

COMMISSION'S REPORTS DISTRIBUTION LIST SPANNING MAY 1 – MAY 31, 2023

No.	Category	Complainant/Victim	Case Summary	Recommendations	
1	Death in Custody	Oral Hamilton	On December 14 2022, shortly after 7:00 p.m., Prisoner Oral Hamilton started vomiting. He was escorted from his cell and taken to get fresh air. He was returned to his cell after he started feeling better. Shortly after he was returned to his cell, he began vomiting again and he was again removed from his cell between the hours of 7:35 p.m. and 7:40 p.m. While he was being taken to the police vehicle, he fainted and was transported to the Kingston Public Hospital where he died at about 12:00 a.m. A postmortem examination was conducted on the body and following that, a postmortem report was prepared. This report indicated that the deceased's death was due to perforated gastric ulcer, septic shock and acute peritonitis.	The Commission respectfully recommends that: a) No criminal charges be laid or disciplinary action be taken against any member of the Jamaica Constabulary Force in relation to death of Oral Hamilton. b) The file be forwarded to the Special Coroner.	No Charge
2	Death in Custody	Kwame Samuels	Information garnered from the Medical Report on Qumi (Kwame) Samuels suggests that on the day in question, December 18, 2022, he presented to the Medical unit complaining of burning pain to the chest. He was given medication and sent off. He returned to the medical department sometime later and was noted to be vomiting in the treatment area. He was then treated and assigned to the Medical Ward Dormitory for observation. Later that night, he was noted by fellow inmates to be vomiting again, and thus alerted members of staff. He was seen unresponsive with little to no pulsation. Cardiopulmonary resuscitation with rescue breaths was there after administered by CO1, with "no signs of recovery". Mr. Samuels was then referred to KPH for a more comprehensive assessment, where he was pronounced dead. According to the deceased medical report, he had a long standing history of Chronic/recurrent gastritis, and possibly contributory drug history. From the evidence garnered, foul play is not suspected as the Postmortemings. Two were found on the verandah of the premises where it is agreed the incident started a	The Commission respectfully recommends that: a) No criminal charges be laid or disciplinary action be taken against any member of the Department of Correctional Services in relation to death of Kwame Samuels. b) The file be forwarded to the Special Coroner.	No Charge
3	Fatal Shooting	Kenroy Murray & Kwame Richardson	On Tuesday May 16, 2017 about 3:45 p.m. members of the St. Elizabeth Operational Support Team were on a Vehicular Check Point operations along the New Market Main Road when they signaled a white Toyota Mark X motor car bearing registration number 6833 HJ to stop. Two of the four men who were aboard opened fire at the police team. The fire was returned by the police and two of the men were subsequently found suffering from gunshot wounds. They were rushed to the Black River Hospital where they were pronounced dead by Doctor. The other two men escaped in nearby bushes. One pistol bearing serial number CM 19850 with thirteen .40 live cartridges were taken from the motor car.	The Commission respectfully recommends that: a) No criminal charges be laid or disciplinary action be taken in relation to the fatal shooting of Kenroy Murray and Kwame Richardson . b) The file be forwarded to the Special Coroner.	No Charge
4	Fatal Shooting	Leighton Thompson & Richard Green	On Monday, May 10, 2021 at about 12:30 p.m. New Kingston Police Team consisting of Constable and Woman Constable responded to radio of suspicious men said to be travelling in a white Toyota Axio motorcar, travelling along Trafalgar Road. Upon reaching the intersection of Waterloo, Trafalgar and Hope Road three (3) men alighted from the said Toyota Axio and fired on the police. The police engaged and returned fire. During the firefight the Matilda's Corner Quick Response Team consisting of three Constables, arrived at the location and were also engaged by the gunmen. Two (2) of the men from the white Toyota Axio exited the vehicle and ran into the Abbey Court Apartments. They were chased by the police and one of the two was apprehended, the other escaped. The male that was apprehended was found to be suffering injuries. The driver of the white Toyota Axio was also found to be suffering gunshot wounds. Both men were taken to the Kingston Public Hospital (KPH). In the vehicle the police recovered two (2) Glockings. Two were found on the verandah of the premises where it is agreed the incident	The Commission respectfully recommends that: a) No criminal charges be laid or disciplinary action be taken in relation to the fatal shooting of Leighton Thompson and Richard Green. b) The file be forwarded to the Special Coroner.	No Charge
5	Neglect of Duty	CD	The complainant, CD indicated in his statement that he was beaten by two inmates after a discussion of who should get a straight (bunk bed) inside the cell. CD indicated that P, hit him in the left side of his jaw, and immediately after, D kicked him in the left side of his jaw. This investigation was set out to prove whether or not the officers neglected their duty. Constable did neglect his duty when he failed to take CD to seek medical attention when he visited the cell and saw blood coming from his mouth. He is in breach of Section 50H (6).	The Commission recommends that disciplinary proceedings be instituted against Constable . Relative to the recommendation made above, the Commission recommends that the Commissioner of Police: a) Be advised of the Commission's findings that a prima facie case exist that Constable breached Section 50H (6) of the Jamaica Constabulary Force Act . b) Causes such internal disciplinary proceedings as are fit and proper to be instituted against Constable to determine whether he committed the breach described in the preceding sub-paragraph. c) Cause the necessary retraining. d) Advise the Commission as to whether the recommendation at (b) was carried out.	Disciplinary Action
