8, 2015 he was threatened and unlawfully arrested by a police officer. The respondent contends that he did not threaten the complainant or unlawfully arrest the complainant.

R 1, 2019 – OCTOBER 31, 2019

Recommendations	Status
On October 4, 2019 the Office of the Director of Public Prosecutions ruled that no criminal charges be laid or disciplinary action taken against the concerned officer. It is open to the complainant to pursue civil remedies.	No Charge
On June 18, 2019 the file was submitted to the Office of the Director of Public Prosecutions for a ruling. On September 2, 2019 the Office of the Director of Public Prosecutions ruled that no criminal charges be laid against the concerned officer.	No Charge
The file is closed as the complainant is unwilling to continue the matter. It is hereby recommended that no criminal charges be laid or disciplinary action taken in respect of this complaint.	No Charge
It is hereby recommended that no criminal charges be laid or disciplinary action taken in respect of this complaint.	No Charge

<p>The Commission respectfully recommends that no criminal charges be laid or disciplinary action be taken, in relation to the fatal shooting of David Whyte. The matter be forwarded to the Special Coroner for him to decide whether an inquest will be held.</p>	<p>No Charge</p>
<p>The Commission respectfully recommends that no criminal charges be laid or disciplinary action be taken in relation to the fatal shooting of Albert Rose.</p>	<p>No Charge</p>
<p>The file is closed as the complainant is deceased. It is hereby recommended that no criminal charges be laid or disciplinary action taken against any member of the Jamaica Constabulary Force in respect of this complaint.</p>	<p>No Charge</p>

<p>The Commission respectfully recommends that no criminal charges be laid or disciplinary action be taken in relation to the fatal shooting of Kevin Brown.</p>	<p>No Charge</p>
<p>The file is closed as the complainant is unwilling to proceed with the matter. It is hereby recommended that no criminal charges be laid or disciplinary action taken.</p>	<p>No Charge</p>
<p>The Commission respectfully recommends that no criminal charges be laid or disciplinary action be taken relative to the fatal shooting of Dean Meggo.</p>	<p>No Charge</p>
<p>The Commission respectfully recommends that no criminal charges be laid or disciplinary action be taken relative to the fatal shooting of Mark Findley.</p>	<p>No Charge</p>

<p>The Commission respectfully recommends that no criminal charges be laid or disciplinary action be taken relative to the fatal shooting of Eldene Whyte.</p>	<p>No Charge</p>
<p>The Commission respectfully recommends that no criminal charges be laid or disciplinary action be taken relative to the fatal shooting of Dwayne Henry.</p>	<p>No Charge</p>
<p>The Commission respectfully recommends that no criminal charges be laid or disciplinary action be taken relative to the shooting injury of Miss KC.</p>	<p>No Charge</p>
<p>The Commission respectfully recommends that no criminal charges be laid or disciplinary action be taken relative to the fatal shooting of Leonardo Mitchell.</p>	<p>No Charge</p>

<p>The Commission respectfully recommends that no criminal charges be laid or disciplinary action be taken against the concerned correctional officers – in respect of the death in custody of Mr. Clive Cousins. The Commission further recommends that this matter be forwarded to the Special Coroner for his office to determine whether an inquest ought to be held into the circumstances surrounding this death.</p>	<p>No Charge</p>
<p>The Commission hereby recommends that no criminal charges be laid or disciplinary action taken in respect of the instant complaint.</p>	<p>No Charge</p>
<p>The Commission hereby recommends that no criminal charges be laid or disciplinary action be taken in respect of this complaint. It is open to the complainant to pursue civil remedies in respect of the damage she suffered to her property.</p>	<p>No Charge</p>
<p>The Commission hereby recommends that no criminal charges be laid or disciplinary action be taken in respect of this complaint.</p>	<p>No Charge</p>

