

THE INDECOM QUARTERLY 4th

OCTOBER - DECEMBER 2019

2019

THE YEAR IN REVIEW

Introduction

This paper details INDECOM's analysis of the fatal and non-fatal shooting incidents during 2019.

These incidents were caused by the Jamaican Security Forces, primarily the Jamaica Constabulary Force (JCF). The Department of Corrections (DCS) was not involved in any fatal incidents in 2019 and the Jamaican Defence Force (JDF) just one fatal incident.

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

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“The time is always right to do what is right”

Martin Luther King Jr.

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COMPACT DISC

4th Quarterly Report: October - December 2019

New Complaints: October - December 2019

Commission's Reports Completed: October - December 2019

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

IN THIS EDITION OF THE IQ

2019 YEAR IN REVIEW:

In this report, the Commission reviews the patterns and practices of shooting incidents for 2019, with comparative analysis for previous years. Issues relating to members of the security forces involved in fatal and non-fatal shooting incidents, off duty shooting incidents, multiple fatality shooting incidents, no gun/no weapon shooting incidents; and planned operations are highlighted and assessed.

PART ONE: NEW COMPLAINTS

The Commission received 197 categories of complaints from 177 incidents reported for the period. The top five categories of complaints include: assault (83), discharge of firearm (49), fatal shooting (17)* [see page 9], shooting injury (14) and threat (7).

The Commission's Forensic Unit responded to 60 incident scenes for the period. There were three deaths in custody for the period.

In relation to parishes with fatalities: Westmoreland, Trelawny, St. Mary and Portland had no fatalities for the period. The parishes of St. Thomas, St. Elizabeth, Manchester and Clarendon recorded one (1) each; Hanover and St. James recorded two (2); St. Ann and St. Catherine recorded three (3) and Kingston & St. Andrew recorded the highest at five (5).

All parishes had complaints, both fatal and non-fatal, with Kingston and St. Andrew recording 60 complaints and Hanover and St. Elizabeth recording the least with five (5) each.

PART TWO: THE LEGAL DEPARTMENT

In the Legal Department, 104 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. Five (5) 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. The matters discussed were Sexual Offences Investigation Protocol and ID Parades.

The Commission participated in awareness exercises equaling 94.5 man hours for the period.

The Public Relations Unit issued 15 press releases for the period. The titles of these are listed in this section.

Continues from from page 1

2019 fatal shooting incidents

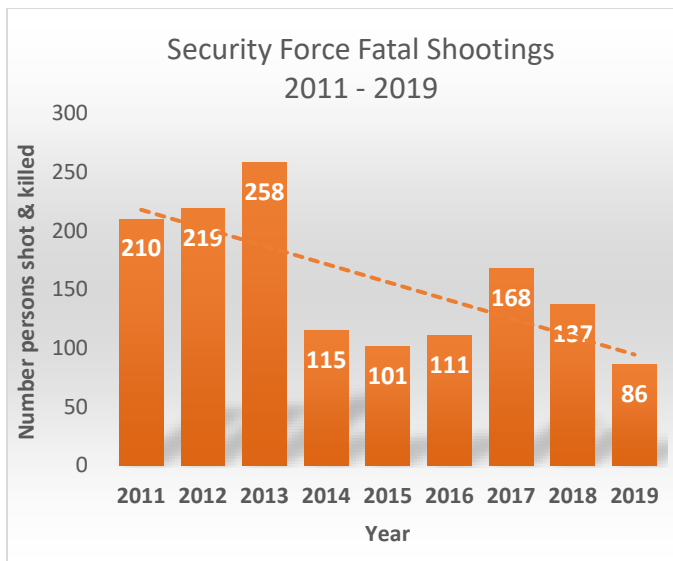
Eighty-six (86) people were shot and killed in 2019 and 83 persons were shot and injured. Table 1 shows all fatal and non-fatal shooting incidents for the four years, 2016 - 2019.

Table 1: Shooting incidents for 2016 - 2019

Shooting Incidents	2019	2018	2017	2016
Fatal	86	137	168	111
Non-fatal	83	84	86	69
Total persons killed or injured	169	221	254	180

Fifty-one (51) fewer people were shot and killed in 2019 than in 2018. This represents a **37.22%** decrease over 2018 and a **48.80%** reduction since 2017.

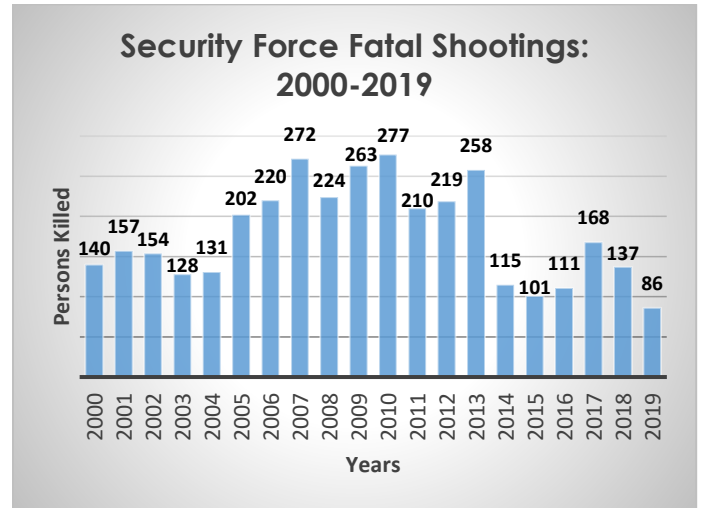
Graph 1 shows the total number of Security Force fatal shootings over the past nine years, 2011 - 2019. During this period, 1405 persons have been shot and killed.



Graph 1: Total Security Force fatal shootings for 2011-2019

Graph 2 shows two decades of Security Force fatal shootings. The downward trend established in the period, 2014 - 2016 is returning. There was a 51% rise in fatal shootings during 2017, over 2016. In 2018 there was **18.45%** reduction over 2017, and 2019 has seen a further **37.22%** reduction over 2018. The number of persons killed has remained below the 200 level for the last six years, and

2019 has seen the first important reduction of less than 100 fatal shootings in over 20 years.



Graph 2: Security Force fatal shootings: 2000-2019

Graph 3 below depicts, in grid format, all 1,405 fatal shooting incidents, by year and month, for the period 2011 to 2019.

