

COMMONWEALTH OF THE BAHAMAS

IN THE SUPREME COURT

Criminal Division

CRI/VBI/166/1/2017

BETWEEN

REX

AND

JEREMY WILLIAMS

Before Honourable Justice Weech-Gomez

Appearances: Bradford McKenzie

The Defendant Pro'Se

Sentencing Date: 27th October 2023

Ruling on Sentencing

Jeremy Williams the “convict” was found guilty on the 5th day of may 2023 by a Jury on the following offences:

- (a) Possession of firearm with intent to Endanger Life(5 counts) contrary to Section 33 Firearms Act Chapter 213 with respect Sgt 583 Williams, PC 3893 Miller, PC 3726 Rolle, PC 3748 McFall and PC 3534 Solomon,(b) Damages: contrary to Section 338 of the Penal Code Chapter 84 , (c) Possession of an Unlicensed Firearm: contrary to section 5(a) Firearms Act Chapter 213**

The Crown’s case upon which the jury convicted was that on Tuesday the 25th April 2017 the convict he along with others at Mew providence attempted to murder Police Sgt 583 Williams, PC 3893 Miller, PC 3726 Rolle, PC 3748 McFall and PC 3534 Solomon. Further the convict did have in his Possession an Unlicensed Firearm with Intent to Endanger lives of the above-mentioned officers and caused Damage to property.

The convict denies any involvement in the matter and maintained his innocence. At the time of the commission of the offence, the convict was 44 years of age he is now 50 years old.

Regrettably the Court has not had the benefit of a social enquiry report although one was requested by the Court; the Department of Rehabilitative Welfare Services made it clear in its memorandum to this court dated 26th September 2023 and during the course of the hearing that the convict adamantly informed the Probation Officer of his non-interest in providing any information to assist with the preparation of a report or recommending any individuals to provide character references on his behalf. He also noted that the court was already in possession of his antecedent form and believed that a sentence could be given based on his previous convictions. Additionally the convict further informed the court at his sentencing hearing of the same.

What was clear from the convict's antecedent's reports is that he has had prior criminal convictions and this matter is by no means his first and only offence. The Prosecution has asked that the convict be sentenced to the maximum amount of time with respect to each of the counts having regard to (a) the high level of crime in our society.

In a sentencing exercise I must be mindful of its aim namely retribution, deterrence, reformation and protection. The retribution of element is intended to show public revulsion for the offence and to punish the offender for his wrong conduct.

Deterrence sentences are aimed at deterring not only the actual offender from committing further offenses but to put potential offenders from breaking the law.

The importance of reformation of the offender is shown by the joint emphasis laid upon it by much modern legislature.

However the protection of society is often the overriding consideration in determining the appropriate sentence for any particular offence the court will take into consideration the nature of the offence and the circumstances in which it was committed, the degree of deliberation shown by the offender, the degree of preparation and planning involved, the prevalence of the offense, the violence used the degree of physical and mental harm inflicted.

Regard has to be paid to the interests of the defendant as well as the account of the seriousness of the offenses, The court must recognize the seriousness of harm caused to the victim and the proper interest of the public at large, both in protecting others from serious harm from the individual offenders and deterring other from committed like offenses.

Should the court pass sentences that were out of line with proper sentencing practice would only cause public concern and affect the confidence of the public in the system.

In sentencing an individual the court must have regard to the facts as presented in each case entered individual's own set of circumstances.

The court for instance was considered the circumstances in which the offence was committed, whether the convicted person showed any remorse for the acts for which he was convicted, whether the convicted person is considered to be danger to the public, the likelihood of the convict being reformed, The court must also consider in each instance the aggravating and the mitigating circumstances.

Mitigating Factors:

There were a few mitigating features pointed out by both Counsels, they were:

- (a) Convict did not commit any prison infractions
- (b) Dr. Dillet said that he was not incapable of reform.

Aggravating Factors

Having regard to the circumstances I have struggled hard to find any mitigating factors. I am therefore left with only aggravating factors with respect to not only the offences but indeed the convict.

I am still however duty bound to find an appropriate balance in sentencing the convict which express the abhorrence of the community for this type of behavior AND the Defendants lack of regard not only for the value of human life but his lack of remorse and his indifference to the entire process.

In the circumstances an appropriate sentence for Jeremy Williams with respect to the (5) counts of Possession of a Firearm with Intent to Endanger Life is 13 years on each count, As to count #18, 2 years and as to count #19, 13 years. And I sentence you to imprisonment to a term of 13 years on each count.

The sentences are to run concurrently, I will take into consideration the time spent from the date of conviction to the date of sentence.

The defendant/convict is not a young man.