<p>The Commission humbly recommends that no criminal charges be preferred nor any disciplinary actions be taken against the concerned officer.</p>	<p>No Charge</p>
<p>The Commission humbly recommends that internal disciplinary proceedings should be instituted against the concerned officer.</p> <p>The Commission further recommends that the concerned officer be retrained on effective conflict resolution strategies.</p> <p>In light of such recommendations, the Commission requests that the Commissioner of Police advise on the following:</p> <ul style="list-style-type: none">a. Whether disciplinary proceedings will be instituted and, if they will, the contemplated nature of those disciplinary proceedings by the 30th day of November 2019.b. And if instituted, communicate the outcome of the proceedings to the Commission within fifteen (15) days of their completion.	<p>Disciplinary Action</p>

<p>The Commission humbly recommends the following:</p> <ul style="list-style-type: none">a. That no criminal charges be preferred against the concerned officer.b. That no disciplinary actions be taken against the concerned officer.	No Charge
<p>The Commission humbly recommends that no criminal charges be preferred nor any disciplinary action be taken against the concerned officer.</p>	No Charge

<p>The Commission humbly recommends that no criminal charges be preferred nor any disciplinary action be taken against the concerned officers.</p>	No Charge
<p>It is respectfully recommended that the Commissioner of Police:</p> <ul style="list-style-type: none">a) Be advised of the Commission’s findings that the complainant, CT:<ul style="list-style-type: none">i) was unlawfully detained for a period of six (6) days from the 24th day of December, 2015 to 30th of December, 2015 without being charged and the issue of bail considered;b) Cause Detective Inspector to be issued with a reminder and/ or undergo some retraining in respect of the law in relation false imprisonment. Specifically the obligations of an officer in relation to the law under the Bail Act that a person be charged within twenty four (24) hours of being arrested and the issue of bail to be considered within twenty four hours (24) of being charged and is relation to what amounts to reasonable suspicion to ground an arrest.c) Advises the Commission as to whether the recommendation at (b) was carried out by the 26th day of February, 2020.d) Where recommendations in respect of subparagraph (b) above, are completed, that the he communicates the outcome of the proceedings to the Commission within fifteen (15) days of their completion. <p>It is also recommended that the Solicitor General be advised of the Commission’s finding that a prima facie case exists that Mr. CT was falsely imprisoned having been detained for a prolonged period of six (6) days, without being charged and in circumstances where no reasonable suspicion existed.</p> <p>It is hereby recommended that the complainant, if he is so minded, pursue a civil action for the tort of False Imprisonment.</p>	No Charge

<p>The Commission humbly recommends that no criminal charges be preferred nor any disciplinary action be taken against the concerned officer.</p>	<p>No Charge</p>
<p>The Commission humbly recommends that no criminal charges be preferred or disciplinary action be taken in this matter against any member of the Jamaica Constabulary Force.</p>	<p>No Charge</p>

<p>The Commission hereby recommends that no criminal charges be laid nor disciplinary action be taken against any member of the Jamaica Constabulary Force in respect of this complaint.</p>	<p>No Charge</p>
<p>The Commission hereby recommends that no criminal charges be laid nor disciplinary action be taken in respect of this complaint.</p>	<p>No Charge</p>
<p>The Commission hereby recommends that no criminal charges be laid nor disciplinary action be taken in respect of these fatalities.</p>	<p>No Charge</p>

<p>The Commission recommends that disciplinary action be taken against Corporal for spraying Chemical Mace down the complainant's throat thereby causing a life-threatening attack of asthma.</p> <p>The Commission further recommends that the concerned officers be retrained in the procedure for executing warrants, and the principles by which they are to be guided when using force to effect an arrest.</p> <p>Finally, the Commission recommends that the complainant be advised to pursue his civil remedies in respect of the excessive use of force on his person while the police were effecting his arrest.</p>	Disciplinary Action
<p>The Commission hereby recommends that no criminal charges be laid nor disciplinary action be taken against any member of the Jamaica Constabulary Force in respect of this complaint.</p>	No Charge
<p>The Commission hereby recommends that no criminal charges be laid nor disciplinary action be taken in respect of this complaint.</p>	No Charge
<p>The Commission hereby recommends that no criminal charges be laid or disciplinary action be taken against any member of the Jamaica Constabulary Force in respect of this complaint.</p>	No charge