INDECOM's scalar of monthly fatal shootings notes the status as: 'HIGH Critical', 'Heightened', 'Normal', 'Below Average' and 'Low'. This assists to assess and determine trends in the level of security force shootings per month, viz:

>20 HIGH Critical	16 - 19 Heightened	10 - 15 Norm	6 - 9 Below Average	1-5 Low
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The trend of high volume fatalities (heightened or critical status) was observed primarily in the years 2011-2013, and a re-emergence of that status featured during four months of 2017, and twice in 2018.

In 2019, uniquely, nine months were within the below average or low status, a trend which commenced in November 2018. Only three months recorded double figure fatalities in 2019.

Table 2: INDECOM grid chart depicting fatal shootings by month, for 2011 to 2019

	J	F	M	A	M	J	J	A	S	O	N	D
2011	20	18	25	10	13	24	20	16	21	10	14	12
2012	11	20	35	12	10	18	16	17	19	24	18	19
2013	30	27	19	9	14	35	16	14	16	40	23	15
2014	22	12	4	8	14	11	10	7	7	5	9	6
2015	12	2	10	11	6	9	8	8	10	7	10	8
2016	7	13	4	13	10	12	13	4	10	6	9	10
2017	19	14	9	10	18	12	15	14	13	17	18	9
2018	15	10	9	17	10	16	11	12	12	10	7	6
2019	8	5	9	13	7	4	8	3	10	5	10	4

Trends and practices of shooting incidents

2019 has witnessed a significant and important reduction in fatal shooting incidents by the Security forces, primarily the JCF. In 2019, there were 120 days (32% of days) when the Security forces discharged their weapon, causing death or injury, resulting in one hundred & sixty-nine (169) citizens being either shot or injured - (86 killed, 83 injured).

NB. The 120 days does not include 'discharge of firearm' cases, incidents in which no person is reported as injured. In 2018 this was 147 days and 2017, 159 days.

The collected data provides an evidential basis from which observation, comparison and commentary is made by INDECOM and its reports to Parliament and the JCF.

The following areas are subject of further data reporting:

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

1. Security Forces involved in fatal shootings: 2016-2019

Table 3: Fatal shooting incidents by the respective Security Force agents

	JCF	JDF	DCS	Total
2016	106	4	1	111
2017	160	7	1	168
2018	133	4	0	137
2019	85	1	0	86

- In 2019, the JCF were involved in the fatal shooting of 85 people. This is forty-eight (48) less people than in 2018. For the JCF this equates to a 36.09% reduction from 2018.
- Of the 85 fatal shootings, 16 involved off duty officers. Thus 69 on duty police involved fatalities were recorded.
- The JDF was involved in one fatal incident, and the Dept. of Corrections was not involved in any fatal shootings.

2. Fatal and non-fatal shooting incidents

Table 4 shows the breakdown between fatal and non-fatal shooting victims during the years 2016 - 2019

Table 4: Total persons shot and killed or shot and injured 2016-2019

Years	Total shooting victims	Shot & killed	Shot & injured
2016	180	111 (62%)	69 (38%)
2017	254	168 (66%)	86 (34%)
2018	221	137 (62%)	84 (38%)
2019	169	86 (51%)	83 (49%)

One factor in assessing trends in the use of deadly force is the ratio between those killed and injured. There is an expectation that during Security Force shooting incidents, more persons would be than wounded than killed. Where persons killed are greater than those shot and injured, it is a relevant factor in assessing whether an excessive level of deadly force is being utilised.

The trend of shooting incidents in Jamaica show there have always more people killed than injured in the reported security force encounters. The ratio between persons killed and injured has remained relatively constant, at approximately 60/40 (3:2) – see Table 3 above.

In 2017 this ratio increased somewhat, whereby the ratio of killed to injured was nearly 2:1, but 2018 showed an increase in the survivor rate from shooting incidents, at the same time as a fall in fatal incidents. This positive indicator has improved in 2019, with a nearly 50/50 ratio.

3. Off Duty shooting incidents

Off duty shootings (fatal and non-fatal) still account for a significant proportion of use of deadly force events. Numerically, off duty shooting incidents remains relatively static, but varies as a percentage, dependent upon the annual shooting incidents. Table 5 shows the relatively consistent level of off duty deadly force incidents, but no significant change is observed in this category.

Table 5: Persons killed and/or injured by off duty officers

Years	Total off duty shootings	Off Duty Fatal	Off Duty Non-Fatal
2016	32 (17% of 180 victims)	10 (9% of 106 JCF fatalities)	22 (31% of 69 NF)
2017	34 (13% of 254 victims)	13 (7.7% of 168 JCF fatalities)	21 (24% of 86 NF)
2018	32 (14.47% of 221 victims)	15 (11.27% of 133 JCF fatalities)	17 (20.23% of 84 NF)
2019	33 (19.52% of 169 victims)	16 (18.92% of 85 JCF fatalities)	17 (20.48% of 83 NF)

- Three of the above fatal incidents resulted in officers being charged with murder.
- Four of the above non-fatal incidents concerned police officers inadvertently shooting either themselves or a colleague.

4. Multiple death incidents

Multiple deaths arising from a single shooting incident were a feature frequently observed in years pre 2014 and was an indicator of the excessive use of deadly force. Subsequent years featured 'multiple death' incidents, involving triple, quadruple, and as high as six fatalities in a single event.

Multiple death events have lessened, and contributed to the overall reduction in police shootings. Table 6 shows the multiple fatalities from single incident shooting events.

Table 6: Multiple deaths occurring from single incident shootings

	2 Fatalities	3 Fatalities	4 Fatalities	6 Fatalities	Total Incidents	Total Killed
2016	x8	x1	x1	-	10	23
2017	x17	x1	-	x1 (JDF)	19	43
2018	x11	x3	x1	-	15	35
2019	X10	-	-	-	10	20

Multiple death shooting incidents, is an event in which the absence of weapons often features, where the number of weapons recovered does not correlate to persons killed and reportedly firing at the security forces. Table 6 shows the data for period 2017-2019.

Table 7: Instances of recovered firearms 2017-2019

Year	Multiple death incidents	Killed	Guns recovered	Men with no firearm recovered
2017	19	43	29	14 (32%)
2018	15	35	23	12 (37.5%)
2019	10	20	14	6 (30%)

Of 98 people shot and killed, 66 firearms were recovered from the deceased. The continuing absence of firearms, in one third (32%) of those killed in such incidents, creates the concern of excessive use of force and challenges the accounts that all gunmen were firing at Security Forces.

5. No Gun/no weapon shooting incidents

The absence of recovered firearms extends to other fatal and non-fatal shooting incidents. All police accounts of shootings incidents, whether involving a dead or injured person, report that either a firearm, or other deadly weapon was present, or suspected to be present, at the time of the incident, which justified the use of deadly force. The testimony from injured persons, forensic recovery and CCTV, indicate a different account.