6	Unlawful Arrest	FB o.b.o. KB	Twenty year old, KB was arrested and charged for four (4) counts of Murder and Illegal Possession of Firearm and Ammunition. He has claimed he is innocent and has no knowledge of the incident. The Investigating Officer, Detective Sergeant, indicated that he was pointed out by a witness on the scene and hence was charged.	It is hereby recommended that no criminal charges be laid or disciplinary action taken in respect of this complaint.	No Charge
7	Misappropriation of Property	KW	The complainant KW reports that after her brown Toyota Probox car was towed to the St. Ann's Bay Police Station for safekeeping, items were stolen from inside the vehicle. An allegation of misappropriation of her property was then occasioned against the St. Ann's Bay Police Station officers.	It is hereby recommended that no criminal charges be laid or disciplinary action taken in respect of this complaint.	No Charge
8	Assault	CS	The complainant CS he states that on February 13, 2022 between 10:00 am and 11 a.m. he was assaulted by two police officers at his sister's house in Pell River, Hanover.	It is hereby recommended that no criminal charges be laid or disciplinary action taken in respect of this complaint.	No Charge
9	Assault	RB	At about 12 p.m. on March 30, 2022 RB stated that he was assaulted by the police officers.	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.	No Charge
10	Malicious Destruction of Property Unlawful Entry	SP o.b.o. NB	This investigation is concerned with verifying whether police officers illegally entered the home of NB at Pineapple Walk, West Green in Montego Bay, St. James and maliciously caused damage to the premises on July 30, 2022 sometime after 1 a.m. Allegations are that police officers went to the West Green residence and damaged the security system, the backdoor, veranda grille and awning. These damages were estimated to be JMD \$82,500.	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.	No Charge
11	Assault	GG	GG alleges that on the 9 th day of July 2020 he was assaulted by municipal officers who used their batons to beat him. He states that this occurred after he was involved in an altercation with a man known to him as "B". As a result of the incident, he sustained injuries to his mouth and his shoulder.	It is hereby recommended that no criminal charges be laid or disciplinary action taken in respect of this complaint.	No Charge

12	Assault	GG & NA	On May 18, 2022 at about 9:45 p.m., the complainants GG & NA suggested that they were both assaulted by Constable.	It is hereby recommended that no criminal charges be laid or disciplinary action taken in respect of this complaint.	No Charge
13	Assault	RM	RM is alleging that on December 1 st , 2021, he was assaulted by a police officer in the Station Guardroom of the St. Ann's Bay Police Station, St. Ann.	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 in respect of this complaint.	No Charge
14	Assault	SC	The Independent Commission of Investigations (INDECOM) received allegations from SC that she was assaulted by two police officers while her hands were handcuffed behind her back on August 28, 2022 in West Green, Montego Bay, St. James.	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 in respect of this complaint.	No Charge
15	Assault	TJ	The complainant TJ on September 20, 2021, he was assaulted by an officer who he now knows as "P".	It is hereby recommended that no criminal charges be laid or disciplinary action taken in respect of this complaint.	No Charge
16	Threat	SB	The complainant SB states that he was threatened by a police officer on Friday, December 23, 2022 at Rio Bueno, Trelawny.	It is hereby recommended that no criminal charges be laid or disciplinary action taken in respect of this complaint.	No Charge
17	Assault	RH	The complainant, RH is alleging that on March 16, 2020, a police officer whom he was seeing for the first time, but which investigation has identified to be Constable, assaulted him by shoving him forcefully against the police vehicle, and used his hand to shove the complainant's head repeatedly onto the railing of the police vehicle while they were on the compound of the Kingston Central Police Station. Due to the complication in the medical evidence, and the fact that the complainant did not properly identify the concerned officer by the regulation numbers he supplied, the Commission has found that this case is not fit to be put before a jury.	The Commission hereby recommends that no criminal charges be laid nor disciplinary action be taken in respect of this complaint.	No Charge
18	Assault	JC	The complainant, JC alleges that he was assaulted by Staff Officer on March 19, 2020 on Security Post 5 of the Horizon Adult Remand Centre, without lawful justification and excuse.	The Commission hereby recommends that no criminal charges be laid nor disciplinary action be taken in respect of this complaint.	No Charge
19	Assault	KE	The complainant, is alleging that Constable unlawfully arrested him at his home at Text Lane, Rose Gardens, Kingston CSO, and trumped-up charges of Disorderly Conduct, Uttering Abusive and Calumnious Language, and Resisting Arrest on account of his asking Constable: "Yuh aguh search mi hood to?" during a personal search. Whilst the Commission was inclined to recommend the pursuit of civil remedies for unlawful arrest, it could no longer do so as, due to frustrations with drawn-out process of court attendance, the failure of witnesses to give testimony, and the inability to afford legal representation for argument on technical points of the public order offence on which the Resisting Arrest charge was based; the complainant plead guilty to those charges.	The Commission hereby recommends that no criminal charges be laid nor disciplinary action be taken.	No Charge
