

**PUBLIC**

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**Death threats/ possible extrajudicial executions**

**08 March 2004**

**JAMAICA**

**"Zepheniah" (m)  
and the community of Burnt Savannah**

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Amnesty International is concerned for the safety of "Zepheniah" and the community of Burnt Savannah following the alleged extrajudicial execution of three men by members of the Jamaican Constabulary Force (JCF) on 2 March.

According to the police, at 9.45 am on 2 March, officers saw a Toyota Corolla car with the men in it "acting suspiciously" and signalled the car to stop. Following a car chase, police claim the car stopped and four men inside got out and fired shots at police officers. The police returned fire, and killed three men, whilst a fourth escaped into the bushes. No police officers were injured in the incident, though police claim to have recovered one handgun and one sawn-off shotgun from the scene.

However, members of the community vigorously dispute the police version of events. According to a witness known as "Zepheniah", the police allegedly extra judicially executed twenty-one year old, Evon "Phil" Baker, twenty-two year old, Craig Vascianna, and twenty-three year old Omar "Ted" Graham. He told Jamaican human rights group Families Against State Terrorism (FAST), whose members visited the scene of the killings on 4 March:

"I was at Barham Bridge when I saw two police cars approaching. I believe the people in the taxi saw the police cars too because the taxi stopped and the three men came out. The police told the men to kneel down, and after they knelt down the police started to shoot them. The first one got a shot to the head, and so did the second one. Ted, who was the taxi-driver, asked the police if they could not spare his life. I heard a policeman I know as Clarke say to Ted, "Although mi [I] teach you at school, mi haffi [I have to] shoot you as you leave (sic) as a witness." A policeman then shot Ted in the neck, but he was not dead. He then got the last shot in his forehead. I later went to the Frome police station with a crowd of people from my community who had demonstrated about the killings. The police realized then that I was an eyewitness, and a policeman with badge number 20998 said to me, "I am going to shoot you".

According to FAST, other members of the community witnessed the killings but have been threatened by police and are afraid to give statements. Another witness is reported to have stated that he saw the police officers place the guns allegedly found on the three men at the scene.

A close relative of one of the deceased has also been threatened and has told FAST:

"When I went to the Frome police station with the crowd of demonstrators, I said to a policeman, "Corpie, you are a murderer. You murder the man." The policeman then cranked up his gun on me as if he wanted to shoot me. A Superintendent was present, but he did nothing about the policeman's action. When people stood up in the road, demonstrating, policemen chased them off the street, and "buss" [fire] about twelve shots at the people. I have some of the spent shells. People had to flee, and schoolchildren were around when the shots were fired. I heard the policeman named Clarke say that he has eight men on his list in Burnt Savannah. I assume he meant he intended to kill these eight men.

Clarke killed Craig Vacciana's brother last year December, and another of Craig's brothers was a witness against Clarke in this case. The brother was sitting in a shop when Clarke killed him, and Clarke claimed it was a shootout. In my opinion, Clarke intended to kill the brother who was the witness against him, but mistakenly killed Craig."

All three men were shot in the head. According to experts consulted by Amnesty International, it is extremely difficult to hit a suspect in the head during an exchange of fire. Multiple shots to the body are far more likely.

The fact that all three men were killed by shots to the head gives further credence to accusations by members of the community that the three were executed in cold blood.

### **BACKGROUND INFORMATION**

Amnesty International has long term concerns around the high number of police killings in Jamaica, which rates amongst the highest per capita level in the world. Many of those killed appear to have been extrajudicially executed. However, while some officers are charged with unlawful killings, the trial or conviction of a police officer on such charges is almost unheard of. The last police officer known to Amnesty International to have been convicted of an unlawful killing was in 1999.

The quality of investigation into suspicious killings by police officers is poor. Evidence is not adequately collected, protected or looked into. Intimidation of witnesses by police officers is commonplace. For more information on Amnesty International's concerns in Jamaica see *Jamaica: The killing of the Braeton Seven – A justice system on trial* (AI index AMR 38/005/2003, March 2003) and *Jamaica: Killings and violence by police: How many more victims?* (AI index AMR 38/003/2001, April 2001).

### **RECOMMENDED ACTION: Please send appeals to arrive as quickly as possible, in English or your own language:**

- expressing concern for the safety of "Zepheniah", and the community of Burnt Savannah following the alleged extrajudicial execution of three men by members of the Jamaican Constabulary Force (JCF) on 2 March;
- requesting that the authorities do everything in their power to prevent potential witnesses to the killing or other members of the community from being threatened or intimidated by police officers;
- calling for any officer suspected of issuing threats to be investigated and punished if found to be guilty;
- expressing concern at the killing by police officers of Evon "Phil" Baker, Craig Vascianna and Omar "Ted" Graham in Burnt Savannah on 2 March, and at the high numbers of killings by police officers in Jamaica in general;
- requesting that the authorities ensure that there is a full, impartial and thorough investigation into the killing of the three men; and for the case to be brought to court in a timely manner if evidence shows that the men have been murdered;
- expressing concern that, despite overwhelming evidence that the police are involved in extrajudicial executions on a regular basis, officers are rarely tried before a jury and that convictions are unheard of in recent times.

### **APPEALS TO:**

The Hon. Dr. Peter Phillips  
Minister of National Security  
Mutual Life Building  
North Tower, 2 Oxford Road  
Kingston 5, Jamaica

**Telegrams: Minister of National Security, Kingston, Jamaica**

**Fax: + 1 876 906 1712**

**Salutations: Dear Minister**

Francis A. Forbes, CD, LL.B.

Commissioner of Police  
101-105 Old Hope Road  
Kingston 6, Jamaica

**Telegrams: Commissioner of Police, Kingston, JAMAICA**

**Fax: + 1 876 927 7516**

**Salutations: Dear Commissioner**

### **COPIES TO:**

The Chairman  
Police Public Complaints Authority  
12 Ocean Boulevard  
Kingston, Jamaica.

**Telegrams: Chairman, Police Public Complaints Authority, Kingston, Jamaica.**

**Fax: +1 876 967 2585**

**Salutations: Dear Chairman**

and to diplomatic representatives of Jamaica accredited to your country.

**PLEASE SEND APPEALS IMMEDIATELY.** Check with the International Secretariat, or your section office, if sending appeals after 19 April 2004.