As reported at Section 4 (multiple death incidents) the absence of recovered **firearms** remains a significant feature in JCF shooting reports. Previous INDECOM reports provide much detail on this issue. It remains the case that a significant proportion of shot or injured persons were either completely unarmed, or in possession of an implement other than a firearm at the time of being shot.

The figures for all person shot (killed or injured), during the period 2016 -2019, and who had **no firearm**, has remained relatively constant. Between 2016 - 2019 over a third of all citizens shot by the Security Forces are not found with any recovered firearm. In 2019 the number of persons reportedly without a firearm at the time of being shot has increased to 42% of all persons shot.

- In 2016, of the 180 persons killed or injured, 63 had no firearm (35%)
- In 2017, of the 254 persons killed or injured, 70 had no firearm (27.55%)
- In 2018, of the 221 persons killed or injured, 77 had no firearm (34.84%)
- In 2019, of the 169 persons killed or injured, 71 had no firearm (42%)

6. Planned Operations

Planned police operations during which fatalities occur were previously a significant contributor to the total annual fatalities. The introduction, in 2015, of the 'post event' questionnaire/evaluation for police Commanders, which examined and assessed the level of planning in such operations, created an environment of change in policing practice. This oversight continues.

The reduction in the number of police related fatalities arising from planned police operations, particularly when officers are forcing entry to people's homes, is to be noted. There is evidence of greater care and compliance of the JCF's own Use of Force policy, which has led to the reduced number of fatal incidents arising from planned operations.

INDECOM has monitored and analysed two data sets from 2013.

1. The six month period, July - December, for the years 2013 - 2019
2. Calendar years 2014 - 2019

Table 8: Six month period: July to December 2013 - 2019

Year	Total Fatal shootings	Planned Op where fatality occurred	Total killed during Planned Ops	% of total shootings
2013	124	51	49	39.51%
2014	44	14	13	29.54%
2015	51	21	24	47.05%
2016	52	11	13	25% ^{25%}
2017	86	16	21	24.41%
2018	60	11	20	18.00%
2019	40	4	4	10.00%

Table 9: Fatalities arising from planned police operations 2014 – 2019

Year	Total Fatal shootings	Planned Op where fatality occurred	Total killed during Planned Ops	% of total shootings
2014	115	36	38	33.04%
2015	101	33	38	37.62%
2016	111	21	28	25.22%
2017	168	30	41	17.85%
2018	137	17	20	14.59%
2019	86	9	10	11.62%

Both data sets (Tables 8 and 9) show the decline in shooting fatalities by the Security Forces in planned policing operations.

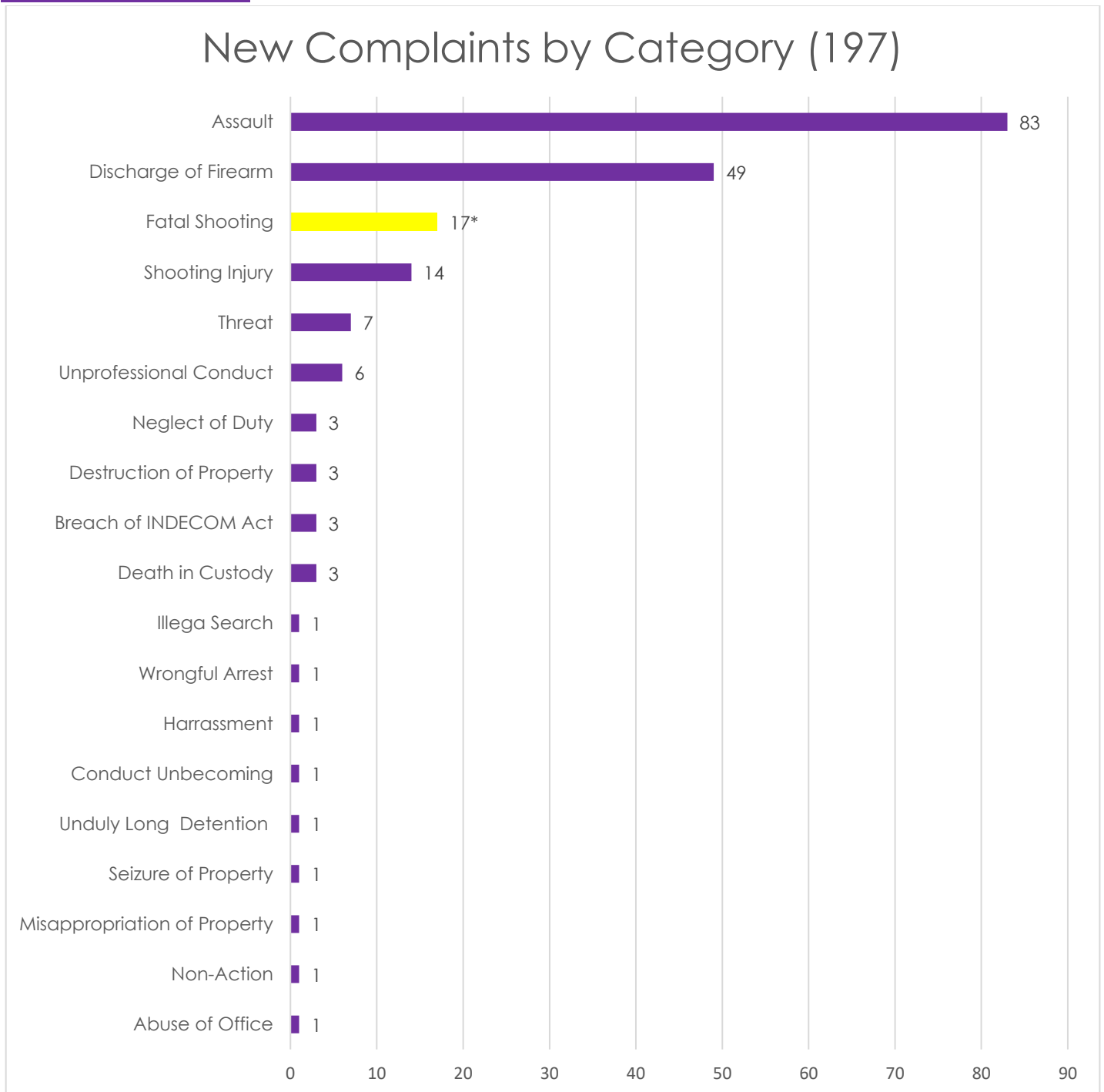
Observation of the six year period 2014 - 2019 shows the continuing decline in security force fatal shootings arising from planned police operations. Up to 2015, such fatal shootings accounted annually for between 33%-37% of all fatalities. 2016 saw the first marked reduction in the number of fatalities arising from planned police operations, when the proportion of such deaths accounted for a quarter, falling to 25%.