20	Assault	SH	The complainant, SH is alleging that he was slapped in the face thrice by a police officer who had assisted in his arrest at his home on February 24, 2020. He was seeing this officer for the first time, and did not procure his name. Having assessed the evidence, the Commission opined that this case did not yield up sufficient evidence to afford a realistic prospect of conviction.	The Commission hereby recommends that no criminal charges be laid nor disciplinary action be taken.	No Charge
21	Assault	TP	The complainant, TP is alleging that on January 12, 2022, he was assaulted by Detective Sergeant at the May Pen Police Station in the aftermath of a confrontation identification. Detective Sergeant denies this, as well as Woman Constable, the investigating officer in the case against the complainant. There is no medical evidence to corroborate the complainant's account, and having demonstrated that he may not be a complainant of truth, the Commission finds his complaint to be unsubstantiated.	The Commission hereby recommends that no criminal charges be laid nor disciplinary action be taken in respect of this complaint.	No Charge
22	Assault	SE	The complainant, SE alleges that on November 12, 2015, she was assaulted by Constable. Having investigated the matter, no medical or witness evidence to corroborate the complainant's allegations was found.	The Commission hereby recommends that no criminal charges be laid nor disciplinary action be taken in respect of this complaint.	No Charge
23	Assault	DG	The complainant, DG is alleging that on February 20, 2020, he was assaulted by four (4) District Constables; two (2) of whom he identifies, and the others he identifies by Monikers of "S" and "U". Having investigated the matter, no evidence of unjustified assault was found.	The Commission hereby recommends that no criminal charges be laid nor disciplinary action be taken in respect of this complaint.	No Charge
24	Assault	SD	The complainant, SD is alleging that on August 15, 2022, she was assaulted by Sergeant of the Retreat Police Station. Having investigated the matter, as far as it could do, the Commission has found that there is insufficient evidence to establish an assault.	The Commission hereby recommends that no criminal charges be laid nor disciplinary action be taken in respect of this complaint.	No Charge
25	Shooting Injury	NW	The complainant, NW reported that on May 13, 2022 he was shot and injured by the police.	The Commission humbly recommends that no criminal charges be laid, or disciplinary action taken and the file closed.	No Charge
26	Assault	OM	The complainant, OM, an inmate at the Richmond Farm Adult Correctional Centre (RFACC), reported that he was assaulted by a Correctional Officer who grabbed his genitals and squeezed the area causing pain and swelling. OM further reported that the Correctional Officer then lifted him by his pants causing even more discomfort to his genital area.	The Commission humbly recommends that no criminal charges be laid or disciplinary action taken and the file closed.	No Charge
27	Assault	DN	The complainant, DN, a prisoner at the Greater Portmore Police Station lockup reported that while in the waiting area of the cell block on Sunday, November 8, 2020, he sought to obtain the remaining portion of his medication when he was told no by an officer known to him. He reported that the grille gate was opened and he was beaten by this officer with a baton all over his body, and he requested assistance. This officer then used the baton to strike him to his forehead causing a wound that bled.	The Commission humbly recommends that no criminal charges be laid or disciplinary action taken and the file closed.	No Charge

28	Assault	WW	The complainant, WW, reported that whilst an inmate at the Richmond Farm Adult Correctional Centre (RFACC) he was assaulted by a Correctional Officer who used a baton to hit him resulting in his left arm being broken.	The Commission humbly recommends that no criminal charges be laid against Correctional Officer 1 , in respect of this complaint. It is further recommended that the Commissioner of Corrections : a) Be advised of the Commission's finding that a prima facie case exists that Correctional Officer 1 breached sections 86(1) and 92 (1) of the Corrections Rules . b) Causes such internal disciplinary proceedings as are fit and proper to be instituted against Correctional Officer 1 to determine whether they committed the breach described in the preceding sub-paragraph (a). c) Advises the Commission as to whether disciplinary proceedings will be instituted and, if they will, the contemplated nature of those disciplinary proceedings. d) Where disciplinary proceedings in respect of sub-paragraph (b) above, are completed, communicates the outcome of the proceedings to the Commission within fifteen (15) days of their completion. It is recommended that the file be closed.	Disciplinary Action
29	Assault	KM	The complainant, KM, reported that on Thursday, September 17, 2020, she was involved in a verbal disagreement with some women from her community when she was sprayed with pepper spray by a police officer who was present at the time of the argument.	The Commission humbly recommends that no criminal charges be laid, or disciplinary action be taken and the file closed.	No Charge
30	Neglect of Duty	ST	ST reported that the actions of Woman Constable on Saturday, September 19, 2020 caused another party in a vehicular collision to elude the police.	The Commission respectfully recommends that no criminal charges be laid, or disciplinary action be taken and the file closed.	No Charge
