

DEPARTMENT OF CORRECTIONAL SERVICES
PROBATION AFTERCARE SERVICES

SOCIAL ENQUIRY REPORT (ADULT)

TO THE: St. James Circuit Court **ON:** May 06, 2021
BEFORE: Her Ladyship Mrs Justice S Jackson Haisley

SURNAME: Spence **CHRISTIAN NAME:** Kevon **ALIAS:** "Bush King & Kante"
ADDRESS: 29 Greenwich Street, Kingston 14/10 Bevin Avenue, St. James
AGE: 22 Years ***DATE OF BIRTH:** 15.09.1998 **RELIGION:** Christianity
OFFENCE OR MATTER BEFORE COURT: Manslaughter

PREVIOUS CONVICTION: None ascertained during investigation.

* SOURCE: Subject’s Information

| FAMILY MEMBERS | HOW RELATED | AGE (yrs.) | ADDRESS | EMPLOYMENT |
|-------------------------|----------------|------------|-------------------------------|--------------------|
| Frederick Spence | Father | 40 Adj. | Bevin Avenue, St. James | Hand Cart Operator |
| Kereen Sewell | Mother | 36 | Greenwich Street, Kingston 14 | Unemployed |
| Ivorene Cobrey | M/Grand mother | 67 | Barrett Town, St. James | Vendor |
| Kevon Spence | SUBJECT | OF | REPORT | |
| Andreika Myrie | M/Sister | 21 | Mt. Salem, St. James | Unascertained |
| Nicolette Green | M/Sister | 20 | Greenwich Street Kingston 14 | Unemployed |
| Jevon Dunbar | M/Brother | 16 | Greenwich Street Kingston 14 | Student |
| VICTIM Oshane Palmer | No Relation | DECEASED | | |

CIRCUMSTANCES OF OFFENCE

On October 17, 2019, at the Charles Gordon Market in the parish of St. James, during a tussle between Subject, Kevon Spence and the deceased, Oshane Palmer, Subject pulled a ratchet knife which he used to stab Mr. Palmer under his right breast before escaping the scene on foot. Mr. Palmer gave chase but collapsed shortly after and was assisted to the Cornwall Regional Hospital where he died whilst undergoing surgery. Subject was subsequently arrested and charged with the offence of Murder. He entered a plea of guilty

to the offence of Manslaughter when he appeared before the St. James Circuit Court on April 29, 2021.

HOME

Reports are that since the commission of the offence, Subject has relocated to 29 Greenwich Street, Kingston 14, where he shares accommodation with his mother, stepfather and brother. The two-bedroom self-contained concrete dwelling is reportedly owned by his mother. Water is supplied to the premises whilst electricity is informally sourced.

At Bevin Avenue, St. James, Subject shared accommodation with his paternal grandmother, who reportedly owns the dwelling and his father. The two-bedroom board house has informal water and electricity supplies. Bathroom facility is detached while cooking is done on the outside. A good relationship reportedly exists between Subject and members of his family.

EDUCATION

Reports are that Subject attended John Rollins Success Primary in St. James, from grades one to five and St. Albans Primary School in Kingston from grades five and six. Further reports are that he sat the Grade Six Achievement Test and was afforded a place at Tivoli Gardens High School. He however did not attend but returned to St. James, where he enrolled at St. James High School where he attended from grades seven to eleven but was expelled after being engaged in a fight. He later returned to Kingston and attended Trench Town Polytechnic Institute where he completed four of a six month course in auto body repair before returning to St. James. He did not attend any other educational institution and is literate.

EMPLOYMENT

Reports are that at the age of eighteen years, Subject gained employment at a restaurant where he worked as a delivery man for a couple of months only as the operations closed. Further reports are that he then began to push hand cart in the Charles Gordon Market and was so engaged at the time of the offence. He shared that his best earning days were Friday and Saturday when he earned a combined total of up to Thirteen Thousand Dollars (\$13,000.00). It was garnered that since returning to Kingston, he works alongside his stepfather as a labourer, earning Two Thousand Dollars (\$2000.00) per day.

HEALTH

Subject is reported to be mentally and physically well. There are no indications of mental illness in his family lineage.

Subject reported that he occasionally consumes alcohol but that he does not smoke.

BACKGROUND

Reports are that Subject, who is the first of four children for his mother, was born at the Cornwall Regional Hospital in the parish of St. James. Further reports are that at the time of his birth, his mother was fifteen years old, who, because of behavioural challenges, was placed at the Granville Place of Safety in Trelawny from where she ran away before becoming pregnant and subsequently left for Kingston. Subject's father, who at the time resided a Bevin Avenue, St. James, pushed hand cart in the Charles Gordon Market.