In 2017 they were less than one fifth. 2019 has seen the number of deaths occurring during PPO's accounting for less than 12%. A significant change.

This continued reduction is welcome and acknowledged. INDECOM will continue to examine this aspect of JCF operations, utilising the post operation Command evaluation questionnaire to ensure compliance with the JCF's own Use of Force policy.

PART ONE

NEW COMPLAINTS



There were 19 deaths from 17 fatal shooting incidents.

Figure 1: The bar graph shows all categories of new incidents for which complaints were received by the Commission for the period of October to December 2019.

NATURE OF INCIDENT SCENE RESPONSE

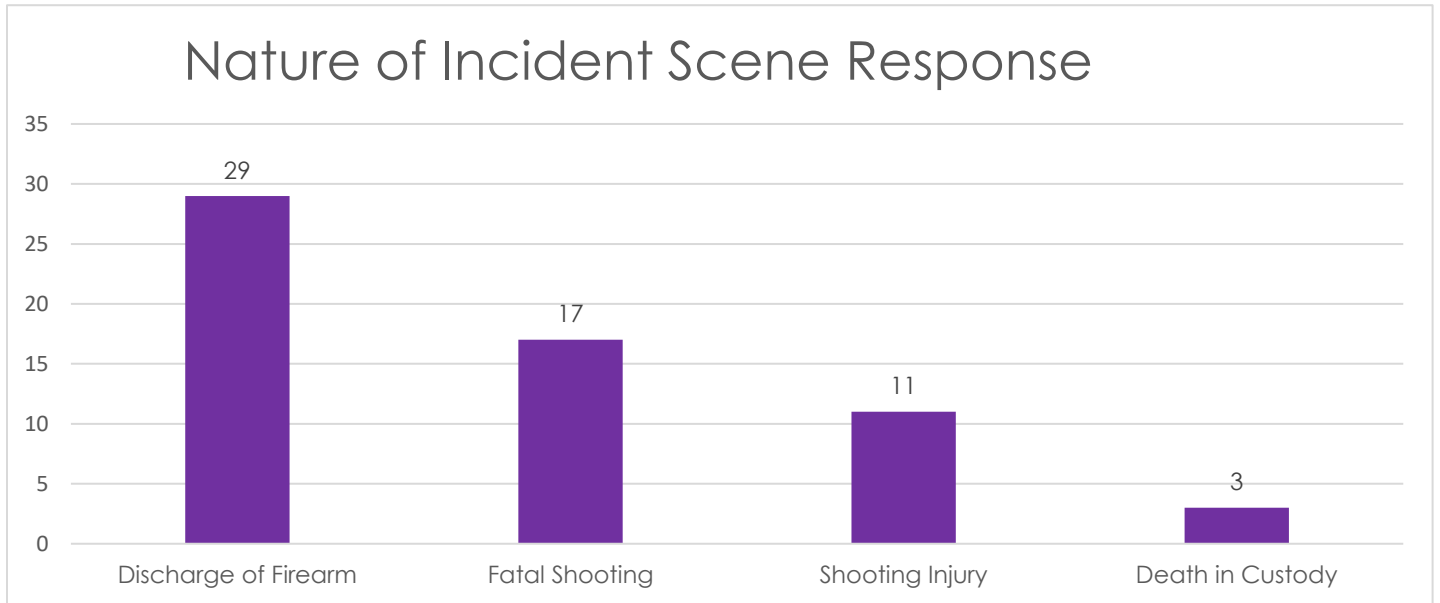


Figure 2: The above graph shows the nature of the incidents that the Commission’s Forensic Unit responded to for the period of October to December 2019.

COMPLAINTS BY PARISH

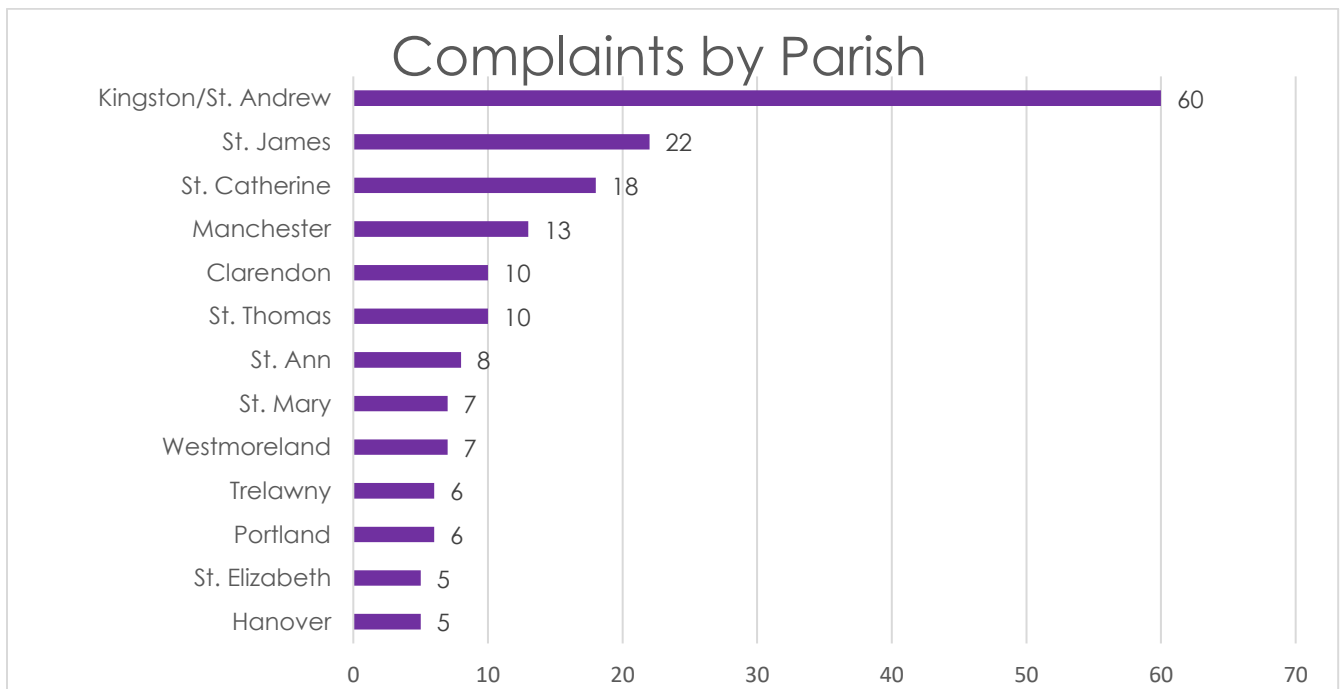


Figure 3: The above graph shows the number of new complaints received by the Commission per parish for the period of October to December 2019.