31	Assault	DS	The complainant, reported that she was assaulted by the police who entered the house of her boyfriend and conducted a search. She reported that on Wednesday, October 14, 2020, she entered her boyfriend's house where she saw police conducting a search. She stated that while in the house, her head was slammed against the wall, and upon being escorted outside of the house she was held by the throat and thrown against a wall by the police who also kicked her in her neck, and on her back causing her pain.	The Commission humbly recommends that no criminal charges be laid, or disciplinary action taken against the concerned officers but that they be re-trained in how to treat with females in their custody, and the file closed.	No Charge
32	Assault	SM & JM	The complainants, SM & JM, reported that on Tuesday, October 27, 2020, they were assaulted by the police who took them to the National Police Academy where they were beaten and interrogated along with a friend, JD. After this they were taken to the Spanish Town Police Station then to the Shady Grove Police Station where they were charged.	The Commission humbly recommends that no criminal charges be laid, or disciplinary action taken and the file closed.	No Charge
33	Assault	OB	The complainant, OB, reported that on Tuesday, June 29, 2021, he was assaulted by the police along Beeston Street in Kingston, who pointed a gun at him, slapped his cellular phone from his hand, and then slammed the police jeep on his left leg causing injury.	The Commission humbly recommends that no criminal charges be laid against Constable . The Commission further recommends that: a) That the Inspectorate and Professional Standards Oversight Bureau (IPROB) be advised that a prima facie case exists that Constable breached the JCF's Human Rights and Use of Force Policy, as well as Force Orders 3337 Part I Sub. No. 1 dated May 19, 2011; and 3380 dated March 15, 2012 respectively, during interaction with the complainant. b) Causes such internal disciplinary proceedings as a fit and proper to be instituted against Constable to determine whether he committed the breaches described in subparagraph (a). c) Advises the Commission as to whether disciplinary proceedings have been instituted and, if they have, the contemplated nature of those disciplinary proceedings; and d) Communicates the outcome of the proceedings in respect of subparagraph (a) above, to the Commission at the soonest. e) The file be closed.	Disciplinary Action
34	Malicious Destruction of Property	LS	The complainant, LS, outlined that on November 28, 202, whilst driving in Downtown, Kingston, he was signaled to stop by the police. After he repeatedly disobeyed the police commands for him to stop his vehicle, and exit the same, one of the police officers with whom he had been speaking with, used a baton to hit his rear windshield, thereby causing damage.	It is hereby recommended that no criminal charges or disciplinary action be taken in respect of this complaint. It is recommended that the file be closed.	No Charge
35	Assault	OH	The complainant, OH, alleged that on September 29, 2019, at about 10:30pm, after double-parking his motor vehicle, in the roadway by his home in Harbour View, Kingston, he was accosted by a policeman, who requested his driver's licence and the vehicle's documents. He explained to the policeman that there would be no need to provide him with the documents since he would be moving his vehicle. The policeman grabbed him by the hand, draped him and demanded the documents. During their interaction, the policeman threw him against his car, causing him to hit his head and shoulders. Additionally, whilst at the Harbour View Police Station, the policeman punched him several times in the head and upper body.	It is hereby recommended that no criminal charges be laid or disciplinary action be taken in respect of this complaint. It is recommended that Constable familiarize himself with JCF Force Orders 3380 in relation to Police Public Interaction . It is recommended that the file be closed.	No Charge

36	Assault	SL	The complainant, SL, is a prisoner at the Tower Street Adult Correctional Centre. Due to a psychiatric diagnosis, he is housed on the Hospital Section. On September 22, 2019, at about 3:00am, whilst he was watching television, the concerned officer entered the dorm and repeatedly requested that he hand over a cellular phone. He told the concerned officer numerous times that he was not in possession of a phone. During the discourse, the concerned officer boxed him in his face, hit him in his throat, and kicked him in his left ribs.	It is hereby recommended that no criminal charges be laid against Correctional Officer 1 in respect of this complaint. It is recommended that the Commissioner of Corrections : Be advised of the Commission's finding that a prima facie case exists Correctional Officer 1 breached Rules 90 and 92 of the Correctional Institution (Adult Correctional Centre) Rules, 1991 . i. Causes such internal disciplinary proceedings as are fit and proper to be instituted against Correctional Officer 1 to determine whether he committed the breach described in the preceding sub-paragraph. ii. Advises the Commission as to whether disciplinary proceedings will be instituted and, if they will, the contemplated nature of those disciplinary proceedings by the 30 th of November 2023. iii. Where disciplinary proceedings in respect of sub-paragraph (ii) above, are completed, communicates the outcome of the proceedings to the Commission within fifteen (15) days of their completion. It is recommended that Correctional Officer 1 and Correctional Officers Two were found on the verandah of the premises where it is agreed the incident started and where SD placed himself and SW placed both Shawn D White and SD. Of note, the other spent casings were found at the other scenes which spanned several houses. Further, the Chemistry Certificate revealed that Shawn D White's right hand	Disciplinary Action
37	Assault	UW, AM & ET	The complainants, UW, AM & ET are inmates at the Horizon Adult Correctional Centre. They alleged that on November 4, 2019, after a fight occurred in the bathroom on Security Post 1, they were assaulted by correctional officers, 'K' and 'R'.	It is hereby recommended that no criminal charges or disciplinary action be taken against any member of the Department of Corrections in respect of this complaint. It is recommended that the file be closed.	No Charge
