

**Appendix 30**

May 31, 2010

**URGENT AND IMMEDIATE  
BY TELEFAX AND HARD COPY**

ACP Granville Gause  
Officer Commanding Bureau of Special Investigations  
12 Ocean Boulevard  
KINGSTON

Dear ACP Gause:

**GROUND ZERO**

I understand that the appellation above is, or was attributed by the security forces to the area of their operation encompassing Tivoli Gardens and its environs, Denham Town and Hannah Town, Kingston, during the present State of Emergency. Manifestly, scores of firearms of varying type and calibre were discharged by security personnel in the theatre referred to, during the course of operations. It is a matter of record also, that a number of persons, security personnel as well as civilians, were fatally injured by gunfire in the operations; their corpses or bodily remains have been recovered and will not be released or interred until autopsies are done.

I formally record our further understanding that this Office will be apprised in good time beforehand, of the dates, times and places scheduled for the autopsies. This is to ensure that we are represented by an observer team, including forensic pathologists.

You will recall the surprise I expressed at the revelation that, to the best of your knowledge, none of the firearms referred to above (save some twenty five assigned to certain members of the Jamaica Constabulary Force,) had been taken out of service for the purpose of ballistic examination. For you will be aware that in the event that any spent bullets, shells or fragments etc. are recovered from the bodies of deceased, or from the area of operation, that it would be essential to establish, if possible, whether they were discharged from any weapons issued to security personnel.

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DCP Granville Gause  
Bureau of Special Investigations - 2 -

May 31, 2010

The integrity of that process would be severely compromised, if not rendered useless, unless all weapons used at times contemporaneous to the infliction of fatal injuries, are in fact examined by ballistics experts. Otherwise, it would be difficult if not impossible to resist the suggestion or conclusion that relevant weapons were deliberately excluded, in order to suppress evidence of nexus with questioned killings.

I also expressed surprise that, curiously, none of the venues of alleged killings at Ground Zero were being treated as, or as potential crime scenes. Undoubtedly, forensic evidence, such as blood or serosanguineous stains deposited in unsheltered places, will have been washed away during last weekend's rainfall. But the venues included housing blocks inside Tivoli Gardens itself. I therefore make the following urgent recommendations:

1. That steps be taken immediately to remove all relevant weapons from service; the identity of personnel to whom they were issued duly recorded in the normal way and the weapons be properly stored for the purpose of ballistic testing. This is of especial importance in relation to identification of personnel, many of whom wore masks at material times.
2. That steps be taken to identify and preserve all or all potential crime scenes to facilitate forensic evaluation. In this regard, we will make all relevant information coming to our attention, available to you.

Yours faithfully,

W. EARL WITTER, Q.C., J.P.  
PUBLIC DEFENDER

WEW\*cap

cc: Commissioner of Police  
DCP (Ag.) i/c Crime