FATAL SHOOTINGS BY PARISH

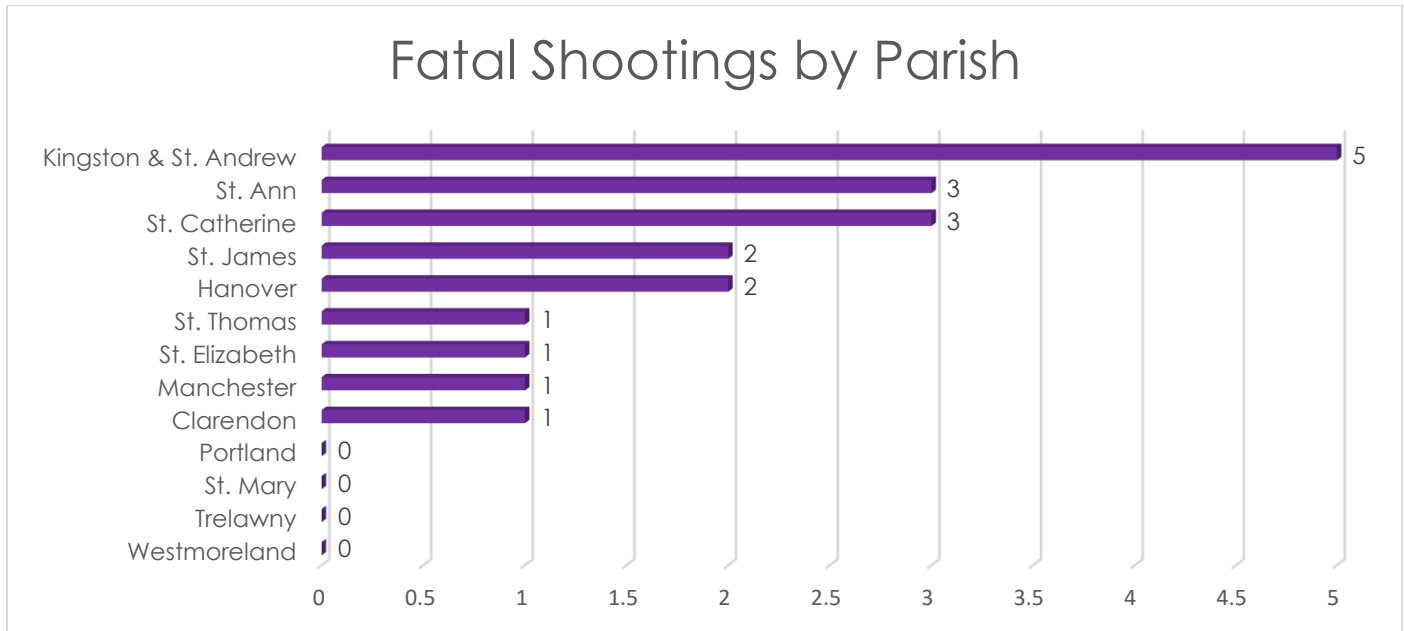


Figure 4: The graph above shows the total number of deaths from shooting incidents per parish for the period of October to December 2019

FATALITIES BY ORGANISATION

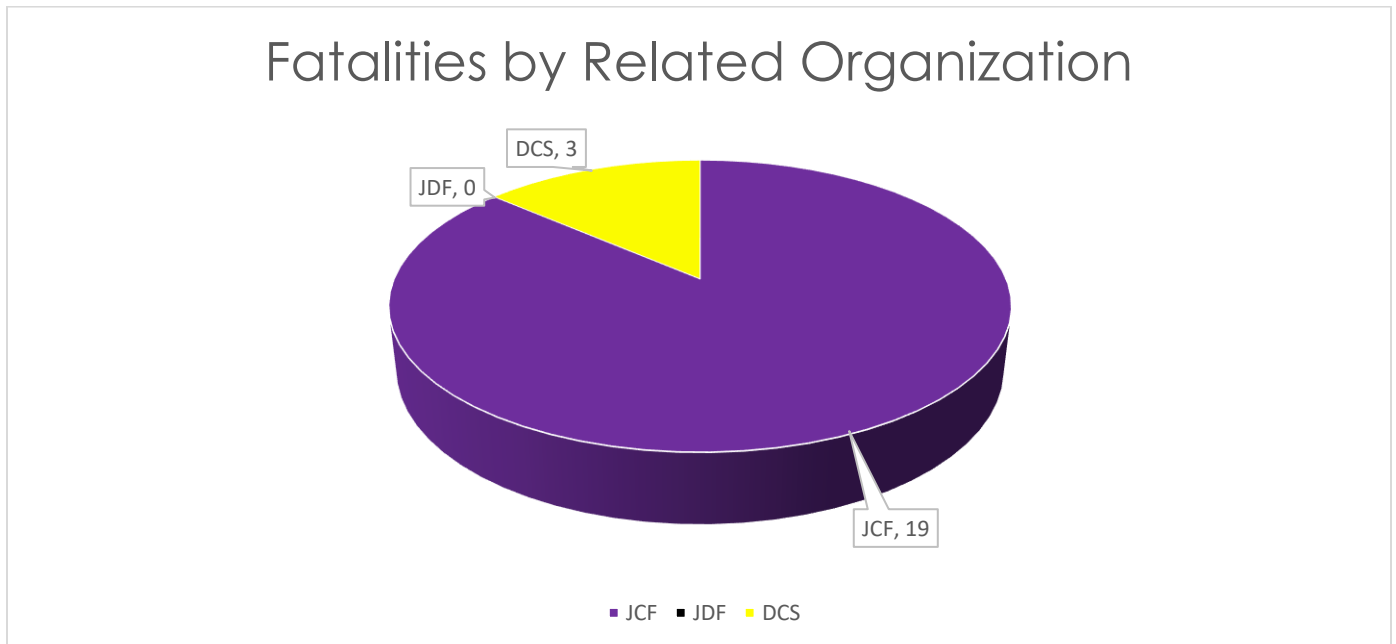


Figure 5: The above pie chart illustrates the State agency to which the fatalities recorded for the period of October to December 2019 are related.