38	Assault	TW & AH	The complainants, TW & AH, alleged that on April 21, 2022, whilst they were at AH's home, TW's estranged husband, Sergeant, entered the property, where he pointed a firearm at them.	It is hereby recommended that no criminal charges be laid against Sgt. in respect of this complaint. It is recommended that TW and Sgt. participate in further counselling sessions. It is recommended that the Inspectorate and Professional Standards Oversight Bureau (IPROB) of the Jamaica Constabulary Force , launches a fulsome investigation in the actions of Sgt. in respect of this complaint in order to determine whether he should face disciplinary action. It is recommended that the Inspectorate and Professional Standards Oversight Bureau of the Jamaica Constabulary Force considers whether Sgt. is temporarily unfit to carry a firearm. It is recommended that the file be closed.	Disciplinary Action
39	Assault	RB	The complainant, RB, alleged that on August 24, 2019, at some time between 8:00pm and 9:00pm, he was ticketed by the concerned officer in Lucea, Hanover. After crushing up the ticket and throwing it to the ground, the concerned officer informed him that he would be arrested, and instructed him to exit the vehicle. Soon after exiting the vehicle, the concerned officer allegedly shoved him in his stomach, shoulder and back, punched him repeatedly in his stomach and chest, as well as kicked him on both his right and left sides, causing him to experience pain.	It is hereby recommended that no criminal charges be laid or disciplinary action be taken in respect of this complaint. It is recommended that the file be closed.	No Charge
40	Assault	JB	Inmates at the Denham Town Police Station Lock-Up alleged that on August 14, 2022, after stopping their visits, Sergeant administered pepper-spray in their cell, threw water from a urine bucket on them, as well as used a baton to strike them, thereby causing them to suffer pain and swelling.	It is hereby recommended that no criminal charges or disciplinary action be taken against Sgt. with respect to this complaint. It is hereby recommended that Sgt. re-familiarizes himself with the rules outlined in the Lock-Up Administration Policy and Standard Operating Procedures . It is recommended that the file be closed.	No Charge
41	Assault	HS	The complainant, HS, is a prisoner at the Tower Street Adult Correctional Centre (TSACC). He alleged that on April 20, 2021, whilst walking downstairs from the 'G' Section, a correctional officer used a board baton to hit him in the chest. As he continued walking down the stairs, he heard someone shout "Junglist, look out". He immediately turned around and saw the correctional officer walking down the stairs with the baton in his right hand. The correctional officer then used the baton to hit him in the front of his head, which resulted in him suffering a wound, a numb feeling, as well as pain.	It is hereby recommended that no criminal charges be laid against Acting Corporal in respect of this complaint. It is recommended that the Commissioner of Corrections : Be advised of the Commission's finding that a prima facie case exists Corporal breached Use of Force procedures in relation to the use of a baton . 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. 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 30 th of September 2023. iv. Where disciplinary proceedings in respect of sub-paragraph (ii) above, are completed, communicates the outcome of the proceedings to the Commission within fifteen (15) days of their completion. It is recommended that Corporal be retrained at the Carl Rattray Staff College in relation to the Use of Less Lethal Weapons . Two were found on the verandah of the premises where it is agreed the incident started and where SD placed himself and SW placed both Shawn D White and SD. Of note, the other spent casing	Disciplinary Action
42	Fatal Shooting	Shawn-D White	On January 4, 2021 a team from the Independent Commission of Investigations (INDECOM) responded to and began investigations into the Fatal Shooting of Shawn D White and Shooting Injury of SD along Warreka Road, Kingston 2. The police reported	The Commission humbly recommends the following: a. In relation to the fatal shooting of Shawn D White and the Shooting Injury of SD , that no criminal charges be preferred,	No Charge

	Shooting Injury	SD	that on even date, that upon reaching the vicinity of St. Georges Road, several armed men opened gunfire at the team. They took cover and in fear of their lives returned fire. After the shooting subsided, Mr. White was seen suffering from gunshot wounds and a firearm was recovered from him. Mr. White was taken to the Kingston Public Hospital where he died while undergoing treatment. Accounts from eye witnesses SD and SW who placed themselves on the scene denied that the men were armed and asserted that the police party greeted them with gunfire. In fear of their lives they ran. Of importance, the Ballistics Report confirmed that the recovered firearm was fired on even date as six spent casings matched the firearm. Of equal importance is the placement of these spent casings. Two were found on the verandah of the premises where it is agreed the incident started and where SD placed himself and SW placed both Shawn D White and SD. Of note, the other spent casings were found at the other scenes which spanned several houses. Further, the Chemistry Certificate revealed that Shawn D White's right hand revealed the presence of 2 particles characteristic of gunshot residue. SD's hands did not reveal the presence of particles characteristic of gunshot residue.	nor any disciplinary action be taken. b.That the matter be referred to the Kingston and St. Andrew Coroner's Court.	