It was reported that after Subject's birth, he was taken by his mother, who by then had returned to St. James, and who again became pregnant soon after, to reside with his paternal grandmother in Bevin Avenue. According to Subject's maternal grandmother, when she observed that Subject's mother was expecting a second child, she took custody of him at the age of nine months. His mother thereafter returned to Kingston with whom Subject came in contact for the first time at the age of five years.

It was garnered that Subject's parent's contribution to his care and well-being was miniscule and that his maternal grandmother was his sole caregiver, who reported that she stopped selling in the market because of Subject, as she was of the view that a child should not be raised in such an environment. She then began to buy and sell in a bid to meet the needs of the household. Subject would reportedly come in contact with his father when his maternal grandmother took him to the market and visited his mother during holiday breaks.

Reports are that at the age of nine years, Subject relocated to Kingston, where he lived with his mother for one year and he returned to St. James and lived with his father and paternal grandmother. Further reports are that he whilst in about grade eight or nine, he returned to live with his maternal grandmother in Barrett Town for a year before returning to Bevin Avenue.

Subject reportedly attended school daily and church with his maternal grandmother where he was reportedly baptized. After leaving school, he reportedly returned to Kingston where he spent approximately two years before returning to St. James and joining the work force.

Subject described his childhood as sometimes confusing because of the consistent relocating but that it was otherwise good as his basic needs were met. This is reportedly his first encounter with the law and he has no dependent.

Subject's maternal grandmother, Ms. Cobrey, reported that he did not pose much behavioural challenges during his earlier years but recalled having to visit school once after an incident with another student which resulted in her sending him to live with his mother in Kingston.

Ms Cobrey expressed surprised at the situation in which Subject placed himself as he and the deceased were friends. She recalled that on the night when Subject came to her house he was crying and cried the entire night after he learnt of Mr. Palmer's death. She expressed further, that she instructed him to seek the assistance of his mother to turn himself in to the police as she was not in a position to take on such situation and that his father was of no help. She added that she warned him, out of fear of retaliation, not to return to the township of Montego Bay. Ms Cobrey shared that she is familiar with the deceased man's mother whom she feels badly for as she lost a child, a feeling with which she is familiar. She shared further that she leaves the matter in the hands of God.

Subject's father and paternal grandmother were also interviewed. They shared that he was not a troublemaker and attributed provocation to his action and current predicament. They furthered that he would often be observed on his phone and was quiet. They begged for leniency on his behalf, noting that this is his first encounter with the law.

(Completed by Mr Chester Bennett from the Corporate Area Probation Office)

Mother reported that Subject was a good child who did not give her any trouble, but love to play football and this was the only time she had a problem with him. She proclaimed that he was a private person and liked his own space to either play games or listen to music on his phone. She posited that he was never an aggressive person and has never been involved in any fights. Miss Sewell suggested that maybe provocation, jeering or harassment influenced his spontaneous aggressive action that led to the offence. She related that since the offence, he has become withdrawn and cannot sleep as he has nightmares and wakes up in the middle of the night trembling and crying. She is pleading for mercy on his behalf as this is his first offence and he is not a bad person.

Mr Winston Satchell, Subject's stepfather expressed that he is acquainted with Mr Spence for the past eight years and know him to be a quiet, well behaved and very respectful young man although most time he behaves very childish. He added that the only time he associates with others is when he is playing football. He furthered that Subject is a very private person who

is always by himself most of the time with his phone. He expressed that he is never involved in bad company. Mr Satchell said that he was in the process of teaching him the trade of steel-work and he would work alongside him whenever he is employed. He expressed that at the time of the offence there was no work going on, hence, Subject visited his relatives in St James. He too indicates that provocation could be the cause of his action and is seeking mercy as it was the offender's first run-in with the law; therefore, he is soliciting a noncustodial sentence on his behalf.

INTERVIEW AND PERSONALITY APPRAISAL

Subject was interviewed at the St. James Probation Officer where he presented with reasonable intelligence as he responded to the questions asked in a soft tone and was respectful. He shared that he and the deceased whom he met when he began working in the Charles Gordon Market were friends. He furthered that on the night in question he and the deceased were among others in the market when one of them called the deceased "ET". He continued that the deceased did not take kindly to being called said name and asked that they do not. According to him, the deceased was given a bag by someone to deliver in another section of the market where the deceased asked him to accompany him to. He noted that whilst on their way, he still teased the deceased which resulted in a brief tussle which according to him they laughed off and the deceased again insisted that he discontinue referring to him as "ET" at which time he acknowledged "ok ET". He noted further that the deceased "boxed him" and they "grabbed up each other" during which he pulled a ratchet knife from the deceased's pocket which he swung once after which the deceased pulled a knife from his pocket and he ran off with the deceased in tow. He added that prior to running off, he observed the deceased had held on to a section of his side.