SECURITY FORCE-RELATED FATALITIES LIST

JCF – Jamaica Constabulary Force
 JCF-OD: Jamaica Constabulary Force Off Duty Officer
 ■ RTA: Fatal 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
OCTOBER (7) (Fatal Shooting – 5 ; DIC – 2)			
2-Oct	male u/k	Railway line, Barnett St, Montego Bay, St James	JCF-OD
12-Oct	Errol JOHNSON DIC	TSACC to Kingston Hospital	DCS
13-Oct	Keith JONES DIC	TSACC to Kingston Hospital	DCS
13-Oct	Anthony BERNARD	Old Rd, Lucea, Hanover	JCF-OD
13-Oct	Roger DANVILLE	Blood Lane, Montego Bay, St James	JCF
19-Oct	Ricardo FORBES	Newlands, Portmore, St Catherine	JCF
31-Oct	Javal REID	Brae St , Kingston	JCF
NOVEMBER (11) (Fatal Shooting – 10; DIC - 1)			
1-Nov	Ralph WILLIAMS DIC	Horizon ACC to KPH	DCS
3-Nov	Michael ROWE Dwayne JOHNSON	Fern Grove Rd, Buckfield, Ocho Rios, St Ann	JCF
6-Nov	Oneil GRANT	Lucea, Hanover	JCF
8-Nov	Odene Orlando JONES	Trevennia Park Rd, Half Way Tree, Kingston	JCF-OD
10-Nov	Garfield WRIGHT	Farm Road, Spring Gardens, St Thomas	JCF
13-Nov	Kevin BAKER	Chinese Cemetery, Waltham Park Rd, Kingston	JCF
20-Nov	Ramone SAMPSON	Michael's Gas Station, Victoria St, Kingston	JCF
20-Nov	Roshine MULLINGS	Sagicor Industrial complex, Norman Rd, Kingston	JCF
24-Nov	Aldane COOPER	Rose Hall main Rd, Linstead, St Catherine	JCF-OD
28-Nov	Ivolodge Anthony-Ray FACEY	Haylesfield, Clarendon	JCF
DECEMBER (4) (Fatal Shooting – 4; DIC – 0)			
18-Dec	Samuel BROWN	Lillyfield, Bamboo, St Ann	JCF
19-Dec	Sheldon ALLEN	Sweden St, Georges Valley, Manchester	JCF

24-Dec	male u/k	Pelican Guest House, Port Henderson Rd, St Catherine	JCF-OD
29-Dec	Richard EDMOND	Malvern, St Elizabeth	JCF

Table 10: The above list presents the names of civilians who died in security force-related incidents for the period of October to December 2019

PART TWO

The Legal Department

NATURE OF COMPLETED COMMISSION'S REPORTS

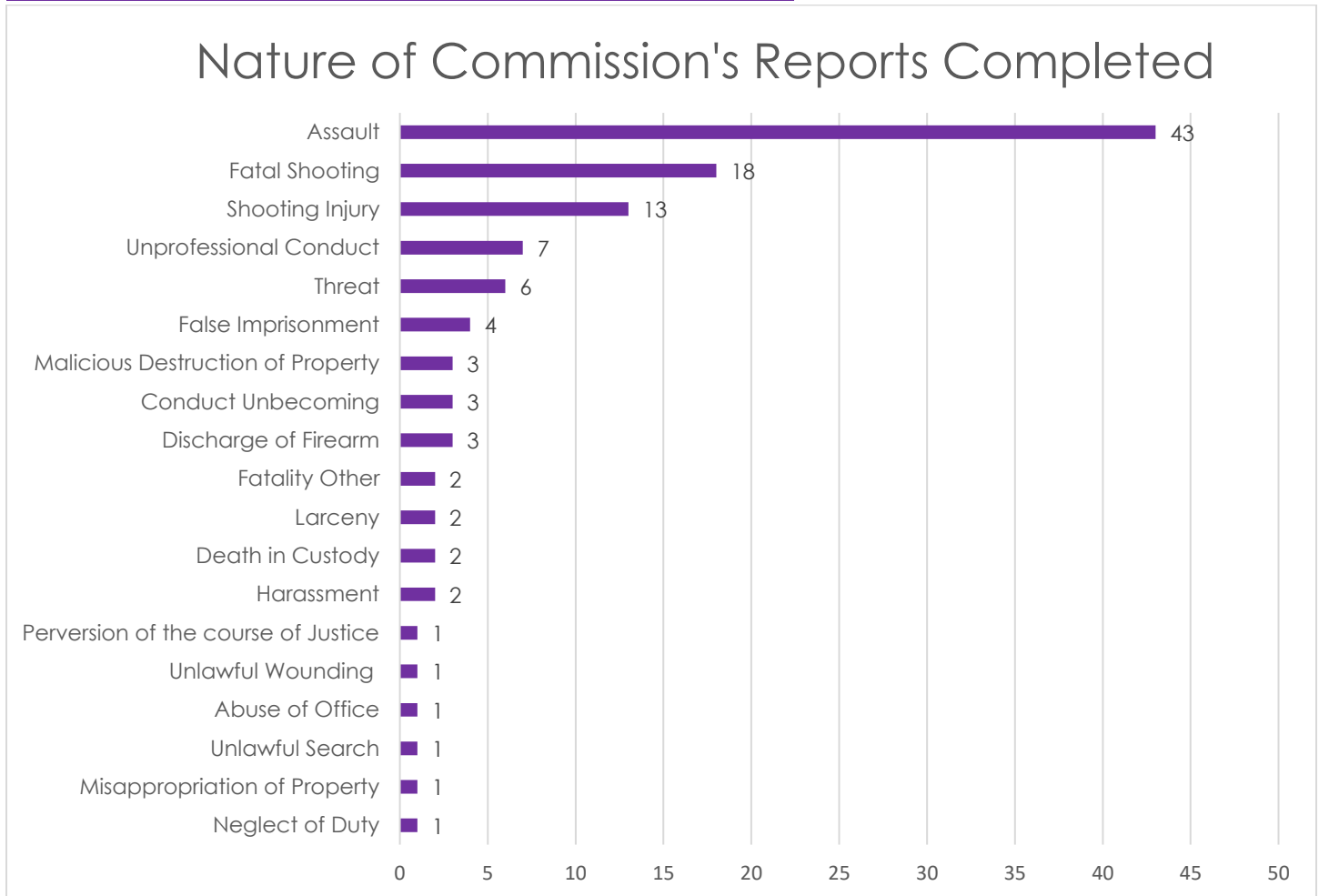


Figure 6: The above graph shows the category of complaints for the Commission's Reports completed during the period of October to December 2019

OVERVIEW: RECOMMENDATIONS MADE FOR COMPLETED COMMISSION'S REPORTS

Charge		Charge & Disciplinary Action		Disciplinary Action		Unsubstantiated
3 cases	3 officers	1 case	1 officer	7 cases	12 officers	93 cases

Table 11: The above table shows the recommendations made for Commission's Reports completed for the period of October to December 2019

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

Table 12: Recommendations by the Legal Department for Commission's Reports completed for fatal shooting incidents during the period October to December 2019.