43	Fatality	Leon Powell	The Commission commenced an investigation into the death of Mr. Leon Powell and injury of KR. According to KR, while aboard JAMCO motorcycle as the pillion rider being driven by Mr. Powell along Whitehall Avenue, a service vehicle hit the rear of the motorcycle causing them to be thrown from the motorcycle. He asserts that the roadway was dry.	The Commission humbly recommends the following: a.That no criminal charges or disciplinary action be taken. b.That the matter be referred to the Special Coroner.	No Charge
44	Assault	PG	This Report concerns an incident involving PG ('the Complainants' herein) and Sergeant (the 'Concerned Officers' herein) in the vicinity of the Black River Tax Office. The Complainant alleges that he was unlawfully assaulted by Sergeant which resulted in him suffering a broken arm.	The Commission humbly recommends the following: a.In relation to the complaint of Inflicting Grievous Bodily Harm that no criminal charges be taken against Sergeant. b.That the matter be referred to the Inspectorate and Professional Standards Oversight Bureau to launch a fulsome investigation into the officers in charge for failing to adhere to Section 50H (6) of the Constabulary Force Act.	No Charge
45	Assault	TB	This Report concerns an incident involving TB ('the Complainants' herein) and members of the Jamaican Constabulary. TB alleges that he was unlawfully assaulted by three policemen on two occasions: while at Mr. L's house and en route to the Cornwall Regional Hospital.	The Commission humbly recommends the following: a. That no criminal charges nor disciplinary action be taken against Woman Constable and Constable . b.That disciplinary proceedings be instituted against Constable . Relative to the recommendation made at paragraph 73(b), the Commission recommends that the Commissioner of Police: c.Be advised of the Commission's findings that a prima facie case exist that Constable breached Paragraphs 13, 14, and 18 of the JCF Use of Force Policy, Section II (J) of the Prisoner Transport Policy and Procedure and Section 6 of the JCF Code of Conduct. d.Causes such internal disciplinary proceedings as are fit and proper to be instituted against Constable to determine whether he committed the breach described in the preceding sub-paragraph. c.Cause the necessary retraining. d.Advise the Commission as to whether the recommendation at (b) was carried out by the 28 th day of August 2023.	Disciplinary Action
46	Assault	SB	This Report concerns an incident which took place on January 3, 2020 between SB, (the 'Complainant herein) and Special District Constable ('the Concerned Officer' herein) at the Charles Gordon Market in Montego Bay, St. James. SB alleges that she was unlawfully assaulted by numerous municipal police officers resulting her suffering bruising to her neck, shoulder, buttocks, and both knees and in wrist of her right hand.	The Commission humbly recommends that no criminal charges be preferred, nor any disciplinary actions be taken.	No Charge
47	Assault	NT & SW	This Report concerns an incident involving NT & SW ('the Complainants' herein) and Corporal (the 'Concerned Officers' herein) in the vicinity of the intersection of Princess Street and Beckford Street, Kingston CSO. The Complainant alleges that she was unlawfully hit in the face multiple times by the officer resulting in injuries.	The Commission humbly recommends that no criminal charges be preferred, nor any disciplinary action be taken.	No Charge
48	Assault	GN	The Complainant, GN (the 'Complainant' herein) alleges that he was assaulted by a team of police officers to include Sergeant and two Constables ('the Concerned Officers' herein) along Rock Halt main road, Clarendon.	The Commission humbly recommends that no criminal charges be preferred, nor any disciplinary actions be taken.	No Charge
49	Assault	TW	The Complainant TW alleges that he was assaulted by a police officer who used his left hand to repeatedly hit him under his throat in the vicinity of his windpipe with a gun in his hand. The officer also threatened to kill him.	The Commission humbly recommends that disciplinary proceedings be instituted against Constable . Relative to the recommendation made above, the Commission recommends that the Commissioner of Police: a.Be advised of the Commission's findings that a prima facie case exist that Constable breached Paragraphs 13, 14, and 18 of the JCF Use of Force Policy. b.Causes such internal disciplinary proceedings as are fit and proper to be instituted against Constable to determine whether he committed the breach described in the preceding sub-paragraph. c.Cause the necessary retraining. d.Advise the Commission as to whether the recommendation at (b) was carried out by the 31 st day of August 2023.	Disciplinary Action

50	Assault	SB	The complainant, SB , stated that on September 12, 2022 he was assaulted by police officers. He was taken to the Black River Police Station and en route and upon arrival at the police station, he was assaulted by the concerned officers. He was charged for several offences and granted bail the same day. He sought medical attention for the injuries he sustained as a result. The Commission finds that based on the investigation and the evidence unearthed, excessive force was used in the circumstances.	It is respectfully recommended to the Inspectorate and Professional Standards Oversight Bureau: A) Be advised that a prima facie case exists that two Constables breached Sections 17 and 18 of the JCF Human Rights and Police Use of Force and Firearms Policy; Rules 6 and 32 of the Code of Conduct; and Rule 3.1 of the Book of Rules by using force in an excessive manner; B) Causes two Constables to be restrained on the Use of Force Policy and causes such internal disciplinary proceeding as are fit and proper to be instituted against two Constables to determine whether they committed the breach described in the preceding sub paragraph; C) Advises the Commission as to whether disciplinary proceedings have been instituted and, if they have, the contemplated nature of those disciplinary proceedings by September 4, 2023; D) Communicates the outcome of the proceedings in respect of subparagraph (b) above, to the Commission at soonest. The Commission recommends that the complainant pursue the available civil remedies in the circumstances.	Disciplinary Action