Subject explained that he left the market and went to Barrett Town as he was in shock and frightened as he figured he had injured the deceased. He explained further that he contacted another friend and enquired about the deceased and was told that he was taken to the hospital. He continued that said friend made contact the following morning and informed him that Mr Palmer had died. He posited that he got scared and contacted his mother whom he did not tell what had happened but instead told her that he wanted to visit Kingston for her assistance. He continued that he left for Kingston and was told the following day that he was wanted by the police. He noted that his mother did not have any money which delayed their return to St. James, where his mother secured a lawyer and he was taken in to the police.

Subject slumped further into his seat as he spoke about the serious impact the overall situation has had on him to include sleepless nights as he questioned why he had to stab the deceased and not do something else. This he noted has caused him to feel stressed as the experience is hard to forget. He added that he knows the deceased family is hurt as he has spoken to his mother and apologized. He expressed that he is fearful of being imprisoned and that he hopes for the best.

INTERVIEW WITH MOTHER OF THE DECEASED

The deceased's mother, Mrs Nickesha Hill Smith remembered her son and first born as a brilliant person who was promising, jovial and kind and who loved to explore. She furthered that he loved to cook and exhibited mature behaviour from an early age more so when he was thirteen years and they were homeless. This attitude she noted caused him to not want to attend school but insisted that he wanted to earn and assist her. She reported that at about age sixteen years, he appeared before the Family Court where she asked that he be placed in state care until the age of eighteen years. However, the court instead placed in him the custody of his step-father, who, since Subject's death, has turned to drinking and smoking as he blames himself and same has put a strain on their marriage. According to mother, her son's death has seriously affected her and other members of her family emotionally, including a younger son, for whom she is now seeking intervention.

Mrs Smith shared that her life will never be the same and that she does not hate the offender but that she is hurt by his action and that she was told that Subject left and bought a knife and went in search of her son. She spoke about the financial burden associated with his death and the fact that she angry at the deceased for not adhering to her instructions. She expressed further that she wants justice and she believes Subject "should do some time".

COMMUNITY REPORT

Success Lane in Barrett Town where Subject resided for some time was visited. It was garnered from residents that whilst living in the area, he did not pose any behavioural challenges nor was he known to be aggressive. He was further described as being quiet.

Residents and business operators in the Bevin Avenue area of Montego Bay were familiar with Subject from his childhood years. It was shared that he maintained a cordial relationship with others and was not known to exhibit aggressive tendencies, hence they were surprised when they learnt of his

actions. Said residents suggested that he may have been provoked to respond in that manner.

(Completed by Mr Chester Bennett at the Corporate Area Probation Office)

Residents of Greenwich Street in the West Kingston area gave an audience to the Officer. Some residents informed that Subject was known to them while others related that they were not familiar with him though expressed knowing his parents. Those residents who stated their familiarity related that he is a respectful young man who was not mixed up in any negative behaviours or bad company. They added that he seldom speaks separate and apart from a greeting. They related that he is rarely seen on the streets and only goes out to play football with other youths in the community.

Concerning the offence, most residents reported that they were unaware while a few stated that they had a slight insight of the offence. They expressed that something must have pushed him to the limit as he does not appear to be the violent type and posited that he be given a second chance as he is still young.

ASSESSMENT AND RECOMMENDATION

Twenty-two (22) year old Kevon Spence is before the St. James Circuit Court charged with the offence of Manslaughter to which he has pleaded guilty. This is reportedly his first encounter with the criminal justice system.

Indications are that Subject was born to a teenage mother but was predominant raised by his grandmothers with minimal support from either parent. He was afforded an education and reportedly exposed to morals through his attendance at church where he was also baptized. He did not attain any level of certification but has been able to engage in employment and does not have anyone dependent on him for support.

Subject, through his plea of guilty, has accepted responsibility for his action which resulted in the loss of a life, as well as some distress for the relatives of the deceased who are seeking justice. Information garnered from family and community members about his conduct were positive and highlighted that negative behaviour was uncharacteristic, who they noted may have been provoked.

Whilst such behaviour appears out of character for Subject, the attack reportedly launched on him by the deceased may have given rise to the environment which caused such an overreaction and him responding outside of his normal character which resulted in the demise of the deceased.

Notwithstanding, a life was lost as a result of his action for which he must face the consequences.

The honourable court may wish to consider the aforementioned as it contemplates an appropriate sentence in this matter.

Date of Report: May 03, 2021

Prepared by:

Approved by:

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