No.	Complainant/Victim	Case Summary	Recommendation
1.	David Whyte	<p>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. Dist. Cons. walked away but the deceased further attacked and chopped at him with the machete. He felt his life was in imminent danger and swiftly discharged one ammunition from his licensed firearm hitting the deceased in the left side of chest. The deceased then again attacked the District Constable who had to run around a parked vehicle after which the deceased went back into the house. Dist. Cons. then contacted Yallahs Police Station and informed them of the incident. A police unit was dispatched to the location where the injured man was rushed to the Princess Margaret Hospital where he succumbed to his injuries and was pronounced by Doctor on duty. Dist. Cons. went to the hospital and was treated. The District Constable sustained swelling and bruising and complained of pain to his back and left little finger and right hand.</p>	<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>
2.	Albert Rose	<p>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</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>

		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.	
3.	Kevin Brown	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.	The Commission respectfully recommends that no criminal charges be laid or disciplinary action be taken in relation to the fatal shooting of Kevin Brown.
4.	Dean Meggo	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 was pronounced dead on arrival.	The Commission respectfully recommends that no criminal charges be laid or disciplinary action be taken relative to the fatal shooting of Dean Meggo.
5.	Mark Findley	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.	The Commission respectfully recommends that no criminal charges be laid or disciplinary action be taken relative to the fatal shooting of Mark Findley.
6.	Eldene Whyte	On September 6, 2012, Eldene Whyte was fatally shot by Det./Cpl. along Barnett Street, Montego Bay in St.	The Commission respectfully recommends

		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.	that no criminal charges be laid or disciplinary action be taken relative to the fatal shooting of Eldene Whyte.
7.	Dwayne Henry	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.	The Commission respectfully recommends that no criminal charges be laid or disciplinary action be taken relative to the fatal shooting of Dwayne Henry.
8.	Leonardo Mitchell	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. Mr. Mitchell was shot and injured and taken to the Spanish Town Hospital where he later died.	The Commission respectfully recommends that no criminal charges be laid or disciplinary action be taken relative to the fatal shooting of Leonardo Mitchell.
9.	Kwesi Brown and Shawn Thinker	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	The Commission hereby recommends that no criminal charges be laid nor

		<p>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.</p>	<p>disciplinary action be taken in respect of these fatalities.</p>
10.	Floyd Edwards	<p>"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.</p> <p>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.</p> <p>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.</p> <p>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.</p> <p>The matter is hereby closed.</p>	<p>This case is closed.</p>
11.	Kenroy Williams	<p>On November 12, 2011 at about 5:10 a.m. Det. Cpl. was off duty had just dropped off a friend at Geneva District, Grange Hill, Westmoreland using his private motorcar. He stopped along the said Geneva main road to urinate. Whilst doing so Det. Cpl. was approached by three men armed with handguns who shouted police and ordered him not to move. Det. Cpl. pulled his service pistol and opened gunfire at the men who ran into different directions. A pick up was seen shortly afterwards speeding away from the area. Assistance was sought from the Morgan's Bridge Police and a search conducted of the area. Williams was then found suffering from gunshot wounds to his upper body behind a house nearby. He was rushed to the Savanna-la-Mar Public Hospital where he was pronounced dead. The body was later removed to the Dooley's Funeral Home for post mortem examination. Later that said morning a green Toyota pick up owned by Williams was found abandoned about ¼ mile away with what appeared to be blood stains to the rear of the vehicle.</p>	<p>The Commission respectfully recommends that no criminal charges be laid or disciplinary action be taken in relation to the fatal shooting of Kenroy Williams.</p>

12.	Terry-Ann Steer	<p>On Friday, December 25, 2015 at about 7 p.m. Terry-Ann Steer was shot and killed by her child's father who is attached to the St. James Patrol Unit. On the aforementioned date and time the now deceased was at home at Waterside Place, Bogue Village, St. James, with her 17 years old son KR and her one year old daughter SS. She was visited by the father of her child. It is alleged that an argument developed between the victim and the child's father, which became physical with both parents pulling his license firearm and fired one shot in the direction of the victim. Steer received a gunshot wound to the left shoulder and was assisted to the Cornwall Regional Hospital by her neighbor Mr. GK. She was pronounced dead on arrival by Dr. on duty at 7:30 p.m. Constable turned himself in to the police at the Coral Gardens Police Station and handed over his licensed Taurus PT 24-7 pistol with two (2) magazines and forty (40) 9mm cartridges, along with his firearm user's license which was issued 20.6.2014 and expired 29.7.2018. He as placed in safe custody at the Barnett Street Police Station Lock ups.</p>	<p>The Commission respectfully agrees with the Office of the Director of Public Prosecutions ruling and recommends that: Constable be charged with the offence of Murder contrary to the common law, in relation to the fatal shooting of Terry-Ann Steer.</p>
13.	Janet Lawrence	<p>On May 28, 2019, Detective Corporal shot and killed his wife, Mrs. Janet Lawrence o/c 'Dianne', at their home located at Jamaica Beach in Tower Isle, St. Mary. The post-mortem examination report revealed that Mrs. Lawrence had fourteen (14) gunshot wounds to her body and died as a result of said wounds along with injuries to her vital organs. On June 5, 2019, the Office of the Director of Public Prosecutions ruled that Detective Corporal be charged with the offence of Murder in respect of Mrs. Lawrence's death. The matter has since been placed before the court.</p>	<p>The Commission agrees with the ruling made by the Office of the Director of Public Prosecutions (DPP) as regards the Fatal Shooting of Mrs. Janet Lawrence involving concerned officer, Detective Corporal. The mentioned ruling states that Detective Corporal be charged with the offence of Murder.</p>
14.	Letroy Reid	<p>The police reported that on Friday, November 30, 2018 a team of eight police personnel conducted two target raids in the New Market Police area. The operation was conducted between 12:10 a.m. and 2:00 a.m. in search of two suspects wanted for the offence of Rape at Four Paths and Ginger Hill respectively. At Four Paths BS, 35 years old, labourer was taken into custody on Reasonable Suspicion of Rape. At Ginger Hill, a premises occupied by Letroy Cabaska Reid, 32 years old, was visited by the team. The suspect fled through a board and glass window which is located at the rear of the premises. The glass was shattered and it appeared as if he sustained injuries. Blood was splashed in the face of Cpl. G who was providing cordon at the rear of the said premises. As the window swung open and the suspect alighted through same, the window hit Cpl. G on his hand causing swelling and damaging his wedding band. Three cellular phones with identification cards belonging to the suspect were seized and handed over for further investigation. Information about the death of Letroy Reid was obtained via the electronic and print media by Director of Complaints Mr. Dave Lewin who initiated an investigation. This is against the background that the police had gone to the house of</p>	<p>The Commission respectfully recommends that no criminal charges be laid or disciplinary action be taken in relation to the fatal shooting of Letroy Reid.</p>