51	Assault	MK obo JD	The complainant, MK , stated that on Sunday June 20, 2021 she went to the police station to visit her son and was told she could not see him. She reported on behalf of her son, JD who was in custody at the Chapelton Police Station Lock-Up that he was assaulted by police officers which caused his arm to be fractured. He was not taken for medical attention until sometime after. Other inmates have also been injured and have broken bones too and have not been taken to receive medical attention.	The Commission hereby recommends that no criminal charges be laid against Sergeant and four Constables . It is respectfully recommended that the Inspectorate and Professional Standards Oversight Bureau (IPROB): A) Be advised that a <i>prima facie</i> case exists that Sergeant and four Constables breached several Force policies including the use of force against the complainant was excessive and inappropriate and which resulted in the complainant suffering serious injury to his person, though not permanent and poor record-keeping in relation to the contraband being confiscated and the policies pertaining to record-keeping as means of accountability; B) Causes such internal disciplinary proceeding as are fit and proper to be instituted against Sergeant and four Constables to determine whether they committed the breaches described in the preceding sub paragraph (a); C) Advises the Commission as to whether disciplinary proceedings have been instituted and, if they have, the contemplated nature of those disciplinary proceedings. Two were found on the verandah of the premises where it is agreed the incident started and where SD plac	Disciplinary Action
52	Assault	TM	The complainant, TM , alleged that on February 9, 2020 she was at her home when Constable and soldiers attended. She states they broke down her fencing and that she was further assaulted by Constable, who tore her blouse, exposing her breasts. She and her sister were taken to the Elletson Police Station where they were arrested and charged.	In these circumstances the Commission hereby recommends that no criminal charges or disciplinary action be taken against Constable in respect of this complaint.	No Charge
53	Assault	PA	The complainant, PA , alleged that on February 21, 2020 she attended the Negril Police Station where she was assaulted by police officers as she made enquiries about her home. She was subsequently taken to the Negril Fire Station where she was examined and granted station bail. She sought medical attention at Dr. Grant's office.	In these circumstances the Commission hereby recommends that no criminal charges or disciplinary action be taken against any concerned officer herein of the Negril Police Station in respect of this complaint.	No Charge
54	Assault	MG obo WF	The complainant, MG , reported on behalf of her son, WF , that he was assaulted by District Constable in Port Antonio.	In these circumstances the Commission hereby recommends that no criminal charges or disciplinary action be taken in respect of this complaint.	No Charge
55	Threat Conduct Unbecoming	CS	The complainant, CS , has made allegations of threat against Corporal when she attended the Ramble Police Station. She states that the concerned officer conducted himself in a manner unbecoming. Though the complaint has not been substantiated, the concerned officer has been since warned upon the Commission's directive.	In these circumstances it is hereby recommended that no criminal charges or disciplinary action be taken in respect of this complaint.	No Charge
56	Breach of INDECOM Act		Investigators employed with the Independent Commission of Investigations, while executing their duties in furtherance of an investigation regarding the complaint of IL , were prevented from accessing a relevant station diary entry at the Half Way Tree Police Station by Woman Detective Inspector between February 25, 2020 and June 10, 2020 who directly prevented such access or attempted to circumvent same. Several Notices pursuant to section 21 of the <i>Independent Commission of Investigations Act</i> were prepared and served on Woman Inspector, in relation to the production of the requested and relevant diary entries. Woman Inspector did not comply with the Notices.	In these circumstances it is hereby recommended that no criminal charges or disciplinary action be taken in respect of her failure to comply with INDECOM's Notices.	No Charge
57	Assault Threat	RC	The complainant, RC , has made allegations of threat against Constable who was off-duty at the time of the incident. He also stated that Constable assaulted him during their interaction. All investigative steps have been taken and the concerned officer has been since warned upon the Commission's directive.	In these circumstances it is hereby recommended that no criminal charges or disciplinary action be taken in respect of this complaint.	No Charge
58	Assault	JC	The complainant, JC , alleged that on September 28, 2022 he was assaulted by two (2) police officers while on Wildman Street. He states he was arrested and taken to the Christiana Police Station where he was handcuffed to a bench and assaulted by the same police officer who handcuffed him. He was charged for several offences and granted bail. He sought medical attention the same day for the injuries he sustained.	In these circumstances the Commission hereby recommends that no criminal charges or disciplinary action be taken in respect of this complaint.	No Charge
59	Threat Neglect of Duty	SF	The complainant, SF , has made an allegation against a police officer with known regulation number who attended the resort he is a Security Guard for. SF stated he went to make a report of the incident at the Negril Police Station, but no one assisted him. SF states he is in fear of his life.	In these circumstances it is hereby recommended that no criminal charges or disciplinary action be taken in respect of this complaint.	No Charge

60	Assault Threat	NC obo VP	The complainant, NC , reported on behalf of her son, VP , that he has been threatened and his home has been searched on numerous occasions even in his absence. VP alleged that on September 4, 2022 police officers and soldiers attended his home, searched it and assaulted him. He was also threatened throughout his interaction with the police officers. He and his girlfriend were thereafter taken to the Savanna-la-Mar Police Station where they were processed and released.	In these circumstances it is hereby recommended that no criminal charges or disciplinary action be taken in respect of this complaint.	No Charge
61	Assault	EW obo TP	EW made a report on behalf of TP , an inmate at the St. Catherine Adult Correctional Centre, who reports that inmate TP was assaulted by a Correctional Officer at the institution as he was reportedly found to be in possession of a mobile phone which was subsequently confiscated by the Correctional Officers. EW further reported that the inmate is being harassed, threatened and assaulted by a named Correctional Officer and that he has not been taken to physiotherapy or other medical appointments.	In these circumstances it is hereby recommended that no criminal charges or disciplinary action be taken in respect of this complaint.	No Charge
62	Unlawful Search	CE & QF	The complainant, CE , reported that on September 13, 2020 she was asleep at her apartment and alleges that police officers illegally entered and searched her apartment.	It is hereby recommended that no criminal charge or disciplinary action be taken in respect of this complaint.	No Charge