<p>The Commission hereby recommends that no criminal charges be laid nor disciplinary action be taken against Woman Detective Corporal in respect of the complainant's allegations of a neglect of police duty to investigate a suspected case of embezzlement of his retroactive payments by the St. Thomas Parish Council, and by extension the Ministry of Local Government.</p>	<p>No Charge</p>
<p>The Commission hereby recommends that Cons. be charged for Wounding with Intent to do Greivous Bodily Harm to SB on May 26, 2015.</p>	<p>Charge</p>
<p>In these circumstances it is hereby recommended that no criminal charges or disciplinary action be taken in respect of this complaint.</p>	<p>No Charge</p>
<p>In these circumstances it is hereby recommended that no criminal charges be laid or disciplinary action be taken in respect of this complaint.</p>	<p>No Charge</p>
<p>In these circumstances it is hereby recommended that no criminal charges or disciplinary action be taken in respect of this complaint.</p>	<p>No Charge</p>
<p>In these circumstances it is hereby recommended that no criminal charges or disciplinary action be taken in respect of this complaint.</p>	<p>No Charge</p>
<p>In these circumstances it is hereby recommended that no criminal charges or disciplinary action be taken against Correctional Officer 1 in respect of this complaint.</p>	<p>No Charge</p>
<p>Matter closed until further notice.</p>	<p>No Charge</p>

<p>The Commission respectfully recommends that the Commissioner of Police considering issuing or re-issuing guidance on the exercise of the discretion to arrest and on body searches of arrested persons. That the Solicitor General be advised of the Commission's finding that a prima facie case exists that Woman Constable unlawfully trespassed on the complainant's person in using force in executing a body search. The complainant is reminded of her right to civil remedy.</p>	<p>No Charge</p>
<p>This case is closed as withdrawn.</p>	<p>No Charge</p>
<p>The Commission's recommendations are that the: Commissioner of Police and the Solicitor General be advised of the Commission's finding that, a strong prima facie case exists that the complainant was unlawfully detained between December 4-8, 2012; December 13-16, 2012; and November 23-26, 2013; complainant is reminded of his right to seek civil remedy; and Commissioner of Police is reminded of the need for proper record keeping, so that, relevant diary entries are readily accessible.</p>	<p>No Charge</p>
<p>It is respectfully recommended that:</p> <p>1) the Commissioner of Police:</p> <p>i. be advised of the Commission's finding that a prima facie case exists that Corporal breached the Use of Force Policy;</p> <p>ii. causes such internal disciplinary proceedings as are fit and proper to be instituted against Corporal to determine whether he committed the breach described in the preceding sub paragraph;</p> <p>iii. advises the Commission as to whether disciplinary proceedings will be instituted and, if they will, the contemplated nature of those disciplinary proceedings by the 8th January 2019; and</p> <p>iv. where disciplinary proceedings in respect of subparagraph (ii) above, are completed, communicates the outcome of the proceedings to the Commission within fifteen (15) days of their completion.</p>	<p>Disciplinary Action</p>

<p>This case is closed.</p>	<p>No Charge</p>
<p>It is respectfully recommends that the Commissioner of Police:</p> <ul style="list-style-type: none"> i. be advised of the Commission’s finding that a prima facie case exists that Constables of CISOCA and the Hunts Bay Police Station contributed to the breaching of Section 11 of the Child Care and Protection Act. ii. causes such internal training as is fit and proper to be conducted on the Child Care and Protection Act. <p>The Commission recommends that the Solicitor General and the head of the Child Protection and Family Services Agency be advised of the Commission’s finding.</p> <p>The Commission further recommends that the complainant be reminded of her right to civil remedies.</p>	<p>No Charge</p>
<p>It is hereby recommended that no criminal charges be laid or disciplinary action be taken against any member of the Jamaica Constabulary Force in respect of this complaint.</p>	<p>No Charge</p>
<p>It is hereby recommended that no criminal charges be laid or disciplinary action be taken in respect of this complaint.</p>	<p>No Charge</p>