		<p>the now deceased to effect an arrest on him on November 30, 2018. Letroy's mother and sister reported to the Commission on Monday December 3, 2018 that his body was found on Saturday, December 1, 2018 behind their house in Providence District, Ginger Hill, St. Elizabeth. Due to the paucity of the information received about the incident and the position of the police that no member of the team discharged his or her firearm, coupled with the residents who found the body not seeing any wounds, the firearms of the police team were not seized. There are no eye witnesses to this incident.</p>	
15.	Marvin Richards	<p>On Tuesday, February 5, 2013, at about 11:15 p.m., a team of police officers were on an intelligence driven operation to apprehend a man who was wanted for several crimes in the Kingston Central police division. The team proceeded to Benbow Street where intelligence had lead them to and they were advised that the assailant was armed and was in the company of other armed men. Both Constables B and B alighted from the vehicle in which they were travelling and walked unto Nelson Road where they observed a group of men whom they accosted, however one of the men pulled a firearm from his waistband and fired it in their direction. Cons. B said that he returned the fire and the men ran in different directions. The police were again fired at from a premises close to where they were fired on earlier. He then stated that the premises was searched and that the man whom had earlier fired on him was found injured with a gun. He then said that Constable B retrieved the gun from the injured man. The firearm was inspected and found to be a Taurus .38 revolver bearing serial number with six (6) spent casings. The injured man was later identified as Marvin Richards o/c Blackman. The now deceased succumbed to his injuries and was pronounced dead on arrival at the Kingston Public Hospital by Dr. W.</p>	<p>The Commission respectfully recommends that no criminal charges be laid or disciplinary action be taken in relation to the fatal shooting of Marvin Richards.</p>
16.	Damion Williams & Alden Drummond	<p>On Tuesday, August 12, 2014 at about 7:45 p.m., three off duty police officers, were at a cash pot establishment when two men came on the scene with guns in their hands. The officers called out to the men, one of whom was known to them as 'Zeeks' and the men opened fire. The officers returned fire and the men fell in the road, clutching their firearms. The men were then rushed to the Savanna-la-Mar Hospital where they were pronounced dead by Dr. M.</p>	<p>The Commission respectfully recommends that no criminal charges be laid or disciplinary action be taken in relation to the fatal shooting of Damion Williams and Alden Drummond.</p>
17.	Mahonie Smith	<p>On Tuesday, October 2013 at 4 a.m., a Joint Police/Military operation led by Superintendent of Police of the Savanna-la-mar Police Station; the personnel were divided in groups with DSP R leading the team to the now deceased house. A warrant was prepared in search of Mahonie Smith. DSP R and thirteen personnel went to a dwelling house made of concrete, painted in blue at about 6:00a.m. and cordon the house. After cordoning the house, the police announced their arrival and a girl with baby came from the front bedroom, open the grill and Constable J approached the room, girl came outside while a person inside slam the door. Constable J</p>	<p>The Commission respectfully recommends that no criminal charges be laid or disciplinary action be taken in relation to the fatal shooting of Mahonie Smith.</p>

		kicked the door open and a man of dark complexion was seen further in the room, the man pointed a gun at Constable J who was standing at the room door and he fired two (2) shots from his service Browning 9mm Pistol in the man's direction.	
18.	Basil Blackwood	On Sunday, March 31, 2013, a team of police officers were in the Horizon Park, St. Catherine area when they received information that a man had been seen with a firearm along Worchester Road. On proceeding to the target area, they saw then approached the suspect on foot and instructed that he raise his hands upwards. Said man withdrew a firearm from his waistband and fired in the direction of the police who returned fire. The suspect jumped into the vehicle on which he was previously leaning but said vehicle subsequently crashed in a fence along the roadway. A fourth man then exited vehicle, opened fire at the police then successfully escaped apprehension by climbing over a fence. The man who initially fired was found suffering from gunshot wounds. He was subsequently pronounced dead at hospital and identified as Basil Blackwood o/c 'Pawbie' of no fixed address. Having assessed the evidence available, the Commission opined that a prima facie case having a realistic prospect of conviction was not made out.	The Commission hereby recommends that no criminal charges be laid or disciplinary action be taken in respect of the fatal shooting of Basil Blackwood on March 31, 2013. The Commission further recommends that this matter be referred to the Office of the Special Coroner for that office to decide whether an inquest ought to be held.

ARRESTS MADE/CHARGES LAID (OCTOBER - DECEMBER 2019)

Name and Rank	Charge	Date of Arrest	State Agency
Cons. Andre Gilzene	Unlawful Wounding	29-Oct-19	JCF
Cons. Calvin Speid	Unlawful Wounding Perverting the Course of Justice	20-Nov-19	JCF
Cons. Damion Auld	Wounding with Intent	26-Nov-19	JCF
Cons. Nicola Williams	Wounding with Intent	18-Dec-19	JCF
Cons. Mwanda Pryce	Attempted Murder	18-Dec-19	JCF

Table 13: The above table shows all members of the Security Forces who were arrested and charged for various offences for the period of October - December 2019.

PART THREE

- **Meeting: Security Forces & INDECOM**

In the 4th quarter of 2019, INDECOM's Senior Management had one (1) meeting with members of the JCF High Command. The following matters were discussed:

- Sexual Offences Protocol
- Identification Parades

- **OUTREACH – Awareness Exercises**

Unit/Division/Station	Group Size	Contact hours
St. Ann's Bay Police Station	42	2
JCF Area 5	21	0.5

- **Press Releases**

For the 4th quarter of 2019, The Public Relations Unit issued 15 press releases.

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Searching for Truth, Striving for Justice