63	Assault	GP & OP	The complainants, GP and OP alleged that on October 18, 2020 they were at home when police officers attended and during their interaction they alleged the police officers assaulted them, causing them actual bodily harm for which they had to seek medical attention. The Commission finds that the use of force by the concerned officers was necessary and proportionate to the threat being met out to them as well as in furtherance of achieving a lawful objective which was to effect arrest of the complainants.	In these circumstances it is hereby recommended that no criminal charges or disciplinary action be taken against any member of the team in respect of this complaint. The Commission recommends that Constables receive a refresher course in the use of the Baton.	No Charge
64	Assault	AC	The complainant, AC , alleges that he was assaulted by three Constables on October 7, 2017. He claims that while at a shop in Good Hope, Negril, he was approached by the concerned officers who he claims slapped him several times on his face and back, shoved him onto the police van, causing him to hit his back and then onto the ground. He further claims that while on the ground, one of the officers used his left knee to press on the complainant's chest and then used his left hand to hold on to his windpipe. Having investigated the matter, the Commission finds no prima facie case to be in existence.	The Commission hereby recommends that no criminal charges be laid nor disciplinary action be taken.	No Charge
65	Sexual Assault	VSH	The complainant, VSH alleges that she was sexually assaulted by District Constable on March 16, 2022. She claims that the concerned officer visited her home to serve her a summons and he followed her to her bedroom and pulled out his penis and attempted to put it inside her vagina. Having investigated the matter, the Commission finds no prima facie case to be in existence.	The Commission hereby recommends that no criminal charges be laid nor disciplinary action be taken.	No Charge
66	Assault	JR	The complainant, JR , alleges that he was assaulted by members of the Jamaica Constabulary Force and Jamaica Defence Force on April 11, 2020. He claims that while he was at the entrance of his housing scheme, he was approached by the law men, who instructed him to take them to his home, which was searched and one of the police officers proceeded to use his elbow to hit him on the left side of his face and side. He further claims that one of the soldiers punched him on the right side of his face and a police officers then used his gun to hit him on his left ear.	The Commission hereby recommends that no criminal charges be laid nor disciplinary action be taken against Constable or any of the members of the Jamaica Defence Force. The complainant is advised to seek the services of an attorney-at-law, in relation to the unlawful search of his premises.	No Charge
67	Assault	JJ & CY	The complainants, JJ and CY , states that they were assaulted by Constable on July 14, 2022. They claim that the concerned officer shoved JJ and when he returned the push, the said officer punched him repeatedly from his head to his side and then kicked him twice towards his lower back and bottom, causing him severe injuries. CY states that she was punched on her left eye and pepper sprayed. Having investigated the matter, the Commission finds no prima facie case to be in existence.	The Commission hereby recommends that no criminal charges be laid nor disciplinary action be taken.	No Charge
68	Assault	DF	The complainant, DF alleges that he was assaulted by members of the Jamaica Constabulary Force and the Jamaica Defence Force at his home on April 6, 2020. He claims that while in his house, he observed police officers kicking in his gate and entered his premises along with soldiers, who he claims struck him on his chest and then at the back of his neck. Having investigated the matter, the Commission finds no prima facie case to be in existence.	The Commission hereby recommends that no criminal charges be laid nor disciplinary action be taken.	No Charge
69	Assault	AM	The complainant, AM , alleges that he was assaulted by Constable on May 18, 2020. He claims that he was approached by the police, who called for assistance, and when the concerned officer arrived, he held on to him and dragged him to the Barnett Street Police Station, where he claims that the officer slapped him on his face and kicked him until he fell to the floor. He further claims that he was dragged into another room where the said officer kicked him on his rib cage and side. Having investigated the matter, the Commission finds no prima facie case to be in existence.	The Commission hereby recommends that no criminal charges be laid nor disciplinary action be taken.	No Charge
70	Assault	LV	The complainant, LV , alleges that he was assaulted by Woman Detective Constable while in custody at the Hanover Police Station. He claims that on July 25, 2019, he was approached by the concerned officer she used her finger to poke him in his eye and subsequently slapped on his face repeatedly. Having investigated the matter, the Commission has found that while there is a prima facie case of assault, the evidence is in such a state that it would not afford a realistic prospect of criminal conviction. However, the evidence is capable of leading to disciplinary mechanisms being engaged.	The Commission hereby recommends that while no criminal charges be laid against the concerned officer, disciplinary action be taken against Woman Detective Constable . Be advised of the Commission's findings that a prima facie case exists as Woman Detective Constable breached: i) Sections 14 and 18 of the JCF Use of Force Policy. ii) Sections 9.5 and 9.10 of the JCF Ethics and Integrity Policy. a) Causes such internal disciplinary proceedings as are fit and proper to be instituted against Woman Detective Constable to determine whether he committed the breaches described in the preceding subparagraph. b) Cause the necessary retraining in JCF Use of Force Policy. c) The Complainant is reminded of his civil remedies.	Disciplinary Action

71	Assault	CJ	<p>The complainant, CJ, alleges that he was assaulted by Constable on May 8, 2022, while at work as a security guard at Popeyes. He states that he was approached by the concerned officer, who used his baton to strike him on his thigh and was then dragged to the police service vehicle. He further claims that the officer slammed his head on the panel of the door of the service vehicle. Having investigated the matter, the Commission has found that while there is a prima facie case of assault, the evidence is in such a state that it would not afford a realistic prospect of criminal conviction. However, the evidence is capable of leading to disciplinary mechanisms being engaged.</p>	<p>The Commission hereby recommends that while no criminal charges be laid against the concerned officers, disciplinary action be taken against Constable. Be advised of the Commission's findings that a prima facie case exist as Constable breached Sections 14 and 18 of the JCF Use of Force Policy. a) Causes such internal disciplinary proceedings as are fit and proper to be instituted against Constable to determine whether he committed the breaches described in the preceding sub-paragraph. b) Cause the necessary retraining in JCF Use of Force Policy. c)The Complainant is reminded of his civil remedies.</p>	Disciplinary Action
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