

## PRESS RELEASE

**2 June 2020**

Following an incident involving the Royal Cayman Islands Police Service (RCIPS) which occurred on the 4<sup>th</sup> of April 2020, videos surfaced on social media that raised questions about the conduct of certain police officers. The Ombudsman decided it would be in the public interest to investigate the matter.

Around 4 p.m. on the 4<sup>th</sup> of April 2020, the RCIPS received complaints about several motorcyclists riding recklessly, performing stunts and being a nuisance. The police helicopter responded and located seven motorcycles and riders near Lookout Gardens in Bodden Town. As the police approached, the riders fled in different directions. The RCIPS decided to pursue one motorcyclist who appeared to pose the greatest risk to the public. The pursuit continued for approximately 72 minutes. It ended when an officer was able to grab the motorcyclist's arm and pull him to the ground. The incident was witnessed by several bystanders, some of whom recorded it and circulated their recordings on social media. A struggle ensued and additional officers arrived to assist. Videos of the incident show one officer arriving on the scene and immediately drawing his baton and striking the motorcyclist on his leg while he was on the ground struggling with the arresting officer, who had him pinned. The officer then moved to confront a woman standing nearby, he yelled at her and told her to return to her car. This same officer returned to interact with the woman on two further occasions yelling at her and threatening arrest for recording the incident.

The Ombudsman found that the force used by the arresting officer when he grabbed the motorcyclist's arm and pinned him in order to handcuff him was necessary and reasonable to end the pursuit and effect the arrest. However, the Ombudsman was concerned about the second officer's use of his baton to strike the motorcyclist. She found that this use of force was unnecessary and unreasonable given the suspect was on the ground and, although struggling to get up, was not strenuously resisting arrest. She cited several tactical and situational factors which were not considered by the officer.

The Ombudsman also found that the conduct demonstrated by the same officer when interacting with the woman at the scene did not comply with the RCIPS Code of Ethics and Standards of Professional Behaviour. The code sets out expectations for officers concerning self-control and tolerance and treating members of the public with respect and courtesy. The Ombudsman found the conduct to be unprofessional.

The RCIPS "Policy Guidance on Police Pursuits" dated the 16<sup>th</sup> of August 2010 was examined to determine whether the policy had been followed. As with a previous finding in another case, the Ombudsman expressed her opinion that the pursuit policy is outdated and not fit for purpose because it lacks clarity and is difficult to understand. Senior officers on duty failed to take charge of the incident which, in the Ombudsman's opinion, led to the pursuit unnecessarily continuing for an extended period, increasing the risk to the public. The final issue identified by the Ombudsman was the involvement of an off-duty officer who used his private vehicle in the pursuit. The Ombudsman noted in her report to the Commissioner that this officer used his

private vehicle to conduct a tactical manoeuvre to intercept the fleeing cyclist. Rather than stopping the fleeing suspect, this manoeuvre resulted in a police motorcyclist crashing into the officer's vehicle. She found this to be in contravention of RCIPS policy and deemed it to have created a high risk as the vehicle was not outfitted with basic police markings or lights and siren and recommended that the officer receive advice and guidance regarding his actions during the incident.

The Ombudsman has made several recommendations to the Commissioner of Police including considering discipline of the officer related to the use of the baton and his unprofessional conduct in his interactions with the woman at the scene. She also recommended that the pursuit policy be updated and implemented as soon as possible and that a debrief of all officers involved occur to review this incident and learn from it. Critical Incident Managers should receive direction with respect to their roles in future pursuits. She also suggested that the Commissioner of Police clarify for all officers whether it is ever permissible for off-duty officers to involve themselves in pursuits using private vehicles.